



COUNCIL MEETING

AGENDA

*Council Chambers
Canada Bay Civic Centre
1a Marlborough Street
Drummoyne*

*Tuesday, 15 March 2022
Commencing at 6.00 pm*

Director Corporate Services
& Strategy
Evan Hutchings

General Manager
John Clark

Mayor
Cr Angelo Tsirekas

Director Community
& Environmental
Planning
Monica Cologna

Director City Services
& Assets
Kelly Loveridge

Minute Taker



**CITY OF CANADA BAY
COUNCILLORS**

Cr Michael Megna

Cr Stephanie Di Pasqua

Cr Carmela Ruggeri

Cr Joseph Cordaro

Cr Julia Little

Cr Charles Jago

Cr Anthony Bazouni

Cr Andrew Ferguson



Dear Councillor,

An ordinary meeting of the Council will be held in the Council Chambers, Canada Bay Civic Centre, Drummoyne, on Tuesday, 15 March 2022 at 6.00pm.

AGENDA

1. Acknowledgement of Country
2. Apologies and Application for Leave of Absence by Councillors
3. Confirmation of Minutes
 - Council Meeting – 15 February 2022
4. Disclosures of Interest
5. Mayoral Minute(s)
6. Public Forum
7. Reports to Council
8. Notices of Motion
9. Confidential Matters

John Clark
General Manager

10 March 2022

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Please Note:

The use of private tape recorders or other electronic devices, including mobile phones, is not permitted.

MM1 MAYORAL MINUTE – SYDNEY METRO WEST: PUBLIC MEETINGS FOR OUR COMMUNITY

Department Executive Services

Author Initials: AT

REPORT

I would like to draw Council’s attention to concerns arising among our community in relation to the construction of the Sydney Metro West.

In previous Mayoral Minutes I have advocated for Sydney Metro to work with Council to ensure impacts on our local community are mitigated throughout construction.

Since the beginning of construction Sydney Metro has worked constructively with Council to look for solutions and to mitigate certain impacts of construction. Extending the operation of the public Waterview Street carpark in Five Dock over the Christmas period, and the plans for construction workers not to park in nearby residential streets good examples of positive early commitment.

Our community is aware that the Metro project offers some unprecedented future benefits for the City of Canada Bay, and we welcome the high quality, smart, public transport system to our area.

However, I have heard from many residents about growing concerns about the impacts of tunnelling, out of hours truck movements and many other issues.

While we welcome the project, memories of the Westconnex construction remain fresh for many of our residents and it is now clear that we must act to ensure that Sydney Metro is communicating with our local community to ensure that all questions are answered, and concerns seen to.

Council has already requested Sydney Metro hold a public meeting for each new station location and we are working with Sydney Metro to host those meetings in the near future. This will ensure that our community’s concerns can be raised and answered by project leads and experts.

I once again thank Sydney Metro’s project staff for working alongside our community to make this project a success and I am sure they will be grateful for the opportunity to communicate with our local community.

RECOMMENDATIONS

1. THAT Council invites the Member for Drummoyne, Chambers of Commerce, local residents, community members and representatives of the Sydney Metro West Project to a public meeting near each of the three proposed Metro stations in the City of Canada Bay LGA: Five Dock, North Strathfield, and the proposed station near Concord Oval which is currently referred to by Sydney Metro West as Burwood North.
2. THAT Council communicate detail of the meetings to residents and the local business community once times and locations are finalised.

MM2 MAYORAL MINUTE – 1ST YARALLA SEA SCOUTS 100TH ANNIVERSARY

Department Executive Services

Author Initials: AT

REPORT

I wish to congratulate the 1st Yaralla Sea Scouts on the occasion of their 100th anniversary.

I was thrilled to attend the celebration of their 100th anniversary on 26 February, at a special event which also featured the opening of the Uhrs Point Reserve passive craft launch facility.

The 1st Yaralla Sea Scouts started their journey as the 1st Rhodes Troop on 11 March 1921. They have thrived ever since – educating local youngsters about the world and about community service.

Alongside other Scout and Sea Scout groups from across our area, the 1st Yaralla Sea Scouts have become a vital part of our local community, helping young men and women in their journey to successful adults.

At their celebration the City of Canada Bay was proud to unveil the Uhrs Point Reserve passive craft launch facility, a project funded in partnership with the NSW Government which will allow for the Sea Scouts to continue to thrive.

I ask Council to join me in congratulating the 1st Yaralla Sea Scouts on this important occasion, to thank them for their important service to our community and to wish them well for the next 100 years.

RECOMMENDATION

THAT Council congratulate the 1st Yaralla Sea Scouts on their 100th Anniversary.

Department Executive Services

Author Initials: AT

REPORT

For well over a century Drummoyne Oval has been one of Sydney's premier local sporting institutions.

The oval has been a community hub and provided the scene for many sporting triumphs and heartbreaks since 1930, when it was constructed with a grant from the Unemployment Relief Fund.

Since then the ground has overseen many minor and major developments and the City of Canada Bay has worked alongside State and Federal governments as well as sporting groups to ensure its place as one of Sydney's premier sporting grounds and community facilities.

Drummoyne Oval is one of the few sporting fields in Sydney that is home to three sports all year round and has been home to clubs from junior to elite level, including the Sydney Cricket Club, Drummoyne Rugby and Drummoyne Power AFL.

The ability to connect our local community to elite level sport has far reaching benefits beyond the joy that local kids have seeing stars like Elyse Perry and Steve Smith in action in their backyard.

Despite its idyllic location and some fantastic facilities, those who have been to matches recently, and certainly those who have used the facilities, know that work must be done to keep the facility up to date with the needs of both our community and of the elite sporting bodies that we want to keep utilising the ground.

Examples of some issues the current state of the oval poses include poor women's facilities, a lack of indoor all weather training facilities, uncovered seating for spectators, a dilapidated and antiquated scoreboard and a lack of administrative facilities. These issues have hindered the ground's use in recent years.

The local clubs that use the ground have recently been exploring opportunities for funding for strategic renewal of the facilities at Drummoyne Oval to ensure the ground is fit for both local and elite sport into the future.

I support the local clubs in their intention to identify investment opportunities for Drummoyne Oval and we support the clubs' opening discussions with State and Federal Members to ensure Drummoyne Oval remains Sydney's finest local sporting ground.

RECOMMENDATION

THAT Council continue to work with local sporting clubs to advocate for funding opportunities for the renewal of Drummoyne Oval.

ITEM 1 DA DETERMINATIONS BY THE LOCAL PLANNING PANEL AND STAFF UNDER DELEGATION

Department Community and Environmental Planning

Author Initials: SPA

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 CONNECTION

This report supports YOUR future 2030 Outcome area:

- VSA 5.4.1. Provide transparent and informative Statutory Development services to assure approval processes are streamlined and timely and effective compliance is achieved.

REPORT

The following applications were listed for consideration at the CBLPP meeting held on 23 February 2022:

- DA2021/0278 – 111 Parramatta Road – Approval for use of the roof area as a breakout space with construction of associated structures and signage to the existing three storey commercial building – *Approved subject to conditions.*

Items for next CBLPP Meeting on 30 March 2022

As of the date of this report, the following applications are proposed to be referred to the next meeting of the CBLPP to be held on 30 March 2022. It should be noted that the assessment reports for these matters are yet to be completed and that not all matters may be finalised in time for the agenda for the upcoming CBLPP meeting to be published on Council's webpage by close of business on Thursday, 18 March 2022:

- MOD2021/0166 – 2P Parkview Road, Chiswick - To allow for the extension of sports use of Campbell Park and the associated illumination of the floodlighting to be extended from 9:00pm to 9:45pm, Tuesday to Thursday and 5pm to 9:45pm, Friday.

Development Applications – Determined

The following Development Applications have been determined by staff under delegation between 1 February 2022 and 28 February 2022:

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT	DATE DETERMINED & DECISION
DA2021/0375	21.12.2021	207/10 Shoreline Drive, Rhodes	Installation of split air-conditioner unit	Approved 03.02.2022
DA2022/0019	21.01.2022	19-19A Roseby Street, Drummoyne	Internal fitout of Puma store	Approved 03.02.2022
DA2022/0013	20.01.2022	74 Thompson Street, Drummoyne	Removal of tree from rear yard	Approved 03.02.2022
DA2021/0334	29.11.2021	84 Cabarita Road, Cabarita	Alterations and Additions to an existing dwelling and garage with new pool and associated landscaping	Approved 03.02.2022
DA2021/0356	08.12.2021	266 Lyons Road, Russell Lea	Alterations and additions to existing dwelling	Approved 04.02.2022
DA2022/0008	10.01.2022	2 Tranmere Street, Drummoyne	Tree pruning	Approved 07.02.2022
DA2020/0363	16.12.2020	11A George Street, North Strathfield	Change of Use and fitout to a multi use health centre with yoga studios acupuncture and beauty parlour	Approved 07.02.2022
DA2021/0029	08.02.2021	11A George Street, North Strathfield	Change of use of part of tenancy 1 to a tenancy for painting classes	Approved 07.02.2022
DA2021/0309	11.11.2021	13 Jones Street, Concord	Alterations and additions to existing dwelling and studio	Approved 10.02.2022
DA2021/0370	22.12.2021	31 Hezlet Street, Chiswick	Alteration and additions to an existing two-storey dwelling	Approved 11.02.2022
DA2021/0323	21.12.2021	8 Dorking Road, Cabarita	Alterations to the front façade and provide a cover to an existing first floor verandah	Approved 11.02.2022
DA2021/0362	15.12.2021	33 Cabarita Road, Concord	Demolition of the existing pool and associated structures and construction of a new pool, with pool fence, pump and landscaping	Approved 11.02.2022
DA2021/0343	07.12.2021	32 Salt Street, Concord	Alterations and additions to existing dwelling with new attached garage	Approved 17.02.2022
DA2021/0371	22.12.2021	26 Regatta Road, Canada Bay	Construction of a detached outbuilding garage with access provided from the rear lane	Approved 17.02.2022
DA2021/0287	21.10.2021	51 Polding Street, Drummoyne	Alterations and first floor additions to rear of existing dwelling and new swimming pool	Approved 17.02.2022
DA2021/0184	23.07.2021	136 Gipps Street, Drummoyne	Alterations and additions to an existing single storey dwelling, including addition	Approved 17.02.2022

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT	DATE DETERMINED & DECISION
			of lower level garage, ground floor alterations and first floor addition	
DA2021/0321	24.11.2021	16A Plunkett Street, Drummoyne	Alterations and additions to existing dwelling	Approved 17.02.2022
DA2021/0233	02.09.2021	2 Regatta Road, Five Dock	Proposed digital advertising signage on new Jump EV charging station to existing Electrical Substation on Spencer Street on land adjacent to 2 Regatta Road, Five Dock	Approved 18.02.2022
DA2021/0347	07.12.2021	591 Great North Road, Abbotsford	Construction of a hardstand parking space forward of the existing dwelling	Approved 18.02.2022
DA2021/0360	24.12.2021	20 Conway Avenue, North Strathfield	Alfresco with Roof over approx 6.5m long x 3.5m wide	Approved 18.02.2022
DA2022/0014	20.01.2022	1 The Drive, Concord	Demolition of existing garage and concrete within rear yard and construction of a timber framed double garage and rear yard landscaping	Approved 18.02.2022
DA2021/0278	12.10.2021	111 Parramatta Road, Concord	Approval for use of the roof area as a breakout space with construction of associated structures and signage to the existing three storey commercial building	Approved – LPP 23.02.2022
DA2021/0294	05.11.2021	41 Majors Bay Road, Concord	Alterations and additions to commercial development	Approved 23.02.2022
DA2021/0274	12.10.2021	8 Henley Marine Drive, Five Dock	Part demolition of existing semi and construction of alterations and first floor addition	Approved 24.02.2022
DA2021/0378	11.01.2022	7 Spring Park Circuit, Breakfast Point	New sliding door to rear of dwelling, installation of an in-ground pool & spa and covered alfresco area, and brick fence to side and rear boundaries	Approved 25.02.2022
DA2022/0005	19.01.2022	60 Plunkett Street, Drummoyne	Proposed swimming pool, Pergola and associated landscape works.	Approved 25.02.2022
DA2022/0003	07.01.2022	1 Lyons Road, Drummoyne	Alterations to existing strata apartment	Approved 25.02.2022
DA2022/0018	21.01.2022	38 Wilga Street, Concord West	Removal of Gum Tree due to storm damage and replacement tree planting	Approved 28.02.2022

Total Number of DAs Determined = 28

Development Applications - Lodged

The following Development Applications were lodged with Council during the same period, 1 February 2022 and 28 February 2022:

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT
DA2022/0029	01.02.2022	46 Henley Street, Drummoyne	Alterations and first floor addition
DA2022/0032	03.02.2022	64 Burnell Street, Russell Lea	Demolition of existing structures and construction of a two storey dwelling with basement parking
DA2022/0035	04.02.2022	53 Fairlight Street, Five Dock	Construction of a two storey dwelling
DA2022/0026	04.02.2022	94 Henley Marine Drive, Russell Lea	Demolition of existing garage and construction of new garage and storage
DA2022/0028	04.02.2022	34 Abbotsford, Abbotsford	Construction of a car hardstand space for the purpose of parking a vehicle
DA2022/0030	04.02.2022	12 Barton Street, Concord	Demolition of existing structures and construction of a two storey dwelling with basement parking
DA2021/0353	07.02.2022	38 Ingham Avenue, Five Dock	Demolition and removal of existing pool and surrounding timber decking, construction of addition of single storey studio at the rear of the property and new swimming pool, landscaping and cabana
DA2022/0038	07.02.2022	7 Wareemba Street, Wareemba	Construction of a two storey dwelling house
DA2021/0374	07.02.2022	98 Queen Street, Concord West	Demolition of existing structures and construction of a two storey dwelling with garage and associated site works
DA2022/0033	08.02.2022	9 Nirranda Street, Concord West	Demolition of the existing structures and construction of a two storey detached dwelling with a cabana
DA2022/0034	08.02.2022	469 Lyons Road West, Five Dock	Construction of a second storey office above rear garage
DA2022/0041	08.02.2022	45 Myall Street, Concord West	Alterations and additions to residential development
DA2022/0040	08.02.2022	15 Boronia Street, Concord West	Demolition of Existing Structures and construction of a two storey residential dwelling with basement parking and swimming pool
DA2022/0036	09.02.2022	19 Coranto Street, Wareemba	Proposed new carport and vehicular crossing to the existing dwelling
DA2022/0039	09.02.2022	53 Davidson Avenue, Concord	Demolition of existing structures and construction of a new two-storey dwelling with basement and associated landscaping
DA2022/0047	10.02.2022	2 Murralong Avenue, Five Dock	Construction of carport
DA2022/0042	10.02.2022	8 Eaton Place, Chiswick	Demolition of existing structures and construction of a two storey attached dual occupancies, plunge pools and strata title subdivision
DA2022/0045	10.02.2022	9 Mepunga Street, Concord West	Construction of a new swimming pool, front fence and alterations to a first floor balcony

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT
DA2022/0044	15.02.2022	23 Great North Road, Five Dock	Alterations and additions to existing dwelling
DA2022/0050	16.02.2022	120-122 Edenholme Road, Wareemba	Strata Subdivision of Common Property and Lots 1-8 included in SP87167
DA2022/0046	16.02.2022	1/239 Great North Road, Five Dock	Proposed change of use and shop Fit-Out to gym
DA2022/0048	16.02.2022	33 Byrne Avenue, Russell Lea	Demolition of existing structures and construction of two storey dual occupancy with basement storage
DA2022/0055	16.02.2022	43 Murralong Avenue, Five Dock	Alterations and additions to existing dwelling and new pool
DA2022/0049	17.02.2022	19 Tait Street, Russell Lea	Alterations and additions to existing dwelling and proposed carport to existing car park space
DA2022/0056	18.02.2022	33 Burnell Street, Russell Lea	Demolish existing structures and construction of a new dwelling with pool and garage
DA2022/0054	18.02.2022	24 Park Avenue, Drummoyne	Replacing existing windows and rear door, installation of a new window
DA2022/0051	18.02.2022	1-11 George Street, North Strathfield	Alteration and change of use of Building 5 and 10 at the Bakehouse Quarter
DA2022/0052	18.02.2022	99 Parramatta Road, Concord	Change of use to a gymnasium with associated fit-out and signage
DA2022/0057	18.02.2022	7 Thornley Street, Drummoyne	Alterations and first floor additions to existing semi detached dwelling with new basement accessed from rear
DA2022/0061	21.02.2022	48 Henley Street, Drummoyne	Tree Pruning
DA2022/0015	22.02.2022	20 Victoria Road, Drummoyne	Removal of existing front fence and gate at front of property and replace with a new fence and gate. Original secondary gate to be reinstated
DA2022/0053	22.02.2022	12 Tennyson Road, Concord	Alterations and additions to existing two storey semi-detached dwelling
DA2022/0060	22.02.2022	122 Thompson Street, Drummoyne	Demolition of existing dwelling and construction of a new two storey dwelling with a basement and a pool
DA2022/0037	22.02.2022	20 Pomeroy Street, North Strathfield	Demolition of the existing structures and construction of a two-storey attached dual occupancies with strata title subdivision
DA2022/0031	23.02.2022	35 Hospital Road, Concord West	Strata subdivision of dual occupancy
DA2022/0062	24.02.2022	46 Marlborough Street, Drummoyne	The removal of one eucalyptus tree and the pruning of two eucalyptus trees
DA2022/0065	24.02.2022	13 Parramatta Road, Five Dock	Change of use external area & extension of opening hours - Illinois Hotel

Total Number of DAs Lodged = 37

Variations to development standards

There was one variation made to a development standard (e.g. Building Height, Floor Space Ratio) under the provision of Clause 4.6 of the Canada Bay Local Environmental Plan, 2013 for the period 1 February 2022 and 28 February 2022:

DA NO	PROPERTY	LEP DEVELOPMENT STANDARD	JUSTIFICATION	EXTENT	DATE APPROVED
DA2021/0278	111 Parramatta Road, Concord	12metre Building Height limit	The centrally located addition will be lower than the existing building envelope.	1.61metres (13.5%)	23 February 2022

Land and Environment Court Appeals

The following provides an update on Land and Environment Court appeals as at 28 February 2022:

DA/APPEAL NO	PROPERTY	DESCRIPTION OF DEVELOPMENT	CURRENT STATUS
DA2020/0247	10 Chapman Street, Strathfield	Class 1 Appeal against the deemed refusal of DA which seeks approval for the construction of a residential flat building containing 110 apartments, site preparation including demolition, excavation, landscaping and other related works	Development approved by the Court 11 February 2022.
DA2019/0380	Gladesville Bridge Marina – 380 Victoria Place, Drummoyne	Class 1 Appeal against the actual Refusal of the development application for alterations and additions to the Gladesville Bridge Marina Council is listed as the First Respondent. Save the Gladesville Bridge Waterway Incorporated are listed as the Second Respondent	Section 34 Conciliation conference held 2 November 2021. No agreement reached. Matter listed for five-day hearing on 12,13 and 16, 17 and 18 May 2022
DA2020/0349	76B St Georges Crescent, Drummoyne	Class 1 Appeal against the actual Refusal of the development application for Demolition of existing structures and constriction of three storey residential flat building with three apartments and underground parking and entertaining areas	Amended development approved by the Court 15 February 2022.
DA2021/0089	30-34 Leicester Avenue, Strathfield	Class1 Appeal against the deemed Refusal of the development application for demolition of existing structures, amalgamation of lots and the construction of a	Application under review with the matter listed for further directions by the Court 4 March 2022.

DA/APPEAL NO	PROPERTY	DESCRIPTION OF DEVELOPMENT	CURRENT STATUS
		five storey residential flat building with 42 apartments and 46 car parking spaces.	
DA2021/0192	11 – 21 Chapman Street, Strathfield	Class 1 Appeal against the deemed refusal of the development application for integrated development for the erection of a residential flat building containing 61 apartments, including basement carparking and associated site preparation, excavation, landscaping and other related works.	Application under review with the matter listed for further directions by the Court 8 March 2022
DA2021/0083	2 Tennyson Road, Concord	Class 1 Appeal against the actual Refusal of the development application for the Torrens title allotments	Consent orders agreed to be entered into between the parties. Matter approved by the Court 9 February 2022.
DA2021/0108	38 Salt Street, Concord	Class 1 Appeal against the deemed Refusal of the development application for the demolition of existing structures on site, construction of a double storey residential dwelling with basement, in ground swimming pool and front fence	Matter listed for conciliation conference on 13 April 2022

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

RECOMMENDATION

THAT Council receive and note the information contained in the report on DA determinations by the Local Planning Panel and Staff under delegation (for the period 1 February 2022 and 28 February 2022).

ITEM 2 SYDNEY METRO WEST LOCAL CHARACTER STATEMENTS - COMMUNITY ENGAGEMENT 1 OUTCOMES

Department Community and Environmental Planning

Author Initials: AW

EXECUTIVE SUMMARY

Sydney Metro West is a significant infrastructure project that will improve how people move around the City of Canada Bay and surrounds. Council has an opportunity to influence the extent of change around station locations and to ensure that the community is consulted from an early stage.

In accordance with the *Canada Bay Local Strategic Planning Statement*, Council resolved to consult with the community to inform the preparation of Local Character Statements for land within the immediate vicinity of metro stations in the City of Canada Bay. Community feedback was received in relation to a variety of issues, including character, access, public space, activities, housing, and the community's appetite for change.

Building on the engagement undertaken, a Planning Study has been drafted that takes into consideration community feedback, opportunities and constraints arising from the Metro and planning legislation as it relates to each locality.

This study includes draft Local Character Statements for the three Sydney Metro West precincts of Five Dock, Concord Oval/Burwood North and North Strathfield. These Statements provide a high-level overview of the potential future character of each area including land uses, building heights, dwelling density, open space, transport, community facilities and key priorities for action.

It is recommended that the draft Local Character Statements and the supporting Engagement Summary Report and Planning Study be placed on public exhibition.

STRATEGIC CONNECTION

This report supports YOUR future 2030 Outcome areas:

- EFF 4.1.1. Community Engagement provides direction for planning and the two way flow of information contributes to decision making.
- EFF 4.2.1. Provide Strategic and Land Use Planning to ensure the built and natural environment is highly liveable with quality and sustainable development incorporating best practice design.

This report also relates to the *City of Canada Bay Local Strategic Planning Statement (LSPS)*.

REPORT

Background

Sydney Metro West

The locations of nine Sydney Metro West stations are confirmed at Westmead, Parramatta, Sydney Olympic Park, North Strathfield, Concord/Burwood North, Five Dock, The Bays, Pyrmont and Martin Place.

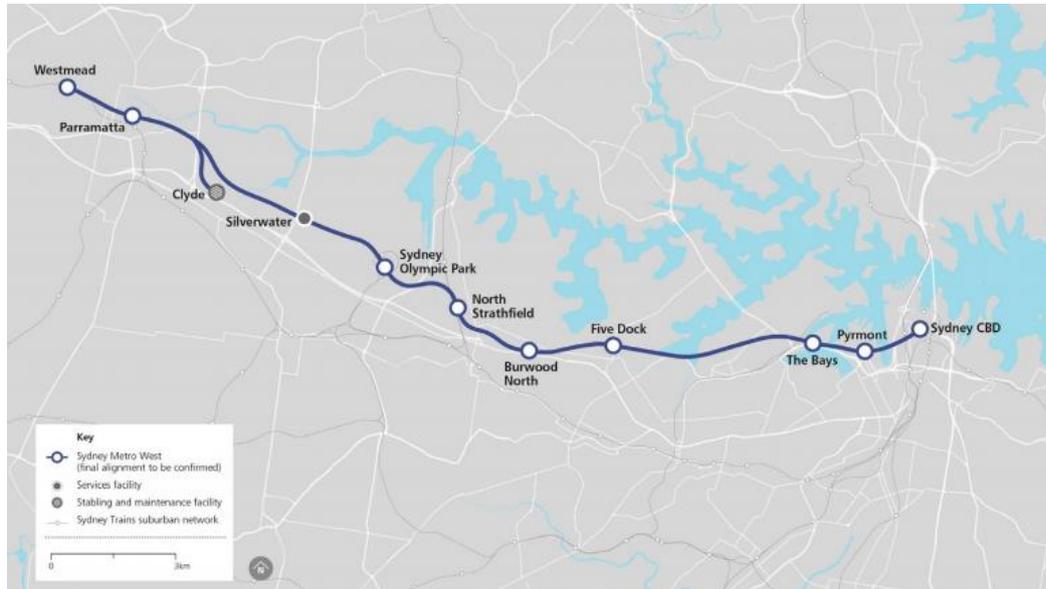


Figure 1: Overview of the Sydney Metro West rail alignment

Planning approval has been granted by the Department of Planning, Industry and Environment for the Sydney Metro West project concept and Stage 1 between Westmead and the Sydney CBD (March 2021).

Whilst the project is expected to provide significant potential benefits to the locations identified, as well as more widely to the City of Canada Bay, there will be demand for additional housing, jobs and general activity within close proximity to the new stations. It is important that the community be given an opportunity to have their say on the future planning of their area and shape potential changes to planning controls at an early stage.

A key action arising from the *Canada Bay Local Strategic Planning Statement* adopted by Council in October 2019, set out the following:

Prior to rezoning occurring, a local planning study is to be prepared and endorsed by Council for the localities in which a Sydney Metro West station is proposed, including development sites and their immediate surrounds.

The LSPS requires the local planning study to include/address, *inter alia*:

- preparation of desired future character statements in consultation with the community;
- identify opportunities for new and/or improved public domain improvements and areas of open space within, or surrounding the new Metro locations;
- establish preferred land uses and built form outcomes within and around the new Metro locations;

- consider opportunities for a diverse range of housing consistent with the desired future character of the area;
- ensure that the employment functions and services around station locations are supported and enhanced;
- identify the need for any further studies..

On 21 July 2020 Council resolved:

1. *THAT Council commence a process to engage with the community so as to inform the preparation of Local Character Statements for land within the immediate vicinity of proposed metro stations within the City of Canada Bay.*
2. *THAT the outcomes of the community engagement, including draft Local Character Statements be reported back to Council at the end of the engagement process.*

Outcomes of Community Engagement

Cred Consulting on behalf of Council facilitated the community engagement. Due to Covid-19 restrictions, all consultation activities were conducted online or via telephone.

Community engagement occurred from 16 November to 16 December 2020 and sought to:

- Understand the unique elements in each of the Metro station localities.
- Identify ideas for improvements in each of the three precincts.
- Understand how the types of activities, businesses, employment around the new Metro West stations could be enhanced.
- Test the types of housing and other buildings that should be encouraged.

The community engagement program comprised:

- Online community survey – 361 respondents
- Collaborative map – 81 contributions
- Stakeholder interviews
- Written submissions
- Footpath decals
- Post cards to residents within the three precinct areas
- Social Media posts (Facebook, Twitter, Instagram)
- City of Canada Bay News email
- Posters

The Engagement Summary Report at Attachment 1, prepared by Cred Consulting, provides a detailed analysis of the engagement that was undertaken. A brief summary of the engagement outcomes is provided below.

Existing and Desired place character

The community was asked to identify the top attributes which describe the current character of each precinct. All three precincts are currently considered to be family friendly, with the local parks, creeks/foreshore areas and heritage buildings representing important elements of the current character.

Dominant characteristics identified in Five Dock related to the local village feel; in Concord Oval/Burwood North, the look/feel of the buildings and houses; and in North Strathfield, the ease of walking and getting around (walk, car, public transport).

The community was also asked to identify the top attributes that should describe the future character of each precinct. The responses across all three precincts were consistent, with each community wanting a local village feel, to be safe and welcoming, to have high quality buildings, streets and public spaces, and for each area to be green and sustainable.

Access and connectivity

Proximity to a Metro station creates an opportunity for transit-oriented development where employment, services, and residential uses are co-located within walking distance of the station.

The community was asked to identify the top things that they think would improve connectivity within each precinct. The responses across all three precincts were generally consistent, with each community wanting to improve traffic congestion and car parking, walking and cycling connections across train lines and/or major roads, and availability of public transport. Connections to the foreshore were important in Five Dock and Concord Oval/Burwood North, and the safety of crossing at intersections was identified as being important in North Strathfield.

Public spaces and parks

The community was asked to identify the top ways that they would like to improve public spaces within each precinct. The responses across all three precincts were generally consistent, with each community wanting street trees, access to quality public spaces and parks, feeling of safety, and activities and play for children and families. Opportunities for evening activities was also identified as important in the Five Dock town centre.

Activities

The construction of the Metro has the opportunity to create not only a transit node for people to pass through, but also a destination. Encouraging more people to live in, work at and visit a destination can revitalise an area, drive new business and stimulate cultural and social activity.

The community was asked to identify the top ways they would like to improve activities and things to do within each precinct. Outdoor dining and places to eat, options for nightlife, and places for exercise and relaxation were the main ideas identified as being important. Places for the arts and creativity (galleries, studios, live music venues, performance) were important in Five Dock and North Strathfield, leisure - festivals and events was identified as relevant to Concord/Burwood North.

Housing

Questions were also posed in relation to housing density and type, with five different housing types presented as options: houses; terraces/townhouses; 3-4 storey low rise apartments; 6-8 storey mid-rise apartments; and high-rise apartments

Community feedback indicated a general resistance to increasing the variety of housing types, however, focusing housing opportunities around Metro stations is consistent with the state and local government priorities of locating housing in locations with good access to transport,

employment and services. In this regard, there was acceptance that there will be some change within the immediate vicinity of Metro station locations, however as distance from station locations increased, the community's appetite for change decreased.

In Five Dock, terraces/town houses and 3 to 4 storey low-rise apartments were identified as being appropriate immediately surrounding station locations. In Concord Oval/Burwood North 3-4 storey low rise apartments, followed by terraces were preferred, and in North Strathfield terraces/townhouses, followed by 6-8 storey mid-rise apartments were identified as being acceptable.

Within a 5 and 10 minute walk of Metro stations, houses and terraces were the preferred building typology in all precincts.

The survey revealed that local communities around Metro station locations want future land use change to complement the local character of neighbourhoods and ensure development is managed to protect special places.

Draft Planning Study

A Planning Study has been prepared by consultants on behalf of Council to provide technical analysis of the land use planning constraints and opportunities for each station precinct.

- *Stage 1: Background and strategic context review* - The background and strategic context review analyses the existing precincts, relevant land use planning studies and strategies.
- *Stage 2: Urban design framework* - The urban design framework integrates the findings of the community engagement with the Stage 1 Review and identifies principles to inform potential change to land use plans.

Five Dock

In Five Dock, the Planning Study generally proposes to retain the current permissible mid-rise heights along Great North Road. Other land within the vicinity of the station is identified for heights ranging from 2 storeys up to a maximum of 5 storeys. Key elements of the recommended Structure Plan for Five Dock include:

1. Incorporate the recommendations of the *Five Dock Town Centre Urban Design Study*.
2. Additional residential density proposed one block behind the retail high street to protect the fine grain character along Great North Road.
3. Medium residential density generally within 400m of the Metro Station.
4. The remaining areas to will be predominantly low density residential, with a maximum building height of three storey, stepping down to two storeys towards the periphery of the precinct.
5. Investigate opportunities for new open space to address the lack of open space in the west of the Precinct.
6. Green spine streets along Queen Road, Great North Road, Garfield Street and Second Ave as key connection routes.



Figure 2: Five Dock Structure Plan

Concord Oval/Burwood North

In Concord Oval/Burwood North, the Planning Study assumes that development will proceed generally in accordance with the State Government's *Parramatta Road Corridor Urban Transformation Strategy* (PRCUTS), which contemplates high rise apartments directly adjacent to Parramatta Road with development reducing in density to the north. Key elements of the recommended Structure Plan for Concord Oval/ Burwood North include:

1. Implement the PRCUTS along Parramatta Road and strengthen the local centre with mixed use development along Parramatta Road.
2. High residential density within 200m of the station and along the park edge.
3. Low rise residential density along Broughton and Gipps Streets within 400m of the Metro Station and to frame St Luke's Park.
4. The remaining areas to remain a three storey residential area and transition in height to one to two storey residential towards Queen Elizabeth Park, the periphery of the Precinct and the earmarked Character Area in Council's Local Housing Strategy.
5. Provide new streets for better connections from the station to the upgraded community precinct and St Luke's Park.
6. Provide an open space/plaza within the Metro development.
7. Unlock permeability throughout the Precinct with new connections.



Figure 3: Concord/Burwood North Structure Plan

North Strathfield

In North Strathfield, the Planning Study contemplates that future development will proceed as per PRCUTS around the Bakehouse Quarter, potential redevelopment directly adjacent to the station on the western side (currently occupied by private schools in a mixed use zone) coupled with improvements for access and civic space. The balance of the precinct is identified as having the potential to accommodate a range of densities, from 3 to 6 storeys. Key elements of the recommended Structure Plan for North Strathfield include:

1. Increased density and mixed use opportunities at Bakehouse Quarter.
2. Extend the mixed use zone north towards the Rail Station.
3. Strengthen the local centre by extending mixed use/retail offerings along Queen Street from Beronga Street to Shipley Avenue.
4. Medium density south of Lorraine Street, largely within 400m of the Metro Station.
5. The remaining areas to remain low density residential areas north of Lorraine Street.
6. Unlock permeability throughout the Precinct with new connections.
7. Provide an open space/plaza within the Metro development.
8. Expand existing and create new open spaces to increase quantum within the Precinct.



Figure 4: North Strathfield Structure Plan

Draft Local Character Statements

A Local Character Statement is a stand-alone document that describes an area’s existing character, and that details its desired future character.

Draft Local Character Statements have been prepared for each station precinct, developed from the Planning Study and community engagement. The draft Local Character Statements seek to balance the views of the community with the land use and planning opportunities arising from accessibility to high frequency public transport. The Statements consist of a set of principles that come under the headings of Movement, Built Form, Landscape, Land Use, and Character and Culture.

A copy of each Local Character Statement is provided as an attachment to this report.

Next steps

The next step is for Council to engage with landowners and residents again to seek feedback on the Planning Study and draft Local Character Statements for the three station precincts. This engagement will enable refinement and improvement of the draft documents before they are finalised.

In accordance with the requirements of the *Canada Bay Community Participation Plan*, draft strategies are required to be exhibited for a minimum period of 28 days.

Conclusion

Council has an opportunity to work with the community to determine the desired future character of localities in the immediate vicinity of metro station locations in Canada Bay. An adopted position of Council that reflects community input strengthens Council’s ability to guide the future of these areas.

It is recommended that the draft Local Character Statements and draft Planning Study be placed on public exhibition. It is intended that the outcomes of this second round of public exhibition be reported back to Council before the project progresses to the review of local planning controls and the preparation of a planning proposal.

FINANCIAL IMPACT

The City of Canada Bay obtained a grant from the NSW Department of Planning, Industry and Environment to assist with the preparation and implementation of the *Local Strategic Planning Statement (LSPS)*. As this project relates to the implementation of a key action contained within the LSPS, it was funded through the grant.

Should the *Local Character Statements* be finalised, further funding will be required to prepare a planning proposal, supporting studies and associated development controls. The allocation of funding will be addressed should Council resolve to endorse the draft Local Character Statements at a future date.

RECOMMENDATIONS – FIVE DOCK

1. THAT the *draft Local Character Statement* for Five Dock and *draft Planning Study*, submitted as attachments to the report, be placed on public exhibition for a minimum period of 28 days.
2. THAT following the public exhibition period, a report be submitted to Council on the outcome of exhibition and any further action to be taken.

RECOMMENDATIONS – CONCORD OVAL/BURWOOD NORTH

1. THAT the *draft Local Character Statement* for Concord Oval/Burwood North and *draft Planning Study*, submitted as attachments to the report, be placed on public exhibition for a minimum period of 28 days.
2. THAT following the public exhibition period, a report be submitted to Council on the outcome of exhibition and any further action to be taken.

RECOMMENDATIONS – NORTH STRATHFIELD

1. THAT the *draft Local Character Statement* for North Strathfield and *draft Planning Study*, submitted as attachments to the report, be placed on public exhibition for a minimum period of 28 days.
2. THAT following the public exhibition period, a report be submitted to Council on the outcome of exhibition and any further action to be taken.

Attachments:

1. Sydney Metro West Engagement Summary Report, Docset ID 6841095
2. Sydney Metro West Planning Study Stage 1 Background and Strategic Context Review - Draft, Docset ID 6841098
3. Sydney Metro West Planning Study Stage 2 Urban Design Framework - Draft, Docset ID 6841099
4. Sydney Metro West Five Dock Local Character Statement - Draft, Docset ID 6841096

5. Sydney Metro West Concord - Burwood North Local Character Statement - Draft, Docset ID 841094
6. Sydney Metro West North Strathfield Local Character Statement - Draft, Docset ID 6841097

(all attachments provided under separate cover)

ITEM 3 OUTCOME OF EXHIBITION - PLANNING PROPOSAL – MISCELLANEOUS AMENDMENTS AND CANADA BAY DEVELOPMENT CONTROL PLAN REVIEW

Department Community and Environmental Planning

Author Initials: AW

EXECUTIVE SUMMARY

This report relates to the outcome of the public exhibition of the proposed draft amendments to the *Canada Bay Local Environmental Plan 2013* (LEP) and proposed updates to the *Canada Bay Development Control Plan* (draft DCP)

The Planning Proposal and amendments to the draft DCP implement actions from adopted Council strategies and internal reviews. Housekeeping and other miscellaneous amendments were also proposed.

The planning proposal and draft DCP were placed on public exhibition and 13 submissions were received. Minor amendments have been made to the draft DCP in response to submissions received, and to make minor corrections.

It is recommended that the Planning Proposal be endorsed for finalisation and that the draft DCP be adopted.

STRATEGIC CONNECTION

This report supports YOUR Future 2030 Outcome areas:

EFF 4.1.1. Community Engagement provides direction for planning and the two way flow of information contributes to decision making.

EFF 4.2.1. Provide Strategic and Land Use Planning to ensure the built and natural environment is highly liveable with quality and sustainable development incorporating best practice design.

This report also relates to the *Canada Bay Local Strategic Planning Statement* and supporting strategies.

REPORT

Background

Planning Proposal LEP Miscellaneous Amendments

The Planning Proposal (PP2020/0002) has been prepared to make a range of amendments to the *Canada Bay Local Environmental Plan* (LEP).

The majority of the amendments are to capture changes proposed through various studies and background reports prepared by and on behalf of Council. The proposed amendments relate to:

- Victoria Road Urban Design Review
 - Active Street frontages;
 - Building height (east); and
 - Building height (west).
- Low Rise Medium Density Review (related to the introduction of the NSW Government's Low Rise Housing Diversity Code)
 - Dual Occupancy – maximum building height;
 - Multi dwelling housing (terraces) definition;
 - Terraces (maximum building height);
 - Manor house definition;
 - Manor houses and terraces – Minimum lot size;
 - Minimum subdivision lot size;
 - Floor Space ratio for dwelling houses and certain residential flat buildings; and
 - Minimum lot width/frontage.
- Other housekeeping updates.

Amendments to the Canada Bay Development Control Plan

Amendments to the *Canada Bay Development Control Plan* (draft DCP) that seek to implement actions arising from adopted local strategies and other internal reviews that have been undertaken as outlined below were also prepared:

- Local Strategic Planning Statement
- Changes arising from Low Rise Medium Density Review
- Urban Tree Canopy Strategy
- Victoria Road Urban Design Review
- Review of Waste Management Systems for multi-unit dwellings
- Disability Inclusion Action Plan
- Local Movement Strategy
- City of Canada Bay Biodiversity Framework and Action Plan
- City of Canada Bay Public Art Plan and Cultural Plan
- Review and amalgamation of site and precinct specific DCPs
- Concord West, Exile Bay and Rhodes East Flood Studies

Housekeeping and other miscellaneous amendments and improvements were also proposed.

Council resolution

On 1 December 2020, Council resolved to endorse the Planning Proposal for submission to the Department of Planning, Industry and Environment (DPIE) for a Gateway Determination and for the draft DCP to be placed on public exhibition with the Planning Proposal.

Gateway Determination

On 29 July 2021, DPIE issued a Gateway Determination. The Gateway confirmed that the planning proposal should proceed subject to a condition that required the proposed minimum lot size and minimum frontage for boarding houses being removed in the R1 General Residential, R3 Medium Density Residential and R4 High Density Residential zones. The reason provided was that the proposed provisions for boarding houses would be inconsistent with the *Affordable Housing Rental Housing SEPP* as the provisions would reduce the potential for boarding house development.

Council was not authorised to be the local plan-making authority to make the plan in this instance. Should Council resolve to endorse the planning proposal, it will need to be provided to the Department of Planning and Environment for finalisation.

Public Exhibition

The Planning Proposal, draft DCP and background documents were placed on public exhibition in accordance with the requirements of the Gateway Determination and the *Canada Bay Public Participation Plan* from 6 October 2021 to 3 November 2021.

A total of 13 submissions were received during the exhibition period. A summary and response to each submission is provided at **Attachment 1**.

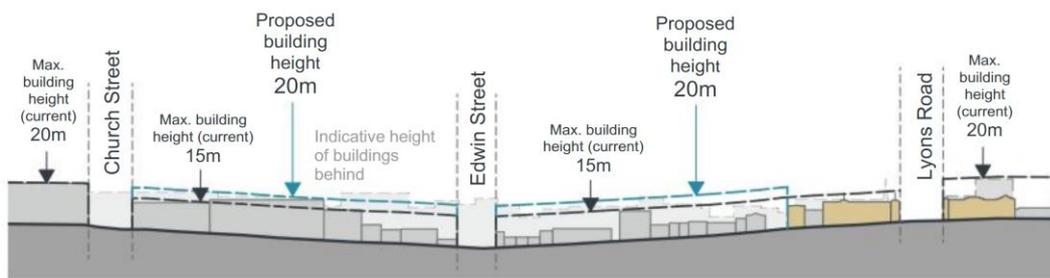
Seven (7) of the submissions related to the proposed increase to building height for certain land on the western side of Victoria Road in Drummoyne. This matter is discussed in further detail below.

Height of buildings on western side of Victoria Road

The planning proposal includes a proposed increase to the maximum building height on two street blocks along Victoria Road (between Lyons Road and Church Street). The current maximum building height of 15.0m (4 storeys) is proposed to increase by two storeys to 20.0m (six storeys).

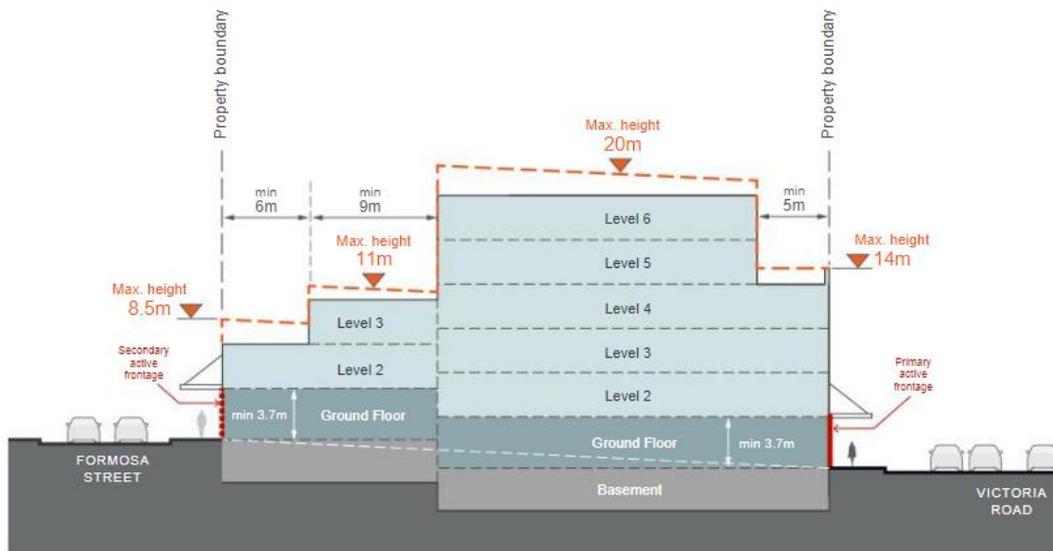
Concern was raised that this outcome would create additional overshadowing and lead to an unsatisfactory increase in the bulk and scale of buildings and create consequential traffic impacts.

The proposal to increase building height for this land is consistent with the recommendations of the Victoria Road Urban Design Review that found that the proposed building height would match the heights permissible on the western side of Victoria Road, south of Church Street and north of Lyons Road and create a more consistent height modulation that follows the topography rather than emphasising the ridges.



Sectional view of the western side of Victoria Road with proposed building heights (Source: Victoria Road Urban Design Review)

The change to building heights was complemented by amendments in the draft DCP by introducing building envelopes and setbacks. A maximum 8.5m height limit for 6.0m setback from the Formosa Street boundary, with a further 9.0m upper level setback having a height of 11.0m was recommended to enable a sensitive transition to lower scale areas to the south-west, limit overshadowing and deliver a “human scale” along the street.



Built form envelope (Source: Draft DCP)

As the proposed increase to building height was contemplated by the adopted Victoria Road Urban Design Review, is consistent with the permitted height of buildings to the north and south and development controls are proposed to mitigate direct impacts on neighbours, it is recommended that the amendment to maximum building height proceed as proposed.

A traffic study was prepared that analysed the impacts arising as a consequence of changes to planning standards outlined in the planning proposal. The study concluded that traffic generation arising from full build-out of development potential facilitated by amendments to the planning controls would be minor and within acceptable levels.

Amendment following exhibition

The planning proposal and draft DCP have been updated in response to submissions, including amending a balcony control to minimise privacy impacts and updating the land to which an

existing State heritage listing applies. Other updates have been made to correct, clarify and improve controls.

It is also proposed that savings and transitional arrangements be introduced for these amendments into the LEP and draft DCP. This will enable development applications under assessment at the time of finalisation of the planning proposal and draft DCP to continue to be assessed under the provisions that applied at the time that the application was lodged, not the new amendments.

Conclusion

It is recommended that the Planning Proposal be endorsed for finalisation and that the draft DCP be adopted and become effective from the date that the LEP Planning Proposal is finalised.

FINANCIAL IMPACT

There are no financial impacts for Council associated with this report.

RECOMMENDATIONS

1. THAT Council note the outcome of the public exhibition of the Planning Proposal – Miscellaneous Amendments and Canada Bay Development Control Plan Review.
2. THAT the Planning Proposal, provided as an attachment to the report, be submitted to the Department of Planning and Environment for finalisation.
3. THAT the draft *Canada Bay Development Control Plan*, provided as an attachment to this report, be adopted and become effective upon the gazettal of the amendments to the *Canada Bay Local Environmental Plan 2013*.
4. THAT authority be granted to the General Manager to make any minor changes to the Planning Proposal and draft Development Control Plan (if required) prior to finalisation of the Local Environmental Plan.
5. THAT the submitters be advised of Council’s determination.

Attachments:

1. Planning Proposal - Review of Submissions PP2020-0002, docset id 7555119
2. Planning Proposal (PP2020/0002) - LEP Miscellaneous Amendments PP2020/0002 (February 2022), docset id 7575494
3. Planning Proposal Appendix 1 - Victoria Road Urban Design Review, docset id 7575494
4. Planning Proposal Appendix 2 – Amendment A – Active street frontages, docset id 757496
5. Planning Proposal Appendix 3 - Victoria Road Capacity Testing, docset id 7575497
6. Planning Proposal Appendix 4 - Victoria Road Traffic Assessment, docset id 7575498
7. Planning Proposal Appendix 5 – Amendment B, C, M – Building height, docset id 7575499
8. Planning Proposal Appendix 6 - Low Rise Medium Density Review Recommendations Report, docset id 7575500
9. Planning Proposal Appendix 7 – Amendment J – Floor space ratio, docset id 7575831
10. Planning Proposal Appendix 8 – Amendment L – Land application map, docset id 7575832
11. Planning Proposal Appendix 9 – Amendment N – Heritage Item I308, docset id 7575833

12. Planning Proposal Appendix 10 – Amendment O, P, Q, U – Heritage Item I474, I475, Gladesville Bridge, Heritage Item I178, docset id 7575828
13. Planning Proposal Appendix 11 – Amendment R – Heritage Item I383, docset id 7575829
14. Planning Proposal Appendix 12 – Victoria Road Drummoyne acid sulfate soil assessment, docset id 7575830
15. Draft City of Canada Bay Development Control Plan (25 February 2022), docset id 7577976

(all attachments are provided under separate cover)

ITEM 4 PLANNING PROPOSAL FOR 176-184 GEORGE STREET, CONCORD WEST (PP2018/0001)

Department Community and Environmental Planning

Author Initials: PLD

EXECUTIVE SUMMARY

On 20 March 2018, Council resolved to submit a landowner-initiated planning proposal for 176-184 George Street, Concord West (PP2018/0001) to the Department of Planning, Industry and Environment (DPIE) for a Gateway Determination. The planning proposal is seeking to rezone the land from IN1 General Industrial to R3 Medium Density residential and facilitate an apartment building on the site.

Council has received a letter from DPIE requesting that the planning proposal be withdrawn, as it is seeking to introduce controls for the site that are consistent with Council's *Parramatta Road Corridor Urban Transformation Strategy (PRCUTS)* planning proposal. It appears that DPIE wishes to avoid a duplication in process and is seeking to progress Council's PRCUTS planning proposal as a priority.

It is recommended that Council resolve to withdraw the subject planning proposal. This would avoid any potential inconsistencies that may arise in pursuing a duplicate proposal via two separate processes, is consistent with the strategic planning process that is being implemented via Council's corridor-wide PRCUTS planning proposal and would reduce confusion for stakeholders participating in the rezoning process.

STRATEGIC CONNECTION

This report supports YOUR Future 2030 Outcome area:

EFF 4.2.1. Provide Strategic and Land Use Planning to ensure the built and natural environment is highly liveable with quality and sustainable development incorporating best practice design.

This report also relates to the *Concord West Precinct Masterplan 2014*, the *Parramatta Road Corridor Urban Transformation Strategy (PRCUTS) 2016* and Council's PRCUTS Planning Proposal endorsed by Council for public exhibition on 18 May 2021.

REPORT

Background

On 20 March 2018, Council resolved to submit a landowner-initiated planning proposal for 176-184 George Street, Concord West (PP2018/0001) to the Department of Planning, Industry and Environment for a Gateway Determination.



The subject site at 176-184 George Street, Concord West

The planning proposal is seeking to implement the recommendations of Council’s *Concord West Precinct Masterplan 2014* and the NSW Government’s *Parramatta Road Corridor Urban Transformation Strategy* by rezoning the subject site from IN1 General Industrial to R3 Medium Density residential and facilitate residential development.

On 19 March 2019, Council confirmed the earlier resolution to submit the planning proposal to DPIE. The confirmation was necessary due to a Ministerial Direction having been issued after the date of the original submission that required Council to refer all planning proposals to the Local Planning Panel for advice before forwarding them to DPIE for a Gateway Determination.

On 24 February 2020, Council received a letter from DPIE advising that the planning proposal would not be progressed to Gateway. The primary reason given was that PRCUTS had come into effect before submission of the planning proposal to DPIE and the Strategy states that planning proposals within PRCUTS must not proceed until a precinct-wide traffic study is completed for the corridor.

On 12 October 2021, the planning proposal was able to be resubmitted to DPIE for a Gateway Determination. This was because a new Ministerial Direction for PRCUTS was issued on 5 August 2021 that allowed planning proposals to proceed ahead of completion of the traffic study, if they are within Stage 1 of PRCUTS or comprise a whole precinct. The subject site is within Stage 1 of PRCUTS. The planning proposal was subsequently re-submitted.

On 24 November 2021, the Council-initiated PRCUTS Planning Proposal (PP2021/0001) received a Gateway Determination, enabling the proposal to proceed to exhibition. Council’s PRCUTS Planning Proposal reflects the intent of the landowner-initiated planning proposal the proposed zoning and development standards under the proponent-initiated planning proposal and Council’s PRCUTS planning proposal are identical.

On 10 January 2022, Council received a letter (dated 23 December 2021) from DPIE noting that the landowner-initiated planning proposal (subject of this Council Report):

“seeks to introduce controls for the site which are consistent with Council’s PRCUTS planning proposal. Therefore, progressing the planning proposal for 176-184 George Street would be a duplication in process.”

The letter also states:

“It is the Department’s position not to progress the planning proposal at this time and as such, we respectfully request that Council withdraw the planning proposal. The Department looks forward to working with Council to progress the Council-led Stage 1 PRCUTS planning proposal in a timely manner.”

Options

Two options are available to Council to respond to DPIE’s request to withdraw the planning proposal, whilst proceeding to achieve its intended outcome:

1. Not withdraw the planning proposal and request that DPIE assess it and issue a Gateway Determination.

This approach would likely result in a Gateway Determination of refusal.

2. Withdraw the planning proposal and work with DPIE to progress Council’s PRCUTS Planning Proposal.

This would avoid any potential inconsistencies that may arise in pursuing a duplicate proposal via two separate processes, is consistent with the strategic planning process that is being implemented via Council’s corridor-wide PRCUTS planning proposal and would reduce confusion for stakeholders participating in the rezoning process.

RECOMMENDATIONS

1. THAT Council, in response to the request from the Department of Planning, Industry and Environment, withdraw the landowner-initiated planning proposal for 176-184 George Street, Concord West (PP2018/0001).
2. THAT Council write to the proponent to advise of the decision and explain the reasons for it, as outlined in the report.

Attachments:

1. Letter from the Department of Planning, Industry and Environment dated 23 December 2021 (*provided in Attachment Booklet*)

**ITEM 5 CITY OF CANADA BAY LOCAL TRAFFIC COMMITTEE MINUTES – 24
FEBRUARY 2022**

Department City Services and Assets

Author Initials: BM

STRATEGIC CONNECTION

This report supports YOUR future 2030 Outcome area:

EGA 3.3.1. Deliver Traffic and Parking infrastructure that supports the use of active and public transport and safe use of roads.

REPORT

This report contains the minutes for this City of Canada Bay Local Traffic Committee meeting held on 24 February 2022 for Council's resolution.

RECOMMENDATION

THAT the minutes and recommendations of City of Canada Bay Local Traffic Committee meeting of 24 February 2022, attached to the report, be adopted.

Attachments:

1. Minutes of the City of Canada Bay Local Traffic Committee Meeting – 24 February 2022 (*provided in Attachment Booklet*)

ITEM 6 EXTENSION OF HOST ARRANGEMENT – PARRAMATTA RIVER CATCHMENT GROUP

Department City Services and Assets

Author Initials: PN

EXECUTIVE SUMMARY

The Parramatta River is the main tributary of Sydney Harbour and extends from Blacktown Creek in the west to the Lane Cove River in the east. Its catchment area covers 266km² and traverses 11 local government areas.

The Parramatta River Catchment Group (PRCG) is an alliance of local and state government agencies, and community groups, working to create a healthy, liveable and sustainable river catchment for wildlife and the community to thrive. Council has hosted the PRCG since 1 July 2019, with an original 3 year term expiring on 30 June 2022. Hosting arrangements include the provision of office space and equipment, and administrative and operational support for the team of three staff.

With the current hosting arrangement nearing expiry, the PRCG Full Group considered its options at its meeting on 7 October 2021, where it resolved to endorse the option for Council to extend its current hosting arrangement for a further 2 years, subject to resolution of Council. This report recommends that Council extends the current agreement to host the PRCG until 30 June 2024.

STRATEGIC CONNECTION

This report supports YOUR future 2030 Outcome area:

- VSA 5.2.1. Provide Organisational Leadership that is inspirational, promotes a culture of working with and for the community, delivers continuous business improvement and empowers staff.
- ER 2.1.3. Protect and enhance Natural Resources and biodiversity to ensure resources are there for future generations.
- ER 2.1.2. Engage with the community through innovative Community Environment Programs to provide long term sustainable solutions.

This report also relates to Duba, Budu, Barra: Ten Steps to a Living River – The Parramatta River Masterplan, Biodiversity Strategy, Urban Tree Canopy Strategy and Environmental Strategy

REPORT

Until the 1950s, the Parramatta River was the focal point for many social and recreational activities. Lack of regulation and rapid industrial development caused substantial degradation of the water quality, resulting in the closure of many popular river swimming spots.

Notwithstanding this, parts of the river and its catchment, including Dawn Fraser Baths, Cabarita beach, Chiswick Baths and Lake Parramatta, are currently swimmable, except after

heavy rains. It is intended to make more areas along the Parramatta River swimmable again for all of our communities to enjoy.

The PRCG is an alliance of councils, state government agencies and community groups who use their combined resources, experience, knowledge and skills to address the complex environmental problems of the Parramatta River. In 2014, the PRCG launched the *Our Living River Initiative* – to make the Parramatta River swimmable again by 2025.

The PRCG has a vision, mission and purpose:

VISION – Sydney deserves a world class river

MISSION – To make the Parramatta River swimmable again by 2025

PURPOSE – To make the Parramatta River a living river

Achievements to date

Council has been integral in the development and preparation of *Duba, Budu, Barra: Ten Steps to a Living River - the Parramatta River Masterplan*.

Duba, Budu, Barra (land, water and sky) is the Indigenous title for the document, developed in consultation with the Aboriginal traditional custodians of the land.

Within the Canada Bay LGA there are two locations that are currently swimmable - Chiswick Baths and Cabarita beach. Water quality at each of these sites is regularly monitored as part of the Office of Environment and Heritage (OEH) Beachwatch program – and results show that the water quality at both sites have improved from fair to good over the past 10 years.

The Chiswick Baths site has been activated by improving facilities and holding several events to raise awareness for the river, while enhancing the sense of place in Chiswick. In 2017, we celebrated the 60th anniversary of the opening of the baths.

Cabarita beach runs along the northern edge of the park between the ferry wharf and the marina. It has a long history, once being a very popular swim site. The popularity led to the construction of the Cabarita memorial olympic pool on the eastern edge of the park.

Included within the River masterplan is the nomination of two further sites to be made swimmable by 2025 – McIlwaine Park at Brays Bay in Rhodes East and Bayview Park in Concord. It is noted that ‘swimmable’ within the masterplan refers to activities in, on and around the water, which can be anything from splash contact to full immersion swimming

Council has resolved to establish a new swim site at Bayview Park. A grant of \$700,000 from the NSW Government’s Places to Swim program has recently been awarded.

The McIlwaine Park site at Brays Bay has attracted a \$5 million grant from the NSW State Government Precinct Support Scheme to see an upgrade to the foreshore of McIlwaine Park with habitat creation in environmentally friendly sea wall and an accessible man-made sand area to achieve river activation for water craft activities.

Further to the proposed and current swim sites, City of Canada Bay have partnered with the community to develop education campaigns, such as ‘Dog Saves Bird’ along the Hen & Chicken foreshore walk, and the Mind your mangroves awareness project. We have been involved in PRCG led ‘Get the Site Right’ compliance programs and blitz days, seeing fines

issued to construction sites where they have poor sediment and erosion site protection measures.

The most recent project being led by the PRCG is the Metropolitan Greenspace funded “Designing with Country” for the Parramatta River Catchment. This will take a whole of catchment approach to Aboriginal engagement, storytelling and design, with locally identified outputs.

Council has hosted the PRCG team of three staff for the last 3 years. The benefits of hosting the PRCG include greater organisational awareness of the importance of the health of Parramatta River catchment which is incorporated into Council’s projects and services. Hosting the PRCG also enhances Council’s reputation as a leader in integrated water cycle management.

FINANCIAL IMPACT

The PRCG is funded by contributions from its members. Council’s contribution in 21/22 is \$24,825. The cost of hosting the PRCG is met from within the existing operational budget.

RECOMMENDATION

THAT Council extend the current agreement to host the PRCG from 30 June 2022 until 30 June 2024.

ITEM 7 WIRE MILL DOG OFF LEASH TRIAL

Department City Services and Assets

Author Initials: PN

EXECUTIVE SUMMARY

Following consultation undertaken in April 2021 to consider a portion of Wire Mill Park becoming an off-leash dog exercise area, Council resolved that the area be trialled as an operating off-leash area with further consultation.

The consultation process identified a passionate and divided community of support and opposition for the proposal, with strong views presented both for and against the provision of an off-leash dog area. During the December 2021 to February 2022 trial and consultation period, staff continued discussions with the community from both positions to better understand the issues and opportunities in developing a recommended way forward.

This report presents the outcomes from the trial and community engagement process and outlines Council's strategic position, as set out in the Dogs in Public Places Strategy. It is recommended that improvements to the nearby Lysaght Park off-leash dog area be explored, to ensure a safer dog off-leash experience. Council officers will also undertake a review of education and enforcement of responsible dog ownership. These actions will provide continued support our dog off-leash community and ensure that our public spaces can be shared safely to benefit the whole community.

STRATEGIC CONNECTION

This report supports YOUR future 2030 Outcome areas:

- IIP 1.2.2. Provide quality active and passive Recreation Services and Facilities that contribute to health and wellbeing.
- ER 2.2.1. Plan for, and maintain, Parks and Open Space to provide active and passive recreation opportunities for everyone's enjoyment.

This report also relates to Council's Dogs in Public Places Strategy, adopted in 2019.

REPORT

Background

In February 2021, a petition was presented to Council requesting a new off-leash dog exercise area be established at Wire Mill Park, Chiswick. Staff consulted with the community between 12 April and 5 May 2021, to understand their views on this proposal.

In July 2021, following the consultation, Council resolved:

1. THAT a trial off-leash dog area be established within Wire Mill Park for a period of two months, with further consultation to be undertaken with the community through this process
2. THAT a report be brought back to Council on the outcomes of the trial offleash dog area by December 2021.

In September 2021, Council agreed to defer the commencement of the trial as reporting back to Council was not possible before Council elections, which were to be held in December (deferred from September). Consequently, the off-leash trial commenced in December 2021.

The Wire Mill Park off-leash trial ran from 8 December 2021 to 23 February 2022. The findings from the trial and consultation period are provided as Attachment 1 - Wire Mill Park Off-leash Trial Consultation Report.

Strategic Context

The NSW Government's draft *Greener Places – Open Space for Recreation Guide* includes performance criteria for household proximity to dog exercise areas. It states that there should be “*access to an off-leash opportunity within 10 minutes (800m) walking distance of all houses*”. This performance criterion is included in Council's Dogs in Public Places Strategy, which was adopted in December 2019.

There are currently two existing dog off-leash areas which meet this criterion, at Lysaght Park, Chiswick and Battersea Park, Abbotsford. These sites are shown in Attachment 2 - Wire Mill Park informal dog off-leash area, alongside the proposed new site.

Wire Mill Park is located approximately 400m from the existing off-leash dog exercise area at Lysaght Park. As such, based solely on this criterion, establishing a new off-leash exercise area in this location is not a high priority. However, the Dogs in Public Places Strategy requires other criteria to also be considered in the potential establishment of new sites, including current usage of the proposed site, safety and accessibility. The strategy further allows for temporary trials to be undertaken in collaboration with community consultation, where appropriate.

Community Consultation

The Wire Mill Park off-leash trial and community consultation was undertaken using the following methods:

- Notification letter delivered to 2,641 residents
- 3 x site posters
- *Collaborate* survey
- On-site listening posts – Wednesday, 2 February from 4.30-6:30pm and Saturday, 12 February from 8:30am -10:30am
- Direct email to building management and strata for the Riviera and Nautica Apartments
- Direct email to participants from the initial April 2021 consultation
- Social media posts on Facebook and Instagram
- Feedback via phone and email

*50 residents attended the on-site listening posts which provided staff with an opportunity to hear a range of arguments both for and against the proposal.

Consultation Outcomes

Overall

- 356 responses received
- 51% supported the proposal
- 16.5% supported the proposal but with improvements
- 31% objected to the proposal
- 1.7% unsure

Survey Outcomes

- 304 responses received
- 54% supported the proposal*
- 19% supported the proposal but with improvements
- 26% objected to the proposal
- 1% unsure

* There were 15 respondents (5%) that did not visit the site during the trial period that supported the proposal.

Whilst the *survey* results indicate most respondents support the off-leash proposal, other methods of feedback and discussion with the community indicate less support. The community's feedback also helped identify issues with this location being made an official off-leash area.

Feedback Emailed

- 37 emails and phone calls received
- 27% supported the proposal
- 68% objected to the proposal
- 5% did not comment on the future use of the park but requested more bins and doggy bags

Feedback at Drop in Sessions

- 15 pieces of written feedback submitted
- 53% supported the proposal to make the area a permanent dog off-leash exercise area
- 47% objected to the proposal

In addition, staff wrote to the Riviera and Nautica apartments strata committees to invite them to provide their feedback on the proposal. At the time of writing this report, no written feedback had been received from either committee on their position.

From questions in the survey and feedback submitted, the community identified the following issues observed during the trial at Wire Mill Park:

- Owners not picking up dog droppings
- Owners not being able to control their dogs
- Dogs bothering other park users
- Noise from dogs and their carers

From questions in the survey and feedback submitted, the community identified the reasons supporting the off-leash trial at Wire Mill Park:

- Fosters community
- Lysaght Park not safe for dogs

From questions in the survey the community requested the following improvements at Wire Mill Park if the proposal were to proceed.

- More bins and doggy bags
- More enforcement
- Improve site signage promoting responsible dog ownership
- Fencing at Wire Mill Park was not strongly supported

The Wire Mill Park Dog Proposal - Community Consultation Report can be viewed at Attachment 1.

Discussion

The proposal to establish a dog off-leash area at Wire Mill Park is not supported through Council's adopted Dogs in Public Places Strategy (2019) as the area is reasonably serviced by two existing dog off-leash areas at Lysaght Park and Battersea Park. The need for an additional site in this area is a low priority.

The trial highlighted a number of challenges regarding the suitability of the space as a dog-off leash area. The issues included dogs not staying within the designated area, effectively expanding the off-leash area into other parts of Wire Mill Park. Dogs were also allowed to enter Fig Tree Reserve, a sensitive biodiversity site. Council's Law Enforcement Officers have limited resourcing and the addition of an off-leash park with the challenges outlined in this report would further stretch those resources.

There was widespread agreement that the area should not be fenced. In the absence of a fence, controlling dog behaviour becomes the responsibility of the owner. It cannot be achieved through enforcement and/or education programs in isolation. A number of concerns were raised by residents regarding how the dog off-leash behaviour had disrupted the enjoyment of the space for other users, including some people who chose to stop visiting the area out of concerns for their safety. The area is popular for both active and passive recreational and leisure activities.

During the drop-in sessions, local residents spoke to staff about the nearby dog off-leash site at Lysaght Park and why they chose not to use it. They were concerned about dogs running onto Bibby Street as there is currently no barrier in place to prevent this from happening. A number of residents suggested that they would be more inclined to use this park if appropriate safety measures were in place. Noting Lysaght Park is also utilised by Abbotsford Junior Football Club for training and games, staff spoke to the club regarding the option of making safety improvements to Lysaght Park. They advised they would be willing to work with Council to explore such options, as they may also improve player safety.

Sadly, the community reported how conflict had emerged and intimidation was occurring due to the proposed off-leash area at Wire Mill Park. Taking all factors into consideration, staff do not recommend proceeding with the proposed Wire Mill Park off-leash area. Instead, staff recommend the facilities at Lysaght Park be reviewed to identify opportunities to improve safety at the site.

FINANCIAL IMPACT

Negligible. The small cost of reinstating Wire Mill Park as a dog on-leash area (i.e. signage) is covered under the existing budget. Enforcement action and report preparation are also covered under the existing budget.

RECOMMENDATIONS

1. THAT the proposal to create an off-leash dog area at the area of the trial in Wire Mill Park not proceed.
2. THAT a report be prepared and submitted to Council on potential safety improvements to Lysaght Park dog off-leash area.
3. THAT a report be prepared and submitted to Council on education and enforcement initiatives to encourage responsible dog ownership.

Attachments:

1. Wire Mill Park Off-leash Trial - Community Consultation Report 2022 (*provided in Attachment Booklet*)
2. Wire Mill Park Informal Dog Off-leash Area 2022 (*provided in Attachment Booklet*)

ITEM 8 LYSAGHT PARK – REQUEST FOR AFTERNOON USE ON WEEKENDS

Department City Services and Assets

Author Initials: IF

EXECUTIVE SUMMARY

In October 2018, Council resolved (in part) regarding Lysaght Park:

“THAT the hours of usage of the park be Saturday and Sunday 8am-2pm and Tuesday, Wednesday, and Thursday nights until 9pm.”

and

“THAT any changes of use in Lysaght Park be referred to Council for consideration.”

Due to ongoing growth, Abbotsford Juniors Football Club (AJFC) has requested additional use of the ground each Saturday and Sunday from 2pm-5pm during the winter season.

As the proposed use is consistent with Council’s strategic plans and levels of use at similar facilities across the City of Canada Bay, it is recommended that this request be formally approved.

STRATEGIC CONNECTION

This report supports YOUR future 2030 Outcome area:

- 1.2.2 Provide quality active and passive Recreation Services and Facilities that contribute to health and wellbeing.
- 2.2.1 Plan for, and maintain, parks and open spaces to provide active and passive recreation opportunities for everyone’s enjoyment.

This report also relates to the Open Space and Recreation Strategy 2019, the first Principle of which states:

1. *Optimise capacity. Address current and future gaps by realising the capacity of existing open space and recreation facilities.*

REPORT

Background

Lysaght Park is currently used by AJFC on Tuesday - Thursday evenings and from 8am - 2pm on weekends. Based on similar facilities, it has the capacity to accommodate weekend afternoon use until 5pm for organised sport without adversely impacting surface quality, user safety or recurrent maintenance costs.

Over the last five years AJFC has grown from 1,040 to more than 1,500 members playing in male and female, adult and junior, and Masters teams. The club’s growth is consistent with growth in local population and football, most notably female participation.

The sportsground comprises 29% of Lysaght Park. Passive parks within walking distance include Allison Park, Drummoyne Park, Russell Park, Taplin Park and Wire Mill Park.

Increased use of Campbell Park

Campbell Park is adjacent to Lysaght Park and is also utilised by AJFC. Consistent with the increased demand for sportsfield use covered in this report, a Modification Application (MOD2021/0166) has been lodged to also extend the use of Campbell Park on weekday evenings (including floodlighting) from 9pm to 9.45pm on Tuesday/Wednesday/Thursday, and additional use on Friday from 5pm to 9.45pm. The Local Planning Panel will assess this application on 30 March 2022.

Lysaght Park dog off-leash area

When not in use for organised sport, the sportsground is available as a dog off leash area and for passive recreation. The proposed increase in use for organised sport will reduce its availability for dog off leash use and passive recreation by 6 hours per week from April to August.

In a related matter, Council officers have recently concluded a trial of a new dog off-leash site in nearby Wire Mill Park. The outcomes of the trial are due to be reported to the 15 March 2022 Council meeting. That report recommends that the proposed Wire Mill site not proceed and that Council explore cost improvements to Lysaght Park to improve safety. Council officers have spoken to AJFC about this possibility, and they have expressed their willingness to work with Council on any such improvements, which may also benefit player safety.

Review of Environmental Factors (REF)

External consultants were engaged to assess community access for active and passive recreation, traffic, parking and noise. The reports are attached as Attachments A, B and C and concluded that:

- “In the absence of any significant environmental impacts as a result of the proposal, and considering the broader social, economic and health benefits of the proposal, it is considered a satisfactory use of the site.”
- “Car parking occupancy within the surrounding road network is expected to reach 530 car spaces (72%) on a Saturday afternoon at 4.30pm” and “The proposal’s parking demand increase will not have an adverse impact on the community within the surrounding road network, and therefore [is] supportable.”

Attachments B and C also relate to the Modification Application for Campbell Park.

Community Engagement

Consultation on this proposal was included as part of the notification process for the related Modification Application (MOD2021/0166). Council received five submissions including four objections and one submission expressing concern over the parking of boats, caravans and trailers in the area. Of the four objections, the main concerns related to the proposed extended use of sportsfield lighting during weekdays. However, concerns regarding the impact additional use of the sportsfields has on traffic, parking and noise were also submitted.

Conclusion

AJFC has approached Council to increase the use of Lysaght Park for organised sport on weekend afternoons during the winter season to sustainably grow its membership. The proposed use is:

- consistent with sportsgrounds across Canada Bay
- within the sustainable capacity of the playing surface
- of similar intensity to the current use for organised sport.

An independent review assessing community access for active and passive recreation, traffic, parking and noise has concluded there is no adverse environmental impact.

FINANCIAL IMPACT

Nil.

RECOMMENDATION

THAT Council permits the additional use of Lysaght Park for organised sport on Saturdays and Sundays from 2pm-5pm.

Attachments:

1. Lysaght Park and Campbell Park Review of Environmental Factors
2. Lysaght Park and Campbell Park Acoustic Report
3. Lysaght Park and Campbell Park Traffic Report

ITEM 9 SIX MONTHLY REPORT ON PROGRESS JULY TO DECEMBER 2021

Department Corporate Services and Strategy

Author Initials: SA

STRATEGIC CONNECTION

This report supports YOUR future 2030 Outcome area:

VSA 5.1.1 The Council governs efficiently and effectively on behalf of the Community

REPORT

The Local Government Act 1993 requires that the General Manager ‘must ensure that progress reports are provided to the council, with respect to the principal activities detailed in the Delivery Program, at least every six months.’

The Report on Progress attached to this report documents the status of the actions and projects contained in the Operational Plan 2021-22, for the six-monthly period of 1 July to 31 December 2021. This in turn reflects progress in achievement of Delivery Program commitments.

The Report on Progress ensures that both the Council and the community are kept informed of the activities that Council is undertaking to deliver its commitment towards achieving the community’s aspirations, as articulated in the Community Strategic Plan, YOUR future 2030 and is prepared against the five Themes of YOUR future 2030.

FINANCIAL IMPACT

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

RECOMMENDATION

THAT Council receives and notes the six-monthly Report on Progress for the six-month period July to December 2021.

Attachments:

1. Six Monthly Report on Progress July to December 2021 (*provided in Attachment Booklet*)

ITEM 10 CASH AND INVESTMENTS REPORT FOR FEBRUARY 2022

Department Corporate Services

Author Initials: KS

STRATEGIC CONNECTION

This report supports YOUR future 2030 Outcome area:

VSA 5.2.3. Ensure Council's long-term financial sustainability by providing effective Financial Management.

REPORT

Council's investments are reported monthly to Council in accordance with the Local Government Act 1993, the Local Government (General) Regulation 2005 and Council's Investment Policy.

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

Certification - Responsible Accounting Officer

Evan Hutchings as the Responsible Accounting Officer has 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 2005 and Council's Investment Policy.

Summary position as at end February 2022

The Cash at Bank and Cash Investments are summarised below:

Month	Cash At Bank	Cash Investments	Total Cash
FEBRUARY 2022	\$ 3,148,140.01	\$ 150,348,564.48	\$ 153,496,704.49

The detailed Schedule of Investments held as at 28 February 2022 are also provided over the page.

Statement of Investments February 2022

STATEMENT OF CASH INVESTMENTS							
Maturity Date	Bank/Issuer	Long Term Rating	Fair Value	Term	Interest	Issue Date	Investment Type
04/03/22	Commonwealth Bank of Australia	AA-	\$4,000,000.00	245	0.37%	02/07/21	Term Deposits
10/03/22	Members Equity Bank	BBB+	\$3,000,000.00	230	0.50%	23/07/21	Term Deposits
17/03/22	Commonwealth Bank of Australia	AA-	\$2,000,000.00	75	0.48%	01/01/22	Term Deposits
24/03/22	Members Equity Bank	BBB+	\$2,500,000.00	237	0.50%	30/07/21	Term Deposits
01/04/22	National Australia Bank	AA-	\$2,000,000.00	240	0.30%	04/08/21	Term Deposits
08/04/22	Commonwealth Bank of Australia	AA-	\$2,000,000.00	182	0.29%	08/10/21	Term Deposits
14/04/22	Commonwealth Bank of Australia	AA-	\$2,000,000.00	103	0.49%	01/01/22	Term Deposits
04/05/22	AMP Bank	BBB	\$2,000,000.00	170	0.75%	15/11/21	Term Deposits
04/05/22	MyState Ltd	BBB+	\$2,000,000.00	365	0.50%	04/05/21	Term Deposits
12/05/22	Commonwealth Bank of Australia	AA-	\$3,000,000.00	365	0.39%	12/05/21	Term Deposits
27/05/22	National Australia Bank	AA-	\$2,500,000.00	269	0.30%	31/08/21	Term Deposits
30/05/22	Auswide Bank Ltd	BAA2	\$2,000,000.00	181	0.65%	30/11/21	Term Deposits
03/06/22	National Australia Bank	AA-	\$3,000,000.00	365	0.35%	03/06/21	Term Deposits
09/06/22	Members Equity Bank	BBB+	\$2,000,000.00	280	0.45%	02/09/21	Term Deposits
17/06/22	Commonwealth Bank of Australia	AA-	\$3,500,000.00	288	0.36%	02/09/21	Term Deposits
24/06/22	Commonwealth Bank of Australia	AA-	\$3,000,000.00	364	0.43%	25/06/21	Term Deposits
30/06/22	National Australia Bank	AA-	\$2,500,000.00	303	0.31%	31/08/21	Term Deposits
07/07/22	Members Equity Bank	BBB+	\$2,000,000.00	367	0.50%	05/07/21	Term Deposits
08/07/22	Commonwealth Bank of Australia	AA-	\$1,500,000.00	308	0.36%	03/09/21	Term Deposits
21/07/22	Bank of Queensland	BBB+	\$1,500,000.00	237	0.65%	26/11/21	Term Deposits
29/07/22	Bendigo and Adelaide Bank	BBB+	\$2,000,000.00	364	1.90%	30/07/21	Term Deposits
05/08/22	National Australia Bank	AA-	\$3,000,000.00	365	0.35%	05/08/21	Term Deposits
12/08/22	National Australia Bank	AA-	\$3,500,000.00	364	0.35%	13/08/21	Term Deposits
09/09/22	Commonwealth Bank of Australia	AA-	\$3,000,000.00	364	0.39%	10/09/21	Term Deposits
15/09/22	Bank of Queensland	BBB+	\$2,000,000.00	363	0.95%	17/09/21	Term Deposits
30/09/22	MyState Ltd	BBB+	\$2,000,000.00	364	0.45%	01/10/21	Term Deposits
03/10/22	Westpac Bank	AA-	\$3,000,000.00	367	0.80%	01/10/21	Term Deposits
10/10/22	AMP Bank	BBB	\$2,000,000.00	367	0.80%	08/10/21	Term Deposits
14/10/22	National Australia Bank	AA-	\$2,000,000.00	371	0.39%	08/10/21	Term Deposits
20/10/22	Westpac Bank	AA-	\$1,500,000.00	367	0.47%	18/10/21	ESG TD
08/11/22	National Australia Bank	AA-	\$2,000,000.00	270	0.70%	11/02/22	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
02/05/23	AMP Bank	BBB	\$2,000,000.00	545	1.00%	03/11/21	Term Deposits
23/06/23	National Australia Bank	AA-	\$3,000,000.00	730	0.60%	23/06/21	Term Deposits
17/07/23	Commonwealth Bank of Australia	AA-	\$3,000,000.00	562	0.60%	01/01/22	Term Deposits
28/07/23	National Australia Bank	AA-	\$3,000,000.00	729	0.65%	29/07/21	Term Deposits
03/08/23	National Australia Bank	AA-	\$2,000,000.00	734	0.65%	30/07/21	Term Deposits
30/10/23	Westpac Bank	AA-	\$1,000,000.00	732	1.11%	28/10/21	ESG TD
19/02/24	Westpac Bank	AA-	\$1,000,000.00	731	1.08%	18/02/22	ESG TD
14/11/24	Westpac Bank	AA-	\$1,500,000.00	1004	1.62%	14/02/22	ESG TD
02/12/24	Westpac Bank	AA-	\$1,500,000.00	1095	1.62%	03/12/21	ESG TD
17/02/25	Westpac Bank	AA-	\$2,000,000.00	1095	2.02%	18/02/22	ESG TD
24/02/25	Westpac Bank	AA-	\$2,500,000.00	1095	2.10%	25/02/22	ESG TD
20/11/25	Westpac Bank	AA-	\$1,500,000.00	1368	1.87%	21/02/22	ESG TD
16/02/26	National Australia Bank	AA-	\$2,000,000.00	1461	1.04%	16/02/22	Term Deposits
17/02/26	Westpac Bank	AA-	\$2,500,000.00	1460	2.24%	18/02/22	ESG TD
24/02/26	Westpac Bank	AA-	\$2,000,000.00	1460	2.31%	25/02/22	ESG TD
16/08/22	Suncorp Metway	A+	\$2,500,000.00	1390	1.05%	26/10/18	Floating Rate Notes
28/10/22	Teachers Mutual Bank	BBB	\$1,000,000.00	1096	0.98%	28/10/19	ESG FRN
03/02/23	Bank of Queensland	BBB+	\$2,000,000.00	1635	1.11%	13/08/18	Floating Rate Notes
06/02/23	Newcastle Permanent Building Society	BBB	\$2,000,000.00	1707	1.47%	05/06/18	Floating Rate Notes
24/02/23	RACQ Bank	BBB+	\$1,500,000.00	1096	1.01%	24/02/20	Floating Rate Notes
16/08/23	Commonwealth Bank of Australia	AA-	\$1,500,000.00	1826	1.01%	16/08/18	Floating Rate Notes
08/02/24	ANZ Bank	AA-	\$1,500,000.00	1826	1.17%	08/02/19	Floating Rate Notes
29/08/24	ANZ Bank	AA-	\$1,500,000.00	1827	0.85%	29/08/19	Floating Rate Notes
14/11/24	Citibank	A+	\$1,000,000.00	1827	0.95%	14/11/19	Floating Rate Notes
12/02/25	Macquarie Bank	A+	\$2,000,000.00	1827	0.91%	12/02/20	Floating Rate Notes
09/12/25	Macquarie Bank	A+	\$1,996,240.00	1651	0.54%	02/06/21	Floating Rate Notes
15/06/26	Teachers Mutual Bank	BBB	\$850,000.00	1825	0.75%	16/06/21	Floating Rate Notes
19/08/26	ING Bank	A	\$500,000.00	1826	0.48%	19/08/21	Floating Rate Notes
23/12/26	Commonwealth Bank of Australia	AA-	\$2,000,000.00	1917	0.48%	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
	AMP Bank	BBB	\$1,000,000.00		0.55%		AMP 31Day Notice
	AMP Bank	BBB	\$4,000,000.00		0.50%		AMP Business Saver
	Macquarie Bank	A+	\$7,002,324.48		0.40%		Macquarie CMA
	28/02/22		\$150,348,564.48		0.76%		
	TOTAL INVESTMENTS at 31/1/22		\$149,846,240.00				
	Net Increase/(Decrease) in Investments		\$502,324.48				

RECOMMENDATION

THAT the Cash and Investments Report for February 2022 be received and noted.

Attachments:

1. Investment Report February 2022 (*provided in Attachment Booklet*)

ITEM 11 PRIVACY MANAGEMENT PLAN - REVIEW

Department Corporate Services and Strategy

Author Initials: ML

STRATEGIC CONNECTION

This report supports YOUR future 2030 Outcome area:

VSA 5.1.1. The Council governs efficiently and effectively on behalf of the Community.

REPORT

Council collects and holds personal and health information for the purpose of facilitating its business. The Privacy and Personal Information Protection Act 1998 requires all public sector agencies to review their Privacy Management Plan every three years.

Council's Privacy Management Plan has recently been reviewed and updated with the latest version, with only two minor amendments requested to be made, as follows:

1. Addition of information regarding the offence provisions within the PPIP (Privacy and Personal Information Protection) Act and the HRIP Act (Health Records and Information Privacy) Act (see clause 3.1).
2. Updated details of the NCAT reflecting the new name of the tribunal.

Following Council's consideration and adoption of the draft Privacy Management Plan, a copy of the Plan is required to be forwarded to the Information and Privacy Commission NSW.

FINANCIAL IMPACT

Nil.

RECOMMENDATIONS

1. THAT the draft Privacy Management Plan attached to the report be adopted.
2. THAT a copy of the adopted Privacy Management Plan be forwarded to the Information and Privacy Commission of NSW.

Attachments:

1. Privacy Management Plan 2022 (*provided in Attachment Booklet*)

ITEM 12 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT 2022

Department Corporate Services and Strategy

Author Initials: ML

STRATEGIC CONNECTION

This report supports YOUR future 2030 Outcome area:

VSA 5.1.1. The Council governs efficiently and effectively on behalf of the Community.

REPORT

Council has received an invitation to the Australian Local Government Association National General Assembly (NGA), to be held in Canberra from 19-22 June 2022. The conference will also be a hybrid event.

The NGA of Local Government is the peak annual event for Local Government, from a national perspective, with in excess of 800 Mayors and Councillors attending each year. The theme of the 2022 conference is “Partners in Progress”, with the aim of focusing on how partnerships, particularly between the Australian Government and Local Governments, can tackle immediate challenges facing communities as well as confidently facing the future.

Registrations are now open for both onsite and virtual attendees. Costings per person are as follows:

Hybrid attendance

Virtual delegate registration is \$689 per person.

Physical attendance

Registration (early bird): \$989 per person

Accommodation approx. per night: \$390 per person

(Crown Plaza, 1 Binara Street Canberra - adjacent to conference venue)

Early bird registration must be made and paid for by Friday 6 May 2022.

It has been traditional for the Council to nominate one delegate and one alternate delegate to attend the Assembly with the General Manager.

Motions

Council also has the opportunity to submit motions to the NGA. Motions are required to focus on how partnership can address national issues at the local level, and new ways the Australia Government could partner to strengthen the local government sector to advance community well-being, local economic development, create jobs, address environmental challenges, climate change and complex social issues such as housing affordability.

Should Council choose to submit a motion, there is an expectation that a Council representative will be present at the National General Assembly to move and speak to that motion if required.

Criteria for submitting motions must be followed. These are outlined in the “Discussion Paper” attached to this report.

Motions are required to be submitted no later than Friday 25 March 2022.

FINANCIAL IMPACT

Registration, accommodation and transport costs for Councillor attendance at the National General Assembly can be funded from the Councillor -Conferences budget.

RECOMMENDATION

THAT Council nominate one delegate and one alternate delegate to attend the National General Assembly of Local Government with the General Manager in Canberra (19-22 June 2022).

Attachments:

1. National General Assembly of Local Government 2022 - Discussion Paper (*provided in Attachment Booklet*)

ITEM 13 CODE OF CONDUCT POLICY REVIEW

Department Corporate Services and Strategy

Author Initials: ML

STRATEGIC CONNECTION

This report supports YOUR future 2030 Outcome area:

VSA 5.1.1. The Council governs efficiently and effectively on behalf of the Community.

REPORT

Council last adopted its Code of Conduct in October 2020. That version of the Code of Conduct includes all of the provisions of the Model Code of Conduct which was released by the Office of Local Government (OLG) earlier the same year, except for the gifts and benefits provisions for staff.

At the time of adoption of the policy, Council's position for staff was 'zero tolerance' in relation to gifts and benefits. This approach has proven to be problematic in its application and has imposed a disproportionately burdensome administrative overhead when gifts with a value of \$10 or less (e.g. flowers, chocolates) are received.

It is proposed that this policy position be aligned to that of Council's existing Code relating to Councillors, summarised as follows:

- Items with a value of less than \$10 are not considered to be gifts (unless they are part of an aggregation of gifts with a value exceeding \$100 in any 12-month period).
- Items with a value exceeding \$10 and up to \$100 are to be disclosed to the General Manager and recorded in Council's Gift Register.

A draft version of the Code of Conduct incorporating these amendments is attached to this report.

Gifts that are declined or returned, or required to be disclosed and documented, must be recorded on Council's 'Gifts and Benefits' form which is then filed in Council's electronic document management system.

Currently Council also has in place a separate policy titled '*Gifts and Benefits Policy*'. This Policy was last adopted in 2011, with minor administrative amendments made in 2019. As the Code of Conduct now includes comprehensive provisions for gifts and benefits, a separate policy is no longer required. Therefore, irrespective of any amendments to the Code of Conduct resulting from this report, it is recommended that the '*Gifts and Benefits Policy*' be rescinded.

No other amendments to Council's current Code are recommended at this time.

FINANCIAL IMPACT

Nil.

RECOMMENDATIONS

1. THAT the draft Code of Conduct attached to the report be placed on public exhibition for 28 days.
2. THAT following the public exhibition period a further report, including details of any submissions, be prepared and submitted to Council with a view to adoption of the Policy.
3. THAT the Gifts and Benefits Policy referred to in the report be rescinded.

Attachments:

1. Draft Code of Conduct Policy - March 2022 (*provided in Attachment Booklet*)

ITEM 14 COUNCILLOR SUPERANNUATION

Department Corporate Services and Strategy

Author Initials: ML

STRATEGIC CONNECTION

This report supports YOUR future 2030 Outcome area:

VSA 5.1.1. The Council governs efficiently and effectively on behalf of the Community.

REPORT

In May 2021, amendments to the *Local Government Act 1993* came into effect including new provisions introduced through Section 254B which provide the ability for councils to make superannuation contributions for councillors from 1 July 2022. This contribution is additional to the fees paid to Councillors and is equivalent in amount to superannuation guarantee payments under Commonwealth superannuation legislation. Prior to this legislation contributions of superannuation to Councillors was not possible. Under the legislation each Council may determine contributions and such decision must be made by resolution in an open meeting of council.

For convenience, Section 254B of the *Local Government Act* is reproduced below:

254B Payment for superannuation contributions for councillors

- (1) A council may make a payment (a superannuation contribution payment) as a contribution to a superannuation account nominated by a councillor, starting from the financial year commencing 1 July 2022.
- (2) The amount of a superannuation contribution payment is the amount the council would have been required to contribute under the Commonwealth superannuation legislation as superannuation if the councillor were an employee of the council.
- (3) A superannuation contribution payment is payable with, and at the same intervals as, the annual fee is payable to the councillor.
- (4) A council is not permitted to make a superannuation contribution payment--
 - (a) unless the council has previously passed a resolution at an open meeting to make superannuation contribution payments to its councillors, or
 - (b) if the councillor does not nominate a superannuation account for the payment before the end of the month to which the payment relates, or
 - (c) to the extent the councillor has agreed in writing to forgo or reduce the payment.
- (5) The Remuneration Tribunal may not take superannuation contribution payments into account in determining annual fees or other remuneration payable to a mayor or other councillor.
- (6) A person is not, for the purposes of any Act, taken to be an employee of a council and is not disqualified from holding civic office merely because the person is paid a superannuation contribution payment.

- (7) A superannuation contribution payment does not constitute salary for the purposes of any Act.
- (8) Sections 248A and 254A apply in relation to a superannuation contribution payment in the same way as they apply in relation to an annual fee.
- (9) In this section—

Commonwealth superannuation legislation means the Superannuation Guarantee (Administration) Act 1992 of the Commonwealth.

superannuation account means an account for superannuation or retirement benefits from a scheme or fund to which the Commonwealth superannuation legislation applies.

In relation to Clause (8) of S254B above, it should be noted that:

- Section 248A of the Act states that a Councillor who is suspended from Office may not receive any remuneration whilst suspended from office. This section will mean that no superannuation payment may be made to a Councillor who is suspended from office.
- Section 254A of the Act states circumstances in which the annual fee paid to a Councillor may be reduced or must be suspended due to periods of leave. This section will mean that any superannuation payment may be reduced or suspended if any similar reduction or suspension of an annual fee paid to a Councillor occurs.

FINANCIAL IMPACT

Councillor fees are included routinely in Council's annual budget process. For 2022/2023, the rate is 10.5%, however the rate will progressively increase to 12% by 1 July 2025.

Should Council resolve to introduce superannuation contribution payments for Councillors, a 10.5% increase (the current superannuation guarantee) to the fees for the Mayor and Councillors will be included in the 2022/2023 budget.

RECOMMENDATIONS

1. THAT from 1 July 2022 Council make a superannuation contribution payment, in accordance with Section 254B of the *Local Government Act 1993*, to the nominated superannuation account of each Councillor.
2. THAT the amount of each superannuation contribution payment shall be equal to the amount Council would have been required to contribute under Commonwealth Superannuation legislation, as at the date of each payment, as if the Councillor were an employee of Council.

ITEM 15 NOTICE OF MOTION – CR FERGUSON – LOCAL CANAL NATURALISATIONS AND CLEAN UP

Department Executive Services

Author Initials: AF

REPORT

Sydney Water has recently completed work on the naturalization of a section of Powell's' Creek/Canal. I believe that they should be congratulated on this impressive project.

This naturalisation has created an environment for all to enjoy and has won great support from the local community and more broadly.

The new natural creek/canals provide an important sanctuary for birds and other wildlife. The seating, boardwalks and pathways have enhanced the creek/canal and transformed this area into a great place to walk and relax.

In addition to sporting facilities the City of Canada Bay needs quiet places for our community to better enjoy nature.

Below is a list of canals that are either partly or fully located within our LGA, with all of them being owned and maintained by Sydney Water except for the Massey Park Golf Course Canal:

- Dobroyd Canal (Iron Cove Creek) - owned and maintained by Sydney Water - 1473m (this canal extends into the Inner West Council LGA).
- Barnwell Park Canal - owned and maintained by Sydney Water - 497m (all in CCBC).
- St Luke's Canal - owned and maintained by Sydney Water - 1436m (all in CCBC).
- Powell's Creek Canal - owned and maintained by Sydney Water – 832m not yet naturalised (this canal extends into the Strathfield Council LGA).
- Massey Park Golf Course Canal (Saltwater Creek) - owned and maintained by CCBC - 592m.

Of these projects I believe that the naturalisation of the St Luke's and Dobroyd (Iron Cove Creek) Canals should receive the highest priority.

Further, Council's proposal to renew and naturalise the Massey Park Golf Course Canal is noted and presents a welcome enhancement to that watercourse.

FINANCIAL IMPACT

Nil.

RECOMMENDATIONS

1. THAT Council write to Sydney Water to express support for its program of canal naturalisations and to request St Luke's Canal and Dobroyd (Iron Cove Creek) Canal be prioritised.
2. THAT Council contacts Sydney Water's Canal Maintenance Department to request that a thorough clean up of dumped rubbish, building debris and waste from all of Sydney Water owned canals within the City of Canada Bay LGA be undertaken.
3. THAT Council's proposal to renew and naturalise the Massey Park Golf Course Canal be noted and the enhancement of that watercourse welcomed.

ITEM 16 NOTICE OF MOTION – CR FERGUSON – CITY OF CANADA BAY COUNCIL AVENUES OF HONOUR

Department Executive Services

Author Initials: AF

REPORT

Across Australia there are many magnificent ‘Avenues of Honour’ - rows of trees planted to honour our military service people who served, sacrificed, suffered and, in some cases’ died.

There are hundreds of Avenues of Honour right across Australia allowing residents, communities and families to reflect and remember the fallen under the shade of our living trees memorials.

Many of these living memorials were planted, often by the wives, mothers and children of returned or deceased service people - lest we forget.

We had a spectacular row of trees, forming Victory Coppice, planted on Arbor Day (25 August) 1945 in Cabarita Park to honour residents from the Concord Municipality who served and fell during World War 2. Unfortunately, many of these have now disappeared.

Another very significant Avenue of Honour was established on Concord Road and officially opened on 3 August 1918. This ‘Avenue of Honour’ stretched 3.5 kilometres from North Strathfield to Rhodes.

It was planted by the citizens of Concord in honour of the nurses, sailors and soldiers who enlisted in the Great War (1914-18) from the Concord District. This is now virtually non-existent.

RECOMMENDATIONS

1. THAT Council officers investigate:
 - (i) options to commemorate/re-establish the Avenues of Honour in Cabarita Park and on Concord Road in an appropriate way in consultation with the City of Canada Bay Council Heritage Society and other stakeholders as part of the urban tree canopy program, including estimated costs of such options;
 - (ii) the estimated costs and potential funding sources to restore the Drinking Fountains erected on Concord Road (one on Patterson Street and one at Rhodes) which was an important feature in the Concord Road Avenue of Honour, marking the beginning and end of the Avenue.
2. THAT a report be prepared and submitted to Council following completion of the investigations referred to in 1. above.

ITEM 17 NOTICE OF MOTION – CR JAGO – CHANGE OF METRO STATION NAME FROM “BURWOOD NORTH” TO “CONCORD OVAL”

Department Executive Services

Author Initials: CJ

REPORT

The new Metro West train line under development by the NSW government will run from the CBD to Westmead, and ultimately out to the new airport in Sydney's west. The plans include a proposed new station called "Burwood North" to be built at the corner of Burwood Road and Parramatta Road, with the major entry and actual underground station on the northern side of Parramatta Road. The Metro West team has assured Canada Bay Council that this station name is currently just a working title without official status.

Parramatta Road forms the effective boundary between Concord and Burwood, with a string of businesses on the northern side of Parramatta Road including the word "Concord" in their names. Concord Oval stands some 200 m from the new Metro Station site. As the largest landmark close to the station, it offers the obvious name for the new Metro station. In contrast, all of the businesses using a place name on the southern side of Parramatta Road use the word "Burwood". The Geographical Names Board includes the names Burwood and Burwood Heights, but not Burwood North. There is no suburb with the name "Burwood North" – it does not exist.

RECOMMENDATIONS

1. THAT Council write to the NSW Government, strongly promoting that the Metro station with the current working title of "Burwood North" be given the official name of "Concord Oval".
2. THAT Council produce a brief (e.g. one page) historical explanation of the local area and its name over time, to support its position.
3. THAT in the event of disagreement with the NSW Government on this matter, Council officers prepare a report for submission to Council on options and costs for conducting a local survey and petition in surrounding areas for the preferred station name, and mechanisms to continue to lobby the NSW Government.

ITEM 18 NOTICE OF MOTION – CR DI PASQUA – WEST INVEST FUND

Department Executive Services

Author Initials: SD

REPORT

Last month, the NSW Government announced the WestInvest Fund - a \$5 billion investment into Western Sydney.

Notably, Canada Bay is not an eligible Council to receive funding from the WestInvest program.

However, our neighbouring Councils being Burwood, Strathfield, Parramatta and Cumberland are all eligible.

This is a significant funding program that Canada Bay has been excluded from.

RECOMMENDATION

THAT Council write to the NSW Premier and Treasurer seeking to be included in the WestInvest Funding program.

CLOSED SESSION

ITEM 19 ISSUE OF A LEASE AT DRUMMOYNE POOL, 1P HENLEY MARINE DRIVE, DRUMMOYNE

Department City Services and Assets

Author Initials: SU

REASON FOR CONFIDENTIALITY

In accordance with Section 10A(2)(d) of the Local Government Act 1993, the Council is permitted to close the meeting to the public for business relating to the following: -

- (d) commercial information of a confidential nature that would, if disclosed:
 - (ii) confer a commercial advantage on a competitor of the council.

ITEM 20 RHODES RECREATION VOLUNTARY PLANNING AGREEMENT

Department City Services and Assets

Author Initials: SU

REASON FOR CONFIDENTIALITY

In accordance with Section 10A(2)(g) of the Local Government Act 1993, the Council is permitted to close the meeting to the public for business relating to the following: -

- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.