

Meeting Date: Tuesday 22 October 2013
Location: Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde
Time: 7.30pm

*Council Meetings will be recorded on audio tape for minute-taking purposes
as authorised by the Local Government Act 1993.*

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**MM25/13 PHOTOBORD OF MAYOR AND COUNCILLORS -The Mayor,
Councillor Roy Maggio****File Number: MYR/07/10/20 - BP13/1392**

I recently attended an event at Canterbury Council Chambers and was impressed with a photoboard located in the foyer which had photos of the Mayor and currently serving Councillors.

The board was designed to allow photos to be updated at the commencement of the term of each new Council.

I would like the Acting General Manager to investigate the cost of acquiring a similar photoboard for this Council which would be located in the foyer of Level 6 of the Civic Centre.

Estimated cost: \$1,500.00

Costs will be charged to the Civic Centre operations budget.

RECOMMENDATION:

- (a) That the Acting General Manager be delegated authority to arrange the implementation of a photoboard display of the Mayor and Councillors in the foyer of Level 6 Civic Centre.
- (b) That the photoboard be designed to allow it to be updated on the election of each new Council.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Councillor Roy Maggio
Mayor

MM26/13 UPDATING OF MAYORAL ROBES - The Mayor, Councillor Roy Maggio**File Number: MYR/07/10/20 - BP13/1393**

I have recently attended events where the Mayor has worn a modern style of Mayoral Robe.

As the Mayoral Robes currently used by City of Ryde are quite old and worn, I believe it is now appropriate to update the robes to a more modern style.

I am proposing that Council requests the Acting General Manager to investigate the purchase of new robes and the preservation of the current robes in a suitable format whereby they could be displayed in the Mayoral Suite for posterity.

Estimated cost: \$4,500.00

Dependant on the actual costs of this initiative, an adjustment required to Council's current budget will be included in the next quarterly review of Council's operational budget.

RECOMMENDATION:

- (a) That the Acting General Manager be delegated authority to obtain the necessary quotations in accordance with Council's Procurement Policy for the purchase of new Mayoral Robes and preservation of the current robes for display in the Mayoral Suite.
- (b) That Council allocate the amount of \$4,500.00 from working capital for the purpose of the purchase of new Mayoral Robes and preservation of the current robes for display in the Mayoral Suite and that the amount also be consolidated into the next Quarterly Review.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Councillor Roy Maggio
Mayor

**MM27/13 KOREAN FLAG RAISING EVENT - 29 OCTOBER 2013 - The Mayor,
Councillor Roy Maggio****File Number: GRP/09/6/1/7 - BP13/1469**

I have received a request from the Korean Consulate General, that the City of Ryde conduct a flag raising event in celebration of Korean Week.

Council has recognised Korean Week with a flag raising ceremony for some years now and the event is always well patronised and appreciated by the Korean Community.

The City of Ryde has a large and active Korean community and is also home to Korean corporations such as Hyundai.

The ceremony will be conducted in front of the Civic Centre at 10am on Tuesday, 29 October 2013.

The ceremony itself will run for approximately ten minutes following which refreshments will be served in the Mayoral Suite.

All Councillors will be invited to attend.

RECOMMENDATION:

That Council host a small scale flag raising event on Tuesday, 29 October 2013 to mark Korean Week.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Councillor Roy Maggio
Mayor

MM28/13 SES - WEAR ORANGE TO WORK DAY AND RECOGNITION OF KEIRAN AND DI GIBSON - The Mayor, Councillor Roy Maggio**File Number:** MYR/07/10/1 - BP13/1492

Over the next few months, I will be hosting various groups in the Mayoral Suite to recognise the contribution made by volunteer organisations and individuals in the local area.

On Wednesday, 13 November 2013, I have invited members of the local SES to attend a reception at 6pm so that on behalf of the local community, I can thank them for the selfless and professional work they carry out in often very difficult circumstances.

By coincidence, 13 November is SES wear orange to work day (WOW Day). On this day, members of the public are encouraged to wear an item of orange clothing to work to show their support for the volunteers of the SES.

In arranging this reception, I have been made aware of the huge amount of time and effort the Controller Mr Keiran Gibson and his wife Di, put into the Ryde SES Unit to provide the local community with a professional and well run emergency service.

Keiran joined the unit as a young man and has been controller for several years. Keiran and Di are well respected for their kindness, generosity, dedication, high skill levels and the professional culture they have created in Ryde. Keiran and Di balance the huge demand of coordinating SES Ryde with their professional careers and raising their young boy Lucas.

I would like Council to provide a suitable form of acknowledgement to Keiran and Di Gibson for the work they have undertaken in the local community.

RECOMMENDATION:

That the contribution made by Keiran and Di Gibson to the local community through their participation in the Ryde SES be acknowledged by Council at the reception to be held for Ryde SES Volunteers on 13 November 2013.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Councillor Roy Maggio
Mayor

**MM29/13 UPDATE ON NSROC / SHOROC DISCUSSIONS - The Mayor,
Councillor Roy Maggio**

File Number: COR2013/73 - BP13/1496

On Thursday, 10 October 2013, I attended a joint meeting between the Mayors and General Managers of the NSROC and SHOROC Councils to discuss the options available on how the two organisations could strengthen their cooperation with each other and the possibilities of establishing a regional organisation for Northern Sydney.

The meeting was successful in establishing some 'in principle' agreements in how the two organisations will explore future opportunities.

Outcomes agreed from the meeting are as **attached**.

In general, there was agreement in exploring options in establishing a regional organisation for Northern Sydney and a working party has been formed, comprising a number of representatives of both organisations that includes myself. The working party is required to prepare a discussion paper by 30 November 2013 for the next meeting of the group in early December 2013.

I believe the exploration of opportunities for our region is a worthwhile exercise and I seek Councils support in participating in this initiative.

RECOMMENDATION:

That Council note and endorse the actions being taken in exploring options between the member Councils of NSROC and SHOROC.

ATTACHMENTS

- 1 NSROC SHOROC Meeting 10 October 2013 Resolution

Report Prepared By:

**Councillor Roy Maggio
Mayor**

MM29/13 (continued)**ATTACHMENT 1****OPTIONS TO STRENGTHEN REGIONAL COLLABORATION BETWEEN SHOROC
AND NSROC COUNCILS****Review & Discussion: Meeting of Mayors and General Managers****11:45am-2:00pm, Thursday 10 October 2013****Council Chambers, Willoughby City Council, Level 6, 31 Victor Street Chatswood****MEETING OUTCOME****Attendance:**

Clr Nathan Tilbury Deputy Mayor	Hornsby Council
Mr Scott Phillips General Manager	Hornsby Council
Cr Richard Quinn Mayor	Hunters Hill Council
Mr Barry Smith General Manager	Hunters Hill Council
Ms Janice Bevan Acting General Manager	Ku-ring-gai Council
Cr David Brooks-Horn Mayor	Lane Cove Council
Mr Craig Wrightson General Manager	Lane Cove Council
Cr Jean Hay Mayor	Manly Council
Mr Henry Wong General Manager	Manly Council
Cr Peter Abelson Mayor	Mosman Council
Ms Veronica Lee General Manager	Mosman Council
Cr Jilly Gibson Mayor	North Sydney Council
Ms Penny Holloway General Manager	North Sydney Council
Cr Jacqueline Townsend Mayor	Pittwater Council
Mr Paul Reid, Corporate Strategy and Commercial	Pittwater Council
Cr Roy Maggio Mayor	Ryde Council
Mr Roy Newsome Acting General Manager	Ryde Council
Cr Michael Regan Mayor	Warringah Council
Mr Rik Hart General Manager	Warringah Council
Cr Pat Reilly Mayor	Willoughby Council
Mr Nick Tobin General Manager	Willoughby Council
Ms Janine Ricketts, A/Executive Director	NSROC
Mr Ben Taylor, Executive Director	SHOROC
Mr Gary Bigg, Business Manager	SHOROC
Mr Alex Gooding	Gooding Davies Consultancy, Facilitator

Agreed resolution

1. That the councils comprising NSROC and SHOROC agree:
 - a. to explore options for establishing a regional organisation for northern Sydney
 - b. to form a working party to establish the draft terms of reference for the organisation and proposed next steps, taking into account the Independent Local Government Review position and any NSW Government response regarding regional organisations
 - c. that the working party be composed of:
 - i. NSROC representatives: President (Group Chair), Chair GMAC, Mayor Ryde, Mayor North Sydney, Mayor Willoughby
 - ii. SHOROC representatives: Mayor Mosman, Mayor Manly, GM Pittwater
 - iii. Executive Directors of SHOROC and NSROC
 - d. That a draft paper be circulated to whole group (meeting attendees: Mayors and GMs from the councils of the SHOROC and NSROC regions) by 30 November 2013 for discussion at a meeting of the group in early December 2013.

1 CONFIRMATION OF MINUTES - Council Meeting held on 8 October 2013

Report prepared by: Section Manager - Governance
File No.: CLM/13/1/4/2 - BP13/1470

REPORT SUMMARY

In accordance with Council's Code of Meeting Practice, a motion or discussion with respect to such minutes shall not be in order except with regard to their accuracy as a true record of the proceedings.

RECOMMENDATION:

That the Minutes of the Council Meeting 21/13, held on 8 October 2013 be confirmed.

ATTACHMENTS

- 1 Minutes - Ordinary Council Meeting - 8 October 2013

ITEM 1 (continued)

ATTACHMENT 1

**Council Meeting
MINUTES OF MEETING NO. 21/13**

Meeting Date: Tuesday 8 October 2013
Location: Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde
Time: 7.30pm

Councillors Present: The Mayor, Councillor Maggio and Councillors Chung, Etmekdjian, Li, Pendleton, Perram, Pickering, Simon and Yedelian OAM.

Note: The Mayor, Councillor Maggio left the meeting at 10.51pm and did not return. He was not present for consideration of Notice of Rescission 1 – Code of Conduct.

Apologies: Councillor Petch.

Leave of Absence: Councillors Laxale and Salvestro-Martin.

Staff Present: Acting General Manager, Acting Group Manager – Community Life, Acting Group Manager – Corporate Services, Acting Group Manager – Environment and Planning, Group Manager – Public Works, General Counsel, Manager – Human Resources, Manager – Communications and Media, Manager – Environmental Health and Building, Acting Manager – Urban Planning, Acting Team Leader – Strategic Planning, Coordinator – Digital Communications and Section Manager – Governance.

PRAYER

Pastor Stephen Cooper of the Eastwood Baptist Church was present and offered prayer prior to the commencement of the meeting.

LEAVE OF ABSENCE

The Mayor, Councillor Maggio advised the meeting that Councillor Salvestro-Martin had requested a Leave of Absence for tonight's Council Meeting, 8 October 2013.

RESOLUTION: (Moved by Councillors Pickering and Yedelian OAM)

That Council approve a Leave of Absence for Councillor Salvestro-Martin for tonight's Council Meeting, 8 October 2013.

Record of Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

DISCLOSURES OF INTEREST

Councillor Yedelian OAM disclosed a Less than Significant Non-Pecuniary Interest in Item 2 - Planning Proposal - Amendments to LEP 2013, for the reason that one of the property owners is his Family Doctor (corner of Epping and Herring Road).

The Mayor, Councillor Maggio disclosed a Significant Non-Pecuniary Interest in Rescission Motion 1 – Code of Conduct, for the reason that he is the Councillor involved in the matter.

Councillor Pickering disclosed a Significant Non-Pecuniary Interest in Item 2 - Planning Proposal - Amendments to LEP 2013 (Part j), for the reason that his company has represented Hyecorp on previous, unrelated matters.

Councillor Yedelian OAM disclosed a Less than Significant Non-Pecuniary Interest in Item 4 - 461-495 Victoria Road, Gladesville - Outcomes of Community Consultation on Planning Proposal and Draft DCP, for the reason that he lives in North Ryde which will be part of the traffic study.

The Acting General Manager disclosed a Less than Significant Non-Pecuniary Interest in Item 12 – Independent Investigator Findings – Dealing with Direct Health Solutions and any other Companies operated by The Obeid Family, for the reason that he was interviewed as part of this matter.

TABLING OF PETITIONS

No Petitions were tabled.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

RESOLUTION: (Moved by Councillors Simon and Yedelian OAM)

That the two additional speakers on Items Listed on the Agenda be allowed to address the meeting, the time being 7.37pm.

Record of Voting:

For the Motion: Unanimous

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:

Name	Topic
Rocky Tassone	Item 2 - Planning Proposal - Amendments to LEP 2013
Kevin Bevitt (on behalf of Harry Fellas of 15 Farm Street and John Ward of 13 Farm Street)	Item 2 - Planning Proposal - Amendments to LEP 2013

ITEM 1 (continued)

ATTACHMENT 1

Name	Topic
David Geddes (on behalf of Soo Ryu, Sung Sook Ryu and May Min Chuai Ryu)	Item 2 - Planning Proposal - Amendments to LEP 2013
Jennie Minifie (on behalf of Ryde Community Alliance)	Item 2 - Planning Proposal - Amendments to LEP 2013
Anthony Taffa	Item 4 - 461-495 Victoria Road, Gladesville - Outcomes of Community Consultation on Planning Proposal and Draft DCP
Robert Jolly	Item 4 - 461-495 Victoria Road, Gladesville - Outcomes of Community Consultation on Planning Proposal and Draft DCP
Ian Grant	Item 4 - 461-495 Victoria Road, Gladesville - Outcomes of Community Consultation on Planning Proposal and Draft DCP
Julianne Taffa (on behalf of Faz Fazal)	Item 4 - 461-495 Victoria Road, Gladesville - Outcomes of Community Consultation on Planning Proposal and Draft DCP
Angela Soutcott	Item 4 - 461-495 Victoria Road, Gladesville - Outcomes of Community Consultation on Planning Proposal and Draft DCP
Lesley Mathews	Item 4 - 461-495 Victoria Road, Gladesville - Outcomes of Community Consultation on Planning Proposal and Draft DCP
Fred Cory (on behalf of Robert Emery, M. Heyward and Patricia Bloomfield)	Item 2 - Planning Proposal - Amendments to LEP 2013
Peter Barfod	Item 2 - Planning Proposal - Amendments to LEP 2013

Note: Justin Kucic was called to address Council, however was not present in the Chamber.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

RESOLUTION: (Moved by Councillors Simon and Pendleton)

That those speakers who submitted late requests to address Council on Items Listed on the Agenda be allowed to address the meeting, the time being 8.07pm.

Record of Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following person addressed the Council:

Name	Topic
Phil Peake	Item 2 - Planning Proposal - Amendments to LEP 2013

ORDER OF BUSINESS

RESOLUTION: (Moved by Councillors Yedelian OAM and Simon)

That Council now consider the following Items on which there had been public participation, the time being 8.12pm:

- Item 2 – Planning Proposal – Amendments to LEP 2013.
- Item 4 – 461-495 Victoria Road, Gladesville - Outcomes of Community Consultation on Planning Proposal and Draft DCP.

Record of Voting:

For the Motion: Unanimous

COUNCIL REPORTS

2 PLANNING PROPOSAL - AMENDMENTS TO LEP 2013

Note: Rocky Tassone, Kevin Bevitt (on behalf of Harry Fellas of 15 Farm Street and John Ward of 13 Farm Street), David Geddes (on behalf of Soo Ryu, Sung Sook Ryu and May Min Chuai Ryu), Jennie Minifie (on behalf of Ryde Community Alliance), Fred Cory (on behalf of Robert Emery, M. Heyward and Patricia Bloomfield), Peter Barfod and Phil Peake addressed the meeting in relation to this Item.

Note: A Memorandum from the Acting Group Manager – Environment and Planning dated 4 October 2013 and Additional Information were tabled in relation to this Item and copies are ON FILE.

Note: Councillor Yedelian OAM disclosed a Less than Significant Non-Pecuniary Interest in this Item, for the reason that one of the property owners is his Family Doctor (corner of Epping and Herring Road).

Note: Councillor Pickering disclosed a Significant Non-Pecuniary Interest in Part (j) of this Item, for the reason that his company has represented Hyecorp on previous, unrelated matters.

Note: Councillor Pickering left the meeting at 8.17pm during discussion of this Item.

ITEM 1 (continued)

ATTACHMENT 1

MOTION: (Moved by Councillors Etmekdjian and Chung)

- (a) That Council endorse the preparation of a Planning Proposal to amend Draft LEP 2013 (previously known as LEP 2011) in accordance with *Table 1 Planning Proposal Amendments to DLEP 2013* attached to this report.
- (b) That Council forward the planning proposal for the amendments to LEP 2013 to receive a gateway determination in accordance with Section 56 of the Environmental Planning and Assessment Act 1979 and that the Minister's delegation enabling Council to determine the LEP be requested.
- (c) That in the event of a gateway determination being issued pursuant to Section 56 of the Environmental Planning and Assessment Act 1979, the Planning Proposal Amendments to DLEP 2013 be placed on public exhibition and a further report be presented to Council following the completion of the exhibition period.
- (d) That Council endorse an amendment to *Table 1 Planning Proposal Amendments to DLEP 2013* (to be publicly exhibited) to include that Torrens title subdivision of:
 - current/approved Dual Occupancy developments be permitted on lots 580sqm or greater;
 - future Dual Occupancy developments be permitted on lots 580sqm or greater with a minimum road frontage of 20m (resulting in lots of a minimum 290sqm with a 10m road frontage).
- (e) That Council endorse an amendment to *Table 1 Planning Proposal Amendments to DLEP 2013* (to be publicly exhibited) to include the following planning controls for 11-15 Farm Street Gladesville:
 - zoning of B4 Mixed Use
 - FSR of 1.15:1 and
 - a maximum height of 9.5m for 19m from the front property boundary with the remainder of the site having a maximum height of 12m.
- (f) That Council defer amending the planning control for 100 Rowe Street Eastwood from the Planning Proposal Amendments to DLEP 2013 to allow further consideration and discussion with the land owner of the flooding solutions / proposed planning controls for the site. The matter will be reported to Council at a later date.
- (g) That Council endorse an amendment to *Table 1 Planning Proposal Amendments to DLEP 2013* (to be publicly exhibited) to include that secondary dwellings:
 - be permitted in the R1, R2 , R3 and R4 residential zones with the consent of Council.

ITEM 1 (continued)

ATTACHMENT 1

- (h) That DCP 2013 - Part 3.3 Dwelling houses and dual occupancy be amended to incorporate controls for the development of secondary dwellings in the R1, R2, R3 and R4 zones
- (i) That Council seeks the Department of Planning and Infrastructures support for the inclusion of *Clause 4.1C Minimum lot sizes for dual occupancy and multi dwelling housing* as it applies to dual occupancy in *Clause 4.6(8) Exceptions to development standards*.

Note: Councillor Pickering returned to the meeting at 8.21pm.

RESOLUTION: (Moved by Councillors Yedelian OAM and Chung)

That this matter be dealt with in Seriatim.

Record of Voting:

For the Motion: Unanimous

RESOLUTION: (Moved by the Mayor, Councillor Maggio and Councillor Etmekdjian)

That this matter be dealt with as a whole, and not in Seriatim.

Record of Voting:

For the Motion: Unanimous

Note: Council then dealt with this matter as a whole.

RESOLUTION: (Moved by Councillors Etmekdjian and Chung)

- (a) That Council endorse the preparation of a Planning Proposal to amend Draft LEP 2013 (previously known as LEP 2011) in accordance with *Table 1 Planning Proposal Amendments to DLEP 2013* attached to this report.
- (b) That Council forward the planning proposal for the amendments to LEP 2013 to receive a gateway determination in accordance with Section 56 of the Environmental Planning and Assessment Act 1979 and that the Minister's delegation enabling Council to determine the LEP be requested.
- (c) That in the event of a gateway determination being issued pursuant to Section 56 of the Environmental Planning and Assessment Act 1979, the Planning Proposal Amendments to DLEP 2013 be placed on public exhibition and a further report be presented to Council following the completion of the exhibition period.

ITEM 1 (continued)

ATTACHMENT 1

- (d) That Council endorse an amendment to *Table 1 Planning Proposal Amendments to DLEP 2013* (to be publicly exhibited) to include that Torrens title subdivision of:
- current/approved Dual Occupancy developments be permitted on lots 580sqm or greater;
 - future Dual Occupancy developments be permitted on lots 580sqm or greater with a minimum road frontage of 20m (resulting in lots of a minimum 290sqm with a 10m road frontage.
- (e) That Council endorse an amendment to *Table 1 Planning Proposal Amendments to DLEP 2013* (to be publicly exhibited) to include the following planning controls for 11-15 Farm Street Gladesville:
- zoning of B4 Mixed Use
 - FSR of 1.15:1 and
 - a maximum height of 9.5m for 19m from the front property boundary with the remainder of the site having a maximum height of 12m.
- (f) That Council defer amending the planning control for 100 Rowe Street Eastwood from the Planning Proposal Amendments to DLEP 2013 to allow further consideration and discussion with the land owner of the flooding solutions / proposed planning controls for the site. The matter will be reported to Council at a later date.
- (g) That Council endorse an amendment to *Table 1 Planning Proposal Amendments to DLEP 2013* (to be publicly exhibited) to include that secondary dwellings:
- be permitted in the R1, R2, R3 and R4 residential zones with the consent of Council.
- (h) That DCP 2013 - Part 3.3 Dwelling houses and dual occupancy be amended to incorporate controls for the development of secondary dwellings in the R1, R2 , R3 and R4 zones
- (i) That Council seeks the Department of Planning and Infrastructures support for the inclusion of *Clause 4.1C Minimum lot sizes for dual occupancy and multi dwelling housing* as it applies to dual occupancy in *Clause 4.6(8) Exceptions to development standards*.

Record of Voting:

For the Motion: The Mayor, Councillor Maggio and Councillors Chung, Etmekdjian, Li, Pendleton, Perram, Pickering and Simon

Against the Motion: Councillor Yedelian OAM

ITEM 1 (continued)

ATTACHMENT 1

4 461-495 VICTORIA ROAD, GLADESVILLE - Outcomes of Community Consultation on Planning Proposal and Draft DCP

Note: Anthony Taffa, Robert Jolly, Ian Grant, Julianne Taffa (on behalf of Faz Fazal), Angela Soutcott and Lesley Mathews addressed the meeting in relation to this Item.

Note: Councillor Yedelian OAM disclosed a Less than Significant Non-Pecuniary Interest in this Item, for the reason that he lives in North Ryde which will be part of the traffic study.

Note: Councillor Yedelian OAM left the meeting at 8.49pm and was not present for consideration or voting on this Item.

MOTION: (Moved by Councillor Chung and the Mayor, Councillor Maggio)

- (a) That Council defer the determination of the Planning Proposal and supporting site specific Draft Development Control Plan to allow for a *Parking / Traffic Model Study and Impact Assessment* to be prepared and considered.
- (b) That Council request Bunnings Group Ltd to fund in full the *Parking / Traffic Model Study and Impact Assessment*. The terms of reference for which are to wholly set by Council without input from Bunnings.
- (c) The traffic study must include the following:
 - (i) study the area bounded by Pittwater Road, Coxs Road, Lane Cove Road, Morrison Road, Ross Street and Jordan Street.
 - (ii) investigate the option of the closure of College Street west of Orient Street.
 - (iii) provide current and future loads predicted on streets and parking in the study area taking into consideration the current planning proposal as well as other developments.
 - (iv) report on streets likely to change category on the hierarchy of street types as a result of this planning proposal and other developments in the study area.
- (d) That the outcomes of the *Parking / Traffic Model Study and Impact Assessment* are presented to the community, prior to the study and the planning proposal being considered by Council.
- (e) That Council advise the Department of Planning and Infrastructure of its decision in relation to the planning proposal and request an extension to the timeframe for completion of the planning proposal.

AMENDMENT: (Moved by Councillors Perram and Pendleton)

- (a) That Council defer the determination of the Planning Proposal and supporting site specific Draft Development Control Plan to allow for a *Parking / Traffic Model Study and Impact Assessment* to be prepared and considered.

ITEM 1 (continued)

ATTACHMENT 1

- (b) That Council request Bunnings Group Ltd to fund in full the *Parking / Traffic Model Study and Impact Assessment*. The terms of reference for which are to wholly set by Council without input from Bunnings.
- (c) The traffic study must include the following:
 - (i) investigate the option of the closure of College Street west of Orient Street.
 - (ii) provide current and future loads predicted on streets and parking in the study area taking into consideration the current planning proposal as well as other developments.
 - (iii) report on streets likely to change category on the hierarchy of street types as a result of this planning proposal and other developments in the study area.
- (d) That the outcomes of the *Parking / Traffic Model Study and Impact Assessment* are presented to the community, prior to the study and the planning proposal being considered by Council.
- (e) That Council advise the Department of Planning and Infrastructure of its decision in relation to the planning proposal and request an extension to the timeframe for completion of the planning proposal.

On being put to the Meeting, the voting on the Amendment was three (3) votes For and five (5) votes Against. The Amendment was **LOST**. The Motion was then put and **CARRIED**.

Record of Voting:

For the Amendment: Councillors Li, Pendleton and Perram

Against the Amendment: The Mayor, Councillor Maggio and Councillors Chung, Etmekdjian, Pickering and Simon

RESOLUTION: (Moved by Councillor Chung and the Mayor, Councillor Maggio)

- (a) That Council defer the determination of the Planning Proposal and supporting site specific Draft Development Control Plan to allow for a *Parking / Traffic Model Study and Impact Assessment* to be prepared and considered.
- (b) That Council request Bunnings Group Ltd to fund in full the *Parking / Traffic Model Study and Impact Assessment*. The terms of reference for which are to wholly set by Council without input from Bunnings.
- (c) The traffic study must include the following:
 - (i) study the area bounded by Pittwater Road, Coxs Road, Lane Cove Road, Morrison Road, Ross Street and Jordan Street.

ITEM 1 (continued)

ATTACHMENT 1

- (ii) investigate the option of the closure of College Street west of Orient Street.
 - (iii) provide current and future loads predicted on streets and parking in the study area taking into consideration the current planning proposal as well as other developments.
 - (iv) report on streets likely to change category on the hierarchy of street types as a result of this planning proposal and other developments in the study area.
- (d) That the outcomes of the *Parking / Traffic Model Study and Impact Assessment* are presented to the community, prior to the study and the planning proposal being considered by Council.
- (e) That Council advise the Department of Planning and Infrastructure of its decision in relation to the planning proposal and request an extension to the timeframe for completion of the planning proposal.

Record of Voting:

For the Motion: The Mayor, Councillor Maggio and Councillors Chung, Etmekdjian, Li, Pendleton, Pickering and Simon

Against the Motion: Councillor Perram

Note: Councillor Yedelian OAM returned to the meeting at 9.10pm.

MAYORAL MINUTES

MM24/13 ELECTION OF COUNCILLOR PICKERING AS A BOARD MEMBER ON LOCAL GOVERNMENT NSW

RESOLUTION: (Moved by the Mayor, Councillor Maggio and Councillor Etmekdjian)

- (a) That Council congratulate Councillor Pickering for his election to the Board of Local Government NSW.
- (b) That Council provide support to Councillor Pickering within the provisions of the Payment of Expenses and Provision of Facilities to the Mayor and Other Councillors Policy, for the term he is a Board member of Local Government NSW.

Record of Voting:

For the Motion: The Mayor, Councillor Maggio and Councillors Chung, Etmekdjian, Li, Pendleton, Perram, Pickering and Yedelian OAM

Against the Motion: Councillor Simon

ITEM 1 (continued)

ATTACHMENT 1

COUNCIL REPORTS

1 CONFIRMATION OF MINUTES - Council Meeting held on 24 September 2013

RESOLUTION: (Moved by Councillors Yedelian OAM and Simon)

That the Minutes of the Council Meeting 20/13, held on 24 September 2013 be confirmed.

Record of Voting:

For the Motion: Unanimous

2 PLANNING PROPOSAL – AMENDMENTS TO LEP 2013

Note: This Item was considered earlier in the Meeting as detailed in these Minutes.

3 DRAFT BOARDING HOUSES POLICY - Outcomes of Community Consultation and Final Adoption

RESOLUTION: (Moved by Councillors Yedelian OAM and Pickering)

- (a) That Council adopt the Draft *Ryde Boarding Houses Policy* comprising Draft *Enforcement Policy – Boarding Houses* as amended in **ATTACHMENT 3** and Draft *Ryde Development Control Plan Part 3.6 – Boarding Houses* as amended in **ATTACHMENT 4**.
- (b) That Council place a public notice in the local newspaper in accordance with the *Environmental Planning and Assessment Regulation 2000* to bring the *Amending Development Control Plan – Boarding Houses* and *Enforcement Policy – Boarding Houses* into effect.
- (c) That Council provides the Director-General with a copy of the *Amending Development Control Plan – Boarding Houses*, as adopted, within 28 days of the making of the plan in accordance with the *Environmental Planning and Assessment Regulation 2000*, and request that the information provided also be given consideration with respect to the Boarding Houses Policy Review being undertaken by the Department of Planning and Infrastructure.
- (d) That Council endorse the preparation and implementation of a community education and information program on the Boarding Houses Policy, including translation of the information into community languages.
- (e) That Council write to the Minister for Fair Trading raising the concerns of the community requesting that a registration scheme and rating system for Boarding Houses be implemented.

ITEM 1 (continued)

ATTACHMENT 1

Record of Voting:

For the Motion: Unanimous

4 461-495 VICTORIA ROAD, GLADESVILLE – Outcomes of Community Consultation on Planning Proposal and Draft DCP

Note: This Item was considered earlier in the Meeting as detailed in these Minutes.

5 NATIONAL DISABILITY STRATEGY IMPLEMENTATION PLAN

Note: Councillor Pickering left the meeting at 9.17pm and was not present for voting on this Item.

RESOLUTION: (Moved by Councillors Pendleton and Simon)

That Council endorses the recommendations, resourcing framework and timeframe as outlined in this report to implement the prioritised key actions required for Council in implementing the NSW National Disability Strategy NSW Implementation Plan 2012-2014.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Pickering returned to the meeting at 9.19pm.

6 ENFORCEMENT OF PARKING POLICY - REVIEW AND SELECTION OF STATE DEBT RECOVERY OFFICE ADMINISTRATIVE SERVICE

RESOLUTION: (Moved by Councillors Li and Etmekdjian)

That consideration of the Enforcement of Parking Policy be deferred for a Councillor Workshop.

Record of Voting:

For the Motion: Unanimous

7 CODE OF CONDUCT POLICY REVIEW

RESOLUTION: (Moved by Councillors Etmekdjian and Pendleton)

(a) That Council adopt the **ATTACHED** Code of Conduct October 2013 documents (Code of Conduct - Policy, Code of Conduct - Standards of Conduct and Code of Conduct – Complaints Procedure).

ITEM 1 (continued)

ATTACHMENT 1

- (b) That Council write to the Division of Local Government seeking clarification in relation to Clauses 4.21 and 4.23 of the Code of Conduct.

Record of Voting:

For the Motion: Unanimous

8 INTERACTION BETWEEN COUNCILLORS AND STAFF GUIDELINE

RESOLUTION: (Moved by Councillors Etmekdjian and Pickering)

That Council adopt the **ATTACHED** Guideline on Interaction Between Councillors and Staff, noting that it is an enforceable part of the Code of Conduct.

Record of Voting:

For the Motion: Unanimous

9 COUNCILLOR ATTENDANCE TO THE CODE OF CONDUCT WORKSHOP AND TRAINING

RESOLUTION: (Moved by Councillors Li and Pendleton)

That Council receive and note this report.

Record of Voting:

For the Motion: Unanimous

10 ECONOMIC DEVELOPMENT AUSTRALIA CONFERENCE - Melbourne - 27 to 29 October 2013

RESOLUTION: (Moved by Councillors Yedelian OAM and Pickering)

That Council endorse the attendance of Councillor Etmekdjian at the Economic Development Australia Conference being held in Melbourne on 27 to 29 October 2013.

Record of Voting:

For the Motion: Unanimous

11 2013/2014 CHRISTMAS / NEW YEAR ARRANGEMENTS - Business Operations

RESOLUTION: (Moved by Councillors Yedelian OAM and Pickering)

- (a) That the changes to normal City of Ryde business operations over the 2013/2014 Christmas/New Year period, as outlined in the report be endorsed.

ITEM 1 (continued)

ATTACHMENT 1

- (b) That the changes to normal business operations referred to in (a) above, be advertised in the Mayor's Column, on Council's website, through Social Media and by way of notice at the front of the Civic Centre, Council's branch libraries and the Ryde Aquatic Leisure Centre.
- (c) That Council endorse the staff Christmas Party being held at the Civic Hall on Friday, 20 December 2013.

Record of Voting:

For the Motion: Unanimous

PRECIS OF CORRESPONDENCE FOR CONSIDERATION

1 WESTERN SYDNEY LIGHT RAIL - PART 2 FEASIBILITY REPORT

RESOLUTION: (Moved by Councillors Pickering and Chung)

- (a) That the correspondence be received and noted.
- (b) That the Acting General Manager liaise with Parramatta City Council in respect to their proposed light rail transport system on the basis that any such proposal should involve consultation with the City of Ryde, particularly in relation to Ryde's transport needs, community concerns and future requirements.
- (c) That the Acting General Manager bring a report back to Council as a result of part (b) above.

Record of Voting:

For the Motion: The Mayor, Councillor Maggio and Councillors Chung, Etmekdjian, Li, Pendleton, Pickering, Simon and Yedelian OAM

Against the Motion: Councillor Perram

2 CLOSURE OF FIRE STATIONS

RESOLUTION: (Moved by Councillors Simon and Pickering)

That the correspondence be received and noted.

Record of Voting:

For the Motion: The Mayor, Councillor Maggio and Councillors Chung, Etmekdjian, Pendleton, Perram, Pickering, Simon and Yedelian OAM

Against the Motion: Councillor Li

ITEM 1 (continued)

ATTACHMENT 1

3 KU-RING-GAI AND LANE COVE COUNCILS - Mayoral Elections

RESOLUTION: (Moved by Councillors Yedelian OAM and Pickering)

- (a) That the correspondence from Ku-ring-gai and Lane Cove Councils be received and noted.
- (b) That Council write letters of congratulations to the Mayors of Ku-ring-gai and Lane Cove Councils.
- (c) That Council write letters of congratulations to any newly elected or re-elected Mayors in the NSROC region.

Record of Voting:

For the Motion: Unanimous

4 NATIONAL POLICE REMEMBRANCE DAY – Friday, 27 September 2013

RESOLUTION: (Moved by Councillors Yedelian OAM and Simon)

That Council note the details and the action taken by the City of Ryde in observing the National Police Remembrance Day that took place on Friday, 27 September 2013.

Record of Voting:

For the Motion: Unanimous

NOTICES OF RESCISSION

1 NOTICE OF RESCISSION: CODE OF CONDUCT - Councillor George Simon, Councillor Jerome Laxale, Councillor Denise Pendleton

Note: This Item was considered later in the Meeting as detailed in these Minutes.

ORDER OF BUSINESS AND ELECTION OF CHAIRPERSON

As the Mayor, Councillor Maggio had disclosed a Significant Non-Pecuniary Interest in Rescission Motion 1 – Code of Conduct and indicated that he was going to remove himself from the meeting for voting on this matter, Council was required to undertake an election of a Chairperson.

RESOLUTION: (Moved by the Mayor, Councillor Maggio and Councillor Etmekdjian)

- (a) That Council now consider Item 12 – INDEPENDENT INVESTIGATOR FINDINGS – Dealing With Direct Health Solutions and any other Companies operated by The Obeid Family.

ITEM 1 (continued)

ATTACHMENT 1

- (b) That the Deputy Mayor, Councillor Li assume the Chair for consideration of Rescission Motion 1 – Code of Conduct.

Record of Voting:

For the Motion: Unanimous

CLOSED SESSION

ITEM 12 - INDEPENDENT INVESTIGATOR FINDINGS - Dealing With Direct Health Solutions and any other Companies operated by The Obeid Family

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (e) information that would, if disclosed, prejudice the maintenance of law.

RESOLUTION: (Moved by Councillors Pickering and Etmekdjian)

That the Council resolve into Closed Session to consider the above matter.

Record of Voting:

For the Motion: Unanimous

Note: The Council closed the meeting at 10.30pm. The public and media left the chamber.

12 INDEPENDENT INVESTIGATOR FINDINGS - Dealing With Direct Health Solutions and any other Companies operated by The Obeid Family

Note: The Acting General Manager disclosed a Less than Significant Non-Pecuniary Interest in this Item, for the reason that he was interviewed as part of this matter.

Note: The Acting General Manager left the meeting at 10.39pm.

RESOLUTION: (Moved by Councillors Pickering and Etmekdjian)

- (a) That Council receive and note the BDO report – Procurement Process Review, dated 11 September 2013.
- (b) That Council resolve to forward this report to the Independent Commission Against Corruption to assist with any current or potential investigations.

Record of Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

Note: The Acting General Manager returned to the meeting at 10.51pm.

Note: The Mayor, Councillor Maggio left the meeting at 10.51pm and did not return.

Note: In the absence of the Mayor, the Deputy Mayor, Councillor Li assumed the Chair.

OPEN SESSION

RESOLUTION: (Moved by Councillors Yedelian OAM and Pickering)

That Council resolve itself into open Council.

Record of Voting:

For the Motion: Unanimous

Note: Open Council resumed at 10.53pm.

RESOLUTION: (Moved by Councillors Yedelian OAM and Pickering)

That the recommendations of Items considered in Closed Session be received and adopted as resolutions of Council without any alteration or amendment thereto.

Record of Voting:

For the Motion: Unanimous

NOTICES OF RESCISSION

1 NOTICE OF RESCISSION: CODE OF CONDUCT - Councillor George Simon, Councillor Jerome Laxale, Councillor Denise Pendleton

Note: The Mayor, Councillor Maggio disclosed a Significant Non-Pecuniary Interest in this Item for the reason that he is the Councillor involved in the matter and was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Simon and Perram)

- (a) That Council defer consideration of the Rescission Motion in relation to this matter, lodged by Councillors Simon, Laxale and Pendleton at 1.03pm on Wednesday, 25 September 2013, due to the advice received from the Division of Local Government and pending their review of the Investigation Report.
- (b) That Council formally refer the Investigation Report from DBM Independent Consultants dated 13 September 2013 regarding the Code of Conduct matter to the Division of Local Government for their review.

ITEM 1 (continued)

ATTACHMENT 1

- (c) That on receipt of the Division's advice on the outcome of their review of the Investigation Report, that this be reported back to the next available Council meeting together with the Rescission Motion, for Council's consideration and determination.

Record of Voting:

For the Motion: Unanimous

NATIONAL ANTHEM

The National Anthem was sung at the conclusion of the meeting.

The meeting closed at 11.10pm.

CONFIRMED THIS 22ND DAY OF OCTOBER 2013

Chairperson

**2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE
MEETING 15/13 held on 15 October 2013**

Report prepared by: Section Manager - Governance
File No.: CLM/13/1/4/2 - BP13/1477

REPORT SUMMARY

Attached are the Minutes of the Planning and Environment Committee Meeting 15/13 held on 15 October 2013. The Minutes will be listed for confirmation at the next Planning and Environment Committee Meeting.

All Items (1, 2, and 3) were dealt with by the Committee within its delegated powers.

As a result, no Committee recommendations are submitted to Council for determination in accordance with the delegations set out in the Code of Meeting Practice relating to Charters, functions and powers of Committees.

RECOMMENDATION:

That Council note that all items of the Planning and Environment Committee Meeting 15/13 held on 15 October 2013 were dealt with by the Committee within its delegated powers.

ATTACHMENTS

- 1 Minutes - Planning and Environment Committee - 15 October 2013

ITEM 2 (continued)

ATTACHMENT 1

**Planning and Environment Committee
MINUTES OF MEETING NO. 15/13**

Meeting Date: Tuesday 15 October 2013
Location: Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde
Time: 5.30pm

Councillors Present: The Mayor, Councillor Maggio and Councillors Chung (Chairperson), Laxale, Pickering, Salvestro-Martin and Yedelian OAM.

Note: Councillor Salvestro-Martin arrived at the meeting at 5.45pm during discussion of Item 2.

Apologies: Councillor Etmekdjian.

In the absence of Councillor Etmekdjian, the Deputy Chairperson, Councillor Chung chaired the meeting.

Staff Present: Acting Group Manager – Environment and Planning, Service Unit Manager – Assessment, Business Support Coordinator – Environment and Planning, Senior Town Planner (2), Senior Development Engineer, Section Manager – Governance and Meeting Support Coordinator.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

1 CONFIRMATION OF MINUTES - Meeting held on 17 September 2013

Note: This matter was considered later in the Meeting as outlined in these Minutes.

2 260-274 VICTORIA RD, GLADESVILLE. Lot 62 to Lot 67 DP 10598. Local Development Application for demolition and construction of a mixed use building containing 26 residential apartments and 3 retail tenancies. LDA2012/0360.

Note: Graeme Cordiner (objector), John Vinci (objector) and David Benson (applicant) addressed the committee in relation to this Item.

Note: Councillor Salvestro-Martin arrived at the meeting at 5.45pm during discussion of this Item.

ITEM 2 (continued)

ATTACHMENT 1

RESOLUTION: (Moved by the Mayor, Councillor Maggio and Councillor Yedelian OAM)

- (a) That Local Development Application No. 2012/0360 at 260 – 274 Victoria Road be approved subject to the **ATTACHED** conditions (Attachment 1) with an amendment to Condition 57 to add that the Traffic Management Plan (TMP) include a Communications Strategy identifying the specific means by which the community can report their concerns to the Principle Certifying Authority and Council about traffic issues arising from construction so that appropriate action can be taken.
- (b) That the persons who made submissions be advised of Council's decision.
- (c) That a copy of the Consent be forwarded to the Roads and Maritime Services for their records.
- (d) That once the Demolition and Construction Traffic Management Plan is approved, copies of the approved documents be provided to the adjoining residents and occupiers (including the residents who attended the mediation meeting) for information, as agreed in the mediation.

Record of Voting:

For the Motion: Unanimous

Note: This is now a resolution of Council in accordance with the Committee's delegated powers.

1 CONFIRMATION OF MINUTES - Meeting held on 17 September 2013

RESOLUTION: (Moved by Councillors Yedelian OAM and the Mayor, Councillor Maggio)

That the Minutes of the Planning and Environment Committee 14/13, held on Tuesday 17 September 2013, be confirmed.

Record of Voting:

For the Motion: Unanimous

Note: This is now a resolution of Council in accordance with the Committee's delegated powers.

**3 5 - 7 PEARSON STREET AND 18-20 WHARF ROAD, GLADESVILLE.
LDA2013/0221. Demolition, construction of a 3 storey residential care facility with basement car parking. Use of the facility will be in association with St Andrew Church at 18-20 Wharf Road.**

RESOLUTION: (Moved by the Mayor, Councillor Maggio and Councillor Laxale)

- (a) That Local Development Application No. LDA2013/0221 at 5 – 7 Pearson Street & 18 – 20 Wharf Road, Gladesville being LOT 10 in DP 9135, LOT 11 in DP 4710, LOT 11 in DP 401687 and LOTS 8, 9 & 10 in DP 4710 be approved subject to the **ATTACHED** conditions (Attachment 1).

ITEM 2 (continued)

ATTACHMENT 1

(b) That the persons who made submissions be advised of Council's decision.

Record of Voting:

For the Motion: Unanimous

Note: This is now a resolution of Council in accordance with the Committee's delegated powers.

The meeting closed at 6.01pm.

CONFIRMED THIS 5TH DAY OF NOVEMBER 2013.

Chairperson

**3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING
15/13 held on 15 October 2013**

Report prepared by: Section Manager - Governance
File No.: CLM/13/1/4/2 - BP13/1478

REPORT SUMMARY

Attached are the Minutes of the Works and Community Committee Meeting 15/13 held on 15 October 2013. The Minutes will be listed for confirmation at the next Works and Community Committee Meeting.

Items 1 and 3 were dealt with by the Committee within its delegated powers.

The following Committee recommendations for Items 2 and 4 are submitted to Council for determination in accordance with the delegations set out in Council's Code of Meeting Practice relating to Charters, functions and powers of Committees:

**2 ADOPTION OF THE BRUSH FARM AND LAMBERT PARK MASTERPLAN
AND ARCHAEOLOGICAL MANAGEMENT PLAN**

Note: Cathy Merchant (on behalf of the Ryde Hunters Hill Flora and Fauna Preservation Society), Maurie Lang, Peter Brown (on behalf of the Brush Farm Park Preservation Group), Libby Lawson, Werner Klarenaar and John Boyle addressed the Committee in relation to this Item.

Note: A document from the Ryde-Hunter's Hill Flora and Fauna Preservation Society was tabled in relation to this Item and a copy is ON FILE.

Note: Councillor Perram disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that he was for some years a member of the Brush Farm Park Preservation Group and at that time undertook bush regeneration work in the Park.

RECOMMENDATION: (Moved by Councillors Petch and Perram)

- (a) That Council receive and note the Council officer's report.
- (b) That Council take no further action in relation to the Masterplan and Archaeological Management Plan.
- (c) That Council make no alteration to Brush Farm Park and Lambert Park with regard to enhancing or maintaining the view corridor from Brush Farm House.
- (d) That Council investigate alternative parking arrangements to accommodate the netball patrons.

ITEM 3 (continued)

- (e) That the alternative plan for parking be presented to a future Works and Community Committee.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **22 October 2013** as substantive changes were made to the published recommendation.

4 STORMWATER ASSET REPLACEMENT PROGRAM - 2013/14 - ADJUSTMENTS

RECOMMENDATION: (Moved by Councillors Simon and Pendleton)

That Stormwater Asset Replacement Renewal Program listings for 2013/14 be adjusted as follows:

- (a) Bring forward Shaftsbury Road to 2013/14;
- (b) Defer Twin Road/Badajoz Road to 2014/15;
- (c) Defer Anthony Road to 2014/15;
- (d) Council allocate the amount of \$302,000 (\$152,000 + \$150,000) from the Stormwater Management Service Charge Reserve for the purpose of completing the Fourth Avenue Drainage and Champion Road stormwater renewals.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **22 October 2013** as it is outside the Committee's delegations.

ATTACHMENTS

- 1 Minutes - Works and Community Committee - 15 October 2013**

ITEM 3 (continued)

ATTACHMENT 1

**Works and Community Committee
MINUTES OF MEETING NO. 15/13**

Meeting Date: Tuesday 15 October 2013

Location: Committee Room 1, Level 5, Civic Centre, 1 Devlin Street, Ryde

Time: 5.35pm

Councillors Present: Councillors Perram (Chairperson), Li, Pendleton, Petch and Simon.

Apologies: Nil.

Staff Present: Acting Group Manager – Community Life, Group Manager - Public Works, Manager – Asset Systems, Coordinator – Commissioning, Acting Manager – Open Space, Section Manager – Open Space Planning and Assets, Open Space Planner and Executive Assistant to the Mayor and Councillors.

DISCLOSURES OF INTEREST

Councillor Perram disclosed a Less than Significant Non-Pecuniary Interest in Item 2 - Adoption of the Brush Farm and Lambert Park Masterplan and Archaeological Management Plan for the reason that he was for some years a member of the Brush Farm Park Preservation Group and at that time undertook bush regeneration work in the Park.

1 CONFIRMATION OF MINUTES - Meeting held on 17 September 2013

RESOLUTION: (Moved by Councillors Petch and Pendleton)

That the Minutes of the Works and Community Committee 14/13, held on Tuesday 17 September 2013, be confirmed.

Record of Voting:

For the Motion: Unanimous

Note: This is now a resolution of Council in accordance with the Committee's delegated powers.

2 ADOPTION OF THE BRUSH FARM AND LAMBERT PARK MASTERPLAN AND ARCHAEOLOGICAL MANAGEMENT PLAN

Note: Cathy Merchant (on behalf of the Ryde Hunters Hill Flora and Fauna Preservation Society), Maurie Lang, Peter Brown (on behalf of the Brush Farm Park Preservation Group), Libby Lawson, Werner Klarenaar and John Boyle addressed the Committee in relation to this Item.

ITEM 3 (continued)

ATTACHMENT 1

Note: A document from the Ryde-Hunter's Hill Flora and Fauna Preservation Society was tabled in relation to this Item and a copy is ON FILE.

Note: Councillor Perram disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that he was for some years a member of the Brush Farm Park Preservation Group and at that time undertook bush regeneration work in the Park.

RECOMMENDATION: (Moved by Councillors Petch and Perram)

- (a) That Council receive and note the Council officer's report.
- (b) That Council take no further action in relation to the Masterplan and Archaeological Management Plan.
- (c) That Council make no alteration to Brush Farm Park and Lambert Park with regard to enhancing or maintaining the view corridor from Brush Farm House.
- (d) That Council investigate alternative parking arrangements to accommodate the netball patrons.
- (e) That the alternative plan for parking be presented to a future Works and Community Committee.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **22 October 2013** as substantive changes were made to the published recommendation.

3 PROJECT STATUS REPORT - PROJECT DEVELOPMENT UNIT

RESOLUTION: (Moved by Councillors Petch and Simon)

That Council receive and note this report.

Record of Voting:

For the Motion: Unanimous

Note: This is now a resolution of Council in accordance with the Committee's delegated powers.

ITEM 3 (continued)

ATTACHMENT 1

4 STORMWATER ASSET REPLACEMENT PROGRAM - 2013/14 - ADJUSTMENTS

RECOMMENDATION: (Moved by Councillors Simon and Pendleton)

That Stormwater Asset Replacement Renewal Program listings for 2013/14 be adjusted as follows:

- (a) Bring forward Shaftsbury Road to 2013/14;
- (b) Defer Twin Road/Badajoz Road to 2014/15;
- (c) Defer Anthony Road to 2014/15;
- (d) Council allocate the amount of \$302,000 (\$152,000 + \$150,000) from the Stormwater Management Service Charge Reserve for the purpose of completing the Fourth Avenue Drainage and Champion Road stormwater renewals.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **22 October 2013** as it is outside the Committee's delegations.

The meeting closed at 6.50pm.

CONFIRMED THIS 5TH DAY OF NOVEMBER 2013.

Chairperson

4 2012/2013 FINANCIAL STATEMENTS

Report prepared by: Chief Financial Officer
File No.: FIM/07/6/4/2/4 - BP13/1416

REPORT SUMMARY

This report is provided to present Council's 2012/2013 Annual Financial Statements (including General and Special Purpose Financial Statements) to the public following the public exhibition period and to allow Council's Chief Financial Officer, Council's External Auditor, Hill Rogers Spencer Steer and members of the Audit Committee to make a presentation to Council and answer questions in respect of the 2012/2013 Financial Statements.

RECOMMENDATION:

- (a) That in accordance with Section 419 of the Local Government Act, Council receive and note the Auditors Reports on the 2012/2013 Annual Financial Statements for the year ended 30 June 2013.
- (b) That any public submissions on the 2012/2013 Financial Reports be referred to Council's Auditors, Hill Rogers Spencer Steer, Chartered Accountants.
- (c) That Council suspend standing orders to allow a presentation by Council's staff and any comments by or questions of the external auditor, Hill Rogers Spencer Steer or members of the Audit Committee, in respect of the 2012/2013 Financial Statements including the Auditor's Reports.

ATTACHMENTS

- 1 Income Statement
- 2 Statement of Comprehensive Income
- 3 Balance Sheet
- 4 Statement of Changes in Equity
- 5 Statement of Cash Flows
- 6 Auditors Report on General Purpose Financial Statements
- 7 Auditors Report on Special Purpose Financial Statements
- 8 2012-2013 Audited Financial Statements - CIRCULATED UNDER SEPARATE COVER

Report Prepared By:

John Todd
Chief Financial Officer

Report Approved By:

Shane Sullivan
Acting Group Manager - Corporate Services

ITEM 4 (continued)**Discussion**

Council at its meeting of 24 September 2013 resolved to refer the draft Annual Financial Reports for the year ended 30 June 2013 to Audit.

Council's Audit Committee met on 23 September 2013 to review the 2012/2013 Annual Financial Statements and recommended to Council that the reports be referred for Audit.

Council's Auditors, Hill Rogers Spencer Steer, Chartered Accountants, have completed the audit and copies of the Auditor's Reports are included in the Annual Financial Statements, which were received on 8 October 2013.

The Annual Financial Statements were sent to the Division of Local Government (DLG) on 9 October 2013, ahead of the statutory 7 November 2013 timeframe. It should be noted that an application was made to the DLG seeking an extension of time, as the original time for referral had been deferred, and staff were unsure if it would be possible to make the deadline if further delays occurred.

The Annual Financial Statements together with the Auditor's Reports were placed on public exhibition from 9 October 2013 to 29 October 2013, inviting public submissions with the Annual Financial Statements to be presented to Council at its meeting of 22 October 2013. Submissions in accordance with Section 420 of the Local Government Act 1993, from members of the public regarding any aspect of the Financial Reports or Auditor's Reports will be received up to 29 October 2013, being seven days after the date of this meeting.

All submissions will be considered by Council and referred to its Auditor in accordance with the Local Government Act 1993.

Report

Council's Financial Statements, which includes the Auditor's Reports for 2012/2013 have been completed and are **CIRCULATED UNDER SEPARATE COVER** (Attachment 8). The statements are now formally presented to the public as required by Section 419 of the Local Government Act 1993.

The Financial Statements consist of the following General Purpose Financial Statements:

- | | | |
|------|---|---|
| i. | Income Statement | (ATTACHED) |
| ii. | Statement of Comprehensive Income | (ATTACHED) |
| iii. | Balance Sheet | (ATTACHED) |
| iv. | Statement of Changes in Equity | (ATTACHED) |
| v. | Statement of Cash Flows | (ATTACHED) |
| vi. | Notes to the Financial Statements 1 to 26 | (INCLUDED IN ATTACHMENT UNDER SEPARATE COVER) |
| vii. | Auditors Reports on the Statements | (ATTACHED) |

ITEM 4 (continued)

The Financial Statements also include Special Purpose Financial Statements. These relate to the following designated business activities of Council:

- Ryde Aquatic Leisure Centre
- Commercial Waste Removal

No public submissions had been received at the time of writing this report.

The Chief Financial Officer will make a presentation to the Council meeting on 22 October 2013 on Council's financial performance for the year. Council's External Auditors and members of the Audit Committee will also be present at the Council meeting to provide additional comments and to answer any questions on the Financial Reports and the Auditors Reports.

The Auditor has issued an unqualified opinion in the Audit Report, noting Council's investment portfolio has been sufficiently addressed in previous years and the remaining CDO investments will be monitored until maturity.

The following summary of the City of Ryde's financial results and key financial performance measures for 2012/2013, demonstrates Council's sound financial position:

Financial Results	2010⁽¹⁾	2011	2012	2013
	000's	000's	000's	000's
Operating Result	\$8,073	\$15,987	\$23,246	\$12,234
Operating Result Before Capital	(\$4,215)	\$448	\$460	(\$5,795)
Total Cash & Investments	\$63,051	\$69,064	\$79,082	\$91,877
Internal Reserves	\$49,684	\$51,676	\$50,889	\$52,830
Working Capital	\$4,549	\$4,205	\$5,360	\$4,264
Assets under Management	\$2.54B	\$2.53B	\$2.56B	\$2.22B

(1) Adjusted for Contributed Assets that were derecognised, as a prior year error.

ITEM 4 (continued)
Performance Indicators

The following key performance indicators provide further information on Council's financial performance:

Note 13 Performance Indicators	2010 ⁽¹⁾	2011	2012	2013
Unrestricted Current Ratio	4.67	4.79	3.72	4.42
Debt Service Ratio	0.85%	0.83%	0.75%	0.68%
Rate Coverage Ratio	61.16%	56.29%	51.48%	54.84%
Rates & Annual Charges Outstanding	4.10%	3.99%	4.19%	3.93%
Building & Infrastructure Renewal Ratio	49.24%	47.87%	80.19%	93.64%

(1) Adjusted for Contributed Assets that were derecognised, as a prior year error.

The result for 2012/2013 is a sound result for the City of Ryde that reflects the efforts of Council, all stakeholders and staff in maintaining Council's financial position.

Working Capital

Council's 2012-2016 Four Year Delivery Plan including One Year Operational Plan was adopted on a projected Working Capital position of \$2.397 million as at 30 June 2013. The 2012/2013 actual result is a Working Capital position of \$4.377 million, an improvement of \$1.980 million on that forecast. Council's Working Capital was \$3.705 million as at 30 June 2012.

	Opening Working Capital	Change in Working Capital	Closing Working Capital
<i>Delivery Plan 2012-2016</i>	4,052	(1,655)	2,397
<i>EOY 2011/2012</i>	1,308		1,308
<i>New Balance 30 June 2013</i>	5,360	(1,655)	3,705
<i>Sep 2012 Changes</i>		(338)	(338)
<i>Dec 2012 Changes</i>		67	67
<i>Revised Balance 30 June 2013</i>	5,360	(1,927)	3,433

The budget for 2013/2014 projected a Working Capital position as at 30 June 2014 of \$3.068 million in utilising \$0.338 million from Working Capital. The actual Working Capital result as at 1 July 2013, of \$4.264 million, will therefore be reduced to \$3.926 million as at 30 June 2014.

<i>Advised in Delivery Plan 2013-2017(1)</i>	3,433	(365)	3,068
<i>Adjustment - calculation error</i>		27	27
<i>Mar 2013 Changes</i>	(4)		(4)
<i>EOY 2012/2013</i>	474		474
<i>Jun 2013 Changes</i>	360		360
<i>Revised 30 June 2014</i>	4,264	(338)	3,926

(1) included in Delivery Plan 2013-2017

ITEM 4 (continued)

The minimum level of Working Capital that Council should operate on is \$3.00 million, with the current level of Internal Restrictions.

Investments

Council had \$91.88 million in cash and investments at 30 June 2013, of which \$4.63 million was unrestricted and is part of the calculation of Working Capital. The remainder is either Internally Restricted, \$52.83 million, which has been earmarked specifically by Council for a particular purpose or Externally Restricted by legislation, \$34.42 million, which can only be used for the purpose for which it has been provided.

Council has the ability to change the Internal Restrictions that it has placed over its Cash Reserves, but would need to take into account the reasons that the Reserve was created in the first place, to ensure that it does not reduce its ability to meet the need for which it was established.

Assets under Management

In 2012/2013 Council delivered a \$24.24 million Capital Works Program, excluding contributed assets, (\$24.07 million in 2011/2012) with major projects including:

• Catchment program	\$ 1.62 million
• Centres and Neighbourhood program	\$ 1.62 million
• Community and Cultural program	\$ 0.30 million
• Internal Corporate Services program	\$ 3.09 million
• Library program	\$ 0.71 million
• Open Space, Sport & Recreation program	\$ 4.63 million
• Paths and Cycleways program	\$ 2.47 million
• Property Portfolio program	\$ 3.03 million
• Regulatory program	\$ 0.47 million
• Roads program	\$ 5.00 million
• Traffic & Transport program	\$ 0.94 million
• Waste and Recycling program	\$ 0.37 million

Council received no “contributed assets” this year (\$12.50 million in 2011/2012) which increased Council’s Assets under Management to \$2.22 billion.

Council has revalued all its infrastructure assets to fair value and has depreciated them using the decay model based on the Asset Management Guidelines prepared and endorsed by the seven member Councils of NSROC. This is also now under a further review to ensure that the new Asset Management Plans reflect the true value of works required to be done for asset renewal.

This is the fifth year since Council adopted Fair Value, with the full impact of depreciation being brought to account in Council’s Financial Statements resulting in Council’s depreciation expense increasing by \$0.49 million in 2012/2013 to \$18.88 million.

ITEM 4 (continued)**Asset Management - Condition of Public Infrastructure**

Council has undertaken a comprehensive asset management programme in order to improve asset management practices across the vast infrastructure assets within the City.

As stated earlier in the report, the City of Ryde owns and maintains over \$2.22 billion worth of infrastructure including roads, parks, buildings, stormwater drainage, bridges, footpaths, lighting, seawalls and wharves with a current written down value, after depreciation, of over \$1.91 billion, of this \$1.24 billion is land.

Special Schedule 7 which reports on the condition of infrastructure assets included in the Financial Statements shows that Council would need to spend approximately \$55.2 million (\$85.94 million in 2011/2012) to bring its infrastructure assets to a satisfactory standard. It also shows that we need to spend \$4.7 million per annum to maintain the current standard of the asset; which is approximately half the level of maintenance undertaken during the year.

While the 2012/2013 results demonstrate Council is in a sound financial position in the short term, there are funding shortfalls to maintain its existing assets in a satisfactory condition as projected in Council's Long Term Financial Plan (LTFP). The plan provides critical information that fully informs Council of its forecasted financial position and commitments for the City of Ryde.

Council revised its LTFP in 2012/2013 to obtain a financial projection that quantifies the operation of Council services for the next 10 years. The plan forecasts a cash shortfall, and the amount that Council will be able to expend on asset renewal per year will reduce to \$4.34 million, which is short of what is required to bring its infrastructure up to a satisfactory standard. The Infrastructure Backlog will have ballooned to \$180.69 million by then if the annual underspend is not addressed.

Council needs to address its declining long term operating result by the use of the following options, or a combination of them.

1. New revenue opportunities
2. Commercial business ventures
3. Streamline operational costs
4. Reduce services or service levels
5. Increase user fees and charges
6. Special Rating Variation (SRV) above rate pegging.

As part of the Community Strategic Plan, a revised Asset Management Plan for the period of that plan has been developed. Information from this revised plan has been utilised in updating Councils LTFP. This still has to have a lot more community consultation on what constitutes what is a "satisfactory" level, the intervention levels and the level of maintenance and service that the community are prepared to fund.

ITEM 4 (continued)

Those discussions should then be incorporated into the Delivery Plan, Operational Plan, the Long Term Financial Plan and any application for a Special Rating Variation.

Investment Portfolio

Council was pro-active in establishing an \$8.00 million Financial Security Reserve in October 2008 to protect Council against any future fallout from the global financial crisis.

The impact of the global financial crisis on Council's investment portfolio has been fully reported to Council in both the monthly investment report and additional reports to Council. As resolved by Council, proceeds and interest on written down investments received this financial year have been transferred to the reserve, resulting in a balance in the Financial Security Reserve as at the 30 June 2013 of \$3.44 million.

Consultation

Internal Council business units consulted included:-

- Finance Unit
- All Service Units, especially Service Units in the Public Works Group relating to Council's assets and the condition assessment of all infrastructure

City of Ryde Advisory Committees consulted included:-

- Audit Committee

External public consultation included:-

- Council's Auditors, Hill Rogers Spencer Steer, Chartered Accountants
- Division of Local Government

Critical Dates

Council's audited Financial Statements (including General and Special Purpose Financial Statements) are required to be submitted to the Division of Local Government by 7 November 2013. Council has met this requirement.

Council is required to hold a Council meeting to present the Audited Financial Statements and the Auditors Reports by no later than 6 December 2013 after the end of the financial year. With the presentation of the Annual Financial Statements to the public at its meeting of 22 October 2013, Council will meet this requirement.

Financial Impact

The Council's financial results as attested to by its auditors, Hill Rogers Spencer Steer, reflect that Council is in a sound financial position.

ITEM 4 (continued)

During 2012/2013 TCorp completed a review of our Financial Sustainability and we were rated as Sound financially but with a Negative outlook. This means that Council has some medium to long term financial issues and funding that it will have to address during this term of Council.

The Working Capital result of \$4.26 million as at the 30 June 2013 is one of Council's key financial indicators. This result is an improvement on the forecast of \$2.39 million as detailed in the original Council's 2012-2016 Four Year Delivery Plan including One Year Operational Plan.

Council's Delivery Plan 2013-2017 and Operational Plan 2013/2014 have been adopted utilising \$0.34 million of Working Capital and forecasted to have a balance of \$3.07 million as at 30 June 2014.

Based on the actual result of \$4.26 million as at 30 June 2013, the forecast Working Capital is \$3.93 million as at 30 June 2014.

ITEM 4 (continued)

ATTACHMENT 1

General Purpose Financial Statements - Year Ended 30 June 2013

INCOME STATEMENT
for the year ended 30 June 2013

Original Budget*		Notes	Actual 2013 (\$'000)	Actual 2012 (\$'000)
	INCOME FROM CONTINUING OPERATIONS			
60,554	Rates and Annual Charges	3(a)	61,079	58,514
11,959	User Charges and Fees	3(b)	13,294	12,105
3,526	Interest and Investment Revenue	3(c)	4,328	4,482
6,432	Other Revenues	3(d)	7,527	6,023
6,820	Grants & Contributions provided for operating purposes	3(e&f)	7,126	8,990
1,836	Grants & Contributions provided for capital purposes	3(e&f)	18,029	22,786
	Other Income:			
-	Net gain from the disposal of assets	5	-	771
-	Net share of interests in joint ventures and associates using the equity method	19	-	-
91,127	TOTAL INCOME FROM CONTINUING OPERATIONS		111,383	113,671
	EXPENSES FROM CONTINUING OPERATIONS			
39,225	Employee Benefits and On-costs	4(a)	38,005	36,471
606	Borrowing Costs	4(b)	130	202
25,001	Materials and Contracts	4(c)	24,914	24,413
19,711	Depreciation, Amortisation and Impairment	4(d)	19,075	18,387
13,918	Other Expenses	4(e)	12,778	10,952
-	Interest and Investment Losses	3(c)	-	-
-	Net Loss from the disposal of assets	5	4,247	-
-	Share of interests in joint ventures and associates using the equity method	19	-	-
98,461	TOTAL EXPENSES FROM CONTINUING OPERATIONS		99,149	90,425
(7,334)	OPERATING RESULT FROM CONTINUING OPERATIONS		12,234	23,246
-	Operating result from discontinued operations	24	-	-
(7,334)	NET OPERATING RESULT FOR THE YEAR	2(a)	12,234	23,246
(9,170)	NET OPERATING RESULT FOR THE YEAR BEFORE GRANTS & CONTRIBUTIONS PROVIDED FOR CAPITAL PURPOSES		(5,795)	460

* Original budget as approved by Council - Refer Note 16

The above Income Statement should be read in conjunction with the accompanying notes.

ITEM 4 (continued)

ATTACHMENT 2

General Purpose Financial Statements - Year Ended 30 June 2013

STATEMENT OF COMPREHENSIVE INCOME
for the year ended 30 June 2013

	Notes	2013 (\$'000)	2012 (\$'000)
Net operating result for the year - from Income Statement		12,234	23,246
Other comprehensive income			
Amounts which will not be reclassified subsequently to operating result			
Gain (loss) on revaluation of infrastructure, property, plant and equipment	20(b)	(257,869)	-
Adjustment to correct prior period errors	20(d)	-	-
Amounts which will be reclassified subsequently to operating result when specific conditions are met.			
Realised available-for-sale investment gains recognised in revenue	20(b)	-	-
Gain (loss) on revaluation of available-for-sale investments	20(b)	-	-
Total other comprehensive income for the year		<u>(245,635)</u>	<u>23,246</u>
Total comprehensive income for the year			
Attributable to:			
- Council		<u>(245,635)</u>	<u>23,246</u>
- Non-controlling interests			

The above Statement of Comprehensive Income should be read in conjunction with the accompanying notes.

ITEM 4 (continued)
ATTACHMENT 3
General Purpose Financial Statements - Year Ended 30 June 2013
BALANCE SHEET
As at 30 June 2013

	Notes	2013		2012	
		(\$'000)	(\$'000)	(\$'000)	(\$'000)
ASSETS					
Current Assets					
Cash and Cash Equivalents	6(a)	15,805		13,973	
Investments	6(b)	46,450		38,000	
Receivables	7	5,697		6,379	
Inventories	8	447		330	
Other	8	388		231	
Non-Current assets classified as held for Sale	22	910		-	
Total Current Assets			69,697		58,913
Non-Current Assets					
Investments	6(b)	29,622		27,109	
Receivables	7	1,004		1,023	
Infrastructure, Property, Plant and Equipment	9	1,911,231		2,171,833	
Investments accounted for using equity method	19	-		-	
Investment Property	14	2,620		2,275	
Intangible assets	25	-		-	
Other	8	-		-	
Total Non-Current Assets			1,944,477		2,202,240
TOTAL ASSETS			<u>2,014,174</u>		<u>2,261,153</u>
LIABILITIES					
Current Liabilities					
Payables	10(a)	14,843		16,387	
Borrowings	10(a)	527		492	
Provisions	10(a)	9,853		9,130	
Total Current Liabilities			25,223		26,009
Non-Current Liabilities					
Payables	10(a)	-		-	
Borrowings	10(a)	2,895		3,412	
Provisions	10(a)	180		221	
Total Non-Current Liabilities			3,075		3,633
TOTAL LIABILITIES			<u>28,298</u>		<u>29,642</u>
NET ASSETS			<u>1,985,876</u>		<u>2,231,511</u>
EQUITY					
Retained Earnings	20	1,725,369		1,713,135	
Revaluation reserves	20	260,507		518,376	
Council equity interest			1,985,876		2,231,511
Minority equity interest			-		-
TOTAL EQUITY			<u>1,985,876</u>		<u>2,231,511</u>

The above Statement of Financial Position should be read in conjunction with the accompanying notes.

ITEM 4 (continued)

ATTACHMENT 4

General Purpose Financial Statements - Year Ended 30 June 2013

STATEMENT OF CHANGES IN EQUITY
for the year ended 30 June 2013

		2013					2012						
		(\$'000)					(\$'000)						
		Retained Earnings	Asset Revaluation Reserve	Other Reserves	Council Equity Interest	Non-controlling Interest	Total Equity	Retained Earnings	Asset Revaluation Reserve	Other Reserves	Council Equity Interest	Non-controlling Interest	Total Equity
Opening Balance	20	1,713,135	518,376	-	2,231,511	-	2,231,511	1,689,889	518,376	-	2,208,265	-	2,208,265
Correction of errors		-	-	-	-	-	-	-	-	-	-	-	-
Changes in Accounting Policies		-	-	-	-	-	-	-	-	-	-	-	-
Restated Opening Balance	20	1,713,135	518,376	-	2,231,511	-	2,231,511	1,689,889	518,376	-	2,208,265	-	2,208,265
Net Operating Result for the Year	20	12,234	(257,869)	-	(245,635)	-	(245,635)	23,246	-	-	23,246	-	23,246
Other Comprehensive Income	20	-	-	-	-	-	-	-	-	-	-	-	-
Total Comprehensive Income	20	12,234	(257,869)	-	(245,635)	-	(245,635)	23,246	-	-	23,246	-	23,246
Closing Balance	20	1,725,369	260,507	-	1,985,876	-	1,985,876	1,713,135	518,376	-	2,231,511	-	2,231,511

The above Statement of Changes in Equity should be read in conjunction with the accompanying notes.

ITEM 4 (continued)

ATTACHMENT 5

General Purpose Financial Statements - Year Ended 30 June 2013

STATEMENT OF CASH FLOWS
for the year ended 30 June 2013

Original Budget* 2013 (\$'000)	Notes	2013 (\$'000)	2012 (\$'000)
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts			
60,554		61,183	58,290
12,966		14,034	12,885
3,543		4,283	4,413
7,129		26,792	19,761
-		1,622	1,752
6,740		8,059	7,604
Payments			
(39,370)		(37,439)	(34,864)
(23,542)		(31,673)	(25,719)
(274)		(130)	(203)
-		(1,460)	(1,510)
(15,455)		(12,815)	(11,307)
12,291	11(b)	32,456	31,102
CASH FLOWS FROM INVESTING ACTIVITIES			
Receipts			
50,030		18,373	28,545
-		-	-
1,100		1,174	1,200
-		-	-
-		-	-
-		-	-
Payments			
(46,450)		(27,929)	(32,093)
-		-	-
(22,322)		(21,760)	(22,543)
-		-	-
-		-	-
-		-	-
(17,642)		(30,142)	(24,891)
CASH FLOWS FROM FINANCING ACTIVITIES			
Receipts			
-		-	-
-		-	-
Payments			
(381)		(482)	(442)
-		-	-
-		-	-
(381)		(482)	(442)
(5,732)		1,832	5,769
13,973	11(a)	13,973	8,204
8,241	11(a)	15,805	13,973

* Original budget as approved by Council - Refer Note 16

The above Statement of Cash Flows should be read in conjunction with the accompanying notes.

ITEM 4 (continued)

ATTACHMENT 6



*Hill Rogers
Spencer Steer*

CITY OF RYDE
GENERAL PURPOSE FINANCIAL STATEMENTS
INDEPENDENT AUDITORS' REPORT

REPORT ON THE FINANCIAL STATEMENTS

We have audited the accompanying *general purpose financial statements* of the *City of Ryde*, which comprises the Statement of Financial Position as at 30 June 2013, Income Statement, Statement of Comprehensive Income, Statement of Changes in Equity and Statement of Cash Flows for the year ended on that date, a summary of significant accounting policies and other explanatory notes and the Statement by Councillors and Management. The financial statements include the consolidated financial statements of the economic entity and the entities it controlled at year end or from time to time during the year.

Responsibility of Council for the Financial Statements

The Council is responsible for the preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations) and the Local Government Act 1993. This responsibility includes the maintenance of adequate accounting records and internal controls designed to prevent and detect fraud and error; designing, implementing and maintaining internal controls relevant to the preparation and fair presentation of the financial statements that are free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditors' Responsibility

Our responsibility is to express an opinion on the financial statements based on our audit. We conducted our audit in accordance with Australian Auditing Standards. These Auditing Standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial statements are free from material misstatement. Our audit responsibility does not extend to the original budget information disclosed in the Income Statement, Statement of Cash Flows, and Note 2(a) or the budget variation explanations disclosed in Note 16. Nor does our responsibility extend to the projected future developer contributions and costs disclosed in Note 17. Accordingly, no opinion is expressed on these matters.

Assurance Partners

T: +61 2 9122 8111 Level 3, 1 Chifley Square GPO Box 7068 www.hill-rogers.com.au Practising as Hill Rogers Spencer Steer Assurance Partners ABN 26 435 228 964
F: +61 2 9122 7900 Sydney NSW 2000 Australia Sydney NSW 2001 info@hr-as.com.au

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ITEM 4 (continued)

ATTACHMENT 6

Notes to the General Purpose Financial Statements 30 June 2013

Hill Rogers
Spencer Steer

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Council's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the Council, as well as evaluating the overall presentation of the financial statements.

Our audit did not involve an analysis of the prudence of business decisions made by Council or management.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Independence

In conducting our audit, we followed applicable independence requirements of Australian professional ethical pronouncements.

Auditor's Opinion

In our opinion,

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

HILL ROGERS SPENCER STEER



BRETT HANGER
Partner

Dated at Sydney this 8th day of October 2013

City of Ryde
General Purpose Financial Statements
Independent Auditors' Report

Page 2

ITEM 4 (continued)

ATTACHMENT 6

Notes to the General Purpose Financial Statements 30 June 2013



8 October 2013

The Mayor
City of Ryde
1 Devlin Street
RYDE NSW 2112

Mayor,

Audit Report - Year Ended 30 June 2013

We are pleased to advise completion of the audit of Council's books and records for the year ended 30 June 2013 and that all information required by us was readily available. We have signed our reports as required under Section 417(1) of the Local Government Act, 1993 and the Local Government Code of Accounting Practice and Financial Reporting to the General and Special Purpose Financial Statements.

Our audit has been conducted in accordance with Australian Auditing Standards so as to express an opinion on both the General and Special Purpose Financial Statements of the Council. We have ensured that the accounts have been prepared in accordance with Australian equivalents to International Financial Reporting Standards (AIFRS) and the Local Government Code of Accounting Practice and Financial Reporting.

This report on the conduct of the audit is also issued under Section 417(1) and we now offer the following comments on the financial statements and the audit:

1. RESULTS FOR THE YEAR

1.1 Operating Result

The operating result for the year was a surplus of \$12.234 million as compared with \$23.246 million in the previous year.

Assurance Partners

T: +61 2 9232 3111 Level 5, 1 Chifley Square GPO Box 7066 www.tr-ns.com.au Practising as Hill Rogers Spencer ABN 34 425 328 966
F: +61 2 9233 7950 Sydney NSW 2000 Australia Sydney NSW 2000 info@tr-ns.com.au Steer Assurance Partners

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ITEM 4 (continued)

ATTACHMENT 6

Notes to the General Purpose Financial Statements 30 June 2013

*Hill Rogers
Spencer Steer*

The following table sets out the results for the year and the extent (%) that each category of revenue and expenses contributed to the total.

	2013	% of	2012	% of	Increase
	\$'000	Total	\$'000	Total (Decrease)	\$'000
Revenues before capital items					
Rates & annual charges	61,079	65%	58,514	64%	2,565
User charges, fees & other revenues	20,821	22%	18,899	21%	1,922
Grants & contributions provided for operating purposes	7,126	8%	8,990	10%	(1,864)
Interest & investment revenue	4,328	5%	4,482	5%	(154)
	93,354	100%	90,885	100%	2,469
Expenses					
Employee benefits & costs	38,005	38%	36,471	40%	1,534
Materials, contracts & other expenses	41,939	42%	35,365	39%	6,574
Depreciation, amortisation & impairment	19,075	19%	18,387	20%	688
Borrowing costs	130	0%	202	0%	(72)
	99,149	100%	90,425	100%	8,724
Surplus/(Deficit) before capital items	(5,795)		460		(6,255)
Grants & contributions provided for capital purposes	18,029		22,786		(4,757)
Net Surplus/(Deficit) for the year	12,234		23,246		(11,012)

The table above shows an overall decrease over the previous year of \$11.012 million and can be attributable to decreased grants and contributions received and the write off of capital works in progress.

1.2 Funding Result

The operating result does not take into account all revenues and all expenditures and in reviewing the overall financial performance of Council it is useful to take into account the total source of revenues and where they were spent during the year which is illustrated in the table below.

ITEM 4 (continued)

ATTACHMENT 6

Notes to the General Purpose Financial Statements 30 June 2013

Hill Rogers
Spencer Steer

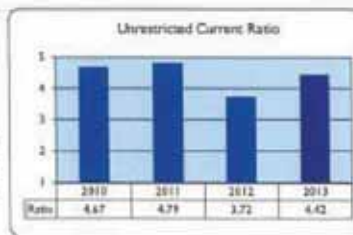
	2013	2012
<i>Funds were provided by-</i>	\$000	\$000
Operating Result (as above)	12,234	23,246
<i>Add back non funding items-</i>		
- Depreciation, amortisation & impairment	19,075	18,387
- Book value of non-current assets sold	6,794	1,444
- Non-cash Contributions of assets acquired	0	(12,500)
- (Gain)/Loss of fair value to investment properties	(345)	(75)
	37,758	30,502
Transfers from internal reserves (net)	0	10,115
Net Changes in current/non-current assets & liabilities	1,929	2,264
	39,687	42,881
 <i>Funds were applied to-</i>		
Purchase and construction of assets	(24,165)	(22,895)
Increase/Purchase in Non-current Investments	(2,513)	(16,607)
Principal repaid on loans	(482)	(442)
Transfers to externally restricted assets (net)	(3,174)	(1,782)
Transfers to internal reserves (net)	(9,539)	0
	(39,873)	(41,726)
 Increase/(Decrease) in Available Working Capital	(186)	1,155

2. FINANCIAL POSITION

2.1 Unrestricted Current Ratio

The Unrestricted Current Ratio is a financial indicator specific to local government and represents Council's ability to meet its debts and obligations as they fall due.

After eliminating externally restricted assets and current liabilities not expected to be paid within the next 12 months net current assets amounted to \$46.513 million representing a factor of 4.42 to 1.



2.2 Available Working Capital – (Working Funds)

A more meaningful financial indicator specific to local government is the level of **Available Working Capital**. Net Current Assets are adjusted by eliminating both external and internal restrictions held for future purposes.

ITEM 4 (continued)

ATTACHMENT 6

Notes to the General Purpose Financial Statements 30 June 2013

*Hill Rogers
Spencer Steer*

At the close of the year the Available Working Capital of Council stood at \$5.174 million as detailed below:

	2013	2012	Change
	\$000	\$000	\$000
Net Current Assets (Working Capital) as per Accounts	44,474	32,904	11,570
Add: Payables, provisions & inventories not expected to be realised in the next 12 months included above	11,520	11,684	(164)
Adjusted Net Current Assets	55,994	44,588	11,406
Add: Budgeted & expected to pay in the next 12 months			
- Borrowings	527	492	35
- Employees leave entitlements	4,472	3,423	1,049
- Deposits & retention moneys	1,811	1,774	37
Less: Externally restricted assets	(9,481)	(6,307)	(3,174)
Less: Internally restricted assets	(48,149)	(38,610)	(9,539)
Available Working Capital as at 30 June	5,174	5,360	(186)

The balance of Available Working Capital should be at a level to manage Council's day to day operations including the financing of hard core debtors, stores and to provide a buffer against unforeseen and unbudgeted expenditures. Taking into consideration the nature and level of the internally restricted assets (Reserves) set aside we are of the opinion that Available Working Capital as at 30 June 2013 was sound.

2.3 Debt

Operating revenue (excluding special purpose grants and contributions) required to service these repayments was 0.68%.

Total debt at 30 June 2013 amounted to \$3.422 million.



2.4 Summary

Council's overall financial position as at 30 June 2013, when taking into account the above financial indicators was, in our opinion, sound.

ITEM 4 (continued)

ATTACHMENT 6



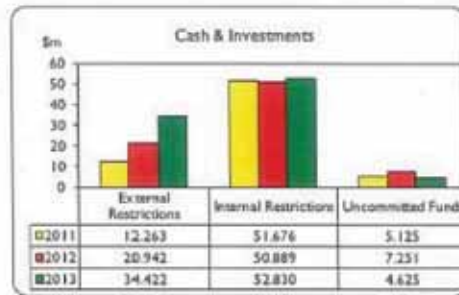
*Hill Rogers
Spencer Steer*

3. CASH ASSETS

3.1 Cash & Investments

Cash and investments held at the close of the year amounted to \$91.877 million as compared with \$79.082 million and \$69.064 million at the close of financial years 2012 and 2011 respectively.

The chart alongside summarises the purposes for which cash and investments were held.



Externally restricted cash and investments are restricted in their use by externally imposed requirements and consisted of unexpended development contributions under Section 94 of \$22.117 million, domestic waste management charges of \$4.789 million and specific purpose grants, contributions and levies of \$7.516 million.

Internally restricted cash and investments have been restricted in their use by resolution or policy of Council to reflect forward plans, identified programs of works, and are, in fact, Council's "Reserves". These Reserves totalled \$52.830 million and their purposes are more fully disclosed in Note 6 of the financial statements.

Unrestricted cash and investments amounted to \$4.625 million, which is available to provide liquidity for day to day operations.

3.2 Cash Flows

The Statement of Cash Flows illustrates the flow of cash (highly liquid cash and investments) moving in and out of Council during the year and reveals that cash increased by \$1.832 million to \$15.805 million at the close of the year.

In addition to operating activities which contributed net cash of \$32.456 million were the proceeds from the sale of investments (\$18.373 million) and other assets (\$1.174 million). Cash outflows other than operating activities were used to purchase investments (\$27.929 million), repay loans (\$482,000) and to purchase and construct assets (\$21.76 million).

ITEM 4 (continued)

ATTACHMENT 6

Notes to the General Purpose Financial Statements 30 June 2013

Hill Rogers
Spencer Steer

4. RECEIVABLES

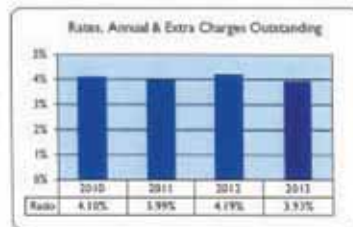
4.1 Rates & Annual Charges (excluding interest & extra charges)

Net rates and annual charges levied during the year totalled \$61.079 million and represented 55% of Council's total revenues.

Including arrears, the total rates and annual charges collectible was \$63.367 million of which \$61.183 million (97%) was collected.

4.2 Rates, Annual & Extra Charges

Arrears of rates, annual & extra charges stood at \$2.509 million at the end of the year and represented 3.93% of those receivables.



4.3 Other Receivables

Receivables (other than rates, annual & extra charges) totalled \$4.377 million and mainly consisted of user charges and fees (\$1.246 million), accrued interest on investments (\$893,000) and amounts due from government departments (\$1.172 million).

Those considered to be uncertain of collection have been provided for as doubtful debts and this provision amounted to \$185,000.

5. PAYABLES

5.1 Employees Leave Entitlements

Council's provision for its liability toward employees leave entitlements and associated on costs amounted to \$10.033 million.

A cash reserve of \$3.11 million was held at year end representing 31% of this liability and was, in our opinion, sufficient to meet unbudgeted and unanticipated retirements.

5.2 Deposits, Retentions & Bonds

Deposits, retentions and bonds held at year end amounted to \$8.047 million which were fully funded by internally restricted cash and investments.

ITEM 4 (continued)

ATTACHMENT 6

Notes to the General Purpose Financial Statements 30 June 2013

*Hill Rogers
Spencer Steer*

6. BUILDINGS AND INFRASTRUCTURE RENEWALS

The Buildings and Infrastructure Renewals ratio measures the rate at which these assets are renewed against the rate at which they are depreciating.

The ratio indicates that asset renewals for 2013 represented 94% of the depreciation charges for these assets. An industry benchmark is considered to be 100%, measured annually over the long term.



7. MANAGEMENT LETTER

An audit management letter addressing the findings from our interim audit was issued on 24 April 2013. This included our recommendations on possible ways to strengthen and/or improve procedures management's comments and proposed actions.

8. CONCLUSION

We wish to record our appreciation to your General Manager and his staff for their ready co-operation and the courtesies extended to us during the conduct of the audit.

Yours faithfully,
HILL ROGERS SPENCER STEER

B. Hanger

BRETT HANGER
Partner

ITEM 4 (continued)

ATTACHMENT 7

Notes to the Special Purpose Financial Statements – Year Ended 30 June 2013



CITY OF RYDE

SPECIAL PURPOSE FINANCIAL STATEMENTS

INDEPENDENT AUDITORS' REPORT

REPORT ON THE FINANCIAL STATEMENTS

We have audited the accompanying *special purpose financial statements* of the *City of Ryde*, which comprises the Statement of Financial Position as at 30 June 2013, Income Statement for the year ended on that date, a summary of significant accounting policies and other explanatory notes and the Statement by Councillors and Management.

Responsibility of Council for the Financial Statements

The Council is responsible for the preparation and fair presentation of the financial statements in accordance with the Local Government Act 1993 and have determined that the accounting policies described in Note 1 to the financial statements, which form part of the financial statements, are appropriate to meet the financial reporting requirements of the Division of Local Government. This responsibility includes the maintenance of adequate accounting records and internal controls designed to prevent and detect fraud and error; designing, implementing and maintaining internal controls relevant to the preparation and fair presentation of the financial statements that are free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditors' Responsibility

Our responsibility is to express an opinion on the financial statements based on our audit. We conducted our audit in accordance with Australian Auditing Standards. These Auditing Standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Council's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the Council, as well as evaluating the overall presentation of the financial statements.

Assurance Partners

T: +61 2 9232 5111 Level 5, 1 Chifley Square GPO Box 7886 www.tr-a.com.au Practising as Hill Rogers Spencer ABN 54 435 338 944
F: +61 2 9233 7950 Sydney NSW 2000 Australia Sydney NSW 2001 info@tr-a.com.au Steer Assurance Partners

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ITEM 4 (continued)

ATTACHMENT 7

Notes to the Special Purpose Financial Statements – Year Ended 30 June 2013



Our audit did not involve an analysis of the prudence of business decisions made by Council or management.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Independence

In conducting our audit, we followed applicable independence requirements of Australian professional ethical pronouncements.


Auditor's Opinion

In our opinion, the special purpose financial statements of the Council are presented fairly in accordance with the requirements of those applicable Accounting Standards detailed in Note 1 and the Local Government Code of Accounting Practice and Financial Reporting.

Basis of Accounting

Without modifying our opinion, we draw attention to Note 1 to the financial statements, which describes the basis of accounting. The financial statements have been prepared for the purpose of fulfilling the financial reporting requirements of the Division of Local Government. As a result, the financial statements may not be suitable for another purpose.

HILL ROGERS SPENCER STEER



BRETT HANGER
Partner

Dated at Sydney this 8th day of October 2013

5 INVESTMENT REPORT - September 2013

Report prepared by: Chief Financial Officer

File No.: GRP/09/3/10 - BP13/1452

REPORT SUMMARY

This report details Council's performance of its investment portfolio for the month of September 2013 and compares it against key benchmarks. The report includes the estimated market valuation of Council's investment portfolio, loan liabilities, an update on Council's legal action against various parties and a commentary on significant events in global financial markets.

Council's financial year to date return is 4.26%, which is 1.49% above benchmark. Income from interest on investments and proceeds from sale of investments totals \$1M, \$192K above original budget projections, the additional funds belong to Section 94 Reserve funds on hand, and do not improve Council's Working Capital.

RECOMMENDATION:

That Council endorse the report of the Chief Financial Officer dated 08 October 2013 on Investment Report – September 2013.

ATTACHMENTS

- 1** Investment Report September 2013 - Attachment
- 2** Letter from Piper Alderman - Scheme of arrangement - CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL

Report Prepared By:

John Todd
Chief Financial Officer

Report Approved By:

Shane Sullivan
Acting Group Manager - Corporate Services

ITEM 5 (continued)

Discussion

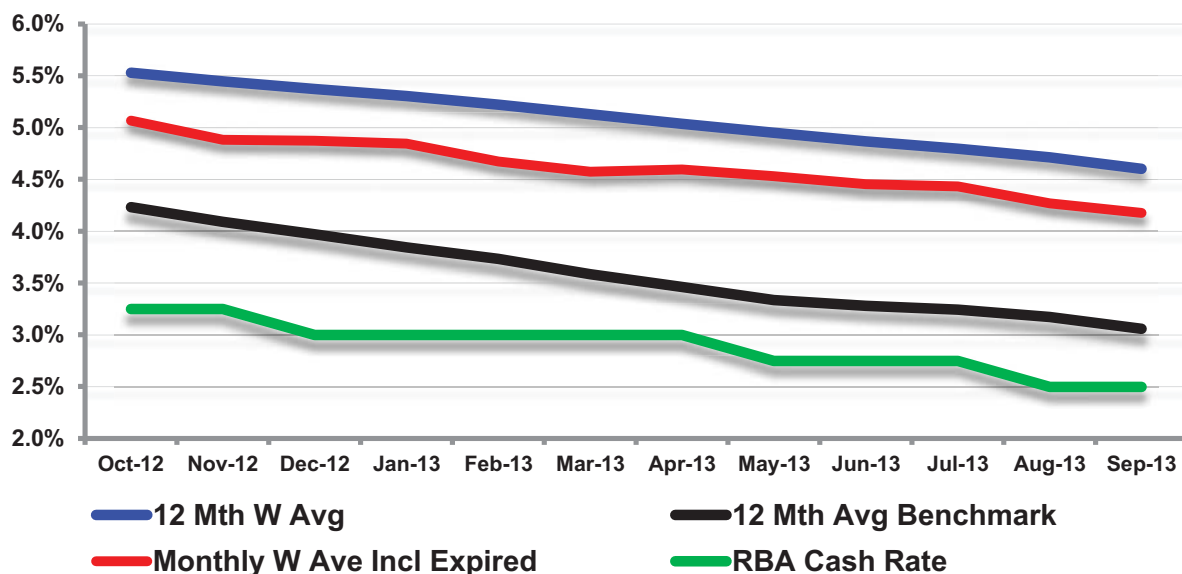
Council’s Responsible Accounting Officer, is required to report monthly on Council’s Investment Portfolio and certify that the Investments are held in accordance with Council’s Investment Policy and Section 625 of the Local Government Act.

Investment Performance Commentary

Council’s performance against the benchmark for returns of its investment portfolio for September 2013 and the past 12 months are as follows:

	Sep 2013	FYTD	12 Mth
Council Return	4.18	4.26	4.53
Benchmark	2.59	2.77	3.06
Variance	1.59	1.49	1.47

Performance - All Investments



Council’s investment portfolio as at the end of September was as follows:

Cash/Term Deposits	\$79.6M	68.3%
Floating Rate Notes	\$19.9M	17.1%
Fixed Rate Bonds	\$2.0M	1.7%
Total Cash Investments	\$101.5M	
Property	\$15.1M	12.9%
Total Investment Portfolio	\$116.6M	

ITEM 5 (continued)

Council continues to utilise the Federal Government's current guarantee (\$250K) investing in Term Deposits with a range of Authorised Deposit Taking Institutions (ADI's) on short to medium term investments (generally 30 days to six months maturity) where more competitive rates are available.

Whilst Council has moved some of its investment portfolio out to longer terms, locking in some of the returns, the majority of Council's funds are held in internal reserves. Should Council consider utilising its internal reserves, this will have a direct impact on the amount of investment income that will be realised and will require a reduction in the future projected investment income and will place pressure on Council to be able to maintain its current level of expenditure on Capital or Maintenance.

Financial Security Reserve (FSR)

The Financial Security Reserve has a balance of \$3.44M as at 30 September with no movements this year. A detailed transaction history is included in the attachment to this report.

Council has resolved to transfer all proceeds and interest earned on written down investments to this reserve.

Economic Commentary

The RBA left the official cash rate unchanged at their October meeting, with little changed from the last statement, and emphasised watching for signs that previous rate cuts have had the desired effect. Market expectations are for the RBA to keep cash rates stable until next year.

In the US, "non-essential" government functions shut down as the Republican and Democrat parties reached an impasse, with hard line Republicans refusing to pass a budget until Obamacare is repealed. The standoff has shuttered much of the federal bureaucracy, and a mid-October deadline to raise the debt ceiling has, at the time of this report, not been resolved. As a result, the spectre of a US default looms large over monetary markets, especially over risk assets.

In Europe, unemployment fell for the second month in August, though from a rather high peak. German Chancellor Angela Merkel had a strong election victory, which reinforced expectations that Germany will support the Euro and extend help to the peripheral nations if needed.

Legal Issues

As previously reported to Council, the LGFS Rembrandt CDO Investment and the Grange (Lehman Brothers) IMP Investment are currently before the Courts. Council, at its meeting on 17 July 2012, endorsed being a third party to an action against the Commonwealth Bank (CBA).

ITEM 5 (continued)

The following update is provided in respect of Council's legal action in these matters due to recent developments.

Lehman / Grange IMP

On Friday 21 September 2012, Justice Rares handed down the judgment in this matter, which was in favour of the Councils involved in this legal action. This was reported to Council in the September Investment Report.

On 25 September 2013 the Federal Court approved the calling of a meeting of Scheme Creditors of Lehman Australia to consider the proposed Insurance Only Scheme. The applicants and group members in the Lehman Australia class action are Scheme Creditors. A letter from Piper Alderman regarding the scheme of arrangement is **CONFIDENTIAL ATTACHMENT 2**.

The meeting of Scheme Creditors of Lehman Australia will be held in Sydney on Thursday 17 October 2013 at 11.00am. As the scheme will realise a greater return to Council, Council's proxy has been instructed to accept the scheme.

While the above court action has been proceeding, the related investments of the Lehman / Grange IMP (Merimbula and Global Bank Note) have been finalised and paid to Council. As previously reported, Council has received \$752k for these investments representing full payment of the principal and interest.

LGFS – Rembrandt

On 5 November 2012, Federal Court Justice Jayne Jagot ruled that Councils were entitled to succeed in their claim for damages against LGFS, ABN AMRO and Standard & Poors (S&P). This result vindicates Council's Investment in this product with Justice Jayne Jagot finding that LGFS, ABN AMRO and S&P had collectively been responsible for misleading and deceptive conduct and negligent misrepresentation of this investment to Councils.

On 1 March 2013, the Federal Court of Australia awarded compensation and costs to Councils against S&P. Council was awarded \$933K principal (equivalent to the balance outstanding) and \$331K in interest. Of this, 70% is payable to IMF for their funding of the legal action, resulting in a net benefit to Council of approximately \$382K, which was paid to Council on 4 April 2013.

Piper Alderman are currently preparing a lump sum costs order to put before the Court, including GST (as this cannot be claimed back from the ATO) so the Court can make an order as to the quantum of legal fees and disbursements which Council may be entitled to recover from the Respondents. As at the date of this report there is no further detail as to what Council may be entitled to recover.

CBA – Oasis and Palladin

Council has endorsed City of Ryde being a third party to an action against CBA in relation to the Oasis CDO investments for \$1 million that Council has written down to zero. A mediation session was to have occurred with CBA on 8 October 2013.

ITEM 5 (continued)

Whilst Council had written off the Oasis investment, the investment had one further default until it completely defaulted. As previously reported, Council sold the Oasis investment at 35.7 cents in the dollar on the remaining principal of \$625k, being \$223,337. Should Council be successful in this legal action, then this will be taken into account as part of any settlement.

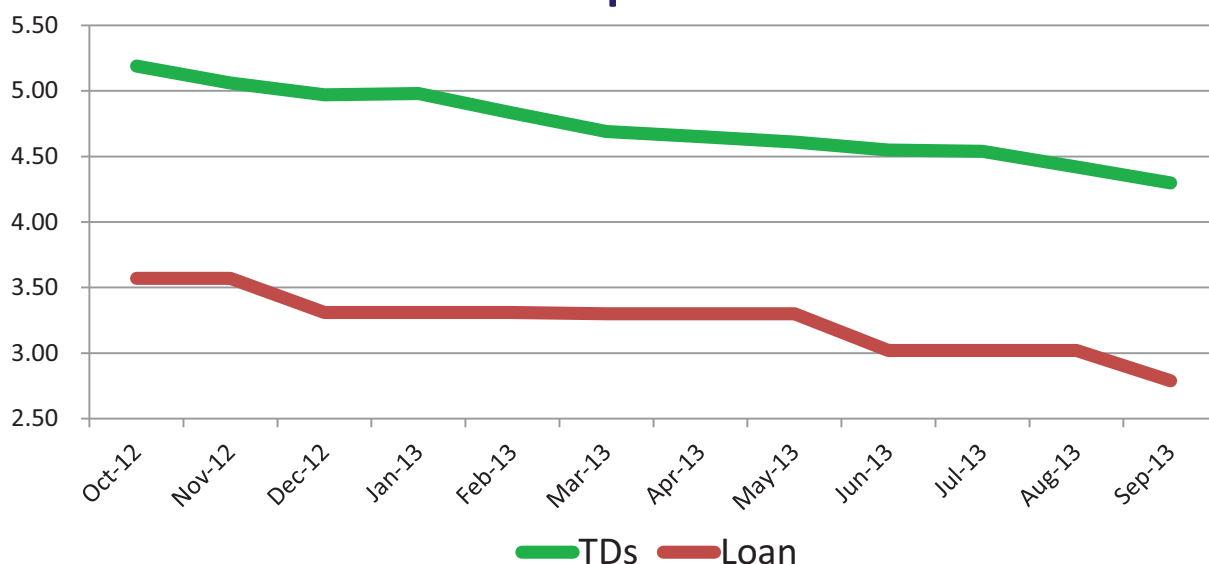
As part of this action, Council is also a party to action against CBA for its investment in the Palladin CDO, of which Council held \$2M. This investment defaulted in October 2008.

Loan Liability

Council’s loan liability as at 30 September 2013 was \$3.3 million which represents the balance of one loan taken out in 2004 for the Civic Centre Redevelopment and refinancing the West Ryde Tunnel. This loan was for 15 years and was negotiated at a very attractive rate for Council at 90 Day BBSW + 20 basis points and is reset every quarter.

There is no advantage to Council in changing these arrangements or repaying this loan earlier than planned. Council is receiving a better rate of return on its investments than it is paying on the loan. The following graph shows the gap between the average interest rate earned on Council’s term deposits (top line) compared to the interest rate applying to this loan (bottom line).

Term Deposits/Loan Interest Rate Comparison



ITEM 5 (continued)

Debt Service Ratio

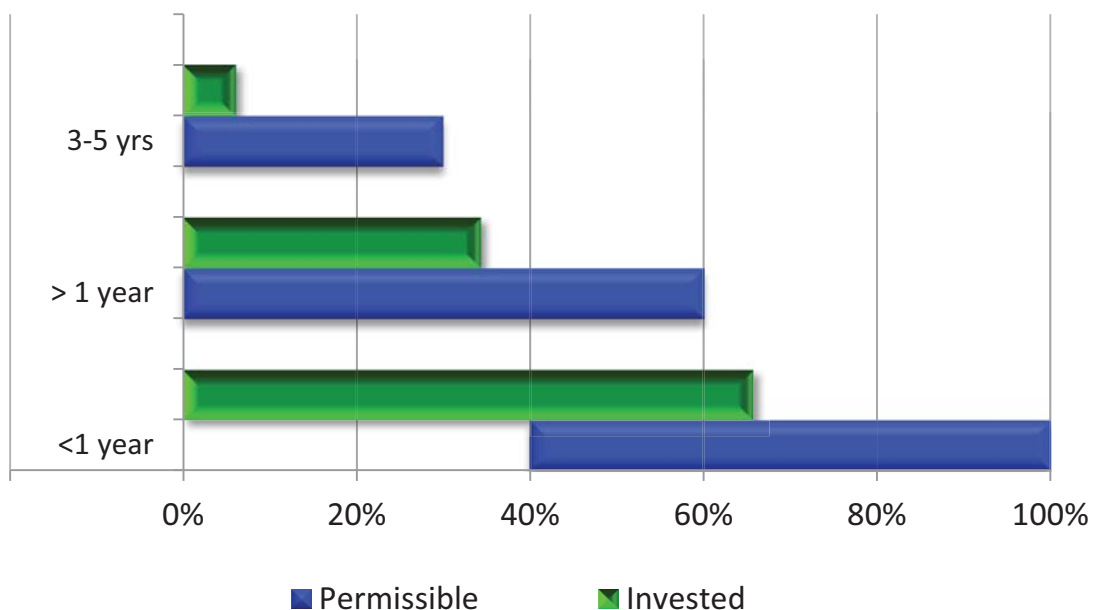
It should be noted that whilst Council’s debt service ratio is low, all of Council’s funds are committed to operational costs and projects of a capital and non-capital nature. This means that Council does not have the capacity to take on any additional debt without a new dedicated revenue stream to fund the loan repayments, or cutting services or capital expenditure.

Debt Service Ratio		
Category 3 Councils	2010/11 ⁽¹⁾	2.87%
City of Ryde	2012/13 ⁽²⁾	0.68%

(1) Comparative data for 2011/12 is expected to be released by the Division of Local Government (DLG) in October 2013.

(2) Once the 2012/13 Financial Statements are audited, this will be updated to reflect that result.

Policy Limits on Maturities



ITEM 5 (continued)
INVESTMENT SUMMARY AS AT 30 SEPTEMBER 2013

Issuer	Investment Name	Investment Rating	Invested at 30-Sep-13 \$000's	Annualised Period Return (%)	12 Month Average Return on Current Investments	Return since 01 July 2013	% of Total Invested	Indicative Market Value ** \$000's	% Market Value
Westpac	1. Westpac At Call	AA-	7,723	2.61	2.96	2.59	7.61	7,723	100.00%
Bank of Queensland	2. Bank of Queensland TD	A-	750	4.12	4.69	4.12	0.74	750	100.00%
CBA	3. Bankwest Term Deposit	AA-	2,000	3.40	3.97	3.40	1.97	2,000	100.00%
Westpac	4. St George Term Deposit	A+	1,000	4.24	4.44	4.24	0.99	1,000	100.00%
NAB	5. NAB Term Deposit	AA-	1,000	4.24	4.52	4.24	0.99	1,000	100.00%
Westpac	6. Westpac Term Deposit	AA-	1,000	4.35	4.82	4.35	0.99	1,000	100.00%
Westpac	7. Westpac Term Deposit	AA-	500	4.95	4.95	4.95	0.49	500	100.00%
NAB	8. NAB Term Deposit	AA-	1,000	6.60	6.60	6.60	0.99	1,000	100.00%
AMP	9. AMP TD	A	1,000	4.00	4.13	4.07	0.99	1,000	100.00%
Westpac	10. Westpac Term Deposit	AA-	500	4.00	4.59	4.00	0.49	500	100.00%
NAB	11. NAB Term Deposit	AA-	1,000	3.84	4.53	3.99	0.99	1,000	100.00%
P&N Bank	12. P&N Bank	Unrated	500	4.24	4.51	4.24	0.49	500	100.00%
CBA	13. Bankwest Term Deposit	AA-	2,000	3.55	3.55	3.55	1.97	2,000	100.00%
CBA	14. Bankwest TD	AA-	2,000	3.50	3.88	3.64	1.97	2,000	100.00%
NAB	15. NAB Term Deposit	AA-	1,000	4.72	4.77	4.72	0.99	1,000	100.00%
Defence Bank	16. Defence Bank TD	BBB+	500	3.56	4.24	3.81	0.49	500	100.00%
Railways CU	17. Railways CU	Unrated	500	3.85	4.40	4.03	0.49	500	100.00%
Qld Country CU	18. Qld Country Credit Union	Unrated	500	4.16	4.46	4.16	0.49	500	100.00%
Beyond Bank	19. Beyond Bank TD	BBB+	500	4.11	4.50	4.11	0.49	500	100.00%
Bendigo and Adelaide Bank	20. Bendigo Bank TD	A-	1,000	4.10	4.47	4.10	0.99	1,000	100.00%
Hunter United Credit Union	21. Hunter United Credit Union TD	Unrated	500	3.90	4.36	4.03	0.49	500	100.00%
CUA	22. Credit Union Australia TD	BBB+	500	4.35	4.71	4.35	0.49	500	100.00%
Coastline CU	23. Coastline Credit Union TD	Unrated	500	4.70	4.70	4.70	0.49	500	100.00%
Peoples Choice CU	24. Peoples Choice CU	BBB+	500	3.79	4.33	3.97	0.49	500	100.00%
Rural Bank	25. Rural Bank	A-	1,000	6.48	6.48	6.48	0.99	1,000	100.00%
Banana Coast CU	26. Bananacoast CU TD	Unrated	500	4.25	4.69	4.25	0.49	500	100.00%
B&E Ltd	27. B & E Building Soc TD	Unrated	500	3.90	4.29	4.03	0.49	500	100.00%
Victoria Teachers CU	28. Victoria Teachers CU	BBB+	500	4.40	4.50	4.40	0.49	500	100.00%
CBA	29. CBA TD	AA-	2,000	5.76	5.76	5.76	1.97	2,000	100.00%
Me Bank	30. ME Bank TD	BBB	1,000	4.33	4.64	4.33	0.99	1,000	100.00%
Macquarie Bank	31. Macquarie Bank Term Deposit	A	500	4.15	4.58	4.22	0.49	500	100.00%
CBA	32. Bankwest Term Deposit	AA-	1,000	7.00	7.00	7.00	0.99	1,000	100.00%
IMB	33. IMB TD	BBB	700	4.24	4.38	4.24	0.69	700	100.00%
Summerland CU	34. Summerland CU TD	Unrated	250	5.05	5.05	5.05	0.25	250	100.00%
Wide Bay CU	35. Wide Bay CU TD	BBB	500	4.19	4.58	4.19	0.49	500	100.00%
Northern Beaches CU	36. Northern Beaches CU TD	Unrated	500	4.14	4.54	4.14	0.49	500	100.00%
Queenslanders CU	37. Queenslanders CU TD	Unrated	500	4.24	4.70	4.24	0.49	500	100.00%
Warwick CU	38. Warwick CU TD	Unrated	500	4.35	4.58	4.35	0.49	500	100.00%
AMP	39. AMP Business Saver	A	975	3.40	3.80	3.54	0.96	975	100.00%
South West CU	40. South West CU TD	Unrated	500	4.20	4.28	4.20	0.49	500	100.00%
CBA	41. CBA Term Deposit	AA-	1,000	4.55	4.49	4.55	0.99	1,000	100.00%
Gateway CU	42. Gateway CU TD	Unrated	500	4.10	4.41	4.10	0.49	500	100.00%
Rabobank	43. Rabodirect TD	AA-	1,000	4.11	4.11	4.11	0.99	1,000	100.00%
Rabobank	44. Rabobank TD	AA-	500	4.17	4.57	4.17	0.49	500	100.00%
Newcastle Perm Bldg Soc	45. Newcastle Perm Bldg Soc	BBB+	1,000	3.75	4.36	4.02	0.99	1,000	100.00%
ING	46. ING TD	A	1,000	4.02	5.06	4.13	0.99	1,000	100.00%
Greater Bldg Soc	47. Greater Bldg Soc TD	BBB	1,000	4.33	4.62	4.33	0.99	1,000	100.00%
Holidaycoast CU	48. Holidaycoast CU TD	Unrated	500	4.30	4.55	4.30	0.49	500	100.00%
Bank of Queensland	49. BoQ TCD	A-	2,000	4.06	4.50	4.16	1.97	2,002	100.09%
Intech CU	50. Intech CU TD	Unrated	500	4.21	4.48	4.21	0.49	500	100.00%

ITEM 5 (continued)

Issuer	Investment Name	Investment Rating	Invested at 30-Sep-13 \$000's	Annualised Period Return (%)	12 Month Average Return on Current Investments	Return since 01 July 2013	% of Total Invested	Indicative Market Value ** \$000's	% Market Value
AMP	51. AMP TD	A	1,000	7.14	7.14	7.14	0.99	1,000	100.00%
Bendigo and Adelaide Bank	52. Bendigo and Adelaide Bank FRN	A-	1,000	4.11	4.57	4.20	0.99	1,002	100.16%
WaW CU	53. WAW CU Coop	Unrated	500	3.91	4.15	3.99	0.49	500	100.00%
Heritage Bank	54. Heritage Bank	A-	1,000	4.50	4.56	4.50	0.99	1,000	100.00%
Rabobank	55. Rabodirect At-call	AA	1,001	3.05	3.54	3.12	0.99	1,001	100.00%
Me Bank	56. ME Bank At Call Account	BBB	2,728	3.15	3.55	3.26	2.69	2,728	100.00%
NAB	57. NAB FRN	AA-	1,001	3.96	4.29	4.01	0.99	1,016	101.64%
NAB	58. NAB FRN	AA-	998	4.06	4.40	4.11	0.98	1,016	101.64%
CBA	59. CBA FRN	AA-	999	3.88	4.25	3.97	0.98	1,017	101.70%
Westpac	60. Westpac FRN	AA-	998	3.88	4.30	3.97	0.98	1,016	101.62%
CBA	61. CBA FRN	AA-	998	3.93	4.30	4.03	0.98	1,017	101.70%
NAB	62. NAB FRN	AA-	994	4.25	4.58	4.30	0.98	1,016	101.64%
Westpac	63. Westpac FRN	AA-	999	3.81	4.24	3.90	0.98	1,014	101.36%
NAB	64. NAB FRN	AA-	995	4.23	4.56	4.27	0.98	1,016	101.64%
CBA	65. CBA FRN	AA-	994	4.10	4.47	4.19	0.98	1,017	101.70%
ING	66. ING TD	A+	1,000	4.33	4.33	4.33	0.99	1,000	100.00%
ANZ	67. ANZ FRN	AA-	993	4.09	4.51	4.17	0.98	1,016	101.65%
Rabobank	68. Rabobank FRN	AA-	991	4.30	4.60	4.36	0.98	1,010	100.99%
Police CU (SA)	69. Police CU - SA	Unrated	500	5.70	5.70	5.70	0.49	500	100.00%
NAB	70. NAB Fixed MTN	AA-	995	6.30	6.30	6.40	0.98	1,071	107.10%
Bankstown City CU	71. Bankstown City CU TD	Unrated	250	4.16	4.47	4.16	0.25	250	100.00%
Westpac	72. Westpac Fixed MTN	AA-	997	6.21	6.20	6.31	0.98	1,077	107.72%
ING	73. ING Direct	A	1,000	4.41	4.54	4.41	0.99	1,000	100.00%
Macquarie Bank	74. Macquarie Bank TD	A	500	6.50	6.50	6.50	0.49	500	100.00%
CBA	75. CBA Retail Bond	AA-	959	4.47	4.78	4.51	0.94	965	99.50%
Bendigo and Adelaide Bank	76. Delphi Bank TD	Unrated	250	6.05	6.05	6.05	0.25	250	100.00%
Rural Bank	77. Rural Bank TD	A-	1,000	4.06	4.39	4.06	0.99	1,000	100.00%
Me Bank	78. ME Bank TD	BBB	1,000	3.82	4.63	4.19	0.99	1,000	100.00%
CBA	79. CBA Retail Bonds	AA-	492	4.68	4.99	4.72	0.48	498	99.50%
CBA	80. CBA Retail Bonds	AA-	492	4.70	5.02	4.75	0.48	498	99.50%
Investec	81. Investec TD	BBB-	250	6.15	6.15	6.15	0.25	250	100.00%
CBA	82. CBA Retail Bond	AA-	493	4.63	4.95	4.73	0.49	498	99.50%
Westpac	83. St George TD	AA-	1,000	4.05	4.48	4.11	0.99	1,000	100.00%
CBA	84. CBA Retail Bond	AA-	493	4.62	4.92	4.66	0.49	498	99.50%
Rural Bank	85. Rural Bank TD	A-	1,000	3.74	4.54	3.94	0.99	1,000	100.00%
ING	86. ING Floating Rate TD	A	1,000	4.99	5.44	5.12	0.99	1,000	100.00%
IMB	87. IMB TD	BBB	1,000	3.45	4.38	3.83	0.99	1,000	100.00%
Westpac	88. St George TD	AA+	1,000	4.05	4.70	4.05	0.99	1,000	100.00%
Bank of Queensland	89. Bank of Queensland TD	A-	1,000	4.04	4.61	4.18	0.99	1,000	100.00%
NAB	90. NAB TD	AA-	1,000	4.80	4.80	4.80	0.99	1,000	100.00%
Westpac	91. St George TD	AA-	1,000	3.77	4.59	3.77	0.99	1,000	100.00%
Me Bank	92. ME Bank TD	BBB	1,000	4.35	4.50	4.35	0.99	1,000	100.00%
Bank of Queensland	93. Bank of Queensland FRN	A-	2,000	4.30	4.61	4.42	1.97	2,027	101.34%
Bank of Sydney	94. Bank of Sydney TD	Unrated	250	4.32	4.54	4.32	0.25	250	100.00%
Goldfields Money Ltd	95. Goldfields Money Ltd TD	Unrated	250	4.20	4.30	4.20	0.25	250	100.00%
Westpac	96. Westpac Flexi TD	AA-	1,000	3.81	4.05	3.95	0.99	1,000	100.00%
Bendigo and Adelaide Bank	97. Bendigo Bank TD	A-	1,000	3.85	4.16	3.85	0.99	1,000	100.00%
Bendigo and Adelaide Bank	98. Bendigo & Adelaide Bank FRN	A-	1,000	3.84	3.98	3.94	0.99	1,002	100.24%
CBA	99. CBA TD	AA-	1,000	4.10	4.10	4.10	0.99	1,000	100.00%
CBA	100. CBA TD	AA-	1,000	3.75	3.80	3.79	0.99	1,000	100.00%
NAB	101. NAB TD	AA-	1,000	4.06	4.06	4.06	0.99	1,000	100.00%
NAB	102. NAB Term Deposit	AA-	1,000	4.15	4.15	4.15	0.99	1,000	100.00%
NAB	103. NAB Term Deposit	AA-	1,000	4.27	4.27	4.27	0.99	1,000	100.00%
Macquarie Bank	104. Macquarie Bank TD	A	750	3.80	3.80	3.80	0.74	750	100.00%
AMP	105. AMP Term Deposit	A+	2,000	3.85	3.85	3.85	1.97	2,000	100.00%
Bank of Queensland	106. Bank of Queensland TD	A-	2,000	3.84	3.84	3.84	1.97	2,000	100.00%
			101,508	4.19	4.53	4.27	100	101,936	

*Monthly returns when annualised can appear to exaggerate performance

**Market valuations are indicative prices only, and do not necessarily reflect the price at which a transaction could be entered into.

Return including Matured/Traded Investments
Weighted Average Return

4.18 4.53 4.26

Benchmark Return: UBSA 1 Year Bank Bill Index (%)

2.59 3.06 2.77

Variance From Benchmark (%)

1.59 1.47 1.49

ITEM 5 (continued)

Investment Income

	\$000's
This Period	341
Financial Year To Date	1,004
Budget Profile	812
Variance from Budget - \$	<u>192</u>

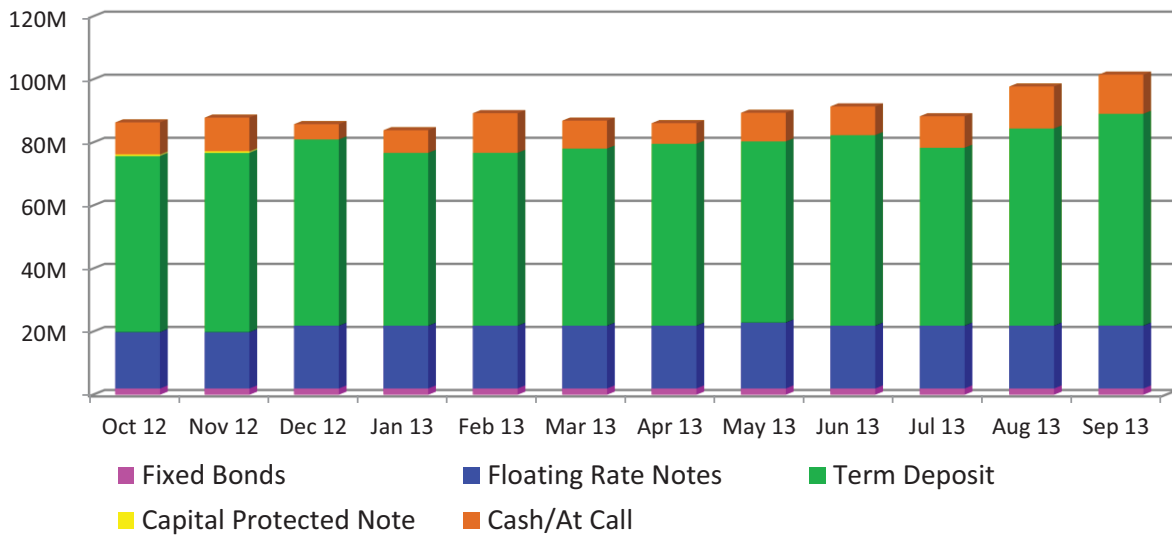
Certificate of the Chief Financial Officer

I certify that as at the date of this report, the investments listed have been made and are held in compliance with Council's Investment Policy and applicable legislation.

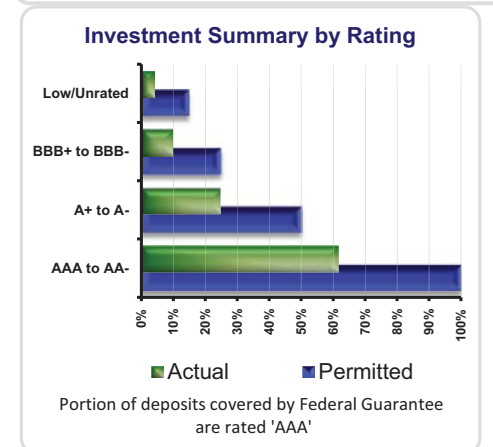
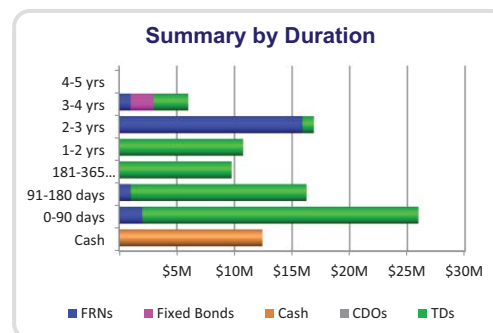
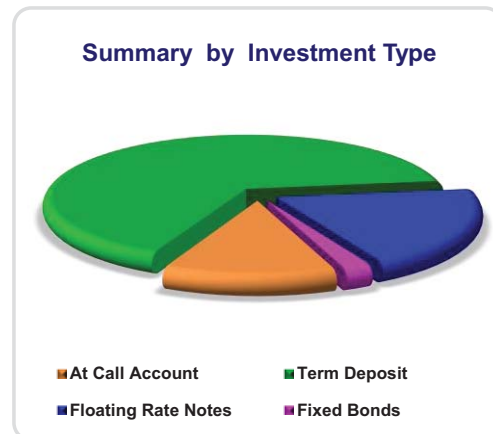
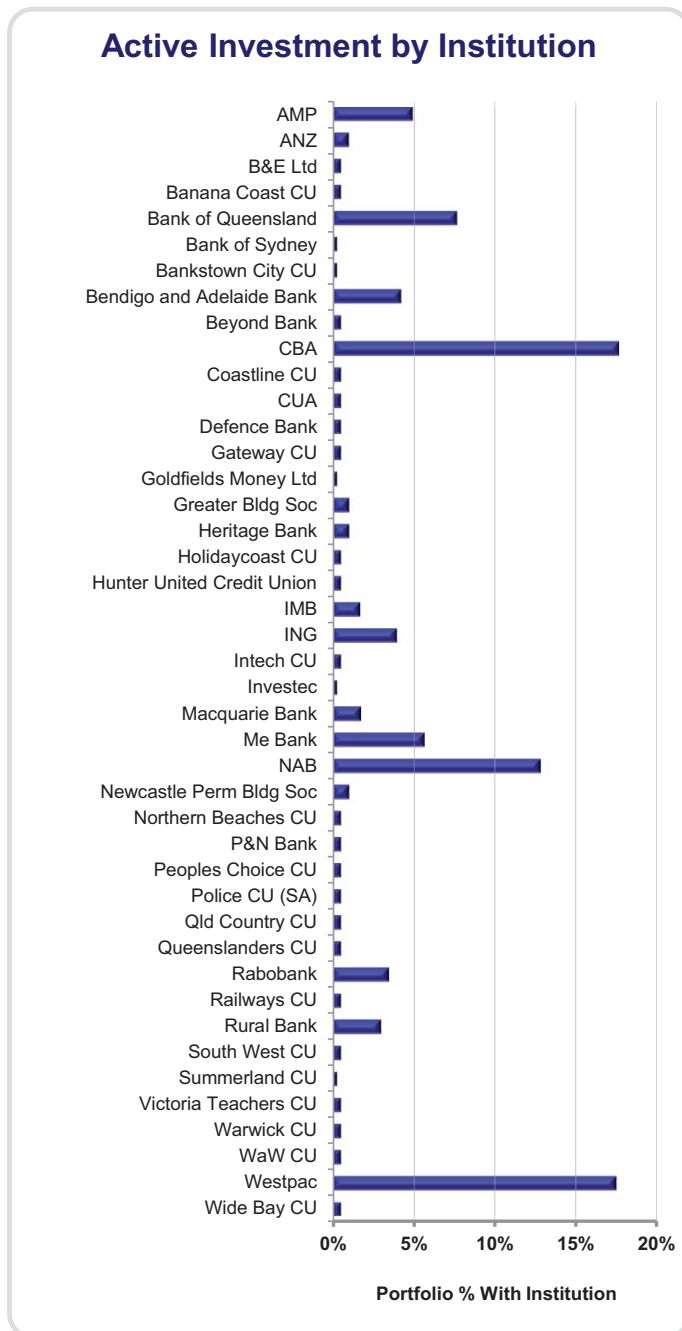


John Todd Date: 08/10/2013

Total Funds Invested



ITEM 5 (continued)



	>365 days	<365 days
Cash/TDs	\$14.8M	\$64.9M
FRNs	\$16.9M	\$3.0M
Fixed Bonds	\$2.0M	\$0.0M
	\$33.6M	\$67.9M

Context

The recommendation is consistent with Section 625 of the Local Government Act, which deals with the investment of surplus funds by Council's.

ITEM 5 (continued)

Financial Implications

Income from interest on investments and proceeds from sales of investments totals \$1M, being \$192K above original budget projections as per the Delivery and Operational Plan, which will not improve Council's Working Capital result as at 30 June 2014. The additional funds belong to Section 94 Reserve funds on hand and will have to be transferred to that reserve.

With further cuts in the official cash rate anticipated by the RBA the return on investments is likely. This will be addressed in the September Quarterly Review.

The Financial Security Reserve has a current balance of \$3.44M.

ITEM 5 (continued)

ATTACHMENT 1

Council's Property Investment Portfolio

The following properties were held as part of Council's Property Investment portfolio:

2 Dickson Avenue, West Ryde
1a Station St, West Ryde
8 Chatham Road, West Ryde
202 Rowe St, Eastwood (commercial)
226 Victoria Rd, Gladesville (commercial)
West Ryde Car Park Site
Herring Road Air Space Rights

The properties within this portfolio are under review as part of the updating of the Asset Management Plans to ensure that Council clearly identifies those properties that are held as an investment, which may also include commercial properties and other operational assets that may be earmarked for future development. Once this review is complete, it will be reported to Council for consideration.

Benchmark

The Australian UBS Bank Bill index is constructed as a benchmark to represent the performance of a passively managed short-term money market portfolio. It comprises thirteen Bank Bills of equal face value, each with a maturity seven days apart. The average term to maturity is approximately 45 days. A Bank Bill is a non-interest bearing security issued by a bank whereby the bank takes on an obligation to pay an investor a fixed amount (face value) at a fixed future date. It is sold to an investor at a discount to the face value. Bank Bills are short-term money market investments with maturities usually between 30 days and 180 days.

Types of Investments

The following are the types of investments held by Council:

At Call refers to funds held at a financial institution, and can be recalled by Council either same day or on an overnight basis.

A Floating Rate Note (FRN) is a debt security issued by a company with a variable interest rate. This can either be issued as Certificates of Deposit (CD) or as Medium Term Notes (MTN). The interest rate can be either fixed or floating, where the adjustments to the interest rate are usually made quarterly and are tied to a certain money market index such as the Bank Bill Swap Rate.

A Fixed Rate Bond is a debt security issued by a company with a fixed interest rate over the term of the bond.

Credit Rating Information

Credit ratings are generally a statement as to an institution's credit quality. Ratings ranging from AAA to BBB- (long term) are considered investment grade.

ITEM 5 (continued)

ATTACHMENT 1

A general guide as to the meaning of each credit rating is as follows:

- AAA: the best quality companies, reliable and stable
 - AA: quality companies, a bit higher risk than AAA
 - A: economic situation can affect finance
 - BBB: medium class companies, which are satisfactory at the moment
 - BB: more prone to changes in the economy
 - B: financial situation varies noticeably
 - CCC: currently vulnerable and dependent on favourable economic conditions to meet its commitments
 - CC: highly vulnerable, very speculative bonds
 - C: highly vulnerable, perhaps in bankruptcy or in arrears but still continuing to pay out on obligations
 - D: has defaulted on obligations and it is believed that it will generally default on most or all obligations
- Note: Ratings from 'AA' to 'CCC' may be modified by the addition of a plus (+) or minus (-) sign to show relative standing within the major rating categories.

Council's Investment Powers

Council's investment powers are regulated by Section 625 of the Local Government Act, which states:

- (1) A council may invest money that is not, for the time being, required by the council for any other purpose.
- (2) Money may be invested only in a form of investment notified by order of the Minister published in the Gazette.
- (3) An order of the Minister notifying a form of investment for the purposes of this section must not be made without the approval of the Treasurer.
- (4) The acquisition, in accordance with section 358, of a controlling interest in a corporation or an entity within the meaning of that section is not an investment for the purposes of this section.

Council's investment policy requires that all investments are to be made in accordance with:

Local Government Act 1993 - Section 625
Local Government Act 1993 - Order (of the Minister) dated 12 January 2011
The Trustee Amendment (Discretionary Investments) Act 1997 – Sections 14A(2), 14C(1) & (2)
Local Government (Financial Management) Regulation 1993
Investment Guidelines issued by the Department of Local Government

ITEM 5 (continued)

ATTACHMENT 1

Financial Security Reserve Transactional History

Starting Balance	8,000,000.00	10 Oct 2008
Write off Constellation	(1,000,000.00)	10 Oct 2008
Write off Rembrandt	(1,000,000.00)	10 Oct 2008
Write off Palladin	(2,000,000.00)	10 Oct 2008
Write off Alpha	(1,000,000.00)	10 Oct 2008
Write off Covent Garden	(2,000,000.00)	10 Oct 2008
Write off Oasis	(1,000,000.00)	10 Oct 2008
FY2009 and FY2010		
Interest Payments		
Default of Constellation - Residual	21,615.62	10 Oct 2008
Default of Palladin - Residual	-	28 Oct 2008
Default of Rembrandt - Residual	68,393.78	27 Oct 2008
FY2010		
Interest Payments	50,334.01	
FY2011		
Starting balance 1 July 2010	140,343.41	
Sale of Flinders	301,000.00	12 Aug 2010
Quartz Maturity	209,626.75	20 Oct 2010
Sale of Glenelg	160,000.00	29 Dec 2010
Interest on Grange IMP Sept	31,561.37	
Interest on Grange IMP Dec	24,731.75	
Interest on Grange IMP Mar	10,310.63	
Interest on Grange IMP June	16,092.08	
Interest on Oasis	81,758.10	
Interest on Alpha	12,534.80	
Interest on Covent Garden	16,521.58	
Default of Covent Garden	-	29 Mar 2011
Closing balance FY 2011	1,004,480.47	
FY2012		
Interest on Oasis	42,942.41	
Interest on Alpha	4,837.56	
Interest on Grange IMP Sept	9,862.09	
Interest on Grange IMP Dec	129.02	
Maturity of Alpha	1,001,974.90	20 Mar 2012
Interest on Grange IMP March	123.38	
Closing Balance FY 2012	2,064,349.83	
FY2013		
Interest on Oasis FY2013	20,215.91	
Sale of Oasis	219,266.42	23 Jan 2013
Grange Settlement -Beryl	559,966.39	25 Feb 2013
Grange Settlement -Zircon	192,383.73	25 Feb 2013
Rembrandt Settlement	381,695.85	04 Apr 2013
Closing Balance FY 2013	3,437,878.13	

ITEM 5 (continued)

ATTACHMENT 1

Overview of Investments

An overview of all investments held by the City of Ryde as at 30 September is provided below:

1. **Westpac at Call Account (AA-):** This investment is an at call account, paying the short term money market rate. These funds are used for operational purposes.
2. **Bank of Queensland TD (BBB):** This investment is a 181 day term deposit, paying 4.05% (4.12% annualised), and matures on 28 January 2014.
3. **Bankwest Term Deposit (AA-):** This investment is a 30 day term deposit paying 3.35% (3.40% annualised), and matures 17 October 2013
4. **St George Term Deposit (AA-):** This investment is a 182 day term deposit, paying 4.20% p.a. (4.24% annualised), and matures 5 Nov 2013.
5. **NAB Term Deposit (AA-):** This investment is a 150 day term deposit, paying 4.19% p.a. (4.24% annualised), and matures 3 Oct 2013.
6. **Westpac Term Deposit (AA-):** This investment is a two year term deposit, paying 4.35% % (4.35% annualised, and matures 29 May 2015.
7. **Westpac Term Deposit (AA-):** This investment is a three year term deposit, paying 4.95% pa, and matures 21 September 2015.
8. **NAB Term Deposit (AA-):** This investment is a three year term deposit, paying 6.60% p.a., and matures 4 April 2014.
9. **AMP Term Deposit (A):** This investment is a 365 day term deposit, paying 4.00% p.a. (4.00% annualised), and matures 1 August 2014.
10. **Westpac Term Deposit (AA-):** This investment is a 364 day term deposit, paying 4.00% (4.00% annualised), and matures 27 June 2014.
11. **NAB Term Deposit (AA-):** This investment is a 182 day term deposit, paying 3.80% p.a., and matures 11 March 2014.
12. **P&N Bank (Unrated):** This investment is a 1 year term deposit, paying 4.24% (4.24% annualised) and matures on 25 February 2014.
13. **Bankwest Term Deposit (AA-):** This investment is a 79 day term deposit, paying 3.50% p.a. (3.55% annualised), and matures 21 November 2013.
14. **Bankwest Term Deposit (AA-):** This investment is a 63 day term deposit, paying 3.45% p.a. (3.50% annualised), and matures 14 November 2013.
15. **NAB Term Deposit (AA-):** This investment is a 365 day term deposit, paying 4.72% p.a. (4.72% annualised), and matures 26 November 2013.

ITEM 5 (continued)

ATTACHMENT 1

- 16. Defence Bank Term Deposit (BBB+):** This investment is a 55 day term deposit, paying 3.51% (3.56% annualised), and matures 10 October 2013.
- 17. Railways CU Term Deposit (Unrated):** This investment is a 106 day term deposit paying 3.80% (3.85% annualised) and matures on 19 November 2013.
- 18. Queensland Country CU (Unrated):** This investment is a 153 day term deposit paying 4.11% (4.16% annualised) and matures on 28 November 2013.
- 19. Beyond Bank Term Deposit (Unrated):** This investment is an 88 day term deposit paying 4.05% (4.11% annualised) and matures on 11 October 2013.
- 20. Bendigo Bank Term Deposit (A-):** This investment is a 364 day term deposit paying 4.10% (4.10% annualised) and matures on 12 June 2014.
- 21. Hunter United Credit Union (Unrated):** This investment is a 365 day term deposit paying 3.90% (3.90% annualised) and matures on 12 August 2014.
- 22. Credit Union Australia Term Deposit (BBB+):** This investment is a one year term deposit, paying 4.35% (4.35% annualised), and matures on 7 May 2014.
- 23. Coastline CU Term Deposit (Unrated):** This investment is a one year term deposit, paying 5.25% (5.34% annualised), and matures on 11 October 2013.
- 24. Peoples Choice CU Term Deposit (Unrated):** This investment is a 182 day term deposit, paying 3.75% (3.79% annualised), and matures on 6 February 2013.
- 25. Rural Bank Term Deposit (A-):** This investment is a five year term deposit, paying 6.48% p.a., and matures on 21 March 2017.
- 26. Bananacoast CU Term Deposit (Unrated):** This investment is a 1 year term deposit paying 4.25% (4.25% annualised) and matures on 1 July 2014.
- 27. B & E Ltd Building Society Term Deposit (Unrated):** This investment is a 365 day term deposit paying 3.90% (3.90% annualised) and matures on 5 August 2014.
- 28. Victoria Teachers CU Term Deposit (Unrated):** This investment is a 180 day term deposit paying 4.35% (4.40% annualised) and matures on 8 October 2013.
- 29. CBA Term Deposit (AA-):** This investment is a three year term deposit paying 5.76% p.a. and matures on 8 December 2014.
- 30. ME Bank Term Deposit (BBB):** This investment is a 366 day term deposit paying 4.33% (4.33% annualised) and matures on 5 March 2014.
- 31. Macquarie Bank Term Deposit (A):** This investment is a 365 day term deposit paying 4.15% (4.15% annualised) and matures on 1 August 2014.

ITEM 5 (continued)

ATTACHMENT 1

- 32. Bankwest TD (AA-):** This investment is a four year term deposit paying 7.00% (7.00% annualised) and matures on 13 February 2015.
- 33. IMB Term Deposit (BBB):** This investment is a 182 day term deposit paying 4.20% (4.24% annualised), and matures 17 October 2013.
- 34. Summerland CU Term Deposit (Unrated):** This investment is a three year term deposit paying 5.05% pa and matures on 21 September 2015.
- 35. Wide Bay CU Term Deposit (BBB):** This investment is a 191 day term deposit paying 4.15% (4.19% annualised) and matures on 9 January 2014.
- 36. Northern Beaches CU Term Deposit (Unrated):** This investment is a 178 day term deposit paying 4.10% (4.14% annualised) and matures on 16 January 2014.
- 37. Queenslanders Credit Union Term Deposit (Unrated):** This investment is a 187 day term deposit paying 4.20% (4.24% annualised) and matures on 28 January 2014.
- 38. Warwick CU Term Deposit (Unrated):** This investment is a 183 day term deposit paying 4.30% (4.35% annualised), and matures 8 October 2013.
- 39. AMP eASYSaver at call account (A):** This investment is an at-call account earning 3.85%. No fees are payable by Council on this investment.
- 40. South West CU Term Deposit (Unrated):** This investment is a 368 day term deposit paying 4.20% (4.20% annualised) and matures on 17 June 2014.
- 41. CBA Term Deposit (AA-):** This investment is a 3 year term deposit paying 4.55% annually and matures on 16 May 2016.
- 42. Gateway Credit Union Term Deposit (Unrated):** This investment is a 367 day term deposit paying 4.10% (4.10% annualised) and matures on 19 June 2014.
- 43. Rabodirect Term Deposit (AA):** This investment is a 120 day term deposit paying 4.05% (4.11% annualised) and matures on 8 October 2013.
- 44. Rabodirect Term Deposit (AA):** This investment is a 273 day term deposit, paying 4.15% (4.17% annualised), and matures on 10 April 2014.
- 45. Newcastle Permanent Building Society (BBB+):** This investment is a 91 day term deposit, paying 3.70% (3.75% annualised), and matures on 12 December 2013.
- 46. ING Term Deposit (A):** This investment is a 181 day term deposit paying 3.98% (4.02% annualised) and matures on 13 February 2013.
- 47. Greater Building Society Term Deposit (BBB):** This investment is a 247 day term deposit, paying 4.30% (4.33% annualised), and matures on 6 February 2014.

ITEM 5 (continued)

ATTACHMENT 1

- 48. Holidaycoast CU Term Deposit (Unrated):** This investment is a 173 day term deposit, paying 4.25% (4.30% annualised), and matures 17 December 2013.
- 49. Bank of Queensland FRN (BBB):** This is a certificate of deposit issued at a margin of 140 points above 90 day BBSW, maturing 11 November 2013.
- 50. Intech CU Term Deposit (Unrated):** This investment is a 93 day term deposit, paying 4.15% (4.21% annualised), and matures on 3 October 2013.
- 51. AMP Term Deposit (A):** This investment is a four year term deposit paying 7.14% which matures on 16 February 2015.
- 52. Bendigo & Adelaide Bank FRN (A-):** This is a floating rate note issued at a margin of 140 points above 90 day BBSW, maturing 17 March 2014.
- 53. WAW CU TD (Unrated):** This investment is a 299 day term deposit paying 3.90% (3.91% annualised) and matures on 17 June 2014
- 54. Heritage Bank Term Deposit (BBB-):** This investment is a 365 day term deposit paying 4.50% (4.50% annualised), and matures on 12 December 2013.
- 55. Rabodirect At-Call (AA):** This investment is an at call account, paying the short term money market rate. These funds are used for operational purposes.
- 56. Members Equity Bank At-Call Account (BBB):** This investment is an at call account, paying the short term money market rate. These funds are used for operational purposes.
- 57. National Australia Bank Floating Rate Note (AA-):** This investment is a senior, unsecured floating rate note paying 115 above BBSW. This investment matures 21 June 2016.
- 58. National Australia Bank Floating Rate Note (AA-):** This investment is a senior, unsecured floating rate note paying 125 above BBSW. This investment matures 21 June 2016.
- 59. CBA FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 120 above BBSW. This investment matures 2 August 2016.
- 60. Westpac Floating Rate Note (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 123 above BBSW. This investment matures 9 May 2016.
- 61. CBA FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 125 above BBSW. This investment matures 2 August 2016.

ITEM 5 (continued)

ATTACHMENT 1

- 62. National Australia Bank FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 142 above BBSW. This investment matures 21 June 2016.
- 63. Westpac Floating Rate Note (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 117 above BBSW. This investment matures 9 November 2015.
- 64. National Australia Bank FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 140 above BBSW. This investment matures 21 June 2016.
- 65. CBA FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 140 above BBSW. This investment matures 2 August 2016.
- 66. ING Term Deposit (A+):** This investment is a 202 day term deposit, paying 4.29% (4.33% annualised), and matures on 17 December 2013.
- 67. ANZ FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 142 above BBSW. This investment matures 9 May 2016.
- 68. Rabobank FRN (AA):** This investment is a senior, unsecured floating rate note purchased at a yield of 151 above BBSW. This investment matures 27 July 2016.
- 69. Police CU (SA) Term Deposit (Unrated):** This investment is a two year TD paying 5.70% (5.70% annualised) and matures 18 April 2014.
- 70. NAB Fixed MTN (AA-):** This is a fixed rate bond paying 6.18% (6.30% annualised) and matures 15 February 2017.
- 71. Bankstown City Credit Union Term Deposit (Unrated):** This investment is a 106 day term deposit paying 4.10% (4.16% annualised) and matures on 5 November 2013.
- 72. Westpac Fixed MTN (AA-):** This is a fixed rate bond paying 6.00% (6.14% annualised) and matures 20 February 2017.
- 73. ING Direct Term Deposit (A):** This is a 178 day term deposit paying 4.36% (4.41% annualised) and matures 17 October 2013.
- 74. Macquarie Bank Term Deposit (A):** This is a five year term deposit paying 6.50% (6.50% annualised) and matures 3 April 2017.
- 75. CBA Retail Bond (AA-):** This is a senior, unsecured floating rate note purchased at a yield of 160 above BBSW. This investment matures 24 December 2015.
- 76. Delphi Bank Term Deposit (Unrated):** This investment is a five year term deposit paying 6.05% p.a. and matures on 15 May 2017.

ITEM 5 (continued)

ATTACHMENT 1

- 77. Rural Bank Term Deposit (A-):** This investment is a 105 day term deposit paying 4.00% p.a. (4.06% annualised) and matures on 7 November 2013.
- 78. ME Bank Term Deposit (BBB):** This investment is a 366 day term deposit paying 4.33% p.a. (4.33% annualised) and matures on 5 March 2014.
- 79. CBA Retail Bonds (AA-):** This is a senior, unsecured floating rate note purchased at a yield of 182 above BBSW. This investment matures 24 December 2015.
- 80. CBA Retail Bonds (AA-):** This is a senior, unsecured floating rate note purchased at a yield of 184 above BBSW. This investment matures 24 December 2015.
- 81. Investec Bank Term Deposit (BBB-):** This investment is a five year term deposit paying 6.95% on maturity (6.15% annualised) and matures 15 August 2017.
- 82. CBA Retail Bonds (AA-):** This is a senior, unsecured floating rate note purchased at a yield of 175 above BBSW. This investment matures 24 December 2015.
- 83. St George Term Deposit (AA-):** This investment is a 2 year term deposit paying 4.05% (4.05% annualised) and matures on 27 August 2015.
- 84. CBA Retail Bonds (AA-):** This is a senior, unsecured floating rate note purchased at a yield of 174 above BBSW. This investment matures 24 December 2015.
- 85. Rural Bank Term Deposit (A-):** This investment is a 154 day term deposit, paying 3.70% (3.74% annualised), and matures on 30 January 2014.
- 86. ING Floating Rate Term Deposit (A):** This is a five year floating rate term deposit paying 2.30% above 90 day BBSW, and matures 4 September 2017.
- 87. IMB Term Deposit (BBB):** This is a 35 day term deposit paying 3.40 (3.45% annualised), and matures 17 October 2013.
- 88. St George Term Deposit (AA-):** This is a 2 year term deposit paying 4.05% (4.05% annualised), and matures 13 August 2015.
- 89. Bank of Queensland Term Deposit (BBB+):** This is a 179 day term deposit paying 4.00% (4.04% annualised) and matures 11 February 2014.
- 90. NAB Term Deposit (AA-):** This is a 2.25 year term deposit paying 4.80% pa and matures 18 December 2014.
- 91. St George Term Deposit (AA-):** This is a 274 day term deposit paying 3.75% (3.77% annualised), and matures 20 May 2014.

ITEM 5 (continued)

ATTACHMENT 1

- 92. Members Equity Bank Term Deposit (BBB):** This is a 1 year term deposit paying 4.35% (4.35% annualised) and matures 20 February 2014.
- 93. Bank of Queensland FRN (BBB+):** This is a senior, unsecured floating rate note purchased at a yield of 160 above BBSW. This investment matures 7 December 2015.
- 94. Bank of Sydney Deposit (Unrated):** This investment is a 87 day term deposit paying 4.25% (4.32% annualised) and matures on 11 October 2013.
- 95. Goldfields Money Ltd Term Deposit (Unrated):** This investment is a 363 day term deposit paying 4.20% (4.20% annualised), and matures 12 June 2014
- 96. Westpac Floating Rate Term Deposit (A):** This is a one year floating rate term deposit paying 1.24% above the official cash rate and matures 7 April 2014.
- 97. Bendigo Bank Term Deposit (A):** This is a 126 day floating rate term deposit paying 3.80% (3.85% annualised) and matures 3 December 2013.
- 98. Bendigo Bank FRN (A-):** This is a senior, unsecured floating rate note purchased at a yield of 120 above BBSW. This investment matures 17 May 2017.
- 99. CBA Term Deposit (AA-):** This investment is a 1 year term deposit paying 4.10% annually and matures 22 May 2014.
- 100. CBA Term Deposit (AA-):** This investment is a 98 day term deposit paying 3.70% (3.75% annualised) and matures 19 November 2013.
- 101. NAB Term Deposit (AA-):** This investment is a 100 day term deposit paying 4.00% (4.06% annualised) and matures 7 November 2013.
- 102. NAB Term Deposit (AA-):** This investment is a 2 year term deposit paying 4.15% (4.15% annualised) and matures 13 August 2015.
- 103. NAB Term Deposit (AA-):** This investment is a 2 year term deposit paying 4.27% (4.27% annualised) and matures 25 August 2015.
- 104. Macquarie Bank Term Deposit (A):** This investment is a 112 day term deposit paying 3.75% (3.80% annualised) and matures 17 December 2013.
- 105. AMP Term Deposit (A):** This investment is a 93 day term deposit paying 3.80 (3.85% annualised), and matures 5 December 2013).
- 106. Bank of Queensland TD (A-):** This is a 152 day term deposit paying 3.80 (3.85% annualised), and matures 11 February 2014).

6 DRAFT RYDE LEP 2013 (AMENDMENT 1) - MACQUARIE PARK CORRIDOR - RESULTS OF COMMUNITY CONSULTATION

Report prepared by: Strategic Planner
File No.: LEP2008/3/007 - BP13/1207

REPORT SUMMARY

This report provides information on the exhibition of draft *Ryde Local Environmental Plan 2013 (DRLEP (Amendment 1) Macquarie Park Corridor)* (formally the Macquarie Park Corridor Planning Proposal) and the outcomes of that community consultation process.

To support growth and development in Macquarie Park, the area requires substantial new infrastructure, especially roads and open space. Under the provisions of *DRLEP 2013 (Amendment 1) Macquarie Park Corridor* new road and park networks are to be funded by major developments through floor space and building height incentives.

On the 9th April 2013 Council resolved to exhibit the Macquarie Park Corridor Planning Proposal for a minimum of 28 days, with the outcomes reported to Council as soon as practicable. Consultation was undertaken from 12 June to 19 July 2013, with a total of 18 submissions received, including 4 from government authorities, 2 from residents and 12 from landowners. In addition, 13 submissions that had been referred from the comprehensive Local Environmental Plan (LEP) consultation process were also considered, making a total of 31 submissions considered in this report.

The **submissions generally support the objectives of DRLEP Amendment 1**. The main issues raised were:

- The structure of the bonus incentive scheme and how it has been formulated,
- The relationship between controls within the Herring Road Urban Activation Precinct (UAP) and Amendment 1 controls, with requests for the UAP to be deferred from Amendment 1.
- Objection to the removal of *Clause 4.6 – Exceptions to Development Standards* when accessing incentive height and floor space, and
- a lack of opportunity for residential development within the commercial core, especially around Macquarie Park station.

Table 1 – ‘Draft Ryde LEP 2013 (Amendment 1) Community Consultation Submissions’ provides a summary of all submissions received, Council’s response to those submissions and proposed actions. This table is provided as Attachment 1.

Following review of these submissions it is proposed to **amend the draft RLEP Amendment 1 to retain *Clause 4.6 – Exceptions to Development Standards***. This clause, which allows for minor non compliances, provides a degree of flexibility in applying development controls within an LEP.

ITEM 6 (continued)

DRLEP Amendment 1 was exhibited showing Council's preferred controls for the **Herring Road Urban Activation Precinct (UAP)**. A number of submissions request this area be deferred from Amendment 1. Council staff continued to make representations to the Department of Planning and Infrastructure (DoPI) to maintain consistent planning controls across the Macquarie Park Corridor. DoPI have advised that they may excise the Herring Road UAP area from Amendment 1 as follows:

“When the Macquarie Park Corridor planning proposal is submitted to the Department for finalisation, it will be necessary to give close consideration to excising the Herring Road UAP land from the proposal.”

In addition, the Risk Management Plan identified Herring Road UAP as a risk to the incentives scheme overall and recommended that review of the UAP and its economic impacts is conducted and upon exhibition of the UAP plan commencing. This is reflected in the recommendations of this report.

This report also recommends that Council prepare an **amending draft Ryde Development Control Plan 2011 - Part 4.5 Macquarie Park Corridor** consequential to the introduction of *draft Ryde LEP 2013 (Amendment 1) Macquarie Park Corridor*. This amendment will include the proposed road and park network maps, updated controls reflecting the new height and FSR controls, revised setbacks to roads, removal of special precinct controls, updated open space controls and a requirement that new development not build over the proposed road and park networks.

On 9 April 2013 Council requested a **Risk Management Plan**. This plan was undertaken by Hill PDA and identifies 5 Risk Categories including Planning, Timing, Financial, Market and Delivery Risks. The Risk Management Plan identifies a number of mitigation measures; many of which are in hand. However, should Council resolve that *DRLEP (Amendment 1)* be forwarded to Minister for making, it is recommended that several mitigation measures are undertaken including:

1. Council undertake a review of the Herring Road UAP plans when the exhibition of the UAP plan commences to determine the impact on the Macquarie Park Planning incentive scheme and prepare a submission to the exhibition.
2. Council and the NSW State Government establish a Working Group to manage implementation of Infrastructure within the Herring Road Urban Activation Precinct as it goes forward (beyond the planning phase) and that Council request that the transport interchange is reflected in the Herring Road Master Plan.
3. Council prepares a Staging Plan for the proposed Park and Road Networks to assist Council to coordinate infrastructure delivery.
4. Ongoing asset maintenance should be considered as part of a review of the value ascribed to land to be dedicated to Council for new roads and parks.
5. That the Bonus Floor Space levy is reviewed annually utilizing the Building Price Index
6. Council establish a Macquarie Park Infrastructure Reserve to commit funds received under the incentive scheme to infrastructure in Macquarie Park.

ITEM 6 (continued)

7. That DCP provisions ensure that land is dedicated to Council, that land identified for infrastructure remains unbuilt upon and that delivered infrastructure is maintained by the landowner until dedicated to Council.
8. That DCP provisions are prepared to require each site to consider coordination of roads with neighbours, including level adjustments and detailed plans. This is also to be reinforced through development conditions of consent.

Mitigation measures 1, 2 and 6 above are reflected in the recommendations of this report. Mitigation measures 3 to 5 are operational activities and would be undertaken as part of implementing DRLEP (Amendment 1) and as a result are not reflected in the recommendations for this report. Mitigation measures 7 and 8 are reflected in the table of amendments to the Development Control Plan attached to this report.

It is recommended that the DRLEP (Amendment 1) be forwarded to DoPI, subject to amendments contained within this report, along with a request that the Minister make the plan.

RECOMMENDATION:

- (a) That Council adopt draft Ryde Local Environmental Plan 2013 (Amendment 1) Macquarie Park Corridor, with an amendment to delete Part 1 of Schedule 1 – Amendment of Ryde Local Environmental Plan 2013 - Clause 4.6 – Exceptions to Development Standards from the written instrument.
- (b) That Council forward to the Department of Planning and Infrastructure *Draft Ryde LEP 2013 (Amendment 1) Macquarie Park Corridor - as amended -* requesting that the Minister make the plan.
- (c) That Council prepare an amendment to draft Ryde Development Control Plan 2011 - Part 4.5 Macquarie Park Corridor consequential to the introduction of draft Ryde LEP 2013 (Amendment 1) Macquarie Park Corridor and that proposed amended Draft DCP is reported to Council.
- (d) That Council adopt the Macquarie Park Access Network Strategy and Open Space Network Strategy Plans contained within Attachment 2.
- (e) That, Council undertake a review of the impacts of the Herring Road Urban Activation Precinct (UAP) on the provision of infrastructure as identified by the Macquarie Park Access Network Strategy and Open Space Network Strategy Plans and proposed to be funded by planning incentives in *Ryde Local Environmental Plan 2013 (Amendment 1) Macquarie Park Corridor*. The cost of the review will be up to \$20,000 and is to be funded from the existing 2013/14 budget allocated to the Macquarie Park DCP project in Council's Four Year Delivery Plan.
- (f) That Council endorse the establishment of a Macquarie Park Infrastructure Reserve, which holds funds received under the Macquarie Park Infrastructure Scheme for the purpose of delivering Infrastructure in the Macquarie Park Corridor.

ITEM 6 (continued)

ATTACHMENTS

- 1 Draft RLEP (Amendment 1) Community Consultation Submissions
- 2 Macquarie Park Access Network Strategy and Open Space Network Strategy Plans
- 3 Summary of Expected Changes to Draft Ryde DCP 2011 - Part 4.5 Macquarie Park Corridor
- 4 Macquarie Park Planning Incentive Scheme Risk Management Plan - CIRCULATED UNDER SEPARATE COVER

Report Prepared By:

Leah Beatty
Strategic Planner

Adrian Melo
Acting Team Leader - Strategic Planning

Report Approved By:

Lexie Macdonald
Acting Manager - Urban Planning

Meryl Bishop
Acting Group Manager - Environment and Planning

ITEM 6 (continued)**Discussion**Background

Council has had a planning incentives scheme in place in Macquarie Park Corridor since 2006. In 2008 refinements to strengthen the incentive planning controls were included in a draft Local Environmental Plan (LEP) amendment, then known as draft Ryde LEP 2008 (Amendment 1). However due to changing legislative framework, it took approximately two years of negotiation with the Department of Planning and Infrastructure (DoPI) before they were satisfied that the LEP was compliant with legislative requirements and in particular, with the new standard template for LEPs. The delay in approving DRLEP 2008 (Amendment) 1 for exhibition meant that the financial incentive model prepared by Council in 2007/8 was out-dated and required review.

To address this, Council allocated funds in the 2011/12 budget to review the Macquarie Park Development Control Plan and DRLEP 2010 Amendment 1 (previously DRLEP 2008 Amendment 1), with a gateway determination for the new LEP issued by DoPI on 21 December 2011.

A multi-disciplinary consultant team - comprising traffic planners, urban designers, land economists and planners - was engaged to prepare a feasibility assessment in relation to the planning incentives (additional height and floor space) and to make recommendations to ensure that Council could leverage proposed new open space and roads through the development process. Other aims of the review were to ensure equity and provide certainty to the planning process. The total budget allocated to this project is approximately \$200k; the funds are sourced from the Macquarie Park Special Reserve Levy.

To inform this process, all landowners in the B3 and B7 zones of the Macquarie Park Corridor were invited to attend 2 workshops on the proposed changes. These workshops provided valuable feedback on the acceptability of the proposed plan and on economic constraints of developing within the Corridor.

The 2011/12 review recommended the rationalisation of the proposed open space and road networks and changes to the planning controls. These recommendations form the basis of the Macquarie Park Planning Proposal.

Council at its 9 April 2013 meeting considered the outcomes of this review and resolved:

- (a) *That Council place the Macquarie Park Corridor Planning Proposal as displayed to Councillors including the Herring Road Precinct, on community consultation for a minimum period of 28 days.*
- (b) *That the outcomes of community consultation are reported to Council as soon as practicable after the exhibition period.*

ITEM 6 (continued)

- (c) *That Council undertake and report back to Councillors a risk analysis that meets the Standards Australia AS/NZS ISO 31000.*
- (d) *That Council pursue the same outcomes proposed for the rest of Macquarie Park in respect of Height and FSR in the Herring Road UAP.*

The accompanying review of *draft Ryde Development Control Plan 2011 - Part 4.5 Macquarie Park Corridor* is underway and will be reported separately.

Community Consultation

In accordance with section 4.5 *Community Consultation* of the State government guidelines for preparing Local Environmental Plans (*A guide to preparing Local Environmental Plans*) draft RLEP 2013 (Amendment 1) Macquarie Park Corridor was placed on exhibition from 12 June to 19 July 2013. The Planning Proposal, including maps and related explanatory material, was available for public review in the following locations:

- On Council's website,
- At Ryde and North Ryde libraries,
- At Council's Civic Centre and the Planning and Business centre.

A drop in session at Ryde Library was held on 13 June 2013 and a community workshop at Council's Civic Centre on 11 July 2013. Six (6) landowners and tenants attended the workshop.

A total of 18 submissions were received, including 4 from government authorities, 2 from residents and 12 from major landowners. 13 submissions that had been referred from the comprehensive LEP consultation process have also been included in the review of the planning proposal.

'Draft Ryde LEP 2013 (Amendment 1) Community Consultation Submissions' provides a summary of the issues raised, Council's response and proposed actions (**ATTACHMENT 1**). Matters raised include:

1. Support for bonus controls under a planning incentive scheme as a means of providing the necessary infrastructure across the Macquarie Park Corridor.
2. Uncertainty from landowners around the bonus incentive scheme – particularly with regard to pricing, administration and managing floor space uptake.
3. Redevelopment of 7-9 Khartoum Road under the incentive scheme is unlikely to occur, with an important road link unable to be delivered in the short to medium term.
4. The bonus incentive scheme is viable for some sites and less so for others. Request Transferrable Floor Space and / or transferrable costs to other sites under the same ownership.

ITEM 6 (continued)

5. Objections to removing the ability to vary controls through *Clause 4.6 - Exceptions to Development Standards*
6. Requests for Herring Road Urban Activation precinct (UAP) area to be deferred from Amendment 1 and for new controls to reflect recent Part 3A approvals in the precinct.
7. Requests for inclusion of residential land uses around Macquarie Park Station, and also more broadly across the Corridor.
8. Request for commercial areas to be protected from residential uses in order to minimise conflict between commercial activities and residential amenity.
9. Impact of increased densities and heights on Lane Cove National Park.
10. Requests for landmark/gateway buildings to be included in the plan (through increased Heights and Floor Space Ratios (FSRs)) and for a more dense and varied urban form along Waterloo Road.
11. Concern over the ability to realise infrastructure when a site is not looking to redevelop in the short to medium term.

Each of these 11 issues is discussed in detail in the following section.

Response to Issues**Consultation Issue 1**

Support for the provision of bonus controls under an incentive scheme as a means of providing the necessary infrastructure across the Macquarie Park Corridor.

Response: Support of DRLEP 2013 (Amendment 1) is noted.

Recommended action:

No amendments to *DRLEP 2013 (Amendment 1)* required.

Consultation Issue 2

Concerns from landowners around the bonus incentive scheme – particularly with regard to impact on development feasibility and costs to landowners.

Issues raised by landowners include:

- Concern over transparency and certainty regarding the amount payable to unlock uplift height and FSR i.e. \$250/m² bonus floor space levy payable on the additional 'unlocked' floor space.
- Request Council carefully consider this rate to ensure development remains viable

ITEM 6 (continued)

- Cost of infrastructure is likely to be significant if Section 94 contributions are also payable
- The \$250/m² bonus floor space levy does not provide any sensitivity to the differing costs of floor space for different building types, nor the differing end values of development.
- The scheme unreasonably disadvantages landowners affected by land dedications and could act as a disincentive for development on these sites
- The \$250/m² value allocated by Council to dedicated land is not the market value (approx. \$500/m² of FSR), resulting in financial losses to landowners.
- Potential for costs of infrastructure provision to exceed gains in GFA value, with no mechanism for compensation beyond the \$250/ m².

Response:

DRLEP 2013 (Amendment 1) introduces a voluntary incentive scheme that defers availability of additional FSR and height on a site until the developer enters into an agreement with Council to deliver roads and/or parks or contribute towards these. In essence, developers pay a bonus floor space levy to Council for additional floor space on their site.

Where sites are required to provide infrastructure onsite, the cost of dedicating the infrastructure to Council will be offset against the value of the bonus floor space levy (i.e., bonus floor space rebate). Where sites are not required to provide infrastructure onsite, the bonus floor space levy will be paid to Council, with these funds quarantined for the delivery of infrastructure elsewhere in the Macquarie Park Corridor.

The bonus incentive scheme has been carefully structured around the following principles:

- The incentive scheme is voluntary. The scheme is based on an assumption that developers choosing to take up incentive floor space and height will do so only on the basis of economic feasibility.
- Determination of a contribution rate per square metre that is reasonable and provides infrastructure without undermining development feasibility and industry standard profit margins. Land Economists Hill PDA reviewed the infrastructure affectations on all sites and assessed the impact on development feasibility.
- Provision of a fair and equitable system of apportioning costs to all development across the corridor
- Provision of a transparent process where infrastructure requirements are clearly identified in the Ryde DCP part 4.5. Concurrently, funding mechanisms are designed to ensure they are easily understood.
- Provision of a mechanism that is practical and will enable delivery of infrastructure provision in a timely fashion.
- Delivery of the new parks and roads over at least a 10 year time frame.

ITEM 6 (continued)

The principles above anticipated and address issues raised by landowners. It should be noted that the scheme is voluntary and if a developer chooses not to enter into the agreement the existing floor space and height planning provisions will apply.

The incentive scheme is to be formalised on a site by site basis via a Voluntary Planning Agreement (VPA) and a subsequent minor, site specific LEP amendment. The VPA bonus floor space levy has been set at \$250/m² for bonus floor space i.e 50% of the average market value (\$500/m²) of floor space in Macquarie Park. The 'purchase' of uplift floor space has been set below market rates to provide an attractive incentive to landowners, facilitating delivery of much needed infrastructure within Macquarie Park.

During the preparation of *RLEP Amendment 1* Hill PDA initially recommended that no compensation was paid to landowners for land dedicated to Council because the development potential of the land (floor space) was transferrable to the remainder of the site and because the cost of the road or park captured only a portion of the uplift potential. However, as a result of consultation with landowners during the preparation of the plan it was determined to factor compensation at a rate of \$250/m² for the land dedicated to Council for park and road infrastructure. It should be noted that the land is transferred to Council as road or park without retaining development potential.

The scheme is similar in some respects to that operating in Green Square. In working out the value of public domain provided on site under the Green Square planning incentives system, applicants are given \$200/m² for land dedicated for roads or open space to cover the legal costs of transferring lands etc.

This amount has not been indexed over time and has been \$200/m² since 2003. However, an indexation clause is built into the Green Square VPA template, requiring review in accordance with Consumer Price Index between the date of signing VPA and date of paying money.

Review of the Macquarie Park Infrastructure Incentive Scheme, including re-assessing economic feasibility and timely delivery of infrastructure, is planned at year 10. The contribution rate of \$250/m² for floor space is to be reviewed on an annual basis as part of the Council's end of financial year fees and charges review in line with the Building Price Index in order to reflect fluctuations in the market and costs for developing land.

It is proposed to review the value ascribed to land transferred to Council* prior to the *DRLEP Amendment 1* becoming effective. This is both to respond to landowner requests to review and also to the recommendations of the Risk Management Plan which has recommended that Council consider the costs incurred (e.g. life cycle maintenance) in setting this rate. Refer to discussion regarding the Risk Management Plan later in this report for more detail.

ITEM 6 (continued)

(*Note: the land for roads and parks is transferred to Council without any development potential as the landowner retains that development potential and the FSR is washed across the remainder of the site. This is the basis of the “incentive”)

Recommended action

No amendments to *DRLEP 2013 (Amendment 1) - Macquarie Park Corridor*.

Consultation Issue 3

Redevelopment of 7-9 Khartoum Road under the incentive scheme is unlikely to occur, with an important road link unable to be delivered in the short to medium term.

Owners of 7-9 Khartoum Road bought into Macquarie Park in November 2012, hence missing consultation with landowners during the preparation of *RLEP Amendment 1*. The landowner indicates that they are very unlikely to redevelop the site under the bonus incentive scheme and therefore the road infrastructure on this site is unlikely to be delivered in the short to medium term. They request that the road be moved to the north, onto the adjoining site. The road proposed over this site is a 20 metre wide road, considered to be one of the key east west links potentially relieving congestion on Waterloo and Talavera Roads within the Macquarie Park Corridor.

After discussing the provisions of *RLEP Amendment 1* with Council staff on 28 August 2013, the landowner lodged a development application (4 September 2013) to build upon a portion of the land that is identified in the Macquarie Park Access Network Plan for a new road. Lodgement of this DA prior to final adoption of Amendment 1 provisions (and subsequent revisions to the DCP) forces Council to consider a DA that may compromise delivery of proposed road infrastructure for the Corridor.

Response:

Given the importance of this road link, the Development Application for this site was referred to Council's consultants for the Macquarie Park Planning Controls Review. They recommended that:

- The road location shown for this site in the proposed road network strategy plan (attachment 2) be retained as the correct location for the desired secondary road.
- Council adopt the Access Network and Open Space Network Plans attached to this report as interim policy (ATTACHMENT 2).
- Development within Macquarie Park should not compromise these precinct-wide strategies.
- Where required by the Access Network and Open Space Network Plans, roads, through site links and open spaces are not to be built upon as part of future development.
- A control to reflect this policy be included in the amending draft Ryde DCP 2011 - Part 4.5 Macquarie Park Corridor.

ITEM 6 (continued)

It is considered that the recommendations above provide Council with a formal position on the redevelopment of sites during the transition period between the time Council adopts the *RLEP Amendment 1* and the time when planning provisions have been finalised for the Macquarie Park Corridor. A formal decision on the DA for 7-9 Khartoum Road has yet to be made.

Recommended action

No amendments to *DRLEP 2013 (Amendment 1) - Macquarie Park* at this stage.

That Council adopt the Access Network Strategy Plan and Open Space Strategy Plan as attached to this report as interim policy (ATTACHMENT 2).

That a planning control be included in the amending draft *Ryde DCP 2011 Part 4.5 – Macquarie Park Corridor* that will ensure that required roads, through site links and open spaces are not built upon as part of future development.

Consultation Issue 4

**The bonus incentive scheme is viable for some sites and less so for others.
Request Transferrable Floor Space and / or transferrable costs to other sites.**

A Transferable Floor Space (TFS) scheme operates by allowing a portion of potential floor space available to a site to be transferred to another site. Usually this transfer will be permitted as a means of achieving desired development outcomes that may not be otherwise achievable. For example: The City of Sydney has a TFS scheme in place to encourage retention and conservation of important heritage items, with this being in operation since 1996. The City's scheme recognises that some sites cannot be developed to the same capacity as adjoining sites because they are encumbered by heritage items that cannot be removed or altered.

The Standard Instrument template, introduced in 2006, currently does not include a standard provision for TFS Schemes within LEP's. Inclusion of a TFS Scheme into an LEP would therefore need to be included as a local provision, with its inclusion negotiated with the DoPI.

Implementation of a TFS scheme traditionally creates issues for Councils. These include administrative burdens of managing the scheme such as tracking the transfer of Floor Space from one site to another, ensuring probity and that the scheme is transparent. There are also issues around the potential environmental impacts of excessive Floor Space after the transfer. Transferring development rights across sites could result in an intensity of development on individual sites that would be inconsistent with the objectives and the desired urban form for the corridor. In addition, it is felt that lot sizes in Macquarie Park are generally large enough to accommodate feasible development and roads on site.

It should be noted that land economists, Hill PDA, reviewed the infrastructure affectations on all sites and assessed the impact on development feasibility. This

ITEM 6 (continued)

review indicates that sites will remain feasible even while being affected by infrastructure provision. It should also be noted that the loose fit between the height and floor space provisions within Amendment 1 have been set to easily accommodate the incentive floor space should building footprints be constrained.

More critically, under the currently proposed controls it is envisaged that many sites may not use all the available FSR on their site, therefore making it possible that large amounts of floor space could be available for transfer across the corridor. This is not an environmental outcome that is supported by the background research for the Corridor, nor as a general outcome of these planning controls.

It is acknowledged that the feasibility of some sites requiring infrastructure provision may be greater than for other sites, particularly with changes to the economic climate over time. One of Macquarie Park's major landowners has proposed that where a site can prove they will incur a financial loss under the incentive scheme, these losses could be compensated for by gains on another site. (i.e. where a loss is experienced on an individual site, another site, usually in the same ownership, could negotiate reduced contributions to compensate for those losses).

Entering into this type of arrangement again poses difficulties for Council. Such a scheme is considered to be difficult to administer and potentially creates impacts on alternative sites that cannot be assessed at the time of development approval. It is therefore recommended that the proposed balancing of financial losses across sites not be pursued by Council. However, it should be noted that VPAs offer Council and the landowners ability to negotiate outcomes.

As a means of ensuring the proposed contribution rate responds to a changing economic climate, it is intended that a yearly review of the incentive scheme contribution rate be undertaken as part of Council's end of financial year fees and charges review. This review will analyse fluctuations to the market and set a rate guided by that. This is expected to minimise the possibility of sites incurring losses as a result of infrastructure provision.

Recommended action

No amendments to *DRLEP 2013 (Amendment 1)* required.

Consultation Issue 5**Objection to removing the ability to vary controls through *Clause 4.6 - Exceptions to Development Standards*.**

Submissions to *Draft RLEP 2013 (Amendment 1)* raised concerns with the removal of this clause on the following basis:

- Removal of *Clause 4.6 – Exceptions to Development Standards* is unreasonable and inconsistent with current planning practice. It would take away a basic attribute of the planning system and is inequitable and against the intentions of the planning system.

ITEM 6 (continued)

- Development standards are to a certain degree arbitrary and it is contrary to good planning practice to preclude variation of these standards.
- The use of flexibility provided within Clause 4.6 could be useful on a site by site basis to offset any potential losses associated with infrastructure provision. The mechanism could also be used to assist in the delivery of infrastructure.
- The inability to use Clause 4.6 removes a more sophisticated and use-sensitive approach.

Response:

RLEP 2010 and Draft RLEP 2013 contains Clause 4.6 – Exceptions to Development Standards. The clause is used to allow for variations to development standards where requiring compliance with a control is considered to be unreasonable for a particular development.

Draft RLEP 2013 (Amendment 1) Macquarie Park Corridor proposes to remove the ability to apply Clause 4.6 to sites where bonus height and FSR controls are accessed through the incentive scheme.

Under *Draft RLEP 2013 (Amendment 1)* the proposed FSR's have been designed to easily fit within the proposed height controls. It is envisioned that in many cases the heights may not be realised. Rather the generous height controls allow for flexibility in the design of buildings so as to accommodate constrained footprints that may result from the provision of road and parks onsite and to also accommodate a wide range of building typologies (including tall slender serviced apartment buildings and low campus style office developments such as Optus).

Traditionally, developers consider height controls as the upper limit to their development potential and generally push Council to permit FSR's that realise this potential. City of Ryde uses FSRs to control the bulk and massing of buildings and - in Macquarie Park particularly - to retain its open, leafy character. The planning proposal for Amendment 1 initially proposed removal of *Clause 4.6 – Exceptions to Development Standards* with the intent of circumventing the argument that additional FSR is required on the site to match the height controls.

Discussions with Council's Development Assessment Unit have identified that, generally, Council only applies Clause 4.6 variations for minor non-compliances. Often, these non-compliances are the result of site topography or other site specific circumstances. The non-compliances are only supported under clause 4.6 where there are mitigating circumstances to support this and the requirement of the clause met. The intent of this clause is to allow for flexibility in the assessment of development against Development Standards contained within the LEP.

ITEM 6 (continued)

In this respect, it is considered that the removal of this flexibility is likely to cause potential problems for the redevelopment of some sites in the future.

Additionally, City of Ryde is cautious with the application of Clause 4.6 and therefore its retention in Amendment 1 is unlikely to place Macquarie Park at risk of inappropriate development.

Recommended Action

That *Part 1 of Schedule 1 – Amendment of Ryde Local Environmental Plan 2013 - Clause 4.6 – Exceptions to Development Standards* be removed from the *draft Ryde Local Environmental Plan 2013 (Amendment 1) Macquarie Park Corridor* written instrument to allow flexibility in Council's administration of development controls.

Consultation Issue 6

Requests for the Herring Road Urban Activation Precinct (UAP) area to be deferred from Amendment 1 and for new controls to reflect recent Part 3A approvals in the precinct.

Response:

Council at its 9 April 2013 meeting resolved that the same outcomes proposed for the rest of Macquarie Park, in respect of height and FSR controls, be pursued for the Herring Road UAP area. Exhibition of the planning proposal retained controls for the Herring Road area consistent with the remainder of the Macquarie Park Corridor.

In its letter dated 11 June 2013, the Department of Planning and Infrastructure advised that "*when the Macquarie Park Corridor planning proposal is submitted to the Department for finalisation, it will be necessary to give close consideration to excising the Herring Road UAP land from the proposal.*" Despite this, it is recommended that Council continue to pursue inclusion of consistent controls for the Herring Road UAP in accordance with Amendment 1.

Council's discussions with DoPI regarding the Herring Road UAP area have highlighted that the controls proposed for the UAP should be consistent with the controls proposed in *DRLEP 2013 (Amendment 1) Macquarie Park Corridor*. In a letter dated 16 August 2013 Council reinforced this position, outlining its concerns with the Herring Road UAP work in progress. These concerns included:

- The proposed UAP controls being out of context with those proposed under DRLEP (Amendment 1)
- A net loss of open space within the corridor under the Herring Road UAP scheme
- Potential for an infrastructure funding shortfall as a result of floor space being removed from DRLEP (Amendment 1)
- Failure to address key infrastructure needs – such as recreation space.

ITEM 6 (continued)

The Herring Road UAP Master Plan and proposed controls have not yet been finalised. In due course they will be placed on exhibition and comments sought prior to the plan being brought into effect. The timing of the exhibition is yet to be announced by DoPI.

The Risk Management Plan identifies the UAP as a risk to the delivery of infrastructure within Macquarie Park under the provision of this planning incentive scheme.

Upon exhibition of the UAP it would be constructive for Council to carry out an assessment of the economic impacts of the Herring Road UAP, particularly with regard to the impact on the incentives scheme proposed by *DRLEP (Amendment 1)* and the delivery of road and park infrastructure and any likely financial burdens the UAP may create for Council.

Preliminary information from DoPI indicates that they will not pursue an incentive scheme similar to that proposed by Amendment 1, potentially leaving Council with undelivered infrastructure and/or funding shortfalls and creating an inequitable situation for landowners.

It is proposed that consultants be commissioned to carry out this work. Preliminary costings for this work is estimated at up to \$20,000 it is proposed that the work can be funded from the existing budget allocated to the Macquarie Park DCP in the 2012/13 Delivery Plan.

Recommended action

No amendments to *DRLEP 2013 (Amendment 1)* required.

That, once exhibited, Council commission consultants to undertake a review of the economic impacts of the Herring Road Urban Activation Precinct (UAP) on the provision of infrastructure identified by the Access Network and Open Space Network Plans attached to this report and that this be provided to the NSW Minister for Planning as part of any submission made by Council on the exhibition of the UAP.

Consultation Issue 7

Requests for inclusion of residential land uses around Macquarie Park Station, and also more broadly across the Corridor.

Response:

City of Ryde maintains a position of containing residential development to the existing low density residential areas surrounding the corridor and to the B4 Mixed Use zones around Macquarie University Station and North Ryde Station, with the commercial core being retained for future commercial and employment growth.

ITEM 6 (continued)

The Draft Metropolitan Strategy for Sydney (2013) identifies Macquarie Park as a Specialist Precinct, providing capacity for at least 16,000 additional jobs to 2021. One of the key objectives for the Corridor is “to expand office space, to increase productivity advantages and prioritise office space over housing.” Concurrently, the City of Ryde LGA is projected to provide 12,000 additional dwellings by 2031, of which it is anticipated that around 6,000 will be accommodated within the B4 Mixed Use zones within Macquarie Park. The remaining 6,000 dwellings are anticipated to be located in City of Ryde’s town and neighbourhood centres. Given the City of Ryde will meet metropolitan housing targets within existing residentially zoned areas, a direction to protect the majority of the Macquarie Park Corridor for long term commercial growth is considered consistent with regional planning policy.

Recommended action

No amendments to *DRLEP 2013 (Amendment 1)* required.

Consultation Issue 8

Request for commercial areas to be protected from residential uses in order to minimise conflict between commercial activities and residential amenity.

Response:

City of Ryde maintains a position of containing residential development to the existing low density residential areas surrounding the Macquarie Park Corridor and to the B4 Mixed Use zones around Macquarie University Station and North Ryde Station, with the commercial core being preserved for future commercial growth. This approach supports the request in this submission.

Recommended action

No amendments to *DRLEP 2013 (Amendment 1)* required.

Consultation Issue 9

Impact of increased densities and heights on Lane Cove National Park.

Response:

The Office of Environment and Heritage (OEH) object to the increased heights and FSR’s proposed for sites located on Delhi Road, and adjoining the Lane Cove National Park. (See map below)

ITEM 6 (continued)

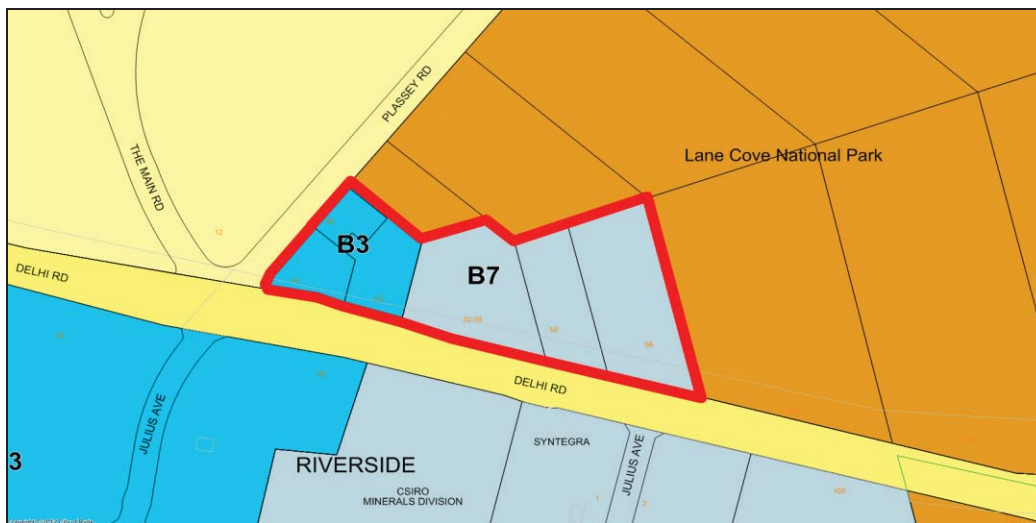


Figure 1: Sites adjoining Lane Cove National Park, North Ryde.

The issues raised by the OEH would ordinarily be assessed at development application stage. Overshadowing, visual impact, stormwater management, environmental impacts (such as effects on biodiversity and threatened species) are standard considerations within this process as required by the *Environmental Planning and Assessment Act 1979*. As adjoining owners, development applications for these sites would be referred to the OEH for review and comment. It is at the DA stage, when development options are clearer, that OEH would have the opportunity to fully assess the impacts of new development on the park environs.

Bushfire and asset management considerations are dealt with through the Ryde DCP. Controls are based on the NSW Rural Fire Services “Planning for Bushfire Protection Guidelines” and are designed to specifically manage bushfire hazard and ensure appropriate design of buildings. This includes setbacks and access for emergency vehicles. Concerns raised would again be dealt with at the DA stage. A referral to the Rural Fire Service or qualified bushfire professional would be part of the development application process for these sites.

The OEH have advised that Amendment 1 identifies a number of fitness tracks through the national park that are not identified as formal tracks in the LCNP Plan of Management. Within the planning proposal these are identified on the Proposed Open Space Network map as the trail at the end of Christie Road, Marsfield and the trail at the end of Lane Cove Road. These tracks are recommended for removal from “Open Space Network” map as they are not endorsed OEH tracks.

The OEH also advised that the trail for Plassey Road, North Ryde, opposite the tourist park, can only be constructed on the western side of the road as part of the Ryde Council road corridor. Council and OEH have varying views on the location of this track. It is considered that the location of this track can be negotiated at the time of design and construction.

ITEM 6 (continued)Recommended Action

That the fitness tracks identified at the end of Christie Road, Marsfield and Lane Cove Road, Macquarie Park on the “Open Space Network” map be removed prior to inclusion of the map in *draft Ryde DCP 2011 Part 4.5 – Macquarie Park Corridor*

Consultation Issue 10

Requests for landmark/gateway buildings to be included in the plan (through increased heights and FSR's) and for a more dense and varied urban form along Waterloo Road.

Response:

Controls facilitating landmark/gateway buildings within the Macquarie Park Corridor have been removed from *DRLEP 2013 (Amendment 1)* based on the principle of providing an equitable approach to development potential throughout the corridor. It is considered that opportunities exist for landmark buildings to be provided through building design, façade and landscaping treatments.

The development controls contained in *DRLEP 2013 (Amendment 1)* have been determined through a detailed strategic planning process, based on regional and local planning objectives for the corridor, including employment and housing targets and quality urban design outcomes. Height and floor space controls have been designed to transition from Waterloo Road down to the low scaled residential areas adjoining the corridor. It is considered that taller “gateway” buildings at the periphery of the corridor may have negative visual impact on the low density residential areas adjoining the Corridor.

Background traffic modelling and public domain outcomes have been developed based on the proposed controls, with these studies showing that the level of development can be supported by the proposed infrastructure improvements. Further increasing densities along Waterloo Road would place these outcomes in question. Also, given the loose fit of FSR to height controls, it is foreseen that a variable built form will result. Amending the draft planning controls at this point is not recommended.

Recommended action

No amendments to *DRLEP 2013 (Amendment 1)* required.

Consultation Issue 11

Concern over the ability to realise infrastructure provision when sites have no plans to redevelop in the short to medium term: concern that roads will not be delivered in a timely manner. Concern that roads could be better located within sites to respond to market demand for floor plates

ITEM 6 (continued)*Response:*

The DRLEP (Amendment 1) is a long term plan that proposes the provision of infrastructure over a 20 year period. While landowners may not currently have plans to redevelop to the degree proposed by the incentive scheme, it is considered that over a 20 year time period, comparative land values, ownership patterns and redevelopment plans are likely to change.

It should be noted that where a site does not access incentive controls, and consequently does not provide the identified infrastructure in a timely fashion, scope exists for Council to review the scheme and develop appropriate mechanisms to deliver critical infrastructure at a later date. Funds collected under the bonus incentive scheme should be available to facilitate this process.

Submissions raising particular issues with the roads network will be referred to Council's urban designers – Architectus - for review prior to inclusion in the Ryde DCP 2011 - Part 4.5 – Macquarie Park. This particularly responds to concerns that roads could be relocated within a site to permit office floor plates that respond to market demand. Any changes resulting from this work will be included in the review of draft DCP 2011.

Recommended action

No amendments to DRLEP (Amendment 1) required.

The Proposed Road Network Strategy be reviewed prior to inclusion in *draft Ryde DCP 2011 Part 4.5 – Macquarie Park Corridor*. The outcomes of this review will be reported to Council prior to seeking a resolution to exhibit the amending draft DCP.

Proposed DCP Amendments

Section 4.5 of *draft Ryde DCP 2011* provides detailed development controls for the Macquarie Park Corridor. These controls require revision as a result of the changes proposed under DRLEP 2013 (Amendment 1).

An initial review of Section 4.5 of the DCP has been carried out. Table 2 – 'Summary of Expected Changes to draft Ryde DCP 2011 – Macquarie Park Corridor' (**ATTACHMENT 3**) provides a general outline of the changes resulting from DRLEP (Amendment 1) provisions. The expected changes identified are:

- Updating of text to reflect the new planning controls, with changes of note being:
 - new FSR and height controls,
 - updated access, pedestrian, open space and built form provisions,
 - revised implementation controls for provision of infrastructure, facilities and public domain improvements (with these changes reflecting the new bonus incentive scheme)

ITEM 6 (continued)

- Replacement of plans and diagrams with updated plans and diagrams, including the Street Network Structure Plan, Pedestrian Network Structure Plan, Proposed Open Space Network Plan, Placemaking Plan, Active Frontages Plan, and Recreational Attractors Plan and removal of the Built Form Structure Plan.
- Removal of Special Precinct controls, with relevant controls adapted for relocation within the remainder of the document.
- Revision of public open space controls to ensure consistency with the revised open space network.

A full report on the amendments to draft *Ryde DCP 2011 - Part 4.5 Macquarie Park Corridor* will be provided to Council at the completion of this work. It is recommended that Council resolve to review the draft Development Control Plan, and that a further report be presented to Council on completion.

Recommended action

That Council prepare *draft Ryde Development Control Plan 2011 - Part 4.5 Macquarie Park Corridor* consequential to the introduction of *draft Ryde LEP 2013 (Amendment 1) Macquarie Park Corridor* and that changes to draft Ryde DCP 2011 Part 4.5 – Macquarie Park Corridor are reported to Council prior to seeking a resolution to exhibit the amending draft DCP

Risk Analysis and Mitigation

At its meeting of 9 April 2013 it was resolved *that Council undertake and report back to Councillors a risk analysis that meets the Standards Australia AS/NZS ISO 31000.*

In accordance with Council's procurement guidelines, consultants Hill PDA have been commissioned to review the planning incentives scheme with regard to the inherent risks in the scheme. The consultant team provided a Risk Management Plan for the Macquarie Park Planning Incentives Scheme (as exhibited July 2013). The Risk Management Plan is CIRCULATED UNDER SEPARATE COVER.

In accordance with the Standards Australia AS/NZS ISO 31000 *Risk Management Principles and Guidelines*. The Risk Management Plan is to include the following:

- Risk identification
- Risk analysis (likelihood and consequence)
- Risk evaluation (rating)
- Risk mitigation and treatments

Risk identification has been based on an assessment of all submissions received to the exhibition, the Issues Paper prepared by Architectus in 2012 (resulting from stakeholder workshops, submissions and landowner representations) and a workshop with Council staff.

ITEM 6 (continued)

The key risk categories associated with the planning incentives scheme are:

- Planning Risk
The risk that the planning process fails to deliver the expected desired outcomes
- Timing Risk
The risk that crucial elements do not occur in alignment
- Financial Risk
The risk of a funding shortfall to provide and maintain infrastructure
- Market Risk
The risk that market conditions do not incentivise redevelopment
- Delivery Risk
The risk that a counter party in a transaction may not be able to fulfil its side of the agreement

The risk categories have a number of subsets as follows:

Planning Risk 1:

Development does not proceed due to potential delays and cost involved with negotiating, finalising and executing Voluntary Planning Agreements

Mitigation:

VPA discussions early by way of the formal pre-lodgement process for major developments.

Response:

This currently occurs as Council's existing practice is that:

- Generally, VPA negotiations commence during the pre-lodgement process and are agreed between the developer and Council prior to a DA being reported to the relevant planning authority (in most cases the Joint Regional Planning Panel as the construction cost exceeds \$20M).
- Where appropriate, Council engages a Quantity Surveyor to verify VPA offers in relation to their community benefit.
- Council provides a VPA template to assist developers prepare their VPA offers.
- Council has appointed a dedicated Contributions Coordinator to manage the VPA negotiation process
- VPAs are subject to review by relevant staff across Council before they are presented to Council for consideration.

ITEM 6 (continued)Planning Risk 2:

Time delays and additional construction costs to develop for sites Impacted by railway corridor

Mitigation:

- Include TfNSW and Railcorp to ensure coordination in the future delivery of potential transport interchange.
- Increased coordination with transport authorities on the timeline of Parramatta to Macquarie Park rail connection.

Response:

- Parramatta Council is lobbying the Federal and State Government to provide \$20M to fund a feasibility study for the Parramatta-Macquarie Park light rail link. Additionally, at Council's meeting on 8 October 2013, Council noted correspondence from Parramatta Council regarding the Western Sydney Light Rail – Part 2 Feasibility Report and resolved:

'That the Acting General Manager liaise with Parramatta City Council in respect to their proposed light rail transport system on the basis that any such proposal should involve consultation with the City of Ryde, particularly in relation to Ryde's transport needs, community concerns and future requirements.'

- Transport for NSW is considering an upgrade to the Herring Road Bus interchange. This is not detailed in the Herring Road Urban Activation Precinct (UAP).

Recommended action

It is recommended that Council request that details of the proposed Transport Interchange upgrade be included in the Herring Road UAP Master Plan.

Planning Risk 3:

Expected shortfall in infrastructure funding for future roads and parklands as result of the Herring Road UAP being excised from Ryde LEP Amendment 1 and pressure for residential development to creep towards the commercial core of Macquarie Park

Mitigation

- A working group with State Government currently exists however the scope of this arrangement relates to the preparation of the UAP. The working group would need to go beyond the current scope to ensure cross boundary coordination particularly in relation to the delivery of infrastructure in the broader Macquarie Park.
- A low take-up of the incentive scheme would impact Council's revenue from the additional FSR however this would be partially offset by a lower requirement for infrastructure provision and lower cost. Further analysis should be carried out to determine the financial impacts of the shortfall.

ITEM 6 (continued)*Response:*

- Council has consistently been of the view that the controls applying to the Herring Road UAP should remain consistent with those developed for the remainder of the Macquarie Park Corridor. DoPI however are proposing an alternative development scenario for this precinct.
- Council opposes residential creep into the commercial core of the corridor.

Recommended action

It is recommended that Council undertake a review of the Herring Road UAP in the event of the exhibition to determine the impact on the Macquarie Park Planning incentive scheme and prepare a submission to the exhibition.

Planning Risk 4:

Uncertainty regarding the use and form of VPA's as a result of the proposed White Paper and Planning Bill

Mitigation

Regular liaison with the State Government on the status of the Planning Bill.

Comment

Council made a submission to the NSW Minister for Planning regarding the White Paper and requested that VPAs be retained. However Council's VPA process may be required to be reviewed once the planning legislation is in place.

Timing Risk 1:

Due to the development horizon associated with the infrastructure roll out the potential delay in timing of payments based on Present Value has a potential to lead to a significant shortfall in capital funding for infrastructure.

Mitigation

- The costing of infrastructure be indexed to account for escalating construction costs. The Building Price Index (BPI) is recommended as this mimics change in construction costs.
- Prepare a high-level staging plan based on known landowner intentions and the delivery of catalyst infrastructure. This will give landowners some guidance as to the future rollout of the Macquarie Park precinct. As part of this process, Council staff would engage with landowners with regards to their intentions and plans to re-develop. This engagement would require high level discussions with land owners in Macquarie Park to identify their intent for land parcels and the timing / likelihood of redevelopment.

ITEM 6 (continued)Timing Risk 2

A potential delay in infrastructure delivery and bonus FSR uptake due to an extended development horizon period. This may result in “missing links” in the future road network due to pattern of landowner take-up.

Mitigation

- Where applicable, utilise section 94 contributions for staged developments to offset early provision of infrastructure
- Prepare a high-level staging plan based on known landowner intentions and catalyst infrastructure. This will give landowners some guidance as to the future rollout of the Macquarie Park precinct. As part of this process engage with landowners with regards to their intentions

Comment

Ten years is considered to be a relatively short time frame for the delivery of major urban renewal projects involving multiple land owners and which is subject to market conditions. (For example Green Square Town Centre was commenced with a design competition held in 2001. In 2011 and again in 2013 the City of Sydney revised the planning controls to promote development uptake).

The Macquarie Park Planning Incentives Scheme is proposed to be implemented over a 20 year period and provides for offsets against s94 in circumstances where it is demonstrated that in-kind works exceed the cost of the bonus floor space.

The proposed staging plan will necessitate continued engagement with landowners and provide opportunities to educate landowners about the scheme and to share information that will benefit all. It is proposed that the staging plan is completed as soon as practicable. The staging plan will assist council to coordinate infrastructure delivery and will provide information to developers about the anticipated timing of infrastructure delivery within the Macquarie Park Corridor.

The scheme is based on a review of the ten year mark to assess progress. At this point an appropriate planning mechanism will be considered to address “missing links” if any.

Recommended Action

Council prepares a Staging Plan for Infrastructure through a process of engagement with landowners. It is proposed that the staging plan is completed as soon as practicable.

Council schedules a review of the scheme and its progress at ten years after its coming into effect.

ITEM 6 (continued)

Financial Risk 1:

Development not proceeding due to sites not being economically viable including the compensation for infrastructure affected land

Mitigation

Feasibility modeling was previously undertaken by Hill PDA to determine overall viability of sites. This information formed the basis for the floor space ratios proposed in Draft Ryde LEP (Amendment 1) rates included in the Planning Incentives Scheme. Independent advice may be sought as part of future VPA negotiations.

Financial Risk 2:

There is insufficient funds to maintain assets dedicated to Council.

Mitigation

Ongoing maintenance should be considered as part of the assessment of the value ascribed to land dedicated to Council (for new roads and parks) through VPA negotiations.

Response:

Maintenance of the asset (new roads and parks) has not been factored into the economics of the scheme.

Recommended Action

Council review the value ascribed to land to be dedicated for new roads and parks, factoring the cost of maintenance into calculations. The review of the land value is to be complete before the Draft Ryde LEP (Amendment 1) comes into effect.

Market Risk 1:

Impacts of the economic Climate resulting in development not proceeding in the short term

Mitigation

Ensure the levy aligns with market movements and that redevelopment remains an attractive proposition even during tough economic conditions.

Response:

The Bonus Levy will be published in Council's Fees and Charges and will be reviewed annually.

Recommended Action

Council review the FSR bonus levy every year utilizing the Building Price Index

ITEM 6 (continued)Market Risk 2:

Slow uptake of the bonus FSR, and development not proceeding, due to sites not being economically viable. As a result key infrastructure may not be delivered in a timely manner.

- Council convenes the Macquarie Park Forum which provides open communication between the Council and developers. The forum draws representation from landowners, the Property Council, the Macquarie Park Transport Management Association and local residents.
- Recognition that some sites do not present short or medium term development propositions. High level staging plan should be cognizant of this.

Recommended Action

Based on approved DAs and VPAs, Council carry out a site audit to determine those sites which are ready for development. This process will assist in identifying the potential timing of infrastructure to support individual precincts.

Delivery Risk 1:

Uncertainty of infrastructure delivery e.g. parklands and whether infrastructure payments will be expended within Macquarie Park to realise the vision for the Macquarie Park Corridor.

Mitigation

Council is to consider an infrastructure fund specifically for Macquarie Park which commits future monies to the provision of infrastructure within this area.

Recommended Action

It is recommended that a Macquarie Park Infrastructure Reserve account is created which commits funds received under the scheme to Macquarie Park Infrastructure implementation.

Delivery Risk 2: Piecemeal delivery of infrastructure and potential inconsistencies in delivery outcomes including uncertainty of timing and delivery of specific items

Mitigation

- A schedule of works is allocated to each parcel of land to allow the landowner to assess its obligations in redeveloping each site. This also allows works in kind to be valued for the purposes of the VPA.
- Council convenes the Macquarie Park Forum which provides open communication between the Council and developers. The forum draws representation from landowners, the Property Council, the Macquarie Park Transport Management Association and local residents.
- DCP controls are in place within Macquarie Park for all future roads and parklands.

ITEM 6 (continued)

Recommended Action

The DCP will be amended once current proposed LEP amendments have been approved by the Council.

Council prepare a staging plan and schedule of works for each site affected by proposed roads and parks networks.

Delivery Risk 3:

Coordination across site boundaries and possible disjointed road network through lack of coordination in design

- Carry out detailed design of future roads to determine the extent of site impact from future infrastructure provision
- Future DAs will need to consider cross level adjustments between sites.
- Carry out a road constructability audit at the completion of the works to ensure quality control.

Response

Most recently Council has required coordination across site boundaries as part of the redevelopment proposal for 8 Khartoum Road, Macquarie Park. The developer has complied because due to the benefits associated with the new road network.

Recommended Action

DCP provisions are prepared to require each site to consider coordination with neighbours, including level adjustments and detailed plans. This is to be reinforced through development conditions of consent.

Delivery Risk 4:

Lack of Council resourcing and administration resulting in poor coordination and lack of direction in managing the future roll-out of the project

Mitigation

Council appoints a dedicated contributions coordinator to manage Section 94 and VPA negotiations.

Response

This has already occurred.

ITEM 6 (continued)

Delivery Risk 5:

Future land tenure i.e. proposed roads and open spaces not being dedicated to Council under the provisions of the VPA

Mitigation

Ensure all future public infrastructure is dedicated to Council by way of development condition.

In the case of land-locked sites the onus is on the developers to maintain infrastructure until the land is accessible.

Recommended Action

It is recommended that DCP provisions are prepared to ensure that land is dedicated to Council, that land identified for infrastructure remains unbuilt upon and that delivered infrastructure is maintained by the landowner until dedicated to Council.

The Risk Management Plan is **CIRCULATED UNDER SEPARATE COVER.**

Financial Implications

As each individual site will be subject to specific VPA negotiations in accordance with the framework detailed within this report adoption of the recommendations of this report will not result in financial implications to Council

The recommendation to undertake a review of the Herring Road UAP would be funded from the existing 2013/14 Macquarie Park DCP project budget in Ryde Council's Four Year Delivery Plan. It is estimated that the work will cost up to \$20,000 and sufficient funds are available.

ITEM 6 (continued)

ATTACHMENT 1

Draft Ryde LEP 2013 (Amendment 1) Community Consultation Submissions

#	Document No.	Submission Summary/Issue	Planning Comments	Recommended Action
GOVERNMENT AUTHORITIES				
1	D13/58604	<p>GOVERNMENT PROPERTY NSW</p> <ol style="list-style-type: none"> Support setback reductions DCP controls should be changed to reflect new road setbacks. Argues their base rate FSR should be increased from 1.85:1 to 2.17:1 as this is the FSR currently permissible under Clause 4.4B Macquarie Park Corridor – Floor space ratio (floorspace offsets against access network) Note GPNSW requested a park 5,500sqm however Council position is 7,500sqm Consider Hockey fields at 144 Wicks Road as open space, reducing pressure on use. 	<p>The Ryde DCP 2011 is to be amended to incorporate changes to design controls under Amendment 1. Comments made will be reviewed as part of that process.</p> <p>LEP 2010 provides an FSR of 2:1 over the majority of this site and 1:1 over a portion of the north western corner. Clause 4.4B of LEP 2010 states that “the consent authority may consent to development that results in a floor space ratio in excess of the floor space ratio shown for that land on the Floor Space Ratio Map, if:</p> <ol style="list-style-type: none"> the land contains part of the proposed access network shown on the Macquarie Park Corridor Proposed Access Network Map, and the excess floor space does not exceed the equivalent of the site area provided for the portion of the access network shown in relation to the land.” <p>The City of Ryde Development Control Plan 2010 – Section 6.1.2 - Floor Space Ratio Controls contains the following objective: “to allow bonuses for the provision of public infrastructure as demand for floorspace increases.”</p> <p>Any additional/bonus FSR achievable for the site under LEP 2010 does not transfer to LEP 2013 as base FSR – it remains bonus FSR, with this being replaced by new bonus FSR controls within the new incentive scheme under Amendment 1. Therefore the base rate should remain consistent with the standard FSR rate under LEP</p>	<p>Include comments in review of Ryde DCP 2011</p>

ITEM 6 (continued)

ATTACHMENT 1

#	Document No.	Submission Summary/Issue	Planning Comments	Recommended Action
			<p>2010.</p> <p>Council's Integrated Open Space Strategy recommends that the Macquarie Park corridor requires at least one major open space in the order of 2ha.</p> <p>Background investigations for Macquarie Park DLEP (Amendment 1) identified 43-61 Waterloo Road as the location for this infrastructure. However, given the difficulty of achieving this quantum of open space through dedication, and Property NSW's concerns over the size to be dedicated, it was determined that the park be reduced in size to 7,500sq m.</p> <p>Hockey fields at 144 Wicks Road were initially included in the quotas of Open Space provision for the Macquarie Park Corridor. However, this land is currently under a 20 year lease to Hockey Australia and is not available for general public use. Therefore the fields cannot be included in open space provision quotas for the Macquarie Park area.</p>	
2	D13/58848	<p>NSW LAND AND HOUSING CORPORATION</p> <ol style="list-style-type: none"> 1. Object to proposed planning controls - do "not facilitate cost effective redevelopment or optimise the opportunity for improved urban form". Requests review of controls. 2. Concern over use of VPA's as the most effective means of delivering 	<p>This site falls within the Herring Road Urban Activation Precinct (UAP).</p> <p>Council at its 9th April 2013 meeting resolved that the same outcomes proposed for the rest of Macquarie Park, in respect of height and FSR controls, be pursued for the Herring Road UAP area. Exhibition of the planning proposal retained controls consistent with the remainder of the corridor.</p>	No action

ITEM 6 (continued)

ATTACHMENT 1

#	Document No.	Submission Summary/Issue	Planning Comments	Recommended Action
		<p>the planning objectives in this location.</p> <p>3. No input from LAHC regarding acquisitions. Acquisition of their land is not supported.</p> <p>4. Relationship between UAP area and Amendment 1 – request for deferral and concern over timing, particularly with regard to tenants confusion over varying controls being presented to them.</p>	<p>DoPI in its letter to Council dated 11 June 2013 advised that “when the Macquarie Park corridor planning proposal is submitted to the Department for finalisation, it will be necessary to give close consideration to excising the Herring Road UAP land from the proposal.” Therefore it is likely that when the plan is submitted to DoPI they will defer the precinct from Amendment 1, with final controls and infrastructure delivery mechanisms likely to vary from those proposed under DLEP 2013 (Amendment 1). Comments on controls for this area can be directed to DoPI during exhibition of the UAP plan</p> <p>Should the UAP process adopt a similar incentive scheme, any land earmarked for infrastructure provision under Amendment 1 will be dedicated on a voluntary basis, not through compulsory acquisition. Therefore LAHC could determine whether they wish to pursue dedication under the terms of Council’s incentive scheme at the time.</p> <p>Concerns over timing are noted.</p>	
3	D13/58694	<p>OFFICE OF ENVIRONMENT AND HERITAGE - LANE COVE NATIONAL PARK</p> <p>1. Object to increased densities and heights for the 6 lots north of Delhi Road, adjoining or in the near vicinity of Lane Cove National Park</p> <p>2. Concerns - impacts from runoff,</p>	<p>The issues raised by the Office and Environment and Heritage would ordinarily be assessed within the development application process. Overshadowing, visual impact, stormwater management, environmental impacts (such as effects on biodiversity and threatened species) are standard considerations within this process. Council’s Development Assessment team would refer any development proposed for these sites to the Office of</p>	<p>Include comment s in review of draft RDCP 2011.</p> <p>Remove fitness trails not formally identified as trails within the Lane</p>

ITEM 6 (continued)

ATTACHMENT 1

#	Document No.	Submission Summary/Issue	Planning Comments	Recommended Action
		<p>overshadowing, increased artificial light, lack of vegetated buffers, impact on biodiversity and threatened species, visual impact of towers on ridge line</p> <p>3. No assessment of appropriateness of controls with regard to impact on Park</p> <p>4. Potential impacts should be addressed by reducing heights and bulk of buildings in the same way that adjoining residential areas are treated within areas west of Herring Road and south of Delhi Road. Recommend 5-6 storeys and FSR's not increased for these lots.</p> <p>5. Concerns for bushfire protection, asset management and possible need to encroach on park to provide safe interface with Park.</p> <p>6. A number of fitness trails shown are not formal trails in POM for LCNP. These should be deleted or further consultation with OEH occur.</p>	<p>Environment and Heritage for review and comment.</p> <p>Bushfire and asset management considerations are dealt with through the Ryde DCP 2011. Controls are based on the NSW Rural Fire Services "Planning for Bushfire Protection Guidelines" and are designed to specifically manage bushfire hazard and ensure appropriate design of buildings. This includes setbacks and access for emergency buildings. Concerns raised would therefore be dealt with at the DA stage.</p> <p>Comments made will be considered as part of the review of Part 4.5 - Macquarie Park, draft Ryde DCP 2011.</p> <p>Fitness trails identified in the planning proposal that are not formally identified as trails in the LCNP Plan of Management are to be removed from the proposed Open Space Network map.</p>	<p>Cove Plan of Management from Proposed Open Space Network Map</p>
4	D13/58185	PARRAMATTA CITY COUNCIL No objections	Noted	No action

ITEM 6 (continued)

ATTACHMENT 1

#	Document No.	Submission Summary/Issue	Planning Comments	Recommended Action
RESIDENTS				
5	D13/58681	<p>RESIDENT</p> <ol style="list-style-type: none"> 1. Acknowledge merits of Amendment 1 2. Prefer Council to drive changes within UAP area 3. Support activation of Waterloo Road and easier pedestrian access around the area and traffic improvements in corridor. 4. Concern over steep slopes to Shrimptons Creek exacerbating overshadowing and resulting in overwhelming built form for open space and residential areas 5. Support Shrimptons Creek improvements 6. Concern over 65m height on Cottonwood Crescent 7. Object to Mixed use for residential area of Herring & Waterloo Rds, Cottonwood Cres and Peach Tree Drive. 8. Support uplift levy and request to be involved in negotiation process. 	<p>Involvement of State government agencies in planning and amalgamation issues are beyond Council's control.</p> <p>Support noted</p> <p>This site falls within the Herring Road Urban Activation Precinct (UAP).</p> <p>Council at its 9th April 2013 meeting resolved that the same outcomes proposed for the rest of Macquarie Park, in respect of height and FSR controls, be pursued for the Herring Road UAP area. Exhibition of the planning proposal retained controls consistent with the remainder of the corridor.</p> <p>DoPI in its letter to Council dated 11 June 2013 advised that "when the Macquarie Park corridor planning proposal is submitted to the Department for finalisation, it will be necessary to give close consideration to excising the Herring Road UAP land from the proposal." Therefore it is likely that when the plan is submitted to DoPI they will defer the precinct from Amendment 1, with final controls and infrastructure delivery mechanisms likely to vary from those proposed under DLEP 2013 (Amendment 1). Comments on controls for this area can be directed to DoPI during exhibition of the UAP plan.</p> <p>Resident involvement in developer/Council negotiations is not appropriate.</p>	<p>Refer comments re bus stop locations to MP TMA</p>

ITEM 6 (continued)

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#	Document No.	Submission Summary/Issue	Planning Comments	Recommended Action
		9. Suggest relocation of bus stands to Macquarie University to allow for drop off in University.	Bus stop comments referred to MP Transport Management Association.	
6	D13/49633	RESIDENT 1. Relationship b/w UAP and Amend 1 – full assessment of Corridor not possible as a result 2. Social and environmental impacts of dense development 3. Object to State government involvement and amalgamations – need for local knowledge in planning.	Noted	No action
LANDOWNERS				
7	D13/48864	Questions why adjoining sites have uplift to between 2:1 and 3:1 and this site only 1.5:1	Planning controls for sites in the corridor have been reviewed based on a set of principles. A 3:1 FSR is only given to sites fronting Waterloo Road or where required to enable infrastructure provision. Strategically important sites (in terms of access or infrastructure provision) are proposed at 2.5:1, with peripheral sites having lower FSR's in order to provide lower scale development adjacent to adjoining precincts and away from main activity areas. Virtually all sites gain at least 0.5:1 FSR through this process. This site does not front Waterloo Road, is not strategically important and is on the periphery of the corridor. On this basis the lower FSR is appropriate	No Action

ITEM 6 (continued)

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#	Document No.	Submission Summary/Issue	Planning Comments	Recommended Action
			for this site. The site gains an additional FSR of 0.5:1 under Amendment 1.	
8	D13/56621	<ol style="list-style-type: none"> 1. Relationship between UAP area and Amendment 1 – request for deferral 2. Support FSR's for the site 3. Request height controls increased – request 65m (north side) and 95m (south side/Herring Road) 4. Request further consultation on incentive scheme and height controls should Amendment 1 not defer Herring Road UAP from DLEP 2013. 	<p>This site falls within the Herring Road Urban Activation Precinct (UAP).</p> <p>Council at its 9th April 2013 meeting resolved that the same outcomes proposed for the rest of Macquarie Park, in respect of height and FSR controls, be pursued for the Herring Road UAP area. Exhibition of the planning proposal retained controls consistent with the remainder of the corridor.</p> <p>DoPI in its letter to Council dated 11 June 2013 advised that “when the Macquarie Park corridor planning proposal is submitted to the Department for finalisation, it will be necessary to give close consideration to excising the Herring Road UAP land from the proposal.” Therefore it is likely that when the plan is submitted to DoPI they will defer the precinct from Amendment 1, with final controls and infrastructure delivery mechanisms likely to vary from those proposed under DLEP 2013 (Amendment 1). Comments on controls for this area can be directed to DoPI during exhibition of the UAP plan</p> <p>Council is currently in the process of meeting with landowners who have questions around the bonus incentive scheme. AMP are to be included in these discussions.</p>	No action

ITEM 6 (continued)

ATTACHMENT 1

#	Document No.	Submission Summary/Issue	Planning Comments	Recommended Action
9	D13/56671 D13/57037 D13/73280	<ol style="list-style-type: none"> 1. Request B3 and B7 zones be protected from residential encroachment 2. Contain residential at either end of the corridor 3. Support inability to strata title serviced apartments 4. Concern over Council resolution supporting a masterplan for mixed use development at 33 Waterloo Road. 5. Draft LEP needs ambiguity around light industry permissibility clarified - "industries" listed as a prohibited use 6. Comments on DCP being overly prescriptive, need for service vehicle access to be retained in any redevelopment, need for flexibility on built form. 	<p>CoR supports residential containment to the fringes of the Macquarie Park Corridor, with the commercial core being protected. Amendment 1 aims to facilitate this objective.</p> <p>Comments on 33 Waterloo Road are noted.</p> <p>Light industries are a permitted use in both the B3 and B7 zones with Council consent.</p> <p>Ryde DCP 2011 is to be amended to incorporate changes to design controls under Amendment 1. Comments made will be reviewed within that process.</p>	Include comments in review of Ryde DCP 2011
10	D13/59165 D13/58714	<ol style="list-style-type: none"> 1. Is gateway determination valid – 31st July deadline? 2. Welcome uplift opportunities 3. Concern over effect on current development plans/options. 	<p>Extension to gateway determination requested, with extension granted to December 2013.</p> <p>This site falls within the Herring Road Urban Activation Precinct (UAP).</p>	No action

ITEM 6 (continued)

ATTACHMENT 1

#	Document No.	Submission Summary/Issue	Planning Comments	Recommended Action
		<ol style="list-style-type: none"> 4. Relationship between Herring Road UAP area and Amendment 1 – request for deferral – and questions around how landowner calculates development costs with 2 schemes in play. 5. Proposed collector road through site – would have significant impact on operations of their site. 6. Development controls should better match approved developments in close proximity – propose 15m heights and 2.5:1 FSR. 7. Unlikely to realise road infrastructure as no plans in short to medium term to remove buildings built across reservation. 8. Request assurances from Council that current development plans would not be contingent on the provision of this road. 	<p>Council at its 9th April 2013 meeting resolved that the same outcomes proposed for the rest of Macquarie Park, in respect of height and FSR controls, be pursued for the Herring Road UAP area. Exhibition of the planning proposal retained controls consistent with the remainder of the corridor.</p> <p>DoPI in its letter to Council dated 11 June 2013 advised that “when the Macquarie Park corridor planning proposal is submitted to the Department for finalisation, it will be necessary to give close consideration to excising the Herring Road UAP land from the proposal.” Therefore it is likely that when the plan is submitted to DoPI they will defer the precinct from Amendment 1, with final controls and infrastructure delivery mechanisms likely to vary from those proposed under DLEP 2013 (Amendment 1). Comments on controls for this area can be directed to DoPI during exhibition of the UAP plan</p> <p>In the interim, LEP 2010 provisions (with consideration of DLEP 2013 provisions) will apply to this site.</p>	
11	D13/59084	<ol style="list-style-type: none"> 1. Object to road reserve moving wholly within site – not likely to be achievable in near future given development plans for the site. 	<p>A meeting has been held with the landowners regarding the location of the road on their property and the justification for this location.</p> <p>A secondary road network is required in Macquarie Park to mitigate existing traffic circulation problems, improve</p>	Remove Part 1 of Schedule 1 from DRLEP Amendment 1.

ITEM 6 (continued)

ATTACHMENT 1

#	Document No.	Submission Summary/Issue	Planning Comments	Recommended Action
		<ol style="list-style-type: none"> 2. Given recent purchase of site based on LEP 2010, request owners current plans to expand not be affected by proposal. 3. Request further consultation should road remain on their site. 4. Object to removal of Clause 4.6 – Exceptions to development – this is a basic planning practice and against intentions of the planning system – it's removal particularly disadvantages self-storage as low activity use which is highly eligible for variation 5. Object to reservation without obligation to acquire. 6. Should provide mechanism for varying the \$250/sqm rate based on individual case/landuse type. 	<p>permeability and to better suit the evolution of land uses in the Corridor. This road link on the subject site is considered a critical link in the growth of the Corridor.</p> <p>The location of the roads in the Corridor was tested at length. In principle, roads are to be located on one property to reduce the need for complicated coordination. In the case of the subject road, it cannot be located to the north of the property at 7-9 Khartoum Road, because a more northern alignment is interrupted by other planned development in that road corridor. Specifically, the development consent for the development at at 8 Khartoum Road provides a new road that is consistent with the currently proposed plan. The road location shown in the Recommendation Paper at Attachment 2 is the correct location for the desired secondary road in this location.</p> <p>The implantation of this new road network is a medium to long term process that can only be realised once the properties affected by the road corridor are comprehensively redeveloped. Dedication of land within the incentive scheme is a voluntary undertaking - no compulsory acquisition is to take place.</p> <p>It is critical that the corridor is preserved with this long-term strategy in mind. To this end, development must not be approved where it encroaches upon the road corridor and preclude the long-term realisation of this road.</p>	<p>No action on location of road within this site.</p>

ITEM 6 (continued)

ATTACHMENT 1

#	Document No.	Submission Summary/Issue	Planning Comments	Recommended Action
			<p>A number of submissions have objected to removal of Clause 4.6 – Exceptions to development standards. Review of comments made, consideration of the benefits of retaining the Clause and the limited use of Clause 4.6 by Ryde Council to vary controls to date recommends retention of this Clause.</p> <p>Setting a fixed value for the incentive scheme creates an open and transparent process on which to conduct negotiations. This has been a constant objective in the preparation of the scheme. Variation from this for specific land uses would work against this objective.</p>	
12	D13/59082	<ol style="list-style-type: none"> 1. Recently purchased the site and object to changes to provisions from those in LEP 2010 as these changes place substantial negative effects on their property development plans and options. 2. Object to the road reservation moving to be wholly within their site – Constrains development too severely and not feasible from engineering perspective. 3. Landowner unlikely to trigger increased development potential, leading to inability to realise infrastructure on the site. 	<p>Extensive consultation with Macquarie Park landowners has been integral to the preparation of this Plan. Two landowner consultation sessions were held, on 13 March 2012 and 9 September 2013, with subsequent individual meetings held where requested. All landowners in the B3 and B7 zones were invited to attend these workshops, including the previous owners of 7-9 Khartoum Road, Brother International. Because the site has recently been sold, the new landowner might not have been aware of this consultation process.</p> <p>Council officers have subsequently met with the landowner to discuss affectation of their property and the consultation process undertaken to date. Outcomes of this meeting are outlined in the submission response above (D13/59084).</p>	

ITEM 6 (continued)

ATTACHMENT 1

#	Document No.	Submission Summary/Issue	Planning Comments	Recommended Action
		4. Objects to the mechanisms being used to achieve outcomes - no sensitivity to the differing costs of floor space, the differing values, different construction costs, different burdens to public facilities 5. Object to removal of Clause 4.6 – Exceptions to development – should be a merit based assessment. 6. Request further consultation if scheme to proceed for their site.	<p>To clarify, the identification of a future road on this property does not trigger acquisition or demolition or affect the existing use. The controls are designed to require the road when the site it is comprehensively re-developed, where the loss of land and cost of constructing the road are compensated through additional development capacity.</p> <p>In the meantime, the existing operation can continue and minor refurbishments can be undertaken.</p> <p>Setting a fixed monetary value for the incentive scheme creates an open and transparent process on which to conduct negotiations. This has been a constant objective in the preparation of the scheme. Variation from this for specific landuses would work against this objective.</p>	
13	D13/57793	1. Masterplan site – controls from masterplan should be adopted for the site – 37 and 70 m height limits and 5:1 FSR. 2. Public benefit from development supports these controls (plaza, pedestrian access, rationalising access/utility services etc) 3. Objects to the mechanisms proposed to achieve Councils development and infrastructure objectives – should use s94.	<p>Council has not received a masterplan for this site, nor approved any of the controls proposed within it. At this point varying of controls away from those proposed under Amendment 1 would be inequitable and pre-empt any masterplan. Should a masterplan be supported by Council, amended controls would be facilitated by a separate planning proposal for the site. It should be noted that in terms of public benefit under Amendment 1, no development incentives are offered for improved pedestrian access, the site is not identified for provision of required infrastructure and rationalising of internal access and utilities is not a planning matter. Therefore, changes to planning controls on this basis are not supported.</p>	Remove Part 1 of Schedule 1 from DRLEP Amendment 1.

ITEM 6 (continued)

ATTACHMENT 1

#	Document No.	Submission Summary/Issue	Planning Comments	Recommended Action
		<p>4. Object to removal of Clause 4.6 – Exceptions to Development Standards – should be a merit based assessment.</p> <p>5. Request opportunity to address Council meeting.</p>	<p>The development controls contained in Amendment 1 have been determined through a detailed strategic planning process, based on regional and local planning objectives for the corridor, including employment and housing targets and quality urban design outcomes. It has not been driven purely by the financing of infrastructure.</p> <p>In developing Amendment No. 1 and the draft funding mechanism, several options for funding the roads and infrastructure were investigated. Section 94 was tested. Some of the reasons why it is not appropriate for this site are:</p> <ul style="list-style-type: none"> • The rates would be extremely high to pay for the significant amount of new infrastructure making development unfeasible on some sites. • The cost would not be evenly distributed between sites because of the discounting for existing employees under the Section 94 system. • Contributions through Section 94 does not preserve the road corridors • There may be a significant lag-time between collecting enough money to acquire and construct roads. <p>It was felt that a voluntary system, with a view to long term outcomes, would allow landowners an option to take up additional floorspace where the provision of infrastructure is financially viable. It should be noted that the scheme has been designed to ensure uplift FSR uptake is attractive for new developments.</p>	

ITEM 6 (continued)

ATTACHMENT 1

#	Document No.	Submission Summary/Issue	Planning Comments	Recommended Action
			<p>A number of submissions have objected to removal of Clause 4.6. Review of comments made and assessment of the likely use of the clause to vary controls within Macquarie Park has resulted in retention of this Clause.</p> <p>All persons making submissions will be advised of consideration of this matter prior to the relevant Council meeting, with opportunity to register to address Council.</p>	
14	D13/58253	<p>MACQUARIE UNIVERSITY</p> <ol style="list-style-type: none"> 1. Support aim of stimulating growth and providing appropriate infrastructure within the MP Corridor 2. Relationship between UAP area and Amendment 1 – request controls reflect UAP controls - proposed controls are restrictive and inconsistent with current development/ approvals. 3. Request 20 storey height and 4.5:1 FSR. 4. Questions around incentive scheme – how \$250/sqm determined, whether creates viable development, need to streamline process to be efficient and timely. 	<p>This site falls within the Herring Road Urban Activation Precinct (UAP).</p> <p>Council at its 9th April 2013 meeting resolved that the same outcomes proposed for the rest of Macquarie Park, in respect of height and FSR controls, be pursued for the Herring Road UAP area. Exhibition of the planning proposal retained controls consistent with the remainder of the corridor.</p> <p>DoPI in its letter to Council dated 11 June 2013 advised that “when the Macquarie Park corridor planning proposal is submitted to the Department for finalisation, it will be necessary to give close consideration to excising the Herring Road UAP land from the proposal.” Therefore it is likely that when the plan is submitted to DoPI they will defer the precinct from Amendment 1, with final controls and infrastructure delivery mechanisms likely to vary from those proposed under DLEP 2013 (Amendment 1). Comments on controls for this area can be directed to DoPI during exhibition of the UAP plan</p>	No action

ITEM 6 (continued)

ATTACHMENT 1

#	Document No.	Submission Summary/Issue	Planning Comments	Recommended Action
15	D13/58810	<ol style="list-style-type: none"> 1. Concern over further delays to gazettal of new planning controls and impact on their redevelopment plans, especially with Herring Road UAP further confusing the process. 2. Requests split zoning/controls across site be rectified to provide a B4 zone across the site and an FSR of 4:1 (within the proposed 65m height control) 3. Questions over incentive scheme – significant costs with s94 as well, lack of transparency and certainty, potential for \$250 to be changed at will, \$250 excessive and non-competitive. 4. Will seek meeting with State government and Ryde Council. 	<p>This site falls within the Herring Road Urban Activation Precinct (UAP).</p> <p>Council at its 9th April 2013 meeting resolved that the same outcomes proposed for the rest of Macquarie Park, in respect of height and FSR controls, be pursued for the Herring Road UAP area. Exhibition of the planning proposal retained controls consistent with the remainder of the corridor.</p> <p>DoPI in its letter to Council dated 11 June 2013 advised that “when the Macquarie Park corridor planning proposal is submitted to the Department for finalisation, it will be necessary to give close consideration to excising the Herring Road UAP land from the proposal.” Therefore it is likely that when the plan is submitted to DoPI they will defer the precinct from Amendment 1, with final controls and infrastructure delivery mechanisms likely to vary from those proposed under DLEP 2013 (Amendment 1). Comments on controls for this area can be directed to DoPI during exhibition of the UAP plan</p> <p>Should the status of the UAP change, discussions with Centuria regarding planning controls and the deferral process would need to occur.</p> <p>Note: Under the draft UAP controls presented to Council to date, the split zoning issue appears to have been resolved.</p>	No action

ITEM 6 (continued)

ATTACHMENT 1

#	Document No.	Submission Summary/Issue	Planning Comments	Recommended Action
16	D13/58846	<p>GOODMANS</p> <ol style="list-style-type: none"> 1. Support changes to FSR and heights under an incentive scheme. 2. Support \$250/sqm value for additional floor space 3. Object to design of incentive scheme – lack of transparency, is inequitable, impractical and unfeasible. 4. What mechanisms are in place when cost of infrastructure provision exceeds floor space gains? How are landowners compensated? 5. \$250/sqm for dedicated land not market value (\$600sqm) – losses to landowners – no information on how this was determined. 6. Controls along Waterloo Road need to allow for more varied built form. 7. Objects to removal of Clause 4.6 – Exceptions to development standards –unreasonable and inconsistent with current planning practice. Could be used to offset losses associated with infrastructure provision. 	<p>There appears to be a degree of misunderstanding over the structure and administration of the bonus incentive scheme, resulting in questions with its suitability as a mechanism. It is believed that an education program to further inform landowners of the details of this scheme will assist in answering these questions. Council have also employed a contributions planner, who will be available to answer questions about the scheme. Council officers are holding meetings with relevant landowners as a means of clarifying issues and answering questions. Staff will continue to engage with landowners in this manner as required.</p> <p>Background traffic modelling and site specific studies have been based on the currently proposed controls, with these studies showing that this level of development can be supported by the proposed infrastructure improvements. Further increasing densities/heights along Waterloo Road would place carefully supported outcomes in question and potentially undermine the feasibility of development in this precinct. Altering these controls at this point is not recommended.</p> <p>A number of submissions have objected to removal of Clause 4.6 – Exceptions to development standards. Review of comments made, consideration of the benefits of retaining the Clause and the limited use of Clause 4.6 by Ryde Council to vary controls to date, concludes that it would be beneficial to retain of this Clause. It is felt that retaining some flexibility in the administration of controls</p>	<p>Remove Part 1 of Schedule 1 from DRLEP Amendment 1 to allow for flexibility in the administration of planning controls.</p>

ITEM 6 (continued)

ATTACHMENT 1

#	Document No.	Submission Summary/Issue	Planning Comments	Recommended Action
		<p>8. Dedication of roads could sever some lots, making residue land useless and act as a disincentive to redevelop. Concern that roads will have haphazard alignment, confuse way-finding and have potential for provision of redundant infrastructure given provision is voluntary.</p> <p>9. Floor space trading between sites should be provided for.</p> <p>10. Opportunity to broaden land uses towards western end of the precinct</p> <p>RECOMMEND</p> <p>1. Proper stakeholder engagement</p> <p>2. S94 contributions not be levied on top of FSR purchases</p> <p>3. System be implemented for compensating the difference between market rate and \$250/sqm for land dedications etc.</p> <p>4. Retain Clause 4.6 - Exceptions to development standards where infrastructure delivery exceeds value of available floorspace bonus OR reimburse landowners OR rebate</p>	<p>would be of benefit in some circumstances.</p> <p>Road alignments have been carefully determined to retain feasible development options. The majority are located along property boundaries, over existing internal road systems and over larger lots to reduce the relative impact on these sites. This approach attempts to avoid severing lots and to reduce interface issues between lots.</p> <p>Floor space trading is not appropriate under this scheme. Transferring development rights across sites would likely result in an intensity of development on individual sites that would be inconsistent with the objectives and the desired urban form for the corridor. It may also mean that some sites are not comprehensively developed, and therefore the required public domain may not be achieved on those site.</p> <p>In addition, it is felt that lot sizes in Macquarie Park are large enough to accommodate development on site. It is felt that height controls that are a loose fit to FSR controls provide the necessary flexibility to feasibly develop sites.</p> <p>Potential for a range of land uses has been provided for at either end of the Macquarie Park Corridor, within the mixed use zones. Council supports protecting the commercial core for long term, commercial related activity.</p>	

ITEM 6 (continued)

ATTACHMENT 1

#	Document No.	Submission Summary/Issue	Planning Comments	Recommended Action
		<p>s94 for difference in costs</p> <p>5. Allow for floorspace trading between sites</p> <p>6. Pricing of land for dedication purposes be at market value, determined at VPA/DA stage.</p>		
17	D13/58842	<p>1. Requests higher FSR (4:1) to allow for feasible commercial floorplates within a building of consistent height to Hyundai building, enabling use of the 65m height control.</p> <p>2. Requests clarification over required width of road dedication as existing road (Hyundai Drive) currently 15.3m</p> <p>3. Argues proposed controls would not achieve built form and scale envisioned.</p> <p>4. Proportion of land deducted from this site is high – need higher incentive on the site to adequately compensate.</p> <p>5. FSR's along Waterloo Road spine should be greater to produce outcomes recommended in the report.</p>	<p>Proposed width of the road would be 16 meters. Therefore this site would be asked to dedicate the remainder of the 16 metres should they take up the option of accessing uplift GFA for the site.</p> <p>Amendment 1 reduces the amount of road required to be dedicated from this site and therefore the relative proportion is reduced. As the 2 adjoining lots are under the same ownership, feasible development options are considered possible.</p> <p>Proposed FSR's have been determined based on a set of guiding principles. A variation from these principles on a site specific basis, with little supporting technical documentation cannot be supported and is considered inequitable. The site currently has an FSR uplift from 2:1 to 3:1 under Amendment 1 (the highest FSR proposed across the Corridor) due to development of the site being integral to the road network. This level of development supports future worker projections, traffic and transport modelling and an urban form determined as appropriate for this precinct.</p>	No action

ITEM 6 (continued)

ATTACHMENT 1

#	Document No.	Submission Summary/Issue	Planning Comments	Recommended Action
		6. Need landmark buildings around Macquarie Park Station.	<p>Detailed background studies for Amendment 1 have determined that the proposed controls allow for viable development options across the corridor. High-level testing shows that the development of this site, and the dedication of new public domain in accordance with the plans would be feasible.</p> <p>Controls facilitating landmark/gateway buildings within the MP corridor have been removed based on the principle of providing an equitable approach to development potential throughout the corridor. Opportunities exist for landmark buildings to be developed through interesting and unique design, facades and layout.</p>	
18	D13/58809	<p>COMMERCIAL LANDOWNER</p> <ol style="list-style-type: none"> 1. Supports increased densities across the corridor 2. Request TOD/mixed use development for their site <ul style="list-style-type: none"> • consistent with planning policy and vision for Sydney at all levels of government, • residential imperative to an active centre, particularly at night • when targeted and defined, will not unduly reduce quantum of commercial core land across a very large commercial centre and 	<p>Noted</p> <p>CoR maintains a position of containing residential development to the fringes of the Macquarie Park Corridor, with the commercial core being quarantined for future commercial growth. While the concept of a transit oriented precinct around Macquarie Park Station melds well with State and Local policy, competing policies aimed at preserving viable and cohesive commercial precincts is also a consideration. Given CoR have met their metropolitan housing targets and are allowing for residential in alternate locations within the corridor, a direction to protect the majority of the Macquarie Park Corridor for long term commercial growth is an equally valuable approach to this precinct. This approach is supported by the Sydney Metropolitan Strategy and draft</p>	No action

ITEM 6 (continued)

ATTACHMENT 1

#	Document No.	Submission Summary/Issue	Planning Comments	Recommended Action
		<p>provides Council with a defensible position against spread of residential across the Corridor</p> <ul style="list-style-type: none"> • residential more likely to achieve the fine grained road networks envisioned • Proposed supply of commercial floorspace currently satisfies projected demand to 2036. • Other major commercial centres in Sydney have not been undermined by the provision of residential uses, in fact it has been essential to the vitality of these areas. • Mix of uses may alleviate traffic issues. <p>3. Ask to liase in order to submit a planning proposal.</p>	<p>Inner North Subregional Strategy.</p>	
COMMUNITY COMMENT ON DLEP 2011 – SUBMISSIONS DEFERRED FOR CONSIDERATION UNDER AMENDMENT 1.				
1	D11/16917	<p>ROADS AND MARITIME SERVICES</p> <p>Concerns with ability of Epping to Chatswood Rail Line to accommodate a 40% modal split.</p>	<p>Concerns over rail line capacity are noted. Council have undertaken new modelling of growth scenarios for Macquarie Park. The previous model referred to by the RMS in this submission is no longer used by Council. Changes to development controls under DLEP 2013 (Amendment 1) have been based on revised modelling.</p>	No action

ITEM 6 (continued)

ATTACHMENT 1

#	Document No.	Submission Summary/Issue	Planning Comments	Recommended Action
		<p>Macquarie Park Traffic model is out of date and based on a number of assumptions that need to be updated. This update will require a whole of government approach.</p> <p>Outcomes must be linked to investment in suitable infrastructure and define appropriate delivery mechanisms. One option is the potential for a single unified bus priority network through the centre, including possible dedication of land for bus layovers, bus priority measures and bus lanes.</p> <p>Recommend that the LEP provide for potential increases in FSR and heights subject to suitable public infrastructure benefit.</p>	<p>A bus priority system for the Macquarie Park Corridor would be supported by City of Ryde Council. Responsibility for provision of this infrastructure however lies with Transport NSW.</p> <p>Recommendations regarding increased FSR and height controls, subject to suitable public infrastructure benefit, have been addressed through the incentive scheme contained within Amendment 1.</p>	
2	D11/21209	<p>PROPERTY NSW</p> <p>Objects to reduced planning controls over site with removal of Clause 4.4B - network/incentive provisions etc. Claims this equates to a down zoning of the site. Does not agree with the proposed size of the new park.</p>	<p>PropertyNSW have submitted a submission for Amendment 1 which re-iterates these comments. All issues raised have been considered within Amendment 1.</p>	No action

ITEM 6 (continued)
ATTACHMENT 1

#	Document No.	Submission Summary/Issue	Planning Comments	Recommended Action
3	D11/51183	RESIDENT Should rezone area for 10+ storeys similar to corners near train station	DLEP 2013 adopts an FSR for this locality of 2:1 and height controls of 21.5m (7 storeys). The review of appropriate long term development options through Amendment 1 proposes incentive FSRs of 2:1 and heights of 45 metres. Notwithstanding this, the Herring Road Urban Activation Precinct study is currently reviewing controls for these sites, with increased development potential likely to be proposed. Despite Council requesting controls for Herring Road UAP area remain consistent with the remainder of the Macquarie Park Corridor, indications are that DoPI will pursue higher controls than Council proposes. Increased development potential is therefore likely for this locality. Heights and FSRs will necessarily need to be consistent with those developed for the precinct as a whole.	No action
FORMAL EXHIBITION OF DLEP 2011 - SUBMISSIONS DEFERRED FOR CONSIDERATION UNDER AMENDMENT 1.				
1	D12/52521 D12/52522 D12/52636	COMMERCIAL LANDOWNER Request shop top housing, FSR 5:1, 37 and 70 m height controls for the site.	This landowner has submitted a new submission for Amendment 1. Issues raised in this letter have been reiterated by the subsequent submission. These have been addressed within the Amendment 1 process.	No action
2	D12/52701 D12/53064 D12/53407	MACQUARIE UNIVERSITY Requests FSR of 4.5:1 and height of 20 storeys to reflect recent Part 3A approvals on adjoining site.	This landowner has submitted a new submission for Amendment 1. Issues raised in this letter have been reiterated by the subsequent submission. These have been addressed within the Amendment 1 process.	No action

ITEM 6 (continued)

ATTACHMENT 1

#	Document No.	Submission Summary/Issue	Planning Comments	Recommended Action
3	D12/53166 D12/55436	COMMERCIAL LANDOWNER Requests increased heights and FSR's consistent with development in the area. (Part 3A development)	This landowner has submitted a new submission for Amendment 1. Issues raised in this letter have been reiterated by the subsequent submission. These have been addressed within the Amendment 1 process.	No action
4	D12/53259 D12/52959	COMMERCIAL LANDOWNER Comments on the need to clarify permissibility of light industry in the B7 and B3 zones and neighbourhood shops within the B7 zones. Comments on DCP provisions.	This landowner has submitted a new submission for Amendment 1. Issues raised in this letter have been reiterated by the subsequent submission. These have been addressed within the Amendment 1 process.	No action
5	D12/53018	COMMERCIAL LANDOWNER Issue with removal of incentive clauses within the Macquarie Park area	Incentive clauses have been reinstated with the bonus incentive scheme contained within Amendment 1.	No action
6	D12/53086 D12/53150 D12/53209	COMMERCIAL LANDOWNER Concern over split zoning across site – request B4 zone, with consistent parking requirements across the 2 zones making redevelopment and use of the area more flexible	This landowner has submitted a new submission for Amendment 1. Issues raised in this letter have been reiterated by the subsequent submission. These have been addressed within the Amendment 1 process.	No action
7	D12/52923	COMMERCIAL LANDOWNER Hotel accommodation is an essential ancillary service for this precinct. Incentives to encourage hotel accommodation within the corridor	It is not considered appropriate for Council to be involved in benefitting specific land uses within any zone.	No action

ITEM 6 (continued)

ATTACHMENT 1

#	Document No.	Submission Summary/Issue	Planning Comments	Recommended Action
		<p>should be included in the DLEP due to higher risks with hotel accommodation provision and subsequent preference for commercial and residential redevelopment.</p>		
8	D12/53035 D12/52893 D12/53073 D12/53146	<p>PLANNING CONSULTANT</p> <p>Requests for more Transit Oriented Development/Mixed use development in the corridor</p>	<p>CoR maintains a position of containing residential development to the fringes of the Macquarie Park Corridor, with the commercial core being quarantined for future commercial growth. While the concept of increasing transit oriented precincts in the corridor melds well with State and Local policy, competing policies aimed at preserving viable and cohesive commercial precincts is also a consideration. Given CoR have met their metropolitan housing targets and are allowing for residential in alternate locations within the corridor, a direction to protect the majority of the Macquarie Park Corridor for long term commercial growth is an equally valuable approach to this precinct. This approach is supported by the Sydney Metropolitan Strategy and draft Inner North Subregional Strategy.</p>	<p>No action</p>

ITEM 6 (continued)

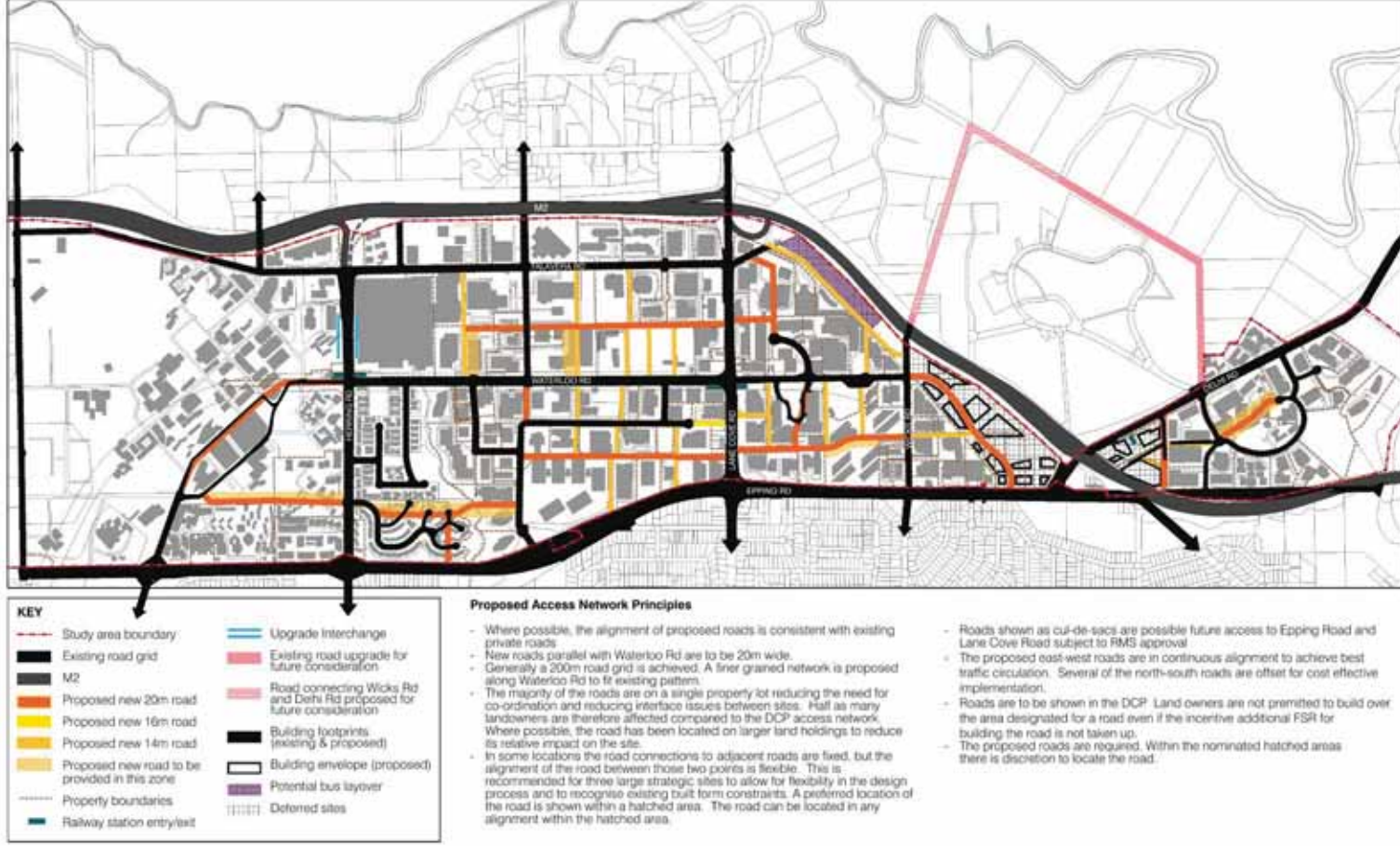
ATTACHMENT 1

#	Document No.	Submission Summary/Issue	Planning Comments	Recommended Action
LATE SUBMISSIONS TO DLEP 2011 - SUBMISSIONS DEFERRED FOR CONSIDERATION UNDER AMENDMENT 1.				
1	D12/98439	<p>COMMERICAL LANDOWNER</p> <p>Reiterates previous comments and clarifies comments made at Council workshop regarding need to restrict residential in the commercial core, and the impact of residential uses on the necessary servicing operations of a commercial use, and concerns over inequitable/favourable treatment of 31-33 Waterloo Road site. Clarification of minutes of their address to Council meeting, 11 December 2011.</p>	<p>This landowner has submitted a new submission for Amendment 1. Issues raised in this letter have been reiterated by the subsequent submission. These have been addressed within the Amendment 1 process.</p>	No action
2	D12/83121	<p>ROADS AND MARITIME SERVICES</p> <p>Reiterates issues raised in letter submitted during public comment phase of DLEP process. Additional comments relating to the DCP included.</p>	<p>Comments on the DCP will be considered within the review of Macquarie Park development controls within DDCP 2011.</p> <p>A response to issues raised previously is included with previous letters' response above. (D11/16917)</p>	Review DCP comments as part of the draft RDCP 2011 review.

ITEM 6 (continued)

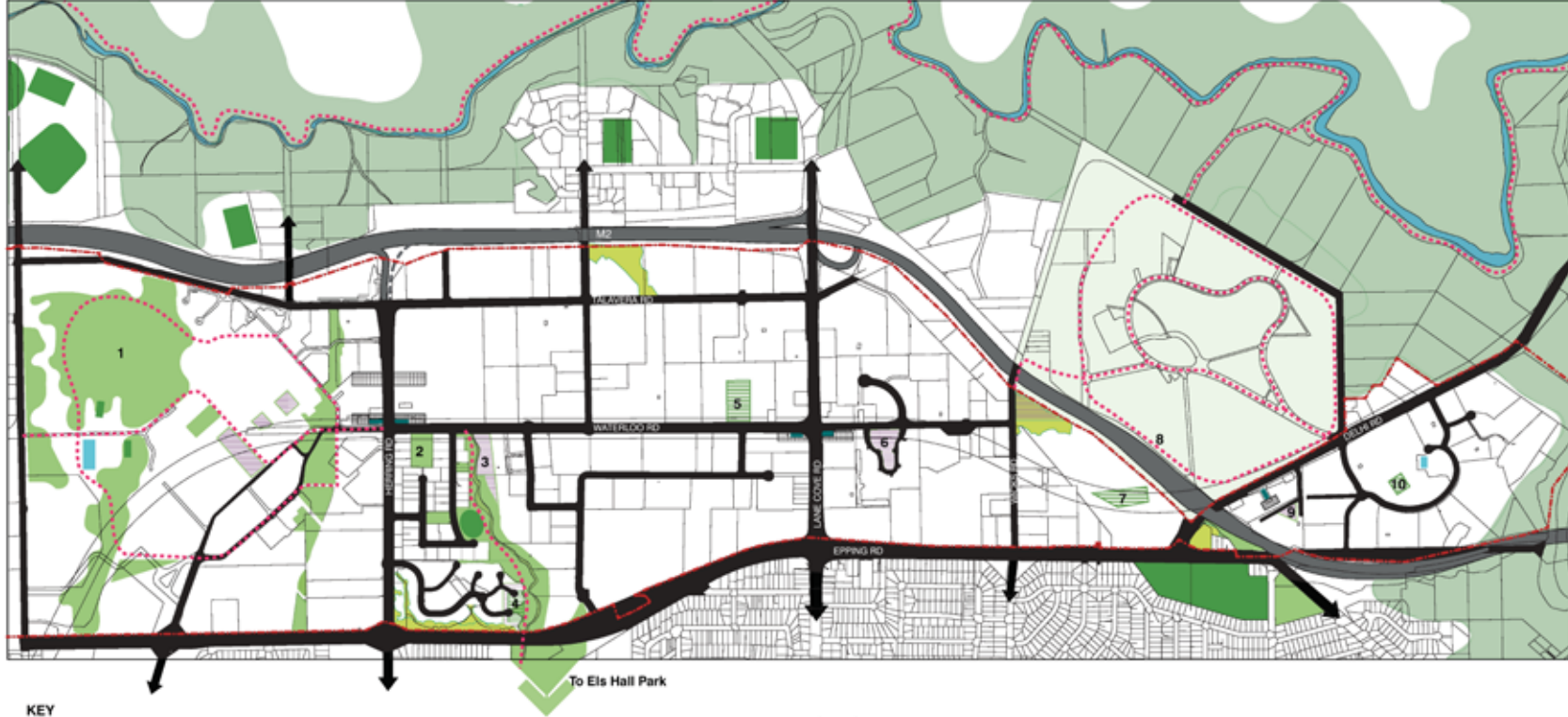
ATTACHMENT 2

architectus™



ITEM 6 (continued)

ATTACHMENT 2



KEY

Study area boundary	Urban plaza	Railway station entry/exit
Current street grid	Proposed passive open space	Existing significant trees to be retained
M2	Proposed active open space	
Cemetary	Lane Cove National Park	
Existing passive open space	Fitness trail	
Existing active open space	Existing swimming pool	

1. Macquarie University Open Space
2. Elouera Reserve
3. Shrimptons Creek Main Park
4. Shrimptons Creek Linear Park Extension with oval
5. Central Park
6. Thomas Holt Drive Park
7. TCA central open space
8. Fitness Trails
9. North Ryde Station Park
10. Riverside Park

Proposed open space network principles

- Focus a variety of both active and passive open spaces along Waterloo Rd
- Symbolic town park in central location near Macquarie Park Station
- Strengthen and widen Shrimptons Creek open space corridor
- Provide strong links to National Park
- Provide opportunities for green fitness loops

ITEM 6 (continued)

ATTACHMENT 3

Summary of Expected Changes to draft Ryde DCP 2011 – Macquarie Park Corridor

Part/Section of DCP	Description of change
GENERAL	
	General review of DCP text to ensure overall consistency with controls proposed within Amendment 1.
SECTION 3 – STRUCTURE PLAN	
Page 15 – Figure 4.5.05 – Street Network Structure Plan.	Replace diagram with new Proposed Access Network plan.
Page 16 - Section 3.2 - Street Network	Update text consistent with proposed new street network structure.
Page 16-17 – Section 3.3 - Pedestrian Ways, Through-Block Connections and Arcades	Revise text consistent with Amendment 1
Page 18 – Figure 4.5.06a – Proposed Pedestrian Structure Plan	Replace with new Proposed Pedestrian network plan
Section 3.4 - Open Space Network	Revise text consistent with Amendment 1
Page 20 – Open Space Network Structure Plan	Replace with Proposed Open Space Network plan.
Page 21 – Section 3.5 – Built Form	Update text
Page 22 – Figure 4.5.07 – Built Form Structure Plan	Replace with Place Making, Active frontages and Recreational attractors plans
SECTION 4 – SPECIAL PRECINCTS	
Pp 23 – 46 –Macquarie Park Station precinct, North Ryde Station Precinct and Macquarie University Station precinct.	Remove Section 4 - Special Precincts and relocate relevant text into Part 4.5 – Macquarie Park Corridor as appropriate.
SECTION 5 – PUBLIC DOMAIN	
Page 47 – 54 – Section 5.1 - Streets	Update text and insert new plans and diagrams to reflect new street typologies and street sections.
Page 55-57 – Public Open Space	Update text and remove central park diagram – replace with written descriptors
Page 59-60 – Section 5.2.3 – Industrial Creek	Delete

ITEM 6 (continued)

ATTACHMENT 3

Part/Section of DCP	Description of change
Page 61-53 – Section 5.2.4 – Shrimptons Creek: South (Wilga Park)	Delete “South (Wilga Park)” from title. Update text and remove Illustrative Plan of foreshore treatment.
Page 64-66 – Section 5.2.5 – Porters Creek Stormwater Management Open Space Network.	Delete
Page 69-70 – Thomas Holt Drive	Update text and remove Illustrative plan.
Page 70-71 – Talavera Road	Delete
Page 78 – Figure 4.5.77 – Indicative Cycleways	Delete plan
Page 82-84 – Section 5.3.7 – Implementation – Infrastructure, facilities and public domain improvements	Update to reflect new bonus incentive scheme Include statement that infrastructure locations must not be built over should new development remain within base rate provisions
SECTION 6 – SITE AND BUILDING DESIGN	
Page 85- 91 – Section 6.1 – General Built Form Control	Review and update Section to reflect new height and FSR controls and revised built form recommendations, including; <ul style="list-style-type: none"> • setback and build to lines, including to new roads • side and rear setbacks, • building bulk, • deep soil areas, • active frontages, • Pedestrian through site links,
SCHEDULES	
Page 122- 132 – Schedules 1,2 and 3	Review to ensure information is up to date.

7 DISCLOSURE OF INTEREST RETURNS - 2012-2013

Report prepared by: Governance Support Coordinator
File No.: CLR/07/8/8/6/3 - BP13/1373

REPORT SUMMARY

This report provides a summary of the status of all Disclosure of Pecuniary Interest Returns that were required to be lodged for the period 1 July 2012 to 30 June 2013, in accordance with the *Local Government Act 1993* (the Act).

Under Section 449 of the Act, Councillors and designated persons are required to lodge an annual Disclosure of Pecuniary Interests Return by 30 September each year. In addition Section 450A of the Act requires the General Manager keep a register of the pecuniary interest returns that are required to be lodged, and of those that have been lodged.

RECOMMENDATION:

- (a) That the Register of Disclosure of Pecuniary Interest Returns, as required under Section 450A of the *Local Government Act*, is tabled.
- (b) That the Division of Local Government is provided with a copy of this report.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Lorie Parkinson
Governance Support Coordinator

Report Approved By:

Amanda Janvrin
Section Manager - Governance

Shane Sullivan
Acting Group Manager - Corporate Services

ITEM 7 (continued)**Discussion**

Section 449 of the *Local Government Act 1993* (the Act) requires Councillors and designated persons to lodge an annual Disclosure of Pecuniary Interests Return with the General Manager by 30 September each year.

Section 450A of the Act requires the General Manager to keep a register of these Disclosure of Pecuniary Interest Returns and to table these returns at the first Council meeting after the lodgement date.

Council is advised that

- 11 Councillors lodged their annual returns by the 30 September 2013 deadline.
- Councillor Salvestro-Martin did not provide his return by 30 September 2013. It was subsequently received on 15 October 2013.
- 147 designated persons (staff) lodged their annual returns by the 30 September 2013 deadline.
- Dominic Johnson – Group Manager, Environment and Planning did not provide his return by 30 September 2013. Mr Johnson has been on extended leave, and will be required to complete the declaration when he returns in November 2013.

The Register of Disclosure of Pecuniary Interests Returns is tabled.

Financial Implications

Adoption of the recommendations will have no financial impact.

Critical Dates

The following deadline was required to be met:

- Completed Disclosure of Pecuniary Interests Returns were required to be lodged with the General Manager by 30 September 2013.

8 EXECUTIVE CERTIFICATE FOR ELECTED MEMBERS - Sydney 2013 and Coffs Harbour 2014

Report prepared by: Councillor Support Coordinator
File No.: CLR/07/8/83 - BP13/1481

REPORT SUMMARY

This report is presented to Council for its consideration of Councillor participation in the Executive Certificate for Elected Members which is a five day course held in Sydney between November and December 2013 and Coffs Harbour between February to March 2014.

RECOMMENDATION:

That Council consider the participation of Councillors in the Executive Certificate for Elected Members course which is a five day course held in Sydney between November and December 2013 and Coffs Harbour between February to March 2014.

ATTACHMENTS

- 1 Course Information – Executive Certificate for Elected Members

Report Prepared By:

Sheron Chand
Councillor Support Coordinator

Report Approved By:

Amanda Janvrin
Section Manager - Governance

Shane Sullivan
Acting Group Manager - Corporate Services

ITEM 8 (continued)**Discussion**

The Local Government NSW in partnership with TAFE NSW and Centre for Local Government – UTS are offering Councillors to participate in an Executive Certificate for Elected Members.

The course is provided over a period of 5 days and in the following 3 stages:

- Stage 1 – Introduction to the Role of an Elected Member (1 day)
- Stage 2 – Legislative Responsibilities of NSW Elected Members (2 days)
- Stage 3 – Effective Decision Making (2 days)

ATTACHED is a copy of the course program.

Upon completion of all three stages of the course, Councillors will receive a Statement of Attainment for the National Elected Members' Skill Set and a UTS Executive Certificate for Elected Members.

The course is conducted in two locations – Sydney and Coffs Harbour.

<i>Sydney</i>	<i>Coffs Harbour</i>
Aerial UTS Function Centre	Aqualuna Beach Resort
Stage 1 – 1 November 2013	Stage 1 – 28 February 2014
Stage 2 – 2 to 3 November 2013	Stage 2 – 1 to 2 March 2014
Stage 3 – 6 to 7 December 2013	Stage 3 – 28 to 29 March 2014

Councillors were advised in the Councillors Information Bulletin dated 10 October 2013 that there are no accommodation costs provided for the course session held in Coffs Harbour should Councillors wish to attend this venue in lieu of the Sydney venue.

In the Councillors Information Bulletin, Councillors were requested to advise their interest to participate in the course by Monday, 14 October 2013. There were no expressions of interest received.

Staff have been advised that some places have already been filled for the Sydney session which may mean that it will not be possible to accommodate all interested Councillors at this time. However, staff have been advised by Local Government NSW that there is an intention to run future courses as demand requires.

ITEM 8 (continued)**Travel Arrangements to Conference**

Councillors can attend the course via taxi, public transport or using their own vehicle and receive reimbursement on the travel expenses, including parking fees.

There is no accommodation provided for attendance to the course.

Financial Impact

The fee for this course is \$3,500 per person.

Currently there is an allocation of \$30,000 in the 2013-2014 budget for training and conferences provided to Councillors. The estimated balance remaining is \$19,731 and is subject to Council's resolution on number of Councillors participating in this course.

Council will meet the cost of Councillors travel to and from the Course venue as well as any other out-of-pocket expenses in accordance with the Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors Policy.

Other Options

Council may resolve that no Councillor undertake this course.

ITEM 8 (continued)

ATTACHMENT 1

EXECUTIVE CERTIFICATE FOR ELECTED MEMBERS



The Executive Certificate for Elected Members will initially be conducted in two NSW locations – Sydney and Coffs Harbour

SYDNEY

Venue

Aerial UTS Function Centre
Level 7, 235 Jones St, Ultimo NSW 2007

Dates

- Stage 1 (1 day): 1 November 2013
- Stage 2 (2 days): 2–3 November 2013
- Stage 3 (2 days): 6–7 December 2013

Register lgnsw.org.au/learning

COFFS HARBOUR

Venue

Aqualuna Beach Resort
840 Pacific Highway, Sapphire Beach,
Coffs Harbour NSW 2450

Dates

- Stage 1 (1 day): 28 February 2014
- Stage 2 (2 days): 1–2 March 2014
- Stage 3 (2 days): 28–29 March 2014

ITEM 8 (continued)

ATTACHMENT 1

EXECUTIVE CERTIFICATE FOR ELECTED MEMBERS

Overview

Local Government NSW (LGNSW), in partnership with the University of Technology, Sydney - Centre for Local Government and TAFE NSW, has developed a high quality accredited program for NSW Elected Members. Based on the new National Local Government Training Package Skills Set for Elected Members, and designed with the support of the Australian Centre of Excellence for Local Government (ACELG), the program will be delivered in regional and metropolitan locations.

Participants will have the opportunity to acquire skills and knowledge to improve their effectiveness as a leader in their council and local community. This course will help them to better understand their legislative responsibilities, and build their skills and capacity to have a positive and well informed impact on council decision-making.

Program fee: \$3,500

The program fee will cover attendance at three workshops, with the first to be delivered by NSW TAFE and the second and third to be delivered by the UTS Centre for Local Government.

Previous participants of *relevant LGNSW professional development workshops will be given credit for Stage 2, and will only need to attend workshops for Stages 1 and 3, reducing the program fee to \$2,200.

* For a list of relevant LGNSW professional development workshops, contact our training unit, Local Government Learning Solutions, on **9242 4181** or **9242 4081** or at learning@lgnsw.org.au

Qualifications

Participants will receive a TAFE NSW Statement of Attendance on completion of Stage 1, and will engage in a range of discussions, problem-solving tasks and activities throughout the course that will enable assessment of their achievement of course competencies and learning outcomes. On successful completion of Stages 2 and 3 participants will receive a Statement of Attainment for the National Elected Members' Skill Set as well as a UTS Executive Certificate for Elected Members.

Eligible participants wishing to progress to postgraduate tertiary studies will receive one subject credit towards the UTS Centre for Local Government's Graduate Certificate in Local Government Leadership or the Master of Local Government.

Topics covered

Stage 1 – Introduction to the Role of an Elected Member (1 day)

- Overview of Local Government in NSW
- Understanding where to find assistance – LGNSW functions, peers, role of the DLG etc
- Understanding how to review and analyse issues using council policies, decision-making processes and legislative responsibilities
- Understanding the separation of responsibilities between councillors and employed staff
- Defining advocacy and community representation

Stage 2 – Legislative Responsibilities of NSW Elected Members (2 days)

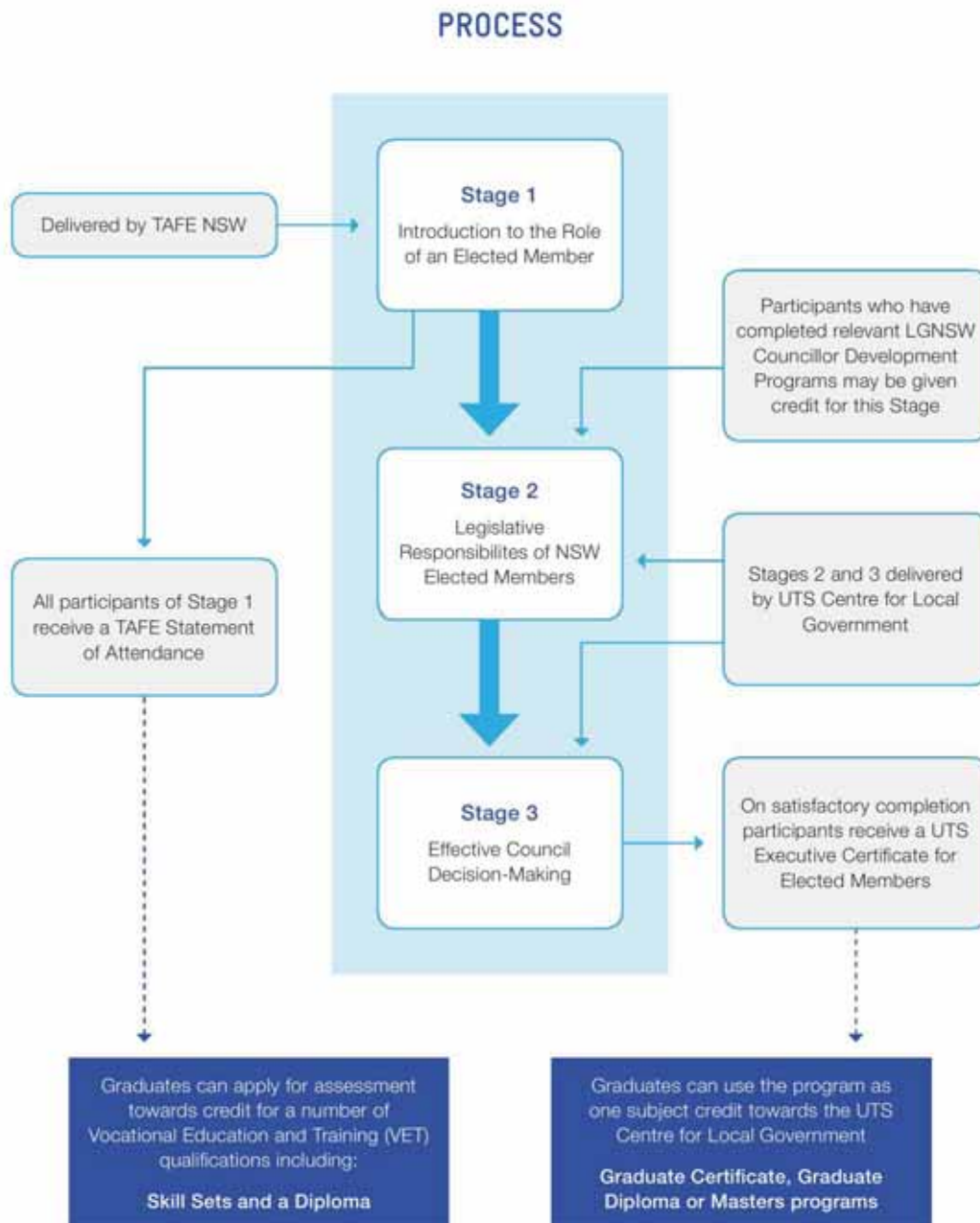
- Clarifying limitations on council and councillor jurisdiction
- Meeting procedures and Code of Conduct issues
- Understanding the requirements of the Integrated Planning and Reporting framework
- Introduction to the land-use planning system
- Introduction to finance and asset management strategies

Stage 3 – Effective Decision-Making (2 days)

- Working with others to achieve outcomes
- Engaging with the community – representation vs participation
- Problem solving and identification of solutions
- Setting vision, direction and policy
- Balancing short term and longer term needs and issues
- Local area and place-based leadership

ITEM 8 (continued)

ATTACHMENT 1



ITEM 8 (continued)

ATTACHMENT 1

DETAILS

Registration

Complete the online registration form at
www.lgnsw.org.au/learning

Payment Information

On confirmation of your registration, LGNSW will invoice your council.

More Information

LGNSW's training unit, Local Government Learning Solutions, is coordinating this program on behalf of our accreditation partners, TAFE NSW, the UTS Centre for Local Government, and the Australian Centre of Excellence for Local Government.

Contact

Please contact our Learning Solutions team at:
02 9242 4181 / 4081 or learning@lgnsw.org.au

Partner Web Addresses

www.lgnsw.org.au

www.clg.uts.edu.au

www.tafensw.edu.au

www.acelg.org.au



9 DEBT ADMINISTRATION POLICY - Review of Hardship Policy

Report prepared by: Chief Financial Officer
File No.: FIM/07/6/1 - BP13/1308

REPORT SUMMARY

A review of Council's Rates Recovery and Hardship Policy has been undertaken. As a result the entire Debt Administration process was reviewed and a new supporting Policy has been prepared.

This report recommends that Council revoke the existing Rates Recovery and Hardship Policy and adopt the **ATTACHED** Debt Administration Policy and Debt Administration Procedures, noting that the former provisions regarding rates recovery and hardship are maintained in the revised policy.

The new **ATTACHED** policy is more comprehensive and inclusive. The Policy takes into account all debts owed to Council, to ensure a consistent approach is undertaken with all debts, while continuing to maintain the provisions with regard to financial hardship.

RECOMMENDATION:

- (a) That Council revokes the Rates Recovery and Hardship Policy last adopted by Council in February 2009, noting that the former provisions regarding rates recovery and hardship are maintained in the revised policy as **ATTACHED**.
- (b) That Council adopts the **ATTACHED** Debt Administration Policy and Debt Administration Procedures.

ATTACHMENTS

- 1 Draft Debt Administration Policy - 2013
- 2 Draft Debt Administration Procedures - 2013

Report Prepared By:

John Todd
Chief Financial Officer

Report Approved By:

Shane Sullivan
Acting Group Manager - Corporate Services

ITEM 9 (continued)

Discussion

Council has had a Rates Recovery and Hardship policy which included procedures for the recovery of rates, and incorporated provisions for hardship. The policy was last updated in February 2009.

This policy was due for review in 2011. At the time, Council was in the process of implementing an upgrade to its Financial System, TechnologyOne. As part of that upgrade process, the whole of the Debt Administration process was reviewed. The review indicated that the policy, as it stood, was deficient in relation to debts, other than rates.

The new **ATTACHED** policy and procedures on Debt Administration sets out how Council should undertake the two main components of Debt Administration, being:

1. Debt Management
2. Debt Recovery

It is noted that the former provisions with regard to financial hardship that were part of the previous policy are maintained in the revised policy.

1. Debt Management

This is the first part of the process from the point of inception of the debt, through to the various follow up letters, such as Reminder Notices, Final Notices etc, and falls short of taking legal action.

During this part of the process, the aim is that the Debtor, whether for rates or other debts, enters into and keeps arrangements to satisfy the debt in the quickest possible term, but also aligned with their capacity to pay based on the frequency they receive income.

It is within the debt management area that provisions with regard to financial hardship are included.

2. Debt Recovery

This is the second part of the process, where the Debtor has not paid, despite the efforts of staff to enter into a successful payment arrangement.

Debt Recovery includes the taking of legal action through the issuance of a Statement of Liquidated Claim (SLC) and other processes through the Court System.

To undertake this process, either in-house or through a debt recovery agency, Council needs the ability to extract the necessary information from its Financial System. The necessary changes to the TechnologyOne system are part of the overall TechOne Enhancement Project, and are included in the Delivery Plan.

ITEM 9 (continued)

By the end of October 2013, Council staff will have undertaken testing to determine if Council is able to use the new *JusticeLink* system to issue an SLC and other documentation.

The new policy is **ATTACHMENT 1** and the new procedures are **ATTACHMENT 2**. These documents have been drafted to complement the processes that have been created within the Financial System.

Over the next 12 months further work will be done in documenting the processes within all areas of Council, including Libraries and Home Modification and Maintenance.

Financial Implications

The ability to effectively manage and recover debt is an important aspect of Council's financial management systems.

ITEM 9 (continued)

ATTACHMENT 1

DEBT ADMINISTRATION POLICY

Scope

This policy is relates to the management and recovery of debts owed to Council, including rates, annual charges and other fees and charges and including hardship and pensioner rebates.

Purpose

This policy is to ensure effective control, management and recovery of debts owed to Council, including rates, annual charges and other fees and charges. It also includes the policy in relation to recovery of debts from pensioners.

Guidelines / Procedures

Council will undertake debt management and debt recovery proceedings in relation to all debts owed to Council, in accordance with this policy, Section 712 of the Local Government Act 1993 as amended ("the Act") and the procedures developed for implementation of this policy.

Glossary of Terms

Debt Management Debt management is the process by which debts are followed up by Council prior to the commencement of any legal action.

It includes the issuance of Statements, Reminder Notices, Final Notices and Letters of Demand. It also includes the making of arrangements to pay the debt off, over a period of time.

Debt Recovery Debt recovery is the process by which debts are recovered, through legal action, where debt management has failed in getting the debt paid and is commenced before the expiration of the statute of limitations for recovery of debts.

It includes the issuance of a Statement of Liquidated Claim, Examination Summons, Writ of Execution and any other legal process permitted in the recovery of debts.

Title of Policy		
Owner: Finance	Accountability:	Policy Number: # <i>Provided by Governance</i>
Trim Reference: D13/	Review date:	Endorsed: Date and Authority

ITEM 9 (continued)

ATTACHMENT 1

DEBT ADMINISTRATION POLICY

References - Legislation

Details of relevant legislation, including any requirements for consultation or public exhibition

Review Process and Endorsement

This policy will be reviewed and evaluated every two years from date of adoption, or when legislation is changed that affects this policy.

Title of Policy		
Owner: Finance	Accountability:	Policy Number: # <i>Provided by Governance</i>
Trim Reference: D13/	Review date:	Endorsed: Date and Authority

ITEM 9 (continued)

ATTACHMENT 2

DEBT ADMINISTRATION PROCEDURE

Related Policy

These procedures are for the implementation of the Debt Administration Policy and provide procedures to be followed by staff engaged in Debt Management and Debt Recovery and their managers.

The recovery of overdue debts, including rates, annual charges and other fees and charges, in accordance with these procedures, may only be taken if authorised by Council's Debt Administration Policy.

Compliance

Council will, at all times, comply with all relevant legislation, Court rules and legal procedures that are in affect at the time of undertaking either Debt Management or Debt Recovery.

Debt Management and Debt Recovery

Council undertakes both Debt Management and Debt Recovery for the following areas of its business:

- Rates and Annual Charges
- Accounts Receivable
- Ryde Aquatic Leisure Centre
- Library Services
- Regulatory Services, including health notices

Debt Management

Debt management is the process by which debts are followed up by Council prior to the commencement of any legal action.

It includes the issuance of Statements, Reminder Notices, Final Notices and Letters of Demand. It also includes the making of arrangements to pay the debt off, over a period of time

The Debt Management process is controlled by the Business Area that raises the debt and may be undertaken by the business area or outsourced to a mercantile agent, depending upon the capabilities of the business area's computer system.

Rates and Annual Charges

Debt management for rates and annual charges consists of the following steps:

- Arrangements to pay, including
 - Arrangement confirmation
 - Monitoring; and

Name of Procedure		
Owner: Service Unit	Accountability:	Issue: Date
Trim Reference:	Policy: Relevant Policy	Page 1 of 12

ITEM 9 (continued)

ATTACHMENT 2

DEBT ADMINISTRATION PROCEDURE  City of Ryde
Lifestyle and opportunity
@ your doorstep

- Default follow-up
- Instalment Reminder Notice
- Missed Instalment Notice
- Final Notice

Arrangements to pay – Section 564 Local Government Act, 1993

In certain cases, some Ratepayers may genuinely be experiencing a period of financial hardship and as a result may have difficulty in meeting the cost of each rates instalment as and when it falls due. In such cases, Council will consider an arrangement for periodical payment of Rates and Charges.

- An arrangement may be entered into at any time during the debt management or debt recovery process, except when Council has resolved to sell a property under the Sale of Land provisions outlined in the Local Government Act.
- The amount to be paid by a payment arrangement should be overdue, but Council may accept and record an offer by a ratepayer to make payments in advance.
- If an arrangement is required for an amount not yet due a new arrangement may be entered into after the amount becomes overdue.

The following guidelines should be met before any arrangement is accepted:

- The arrangement should be negotiated on the basis that the overdue amount be finalised within a mutually agreed timeframe.
- Arrangements may be made on a weekly, fortnightly, monthly or bi-monthly basis but should align with how the ratepayer gets paid.
- An extension of time, extending beyond 31 days, without a regular payment being agreed to, **will not** be accepted.
- However, extenuating circumstances can be taken into consideration if any of the above conditions cannot be met, but must be referred to Team Manager Rates & Revenue for approval.

Instalment Reminder Notice

Instalment Reminder Notices are issued quarterly in accordance with Section 562 of the Local Government Act, 1993.

Name of Procedure		
Owner: Service Unit	Accountability:	Issue: Date
Trim Reference:	Policy: Relevant Policy	Page 2 of 12

ITEM 9 (continued)

ATTACHMENT 2

DEBT ADMINISTRATION PROCEDURE

Missed Instalment Notice

A "Missed Instalment Notice" will be issued within 10 working days of the due date of the instalment giving a further 7 days from the date of the Notice to pay or make a satisfactory arrangement. This notice **will not** be sent to ratepayers who:

- have made a satisfactory arrangement for payment with Council, or
- have legal action in progress for the overdue amount or
- the balance overdue is less than \$10.00.

Final Notice

A Final Notice will be issued within 5 days of the due date of the Missed Instalment Notice giving 7 days to pay or make an arrangement and informing the ratepayer that failure to comply with the Final Notice will result in commencement of legal action.

A Final Notice **will not** be issued unless:

- Rates overdue are greater than \$300.00 in total.
- An existing payment arrangement for the overdue amount is in default and a Final Arrangement Default Letter has not been complied with,
- The overdue amount is not the subject of current legal action.

However, a Final Notice may be issued at any time as determined by the Chief Financial Officer.

Accounts Receivable

Debt management for Accounts Receivable consists of the following steps:

- Arrangements to pay, including
 - Arrangement confirmation
 - Monitoring; and
 - Default follow-up
- Monthly Statement
- Reminder Notice
- Final Notice

Arrangements to Pay

In certain cases, some Debtors may genuinely be experiencing a period of financial hardship and as a result may have difficulty in paying the sundry debt

Name of Procedure		
Owner: Service Unit	Accountability:	Issue: Date
Trim Reference:	Policy: Relevant Policy	Page 3 of 12

ITEM 9 (continued)

ATTACHMENT 2

DEBT ADMINISTRATION PROCEDURE

City of Ryde
 Lifestyle and opportunity
 @ your doorstep

as and when it falls due. In such cases, Council will consider an arrangement for periodical payment.

- An arrangement may be entered into at any time during the debt management or debt recovery process,

The following guidelines should be met before any arrangement is accepted:

- The arrangement should be negotiated on the basis that the overdue amount be finalised within 6 months.
- Arrangements may be made on a weekly, fortnightly, monthly or bi-monthly basis but should align with how the debtor gets paid.
- An extension of time, extending beyond 31 days, without a regular payment being agreed to, **will not** be accepted.
- However, extenuating circumstances can be taken into consideration if any of the above conditions cannot be met, but must be referred to Team Manager Rates & Revenue for approval.

Monthly Statement

A Statement will be issued within 5 days of the last working day of the month showing all outstanding invoices and the balance due on each invoice.

Reminder Letter

- A reminder notice will be issued for any invoice which is overdue greater than 30 days.
- The Notice will request that payment or an arrangement be made with 7 days of the date of the letter.
- A reminder notice **will not** be issued where a suitable arrangement to pay for the overdue amount is being kept.

Final Notice

- A final notice will be issued for any invoice which is overdue greater than 60 days.
- The notice will request payment or an arrangement to pay be made within 7 days of the date of the letter,
- The final notice will include a statement that failure to pay or make a suitable arrangement may result in legal action being taken.

Name of Procedure		
Owner: Service Unit	Accountability:	Issue: Date
Trim Reference:	Policy: Relevant Policy	Page 4 of 12

ITEM 9 (continued)

ATTACHMENT 2

DEBT ADMINISTRATION PROCEDURE  City of Ryde
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- A final notice **will not** be issued where an arrangement to pay for the overdue amount is being kept or recovery action is in progress for the overdue invoice/s.

Ryde Aquatic Leisure Centre

Debt management for the Ryde Aquatic Leisure Centre consists of the following:

- Courtesy Reminder
- Follow-up telephone call
- Debtors Reminder Letter 1
- Final Notice (Debtors Reminder Letter 2)

Courtesy Reminder

A Courtesy Reminder will be issued within 5 days of the last working day of the month showing all outstanding invoices and the balance due on each invoice.

Follow-up telephone call

The Courtesy Reminder will be followed-up with a telephone call after the due date for payment shown on the Courtesy Reminder.

Debtors Reminder Letter 1

- A reminder notice will be issued for any invoice which is overdue greater than 30 days.
- The Notice will request that payment or an arrangement be made with 7 days of the date of the letter.
- A reminder notice **will not** be issued where a suitable arrangement to pay for the overdue amount is being kept.

Final Notice (Debtors Reminder Letter 2)

- A final notice will be issued for any invoice which is overdue greater than 60 days.
- The notice will request payment or an arrangement to pay be made within 7 days of the date of the letter,
- The final notice will include a statement that failure to pay or make a suitable arrangement may result in the matter being referred for recovery action.

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ATTACHMENT 2

DEBT ADMINISTRATION PROCEDURE

- A final notice **will not** be issued where an arrangement to pay for the overdue amount is being kept or recovery action is in progress for the overdue invoice/s.

City of Ryde Library

Debt Management for the City of Ryde Library will be undertaken in accordance with the City of Ryde Library Debt Management procedures to be advised.

Regulatory Services

Debt management of amounts due for Regulatory Services is unique to each type of service rendered. The different methods are being developed and will be incorporated when finalised.

Debt Recovery

Debts from all of the areas of business listed above will be referred from Debt Management to Debt Recovery if the following criteria are satisfied:

1. The debt for all business areas other than rates and charges has been overdue for less than three years.
2. The debt, in the case of rates and charges, has been overdue for less than 20 years.
3. A Final Notice warning of possible recovery action has been issued for the overdue amount.
4. The amount to be referred to Debt Recovery does not exceed the amount shown on the Final Notice plus interest in the case of overdue rates and charges.
5. Amounts referred are greater than \$300.00 in total (excluding legal costs).
6. An existing payment arrangement for the overdue amount is in default and a request for the payment arrangement to be brought up to date has not been complied with.
7. The overdue amount is not the subject of current legal action.

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ATTACHMENT 2

DEBT ADMINISTRATION PROCEDURE

The debt recovery process for all business areas of council consists of the following steps:

- Notice of Intention to Take Legal Action
- Statement of Liquidated Claim
- Judgment at Court
- Examination Summons
- Garnishee Order
- Writ of Execution

In the case of rates and charges the following additional two debt recovery processes are available:

- Rent Orders
- Sale of Land for Unpaid Rates

Debt recovery may be taken, either in-house using Council staff or systems or, it may be outsourced to a mercantile agent.

The relevant action/process to be applied in each case will be determined by the Team Manager Rates & Revenue or the Chief Financial Officer. In determining the relevant action consideration will take into account the debtors/ratepayer's history of payments, the amount outstanding and the likelihood of the action being successful.

The aim is to get the debtor either to satisfy the debt in full or to enter into arrangements to pay that they can meet, so as to avoid further legal action.

Notice of Intention to Take Legal Action

- A Notice of Intention to Take Legal Action will be issued as the first step in the Debt Recovery process for all business areas of Council.
- A Notice of Intent **will not** be sent to people who are the holder of a pensioner concession card except, in the case of rates and charges, a Notice of Intent will be served for debts which have been overdue for less than 20 years.
- The Notice of Intent will demand the payment of the overdue amount or the making of a satisfactory payment arrangement by a due date stipulated in the Notice.

Statement of Liquidated Claim

If the debt remains unpaid after the due date stipulated in the Letter of Intention to Take Legal Action, or an appropriate payment arrangement, which satisfies the "Arrangement Guidelines" has not been made, then a "Statement of Liquidated Claim" (i.e. Summons) will be issued by the Court.

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ATTACHMENT 2

DEBT ADMINISTRATION PROCEDURE

Judgement at Court

Once service is made of the summons, and it remains unpaid after 28 days, an application will be made to the Court for judgement, including costs and interest.

Examination Summons

Once judgement is made and if deemed necessary, an application will be made for an examination summons, so that the financial affairs of the debtor can be determined to see what further action can be taken to recover the outstanding amounts.

Garnishee Order

Once the Examination Summons is complete and the debtor is not making payments or has not fully satisfied the debt, then an application will be made to the Court for a Garnishee against the debtor's income source.

Writ of Execution

Should a Garnishee fail, then a Writ of Execution will be sought from the Court, so that assets of the debtor can be seized to satisfy the debt.

Sale of Land

Should all avenues of recovery action be unsuccessful, Council is able, under Section 713 of the Act, to sell land for overdue rates and charges where the rates and charges remain unpaid for a period of more than five years.

A report will presented to Council each year in relation to those properties that fall within Section 713 of the Act.

Hardship generally – rates and charges

Waiver of Interest in Certain Circumstances

Interest on overdue/accrued Rates and Charges is to be applied in accordance with Section 566 of the Act.

In accordance with Section 564 of the Local Government Act, 1993, Council may write off or reduce interest if the person complies with the arrangement and in accordance with Council's delegations.

Accrued interest on Rates and Charges may be written off in accordance with Section 567 of the Act, due to financial hardship upon written application, in accordance with the administrative guidelines.

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DEBT ADMINISTRATION PROCEDURE

Costs and Interest

Unless the imposition of legal costs and/or interest is deemed to be in error, the waiving of legal costs and/or interest **will not** be considered except in exceptional circumstances. When assessing the writing off of interest, in accordance with Section 567 of the Act, the following circumstances are considered:

- The ratepayer is experiencing genuine hardship. In such cases, Council may, request some evidence or substantiation of the hardship before waiving interest.
- The ratepayer has not incurred interest for late payment in the last two years, and there are mitigating circumstances.
- They are a new owner, and their solicitor has notified Council of an incorrect address for service of notices.
- Prolonged or serious illness has prevented the Ratepayer meeting their expenses.
- The amount of interest is less than \$5.00
- In the case of Legal Costs:
 - Legal action was taken in error,
 - It is considered that, under the circumstances, legal action should not have been taken,
 - The waiving of legal costs are part of an arrangement to pay where the waiver of legal costs has been used an incentive to maintain the arrangement. In this case legal costs agreed to be waived will only be waived if the arrangement is kept and when the arrangement has been completed.
- The write-off is done in accordance with Council's delegation at the time.

Resulting from new valuations

- Section 601 of the Local Government Act, 1993 refers to hardship arising from land valuation changes and allows Council at its discretion to waive, reduce or defer the payment of the whole or part of the increase in the amount of the rate payable as a result of using new land valuations for the basis of calculating rates.
- The ratepayer would be required to complete an application detailing their financial position that would then be assessed by Council Officers.
- If Council is satisfied it falls within a category of hardship, it has the discretion to waive, reduce or defer the payment.

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DEBT ADMINISTRATION PROCEDURE

- The General Manager has delegated authority to determine these applications.
- Hardship applications are generally available only for exceptional circumstances.

Pensioners

Recovery of amounts owed by Pensioners

Council encourages eligible pensioners to meet their rate commitments as they fall due. Where an eligible pensioner is in financial difficulty, Council officers shall take into account the limited income of eligible pensioners and may enter into an agreement with them for the payment of rates by arrangement.

As a general principle, Council does not take legal action against pensioners; however each case will be assessed individually on its merits.

Eligible pensioners who are suffering extreme financial hardship are able to apply to have their rates reduced or deferred, in accordance with Section 582 of the Act.

Voluntary Council Rebate

Council provides a voluntary Council rebate of \$80 per annum which is only available to ratepayers who are "eligible pensioners" and were already in receipt of this rebate from Council prior to 31 December 1992 who had to be on a full pension and lived in the area for 10 years.

This rebate is no-longer granted and is being phased out through attrition. This rebate is now only applicable where an existing recipient moves from one place to another within the City of Ryde. This rebate is fully funded by Council.

Hardship

In the exercise of Section 577 of the Act, the income/assets level for hardship applications to be considered is that which applies to the granting of the CentreLink Age Pension at the time.

In accordance with Section 577(2), Council will grant a rebate in the following circumstances:

- While not the owner, the spouse of a pensioner will be deemed to be the owner in cases where the owner is in a nursing home. The spouse must be a pensioner, reside at the property and be responsible for all outgoings.

Every approved hardship application must be re-assessed every 12 months.

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DEBT ADMINISTRATION PROCEDURE  City of Ryde
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Mercantile Agent Delegation Process

The process of debt management and debt recovery of overdue rates, charges and other fees and charges may require a certain level of expertise, which may at times, at the discretion of the Chief Financial Officer, be best managed by a professional Mercantile Agent.

Where utilised, any Mercantile Agent instructed to assist Council with its debt management or debt recovery process will need to comply with Council's policy and procedures for Debt Management and Debt Recovery.

GLOSSARY OF TERMS

- Debt Management** Debt management is the process by which debts are followed up by Council prior to the commencement of any legal action.
It includes the issuance of Statements, Reminder Notices, Final Notices and Letters of Demand. It also includes the making of arrangements to pay the debt off, over a period of time.
- Debt Recovery** Debt recovery is the process by which debts are recovered, through legal action, where debt management has failed in getting the debt paid and is commenced before the expiration of the statute of limitations for recovery of debts.
It includes the issuance of a Statement of Liquidated Claim, Examination Summons, Writ of Execution and any other legal process permitted in the recovery of debts.
- Debt Administration** Debt administration is the combined processes of debt management and debt recovery.
- Referral for legal action** A referral for legal action may be a referral to Council's Team Manager Rates & Revenue or a referral to an external agency at the discretion of the Chief Financial Officer.
- Summons** The Summons, identified as a "Statement of Liquidated Claim", is a legal document which outlines to the debtor: that a claim has been made to the Court for the recovery of monies;
- who has initiated the claim;
 - who the claim is against;
 - the monetary value of the claim; and
 - time period available to relinquish the debt.

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DEBT ADMINISTRATION PROCEDURE  City of Ryde
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Judgment	In cases where the debtor does not respond to a Summons issued to them, the Court may make a default judgment whereby it will award a decision without having the matter heard
Writ	Document served by a Court Sheriff on a debtor. This document allows a court to seize goods owned by a debtor and be sold. The proceeds are then distributed to the Council as part or full payment of the debt.
Legal Costs	Amounts incurred by Council in recovering overdue debts (e.g. Court, Professional Costs), which can be legally recovered from the debtor.
Sale of Land	In accordance with Section 713 of the Local Government Act, Council has the authority to sell land which has any unpaid rates or charges for more than 5 years.
Rent for Rates	Section 569 of the Local Government Act allows Councils to order tenants of properties with overdue Rates to pay rent to Councils in lieu of unpaid Rates, under specific circumstances.

Review Process and Endorsement

This Policy should be reviewed whenever relevant legislation is amended and after any request of the Executive Team. Whenever this procedure is to be amended it must be submitted to the Executive Team for approval prior to those changes being implemented.

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10 DEVELOPING MACQUARIE PARK CBD- SUSTAINABLE TRANSPORT SOLUTIONS - Personal Mobility Devices Trial

Report prepared by: Service Unit Manager - Asset Systems; Manager The Environment
File No.: GRP/09/3/10 - BP13/1398

REPORT SUMMARY

City of Ryde has taken a leadership role in developing and promoting Macquarie Park as a distinctive, attractive and sustainable high technology employment centre of regional excellence. New land use planning controls, improved urban design and sustainable transport solutions have been investigated to support economic growth and to develop Macquarie Park as the Australia's leading Technology Park and a major business and employment centre.

Intra park transport movements affect the quality of the Macquarie Park precinct and it is crucial to provide better connections for the success of Macquarie Park as a leading business and employment centre.

City of Ryde identified that personal mobility is a critical aspect of getting better connections and greater public transport usage and pedestrian movements for Macquarie Park. At its meeting no 20/11 on 22 November 2011, Council resolved, inter alia, to endorse the promotion of Personal Mobility Devices (PMD's) as a viable transport solution within City of Ryde and urban areas within Australia and to seek changes to Federal and State laws as there is no regulatory framework in Australia for such devices.

PMDs will provide a viable transport solution, should they be legalised.

In pursuing this, a Phase 1 Pilot trial of Personal Mobility Devices (PMD) was conducted at Macquarie University, looking at the safety and social issues of PMD's usage and their interaction with pedestrians, device performance and infrastructure requirements. The Pilot Trial of PMD at Macquarie University Report is **ATTACHMENT 1 – CIRCULATED UNDER SEPARATE COVER.**

This trial found that small and light, portable PMDs will readily fit into existing infrastructure and meet sustainable transport goals. Further phases are however considered necessary to cover design specification, liability issues and regulation description.

The project received unprecedented support from all levels of government. The PMD trial brought together the regulatory agencies which work to create a policy framework for changes to Federal and State laws. All are supportive of an extensive trial into Macquarie Park precinct aligned with the strategic plans of, and collaborated with relevant agencies. Innovative collaborations such as Macquarie - Ryde Futures Partnership, Macquarie-Park Transport Management Association are some of the key partnerships that further phases should connect with.

ITEM 10 (continued)

Apart from the major benefit of providing solutions to improve accessibility and connectivity in Macquarie Park and within City of Ryde, the project also benefits City of Ryde by giving it a profile and reputation as a leading Council, pioneering regulatory changes with Federal and National agencies.

This report recommends that Council pursues other partners for support and external funding of a further phase of the project to address the rigor required by regulatory agencies as a basis for new Regulations in legalising PMD's.

RECOMMENDATION:

- (a) That Council endorses the Pilot Trial of PMD at Macquarie University Report as **ATTACHED** to this report
- (b) That Council provides in principle support to participate in further phases of the process to achieve portable PMDs being legalised
- (c) That Council pursue other partners for support and external funding of the further phases of the project to keep momentum for changes to regulations at National and Federal level

ATTACHMENTS

- 1 Pilot Trial of Personal Mobility Devices (PMD) at Macquarie University Campus Final Report August 2013 - **CIRCULATED UNDER SEPARATE COVER**

Report Prepared By:

Anthony Ogle
Service Unit Manager - Asset Systems

Sam Cappelli
Manager The Environment

Report Approved By:

George Dedes
Group Manager - Public Works

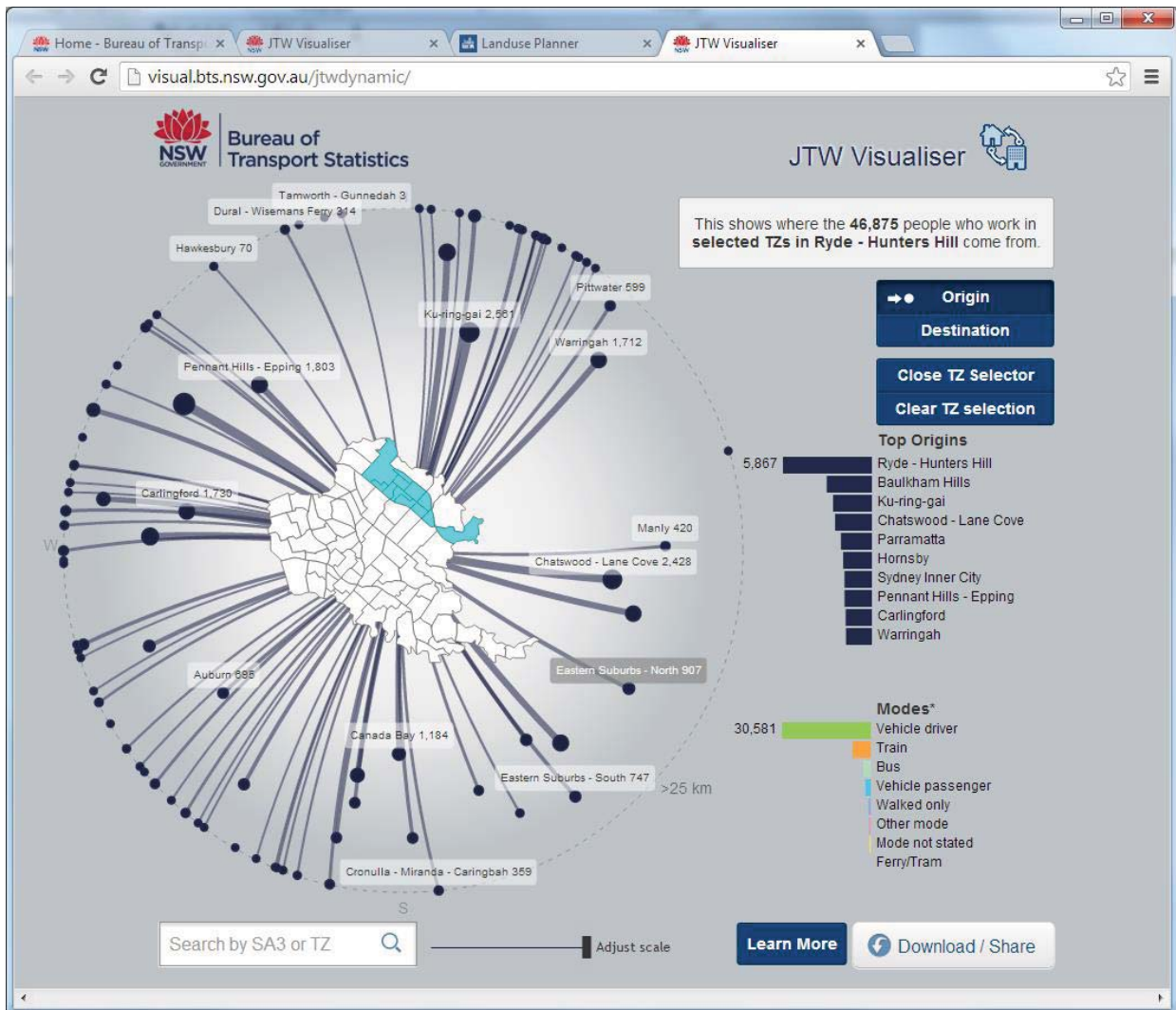
ITEM 10 (continued)**Discussion**

To support the dynamic growth and development of the Macquarie Park as the second major employment centre and Australia's leading Technology Park, urban designers, land economists and planners, traffic and transport planners have been engaged to assess and develop solutions for creating a strong economy while maintaining the prosperity, attractiveness and liveability of the growing city.

Council has taken the initiative across a range of areas, such as the LEP incentives and fine grained network, Urban Activation Precincts, traffic impact assessment, improved footpaths and cycleways network, Pedestrian Access and Mobility Plan and emerging transport solutions with environmental benefits. Innovative collaborations such as Macquarie - Ryde Futures Partnership, Connect Macquarie Park + North Ryde are some of the partnerships aimed at finding viable solutions to improve the accessibility and reduce the dependence on private cars in Ryde, and in particular Macquarie Park.

Traffic congestion in Ryde and especially in Macquarie Park caused by a very high dependence on private cars for commuting (75% in 2010) is already a known fact which affects local community and businesses operating in the area. Congestion in peak hours is a major issue as the existing road network is already reaching its capacity. Currently 87.5% of the employees travel up to 25 kilometres to work (see Figure 1) which means that the main growth will come by train users so improving the access/egress to and from the rail stations is crucial.

ITEM 10 (continued)



Source: BTS 2013, JTW visualiser

Figure 1 Distribution of commuting trips based on origin and mode of travel

Intra park movements affect also the quality and attractiveness of a business centre. The Macquarie Park site has a sloping topography which makes walking difficult. Furthermore, the physical scale of Macquarie Park (7 square kilometres) implies that many of the existing and potential destinations are not within walking distance of the rail stations.

Thus, even though higher density land uses are to be clustered around the stations, there is a need to increase accessibility to peripheral parts of the area, including parts of the University campus in order to improve the intra park movements.

In order to compete with other major centres, urgent measures to alleviate the current traffic congestion and mitigate the future traffic impact must to be taken. Figure 2 below shows by comparison the physical scale of Macquarie Park and North Sydney.

ITEM 10 (continued)

Not only has North Sydney a much higher density of attraction points (such as cafes, restaurants, clubs, childcare centres, medical centres and pharmacies, fitness and health centres etc.), but also most of them are in a walking distance of 400-800 metres. By comparison in Macquarie Park, an employee at Optus for example needs to travel 1.3 kilometres to the nearest pharmacy or to the Macquarie University train station.

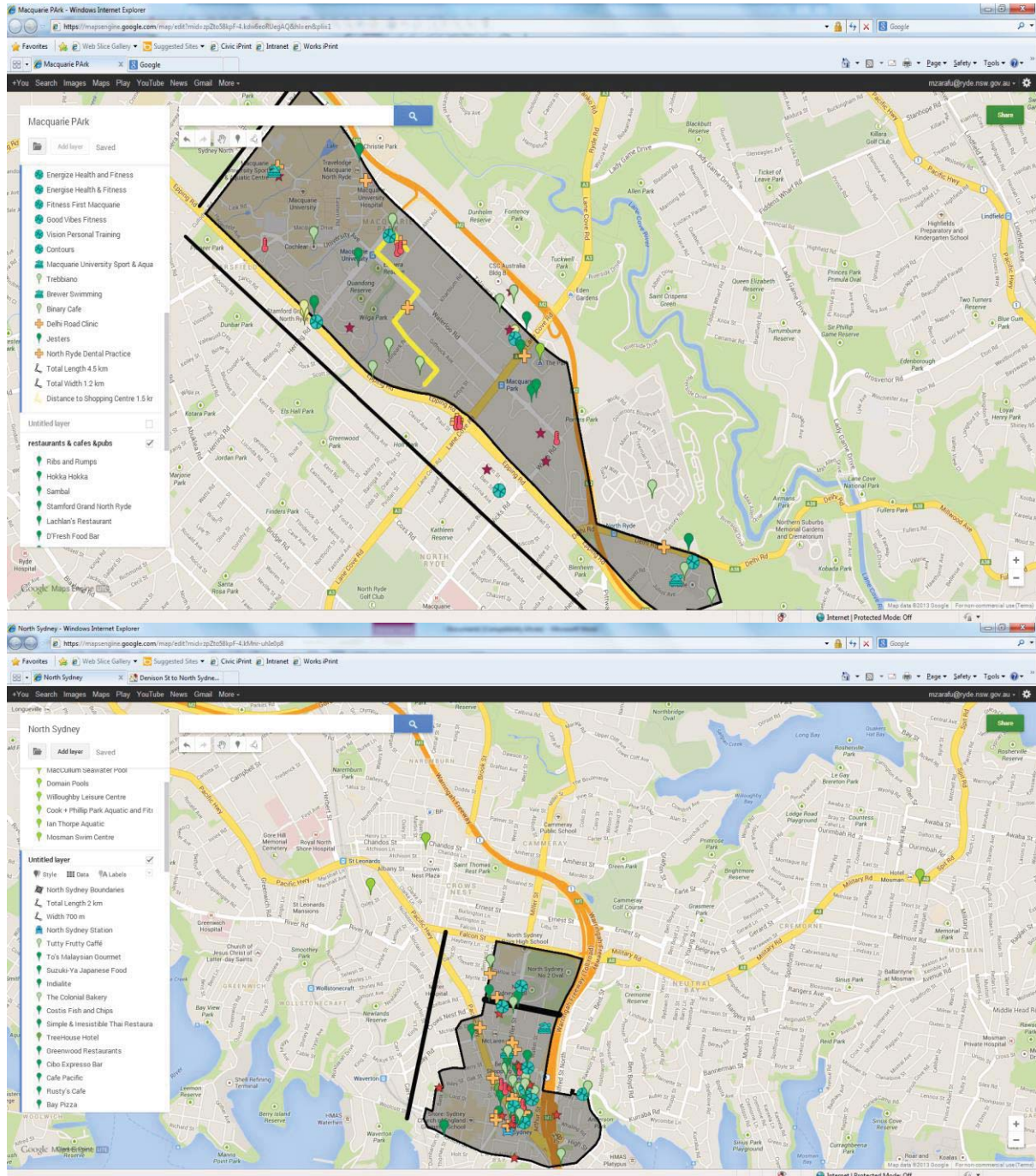


Figure 2 Maps of Macquarie Park and North Sydney

ITEM 10 (continued)

Personal Mobility Devices (PMDs), are environmentally friendly, low cost transport solutions for a large range of travel purposes and suitable to a large category of population from very young to elderly. They can be used for short trips to shops, schools, appointments, meetings for distances which are not comfortable to walk or convenient to cycle. Portable PMDs can be taken on trains and buses which will make public transport more accessible and convenient, encouraging people to decrease their dependence on private cars. Small and lightweight PMDs can be used on existing pathways without any major intervention to the existing infrastructure.

At its meeting 20/11 held on 22 November 2011 the Council considered the promotion of Personal Mobility Devices (PMDs) as a viable transportation solution and resolved the following:

- (a) That Council endorse the promotion of personal mobility devices (PMDs) as a viable transportation solution within the City of Ryde and urban areas within Australia
- (b) That Council seek changes to Federal and State laws by petitioning all Governments and other parties.
- (c) That Council make representation to local State and Federal Members seeking their support of personal mobility devices (PMDs), as a viable transportation solution within the City of Ryde and urban areas within Australia.
- (d) That a communications plan be developed to support personal mobility devices (PMDs), as a viable transportation solution within the City of Ryde and urban areas within Australia.
- (e) That the Group Manager, Public Works be commended for his efforts in this matter.

To commence implementation of the abovementioned resolution of the Council, a research project has been initiated and developed in collaboration with Macquarie University under the Macquarie-Ryde Futures Partnership. Barriers to PMD's regulation, licencing and registration have been identified and State and Federal government agencies have been approached to enable changes to regulations. The City of Ryde and Macquarie University multi-disciplinary teams have jointly briefed both the Federal and NSW Transport Agencies and Austroads in Canberra on 23 August 2012. Based on the presentation of the PMD project, all parties agreed that the project has a great potential to inform a future National Policy Framework.

Transport for NSW recommended that a Phase 1 of the project should focus on trialling a limited number of devices on a strictly controlled environment, with a consequent Phase 2 to be informed by the results of the first trial. It was noted that any further trial is likely to be extended over two years.

ITEM 10 (continued)

The Phase 1 PMD trial was approved by the Hon Duncan Gay, Minister for Roads and Ports through a Ministerial Order and special exemptions from registration and licencing were granted in order “to evaluate the safety and appropriate use of such vehicles for short distance urban transport”.

The Commonwealth Department of Infrastructure and Transport, Canberra agreed to support the research project and approved the importation of selected PMDs in the light of its potential to inform a National Policy Framework for alternative vehicles.

Transport for NSW formally acknowledged that the trial is an important research project that will inform future decisions relating to future alternative vehicles for short local journeys.

Queensland Department of Transport indicated that the City of Ryde project on PMDs is of great interest in the light of recent requests from the Queensland government to take a closer look at the use of PMDs, following a number of approaches from business over recent months.

Phase 1 Pilot Trial of PMDs at Macquarie University

The trial preparation was supervised by a Steering Committee that included City of Ryde Project Management team, Macquarie-Ryde Future Partnership Director, the representatives of both Macquarie University Research Group and Macquarie Property and with the participation of the Centre for Road Safety General Manager and other TfNSW officers.

The careful preparation of the research protocol ensured granting the Macquarie University’s permission to use the campus as trial site. Approvals to conduct the research as complying with the National Statement on the Ethical Conduct of Research were applied and granted. Appropriate insurance was obtained to cover both research participants and campus users. A risk assessment was undertaken and appropriate risk mitigation measures were made, including training, provision of information, provision of daily supervision and technical assistance if required during the trial, and other elements of the usage protocols. The PMDs riders were covered by Work Health and Safety Insurance and the other campus users were insured via the university’s general liability cover, with the PMD trial specifically noted on the insurance policy. Approvals from Macquarie Security were obtained to install fixed and mobile cameras around the campus having the purpose of capturing PMD-pedestrian interaction and monitor the riders and pedestrians safety.

The trial of 3 (three) PMD types (a two-wheeled PMD, a gyro-stabilised three-wheeled PMD, and a gyro-stabilised one-wheeled PMD) was conducted on the Macquarie University campus over 9 (nine) weeks, using university staff as riders under actual conditions of use on shared access footpaths. The participants in the trial used a different PMD weekly during their work day and following their usual work routine. The trial investigated the rider experiences of PMD use, the interaction between PMDs riders and pedestrians, the infrastructure requirements and the operating parameters for PMDs use and provided input into further research.

ITEM 10 (continued)

Most riders indicated a willingness to use PMDs off campus or to public transport hubs if available. The overwhelming majority of campus users were comfortable with and welcoming of the use of PMDs in pedestrian environments. In a university environment, on predominantly shared paths and with a limited number of PMDs, pedestrians and PMDs interacted harmoniously. Based on the evidence gathered through this trial, PMD's use has been considered largely compatible with existing road and pedestrian infrastructure, especially for the lighter and narrower devices.

Based on the general findings and the success of the trial, it has been considered appropriate to recommend that the trial be extended into public roads and paths both on and outside the Macquarie University campus as envisaged as Phase 2 of the study of PMDs in congested urban precincts.

A precis of the recommendations from the Phase 1 report is presented in the table below.

Recommendation	Details
<u>Recommendation 1:</u> That the trial be extended into the Macquarie Park precinct	This extension should be aligned with the strategic plans of, and collaboration with, relevant agencies (e.g. Transport for NSW, City of Ryde, Macquarie Park Transport Management Association) and invite collaboration from any business or businesses in the precinct who wish to explore alternative transport options for their staff.
<u>Recommendation 2:</u> An extended trial be limited to use of light, narrow and portable PMDs, such as two-wheeled PMDs	The lighter and narrower PMD proved easier to use and more manoeuvrable. An extended trial be limited to use of light, narrow and portable PMDs, such as two-wheeled PMDs, on footpaths with appropriate speed limiting to no more than 10 km/h; consideration may also be given to other PMDs which may be used on public roads with higher speed limiting as appropriate.
<u>Recommendation 3:</u> Further controlled experimentation be conducted on the Macquarie University campus	The limitations in numbers and types of devices and numbers of riders should be addressed in future research. Further controlled experimentation be conducted on the Macquarie University campus to examine the interaction between PMDs, as well as the interactions of multiple PMDs with pedestrians in light and congested densities.
<u>Recommendation 4:</u> A review of regulatory and insurance issues, and product standards as applicable to PMDs (rather than other alternative vehicles) be undertaken	Resolving regulatory issues had an impact on this research and further research will be influenced by whether and how some of these issues can be resolved.

Table 1 Phase 1 Pilot Trial of PMDs at Macquarie University - Recommendations

ITEM 10 (continued)

The key findings and details about the evaluation of data are presented in the Report on the Pilot Trial of PMD at Macquarie University (**ATTACHMENT 1 – CIRCULATED UNDER SEPARATE COVER**).

Considerations for Council

Continuing to explore and embrace sustainable transport solutions and actively promoting integration of PMDs into sustainable transport planning policies is considered an appropriate approach in line with the City of Connection and City of Environmental Sensitivity key outcome areas. Intra park movements affect the quality of the CBD and it is crucial to provide better connections for the success of Macquarie Park as a leading business and employment centre. PMDs provide a viable transport solution, should they be legalised.

The project received unprecedented support from all levels of government. The PMD trial brought together the regulatory agencies which work to create a policy framework for changes to Federal and State laws. All are supportive of an extensive trial into Macquarie Park precinct aligned with the strategic plans of, and collaborated with relevant agencies.

The close collaboration between Council staff, Macquarie University researchers and Centre for Road Safety officers ensured running a successful trial. In a world-first PMD study, the Phase 1 of the PMD research project provided valuable information and pioneered resolution of important regulatory, insurance and logistical issues for future research trials. To build upon the experiences gained through this process is a key strategy for future collaborative projects.

Changes to national and state regulatory frameworks are necessary for the potential benefits of PMD use to be realised. The Phase 1 of the project gives guidance to next stages covering design specification, liability issues and regulation description. Academic rigor is required by the regulatory agencies as a base for regulation. The City of Ryde is currently the only Australian Local Council having the knowledge of the appropriate means of trialling and evaluating PMDs in a real world context and the scientific framework to build on this knowledge. By doing nothing, this opportunity of keeping the momentum for changes to regulation at national level will be lost.

Local Government has an important part to play in integrating and managing PMD use into the public area, and promoting sustainable transport forms. Beside the major benefit of providing solutions to improve accessibility and connectivity in Macquarie Park and within City of Ryde, the significant benefit for Council is the high profile and reputation gained as a leading Council who pioneered regulatory changes at the Federal and National level.

ITEM 10 (continued)**Financial Implications**

The Phase 1 PMD research project was completed under an approved non-capital project in 2012/2013. The project was jointly funded by City of Ryde and Macquarie University through an Enterprise Partnership Grant, and with technical support from Centre for Road Safety Transport for NSW.

City of Ryde's contribution was \$40,000 in cash plus a Project Manager's salary. Macquarie University contributed \$40,000 and the considerable time of several leading professors including Prof Richie Howitt, Prof Robyn Dowling and Dr Julia Irwin. The funding arrangement created an independent research framework with the tight controls over the research; funding had not been provided by any manufacturer or supplier of the devices being trialled.

Adoption of the recommendations will have no further financial impact, except to the 2013/14 Operational Plan Recurrent budget to account for staff needed to participate in any further trial. Subject to Council approval to participate into a Phase 2 of the project, Macquarie University will review a possible ARC linkage application which has a November 2013 deadline for funding from 1 July 2014. External funding and support will be sought from industry players, other councils, State and Federal transport agencies or research funds.

Critical timeframe

There are no critical timeframes or dates for the recommended measures. However, the PMDs purchased for the Phase 1 trial must be exported or destroyed at the completion of the research project on or before 31 December 2013. Adoption of the recommendation to proceed with Phase 2 of the project would allow for an extension of the import approvals to avoid the need to destroy the PMDs at this time and would save future costs with resourcing the same devices.

Consultation with relevant external bodies

Consultation has been undertaken with relevant stakeholders of the project (Macquarie University, Transport for NSW). All the stakeholders are supportive of proceeding with Phase 2 of the research project subject to identifying external funds and allowing for 8 to 12 months planning time in addition to trial time, estimated at 12 months.

It was agreed that the Steering Group should not be disbanded but go into the recess given the ongoing discussions around an appropriate timetable, governance model and funding for scoping Phase 2 of the trial, subject to the Council's decision.

A communication strategy for dissemination of the research findings is currently underway with participation from City of Ryde, Macquarie University and Transport for NSW.

ITEM 10 (continued)

Transport for NSW representatives confirmed that the Minister for Roads and Ports have been briefed about the trial findings and recommendations at the date of the present report.

Future consultations are proposed with relevant State and Federal transport agencies, other local Councils, the newly constituted Connect Macquarie Park + North Ryde transport agency, local and national businesses who may wish to explore alternative transport options for their staff, and Universities interested to enter into a collaborative research project.

11 OPTIONS FOR HERITAGE LISTING OF RYDE CIVIC CENTRE SITE

Report prepared by: Heritage/Strategic Planner; Acting Team Leader - Strategic Planning

File No.: GRP/09/6/6 - BP13/1436

REPORT SUMMARY

On 13 August 2013, Council considered a report regarding the options for heritage listing the Ryde Civic Centre Site as a result of a request by the Ryde Heritage Advisory Committee. The report recommended against pursuing heritage listing the site because:

- Council is the owner of the site and in control of its future. The building is not under threat as Council has resolved to retain the building and expend up to \$4.85M on its maintenance.
- Council has prepared 3 heritage studies – 2 by professionals and the 3rd a community based study. None of the studies identified the building for listing.
- The 2010 community based study resulted in considerable community concern and as a result, Council resolved not to heritage list any building unless the land owner requested it.
- The cost of the study is in the order of \$50,000 to \$60,000.

Council resolved on 13 August *‘that Council refer this report to the next meeting of the Heritage Advisory Committee for its comment prior to being reported back to Council.’*

As a result the Heritage Advisory Committee considered the report at its meeting held 21 August 2013. The Heritage Advisory Committee resolved to advise Council to prepare a heritage assessment of the Civic Centre to determine whether or not it has heritage significance and if it is found to have heritage significance to proceed to heritage list the site.

This report, after consideration of the Heritage Committee’s recommendation to Council to prepare a heritage assessment of the Civic Centre, recommends that Council not undertake a heritage assessment for the reasons that were provided to Council at its meeting on 13 August 2013.

RECOMMENDATION:

- (a) That Council note the recommendation of the Heritage Advisory Committee to undertake a heritage assessment of the Ryde Civic Centre.

ITEM 11 (continued)

- (b) That Council not undertake a heritage assessment of the Ryde Civic Centre for the following reasons;
- (i) The Ryde Civic Centre is not under threat of demolition and council is expending up to \$4.85M on its maintenance.
 - (ii) The Civic Centre was not identified for listing in either of the two comprehensive city wide heritage studies undertaken by the City of Ryde. The city wide heritage studies considered all sites in the city.

ATTACHMENTS

- 1 Attachment 1 - Council Report - 13 August 2013 - Listing of Civic Centre Site

Report Prepared By:

Nancy Tarlao
Heritage/Strategic Planner

Adrian Melo
Acting Team Leader - Strategic Planning

Report Approved By:

Lexie Macdonald
Acting Manager - Urban Planning

Meryl Bishop
Acting Group Manager - Environment and Planning

ITEM 11 (continued)

Background

At its meeting on 17 April 2013, the Ryde Heritage Advisory Committee recommended to Council that the "...*Heritage Officer presents a report to Council on options for Council to pursue heritage listing of the Civic Centre Site*". Following this recommendation, on 13 August 2013, a report (**ATTACHED**) was considered by Council that recommended that Council does not pursue the listing of the Civic Centre because:

- *"The Ryde Civic Centre is not under threat of demolition and council is expending up to \$4.85M on its maintenance.*
- *The Civic Centre was not identified for listing in either of the two comprehensive city wide heritage studies undertaken by the City of Ryde. The city wide heritage studies considered all sites in the city.*
- *To pursue heritage listing a site specific heritage study will first need to be prepared by an independent and experienced heritage professional at an estimated cost of \$50,000-60,000.*
- *There is a risk that after preparing a study an experienced heritage professional may not find that Civic Centre has cultural significance."*

Following the consideration of the above report, Council resolved "*That Council refer this report to the next meeting of the Heritage Advisory Committee for its comment prior to being reported back to Council.*" The report was considered by the Heritage Advisory Committee on 21 August 2013. The discussion and recommendation of this meeting is the subject of this report.

Discussion

As detailed within the report considered by Council (**ATTACHED** as **ATTACHMENT 1**), it was not considered necessary to undertake a study to determine whether the Civic Centre was of Heritage Significance or to pursue the heritage listing because Council as the owner of the building has resolved to retain and upgrade it.

At its meeting 21 August 2013, the Heritage Advisory Committee reviewed the Council report and disagreed with the recommendation to not pursue the Heritage Listing of the building. The Heritage Advisory Committee was strongly in favour in preparing a heritage assessment of the Ryde Civic Centre Site and if it is found to have heritage significance to pursue heritage listing.

Accordingly, it is now requested that Council determine whether to proceed with the preparation of a heritage assessment of the Ryde Civic Centre Site.

ITEM 11 (continued)

Having considered all of the issues and recommendations of the Heritage Advisory Committee and the details provided in the previous report to Council on this matter, it is recommended that Council not undertake a heritage assessment of the Ryde Civic Centre for the following reasons;

1. The Ryde Civic Centre is not under threat of demolition and council is expending up to \$4.85M on its maintenance.
2. The Civic Centre was not identified for listing in either of the two comprehensive city wide heritage studies undertaken by the City of Ryde. The city wide heritage studies considered all sites in the city.

It should be noted that the Civic Centre is not under threat of demolition and that the indicative cost of undertaking a site specific study on Heritage Significance will be between \$50,000 - \$60,000, as identified in the previous report to Council.

It is also noted that should the Civic Centre site be identified as being of heritage significance, it will need to be listed as a Heritage Item under the provisions of Schedule 5 of the Ryde Local Environmental Plan. Once listed as a Heritage Item, Development Applications (including Heritage Impact Statements) may be needed for any building work not classified as “minor works” or maintenance.

Options

As identified in the report considered by Council on 13 August 2013, there are two options.

1. Prepare a heritage study to assess the cultural significance of the Ryde Civic Centre and present findings of the study to HAC and Council. If the Civic Centre is found to have cultural heritage significance it will be recommended that Council pursue heritage listing.
2. Do not prepare a heritage study. Do not pursue heritage listing.

The initial report recommended that Council does not pursue the listing of the Ryde Civic Centre site as:

- The Ryde Civic Centre is not under threat and Council is expending considerable funds (up to \$4.85M) on its maintenance.
- To pursue heritage listing a heritage study will first need to be prepared by an independent and experienced heritage professional at an estimated cost of between \$50,000 and \$60,000. Council has prepared 3 heritage studies – 2 by professionals and a community based study. The 2010 community based study resulted in considerable community concern and as a result, Council resolved not to heritage list any building unless the land owner requested it.
- There is a risk that after preparing a study an experienced heritage professional may not find that Civic Centre has cultural significance.

ITEM 11 (continued)**Financial Implications**

Should Council resolve to undertake the site specific Heritage Study of the Civic Centre Site it will result in a financial impact of up to \$60, 000. This has not been covered in any existing budget and accordingly, would require an additional funding of a maximum of \$60,000, and it is recommended that this be funded out of the Civic Precinct Redevelopment Reserve.

	Current approved budget	Estimated cost	Surplus/(Deficit)
Site specific Heritage Study for Ryde Civic Centre Site	\$0	\$60,000	(\$60,000)

ITEM 11 (continued)

ATTACHMENT 1

**6 RYDE HERITAGE ADVISORY COMMITTEE REQUEST COUNCIL
CONSIDER OPTIONS FOR HERITAGE LISTING RYDE CIVIC CENTRE
SITE**

Report prepared by: Team Leader - Strategic Planning
File No.: GRP/12/5/5/5 - BP13/1062

REPORT SUMMARY

On 17 April 2013 Ryde Heritage Advisory Committee (HAC) recommended that a report be presented to Council on options to heritage list the Civic Centre Site. Council has undertaken four heritage studies since 1988 and the Ryde Civic Centre has not been identified for heritage listing in any one of the studies. A Community Heritage Study prepared in 2010 aimed to list buildings that might have been missed by the previous studies. Due to considerable community concern, Council resolved, on 17 August 2010, not to pursue heritage listing any property unless the land owner of the property applied for a heritage listing of the property.

Heritage listing must be based on whether or not a place has Cultural Significance. The definition of Cultural Significance is established by the *Burra Charter* which guides Australian conservation practice. According to the *Burra Charter* "cultural significance means aesthetic, historic, social or spiritual value for past, present or future generations".

The HAC minutes of 17 April 2013 record that a member of HAC was concerned that Ryde Civic Centre is to be demolished and replaced by a 20 storey building. However, Council has undertaken a number of actions to ensure that the Civic Centre be retained and upgraded to a standard suitable for its present administrative use including:

- Preparation of a planning proposal to rezone the Civic Precinct to SP2 Special Uses / RL 91 (i.e. height of existing building), and
- A 5 year maintenance program at a cost of up to \$4.85M.

This report considers 2 options.

1. Prepare a heritage study to assess the cultural significance of the Ryde Civic Centre. If found to have cultural significance it will be recommended that Council pursue heritage listing the Civic Centre.
2. Do not prepare a heritage study. Do not pursue heritage listing.

Option 2 is preferred because:

- The Ryde Civic Centre is not under threat of demolition and council is expending up to \$4.85M on its maintenance.
- The Civic Centre was not identified for listing in either of the two comprehensive city wide heritage studies undertaken by the City of Ryde. The city wide heritage studies considered all sites in the city.
- To pursue heritage listing a site specific heritage study will first need to be prepared by an independent and experienced heritage professional at an estimated cost of \$50,000-60,000.

Agenda of the Council Meeting No. 16/13, dated Tuesday 13 August 2013.

ITEM 11 (continued)

ATTACHMENT 1

ITEM 6 (continued)

- There is a risk that after preparing a study an experienced heritage professional may not find that Civic Centre has cultural significance.

Accordingly this report will recommend that Council does not pursue listing the Ryde Civic Centre.

RECOMMENDATION:

- (a) That Council receive and note the recommendations of the Ryde Heritage Advisory Committee.
- (b) That the Acting General Manager write to the Ryde Community Alliance advising that the Ryde Civic Centre is not being demolished and that Council has allocated a substantial budget for its upgrade and maintenance.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Lexie Macdonald
Team Leader - Strategic Planning

Report Approved By:

Meryl Bishop
Manager - Urban Planning

Dominic Johnson
Group Manager - Environment & Planning

ITEM 11 (continued)

ATTACHMENT 1

ITEM 6 (continued)

Background

The Ryde Heritage Advisory Committee meeting of 17 April 2013 considered a letter from the NSW Office of Environment and Heritage. An excerpt of the minutes follows:

At the request of Ms Minnie the Mayor tabled a letter from the NSW Office of the Environment and Heritage (OE &H) dated 11May 2012.

- *The OE &H letter responds to a request from the Ryde Community Alliance to State Heritage List the Ryde Civic Centre. The letter advises that:*
 - *Ryde Civic Centre does not meet the criteria for State Heritage Listing.*
 - *The building may/may not have potential for local heritage listing.*
- *The Mayor also tabled the Council resolution (Committee of the Whole No. 12/10 17 August 2010) which states that:*
 - *The Heritage Study be discontinued and removed from the 2011-2012 [Ryde Council Management] Plan*
(Note: the purpose of this heritage study was to identify and list places that might have been missed by the 2 previous heritage studies undertaken by Council); and
 - *Council will not pursue heritage listing unless the land owner of the property applies for the listing.*
- *Ms Minnie advised in regards to the Civic Centre, she feels there is a significant risk of the building being lost and replaced with a 20 storey building.*
- *The Mayor advised that Council has resolved to keep Ryde Civic Centre and it is not under threat.*
- *Cr Perram advised that - as the building is to be retained - council is developing a detailed maintenance program which will address deferred maintenance including issues with the windows and porous brickwork. As a result the exterior of the building and its architectural qualities may change considerably. There is a question as to whether or not this would impact on the likely heritage significance and also on council's ability to undertake the necessary works to upgrade the building.*

The Heritage Advisory committee recommended that:

Heritage Officer presents a report to Council on options for Council to pursue heritage listing of the Civic Centre Site.

Discussion

This discussion will expand on the matters raised by the Heritage Advisory Committee (HAC) in their minutes of 17 April 2013.

Agenda of the Council Meeting No. 16/13, dated Tuesday 13 August 2013.

ITEM 11 (continued)

ATTACHMENT 1

ITEM 6 (continued)

Council has undertaken four heritage studies and the Ryde Civic Centre was not identified for heritage listing in any one of the studies undertaken to date. The first two citywide studies (conducted 1988 and 2001 respectively) were undertaken by experienced heritage professionals who considered all sites within the city and did not identify the Civic Centre for heritage listing. The first two city wide studies resulted in the majority of the 174 Heritage Listings that appear in the Ryde Local Environmental Plan (LEP) Schedule 5. The third study (also by heritage professionals) was undertaken for the Gladesville Master Plan and resulted in some additional listings being included in the LEP. The fourth study – a Community Heritage Study - aimed to list buildings that might have been missed by the previous studies. It resulted in the heritage listing of 24 new items (including 13 stone markers).

Due to considerable community concern expressed in submissions to the proposed heritage listings Council resolved, on 17 August 2010, not to pursue heritage listing of any property unless the land owner of the property applies for a heritage listing of the property. The resolution is copied in part below.

- (f) *That the properties that have been rejected from this process not be considered by Council in any future heritage studies.*
- (g) *That the proposed Heritage Study in the [Ryde Council] Management Plan for 2011-2012 be discontinued and be removed from the 2011-2012 Plan.*
- (h) *That Council not pursue compulsory heritage listing of any property unless the land owner of the property applies for a heritage listing of the property.*

As no report since 1988 has proposed that an application be made to heritage list the Ryde Civic Centre, the site has not been listed.

Criteria for Heritage Listing Places

The following discussion does not address the listing of Aboriginal Places which is governed by the provisions of the National Parks and Wildlife Act.

An item is heritage listed if it is included in the:

- NSW State Heritage Register
- s170 Registers of NSW Government Agencies (required to be established by the NSW Heritage Act) and / or in the
- Ryde LEP Schedule 5. (Note: In addition to local listings, Ryde's LEP also reflects the above listings).

In order to be heritage listed a structure or place must be culturally significant. The definition of Cultural Significance is established by the *Australia International Council on Monuments and Sites (ICOMOS) Charter for Places of Cultural Significance (Burra Charter)* which guides conservation practice in Australia. ICOMOS is an international organisation of professionals which advises UNESCO and governments on Heritage Conservation and World Heritage in particular.

ITEM 11 (continued)

ATTACHMENT 1

ITEM 6 (continued)

According to the *Burra Charter* "cultural significance means aesthetic, historic, social or spiritual value for past, present or future generations". The *Burra Charter* argues that:

Places of cultural significance enrich people's lives, often providing a deep and inspirational sense of connection to community and landscape, to the past and to lived experiences. They are historical records that are important as tangible expressions of Australian identity and experience. Places of cultural significance reflect the diversity of our communities, telling us about who we are and the past that has formed us and the Australian landscape. They are irreplaceable and precious.

These places of cultural significance must be conserved for present and future generations. The Burra Charter advocates a cautious approach to change: do as much as necessary to care for the place and to make it useable, but otherwise change it as little as possible so that its cultural significance is retained.

Heritage listing is not based on whether or not a building is to be demolished. It must be based on whether or not a building or place has cultural significance. If any other approach is taken then Ryde's current heritage listings are devalued. The *Burra Charter* advocates that research be undertaken to understand and assess cultural significance and this is the usual process of Council. This report will therefore consider the option of undertaking a study to assess the cultural significance of the Ryde Civic Centre.

The process for Heritage Listing Items

The process for Heritage Listing is as for any LEP amendment and outlined in the Gateway Process as follows:

1. The Relevant Planning Authority (in this case Council) prepares and resolves to proceed with an amendment to the LEP (known as a Planning Proposal).
2. Information regarding the Planning Proposal is submitted to the NSW Minister for planning who issues a Gateway Determination if it is considered that the Planning Proposal should proceed.
3. Community Consultation.
4. The council considers submissions and either endorses the Planning Proposal (sometimes with amendment) or decides not to proceed.
5. Assuming the council supports a Planning Proposal it is submitted to the NSW Minister for Planning for making.
6. If supported, the LEP amendment is notified on the NSW government legislative website and brought into effect.

To add the Ryde Civic Centre to Ryde LEP Schedule 5 will require the preparation of a Planning Proposal. The process would take between 6-12 months.

ITEM 11 (continued)

ATTACHMENT 1

ITEM 6 (continued)

Ryde Civic Centre is not under threat of demolition

The HAC minutes of 17 April 2013 record that a member of HAC expressed concern that Ryde Civic Centre is to be demolished and replaced by a 20 storey building.

Council has undertaken a number of actions that will ensure that the Civic Centre is retained and upgraded to a standard suitable for its present administrative use including:

- Resolution of 13 November 2012 to prepare a planning proposal to rezone the Civic Precinct to SP2 Special Uses / RL 91 (i.e. height of existing building)
- Resolution of 12 February 2013 to submit the Planning Proposal to rezone the Civic Precinct to NSW Minister for Planning for a Gateway Determination.
- Resolution of 14 May 2013 to undertake a 5 year maintenance program on the Civic Centre at a cost of up to \$4.85M and to include the project in the Four Year Delivery Plan (budget).

The abovementioned council resolutions are copied in full below.

Council on 13 November 2012 resolved that:

- (a) *Council staff immediately develop a project plan to expedite the rezoning of the Civic Centre site back to RL91 with a density of 60,000sq metres and to be zoned SP2 community use through a planning proposal.*
- (b) *Council staff prepare a list of priority maintenance required at the Civic Centre – using the existing building condition reports. This priority list is to be based on Workplace Health and Safety issues. This list is to be considered in the context of the 4 Year Delivery Plan.*

Council on 12 February 2013 resolved:

- (a) *That Council forward the planning proposal for the Ryde Civic Precinct to receive a gateway determination in accordance with Section 56 of the Environmental Planning and Assessment Act 1979 and that the Ministers delegation enabling Council to determine the LEP be requested.*
- (b) *That, in the event of a gateway determination being issued pursuant to Section 56 of the Environmental Planning and Assessment Act 1979, the proposal be placed on public exhibition and a further report be presented to Council following the completion of the exhibition period.*
- (c) *That an amendment to Ryde Development Control Plan (DCP) 2010 – Part 4.4 Ryde Town Centre be prepared that brings controls in line with the proposed height and zoning changes to the Ryde Civic Precinct and that a further report be presented to Council prior to exhibition of that amendment.*
- (d) *That Council allocate \$35,000 for the employment of a planning consultant to undertake an independent assessment of the Planning Proposal for the Ryde Civic Precinct following the public exhibition of the proposal.*

Agenda of the Council Meeting No. 16/13, dated Tuesday 13 August 2013.

ITEM 11 (continued)

ATTACHMENT 1

ITEM 6 (continued)

On 14 May 2013 Council resolved:

- (a) *That Council approve and delegates to the Acting General Manager authority to implement the five year costed Civic Centre maintenance schedule up to a cost of \$4.85 million, as detailed in this report and to incorporate into Council's 4 Year Delivery Plan, 2013-2017, and the 1 Year Operational Plan for 2013-2014.*
- (b) *That Council endorses the funding of these works as detailed in the report, from the unexpended funds for the urgent works at the Civic Centre, with the balance of up to \$4.5 million to be allocated from Council's Investment Property Reserve.*

Options

1. Prepare a heritage study to assess the cultural significance of the Ryde Civic Centre and present findings of the study to HAC and Council. If the Civic Centre is found to have cultural significance it will be recommended that Council pursue heritage listing.
2. Do not prepare a heritage study. Do not pursue heritage listing.

Option 2 is preferred because:

- The Ryde Civic Centre is not under threat and council is expending considerable funds (up to \$4.85M) on its maintenance.
- To pursue heritage listing a heritage study will first need to be prepared by an independent and experienced heritage professional at an estimated cost of between \$50,000 and \$60,000. Council has prepared 4 heritage studies – 3 by professionals and a community based study. The 2010 community based study resulted in considerable community concern and as a result council resolved not to heritage list any building unless the land owner requested it.
- There is a risk that after preparing a study an experienced heritage professional may not find that Civic Centre has cultural significance.

Accordingly this report will recommend that Council does not pursue listing the Ryde Civic Centre.

Financial Implications

Should Council seek to pursue Heritage listing the Ryde Civic Centre, a minimum of \$50,000 would be required to complete a site specific heritage report.

12 MACQUARIE PARK FORUM ADVISORY COMMITTEE - ADDITIONAL MEMBERS

Report prepared by: Place Manager**File No.:** ENV/08/3/8/14/4 - BP13/1338

REPORT SUMMARY

In January 2013, expressions of interest were invited to join the Macquarie Park Forum Advisory Committee. On 15 February 2013 Ryde Council considered and accepted all nominations.

City of Ryde has recently been approached by the newly formed Macquarie Park Transport Management Association and the Property Council of Australia to be represented on the Macquarie Park Forum Advisory Committee.

The newly formed Macquarie Park Transport Management Association (TMA) and the Property Council of Australia (PCA) are well placed to make a significant contribution on this Committee.

This report will recommend that the request from the Transport Management Association and the Property Council of Australia to be represented on the Macquarie Park Forum Advisory Committee be accepted.

RECOMMENDATION:

That Council endorse the nominations to the Macquarie Park Forum Advisory Committee of:

- Rebecca Lehman, Macquarie Park Transport Management Association; and
- Amelia Jalland, Property Council of Australia (to replace previous representative).

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

John Brown
Place Manager

Report Approved By:

Lexie Macdonald
Acting Manager - Urban Planning**Meryl Bishop**
Acting Group Manager - Environment and Planning

ITEM 12 (continued)**Discussion**Background

In January 2013, expressions of interest were invited to join the Macquarie Park Forum Advisory Committee. On 15 February 2013 Ryde Council considered and accepted all nominations.

The Terms of Reference highlights that membership of the Committee should be drawn from businesses and organisations with an interest in Macquarie Park which have requested membership. The newly formed Macquarie Park Transport Management Association (TMA) and the Property Council of Australia (PCA) are well placed to make a significant contribution to the Macquarie Park Forum Advisory Committee.

Property Council of Australia

The Property Council of Australia (PCA) had previously been represented on the Forum, however due to staff changes; the PCA was not able to regularly attend meetings. With the role of Senior Policy Advisor now filled by Amelia Jalland (previously Kristin Pryce) the PCA is in a position to continue its active involvement on the Forum.

The PCA has been associated with the Forum since its inception and brings an acute perspective on property and development matters. The PCA undertakes research on market trends, promotes environmental sustainability with its Green Star program and works closely with commercial developers and institutions within Macquarie Park including: Goodman, Stockland, Macquarie University and Macquarie Shopping Centre. The PCA's involvement will strengthen the Forum's credibility to speak to the business sector in Macquarie Park.

Macquarie Park Transport Management Association

The Macquarie Park TMA was established in February 2013 and is a partnership between the State Government, the business community of Macquarie Park and the City of Ryde. The Association has recently appointed its inaugural General Manager, Ms Rebecca Lehman.

City of Ryde is partnering with the State Government and the Macquarie Park business community to deliver NSW's first TMA. As the General Manager of the TMA, Ms Lehman represents member businesses and organisations in Macquarie Park. Macquarie Park is a thriving precinct, however it is experiencing significant transport challenges; the TMA would provide direct feedback on transport issues.

Financial Implications

No financial implications.

13 SUPPORTING LOCAL BUSINESS LEASING COUNCIL PROPERTIES

Report prepared by: Section Manager - Properties
File No.: GRP/09/3/10 - BP13/600

REPORT SUMMARY

This report is in response to the Notice of Motion No. 5/13 titled 'Supporting Local Business Leasing Council Properties', Council resolved at its meeting held on 26 March 2013 as follows:

- (a) *That the Acting General Manager provide a report including recommendations on improving relations and feedback from small business operators who are leasing properties from the City of Ryde*

- (b) *That this report include matters pertaining (but not limited) to:*
 - *Possible consultation frameworks;*
 - *Improving commercial leasing terms including 'options' to extend a lease after expiry; and*
 - *Feedback channels for suggestions that include improvements or enhancements to council properties.*

The purpose of this report is to inform Council of current organisation engagement and consultation procedures in relation to commercial tenancies, results from a recent survey of small business tenants, and detail new strategies and programs to further enhance service delivery in line with Council's resolution.

RECOMMENDATION:

- (a) That all documents specific to commercial property matters be reviewed, to improve their user friendliness while maintaining good governance.

- (b) That an expanded communications plan for commercial tenants be developed.

- (c) That the current tenancy handover provisions be reviewed.

- (d) That all scheduled town centre maintenance around our business leases be reviewed to ensure the required level of service is met.

ATTACHMENTS

- 1 Small Business Operator Customer Survey

ITEM 13 (continued)

Report Prepared By:

Chris Redman
Section Manager - Properties

Report Approved By:

Joe So
Acting Service Unit Manager - Business Infrastructure

George Dedes
Group Manager - Public Works

ITEM 13 (continued)

Discussion

In response to Notice of Motion 5/13 titled 'Supporting Local Business Leasing Council Properties', Council's Communications & Media and Properties sections conducted a survey of its 49 small business tenants.

The survey comprised 19 questions, tenants were asked to evaluate;

- Service Levels and Landlord/Tenant Interaction
- Council's Property Maintenance and Management
- Rent Payment methods
- Communication and reminders of key tenancy dates and issues
- Availability of parking and quality of footpaths for pedestrian traffic
- Consideration and comment on any other matters the tenant considered relevant.

Tenants rated Council against five (5) performance evaluators ranging from "not at all satisfied" to "very satisfied". Tenants had over three (3) weeks to complete and return the survey electronically or by reply-paid mail. Approximate completion time is estimated at 5-10 minutes. Copy of the survey is **ATTACHED**.

Five (5) responses were received at the close of the survey from the following tenancy types.

- 2 Outdoor Dining operators
- 2 Retail Shop tenants
- 1 Commercial tenant

With a small response size of only five (5), the percentages should be viewed as a point of interest only as they are not statistically valid.

Key survey findings

There were no substantial negative findings from the survey. The majority of responses were at or close to neutral on the scaling of 1-5 available.

The key areas of satisfaction from the tenants included:

- 100% - Ease of making rent payments
- 80% - Council reminders of rent payable and all other key lease milestones
- 60% - Accessibility of footpaths for pedestrian foot traffic

The key areas of dissatisfaction from the tenants included:

- 40% - Availability of nearby public parking
- 20% - Exterior property maintenance and repair

ITEM 13 (continued)

Tenants had an opportunity to suggest how services could be improved to better meet their needs. Three (3) individual responses were received.

- “Eliminate Red Tape around leasing”
- “Make outdoor dining safer”
- “Delays in Council response due to lack of available information”

From the results of this survey, Council’s Properties Section will continue to target improvements in tenant communication and responsiveness. The matters raised from the survey will be reviewed, balancing tenant preferences with Council’s need to manage its buildings appropriately.

The issue of “Outdoor Dining Safety” is noted. Further consultation with the tenant will be undertaken to obtain specific details and the feedback carefully considered. The third point made above will also be clarified with the tenant.

Council currently promotes a number of community events and encourages local small businesses to actively participate in these events. These include the Granny Smith Festival, Harmony Day, Colours of Ryde Festival, community Christmas celebrations including Christmas tree lighting ceremony at Trim Place. From the survey responses, two (2) respondents expressed an interest in participating in additional Council initiated community events.

Current licensing framework with commercial tenants on Community Land

Council adopts an open consultation framework with local businesses to ensure transparency and good governance. As such, commercial tenants on community land are invited to make a submission under a publicly advertised Request for Proposals (RFP) process at the end of each lease term. The documentation relating to this process is aligned with Council’s procurement guidelines.

All proposed licensed or leased areas situated on community land are required under the Local Government Act 1993 (Act), to be publicly notified. This process allows the public an opportunity to comment on the proposal in support or against the proposed lease.

Generally, leases or licences are limited to a five (5) year term for the following reasons in respect of commercial operations on community land: -

1. Good governance to ensure that service levels are maintained to current acceptable standards, and that a public transparent market testing process is conducted every five (5) years to establish the best return to the community
2. Maintains asset flexibility across Council’s property portfolio
3. Leases/licences up to five (5) years only require Council consent if objections are raised under the public notification process.

ITEM 13 (continued)

Leases or licences over a five (5) year term are required under the Act to undertake a public tendering process. The Minister's intervention and consent is also required where objections are raised on leases or licences exceeding five (5) years.

Currently, all new leases include a 'holding over provision' which allows the tenant to continue occupation on month to month basis until a new lease is considered and granted by Council.

To better assist small business operators, Council staff have reviewed RFP documents specific to commercial property matters, to improve their user friendliness and effectiveness. A pamphlet is also being developed to provide further clarity to prospective tenants in the area of commercial leases on Community Land.

From the small business survey, no tenants identified issues concerning:

- The length of the term offered;
- The existence or otherwise of lease options; and
- Rent levels.

Only one (1) tenant was dissatisfied with the complexity of its lease agreement. Council has since moved to a "Plain English" lease to reduce complexity in mid-2012. Further simplification will be identified if possible, noting the minimum protection both Council's and tenant's need from occupational leases.

Communication and feedback channels with tenants

Current communications between Council and its tenant are via:

1. An induction and handover process at lease commencement that includes introduction to key staff within Council's Buildings and Property Management Sections. A copy of signed lease documentation, highlighting essential obligations and rights is provided to the tenant.
2. Critical dates or obligation requests under lease are highlighted to tenants periodically throughout the year.
3. Continuous open communication is encouraged through written or telephone requests by the tenant. These occur periodically throughout the year and may include requests for clarification in respect of the lease, suggestion of new ideas or enhancements that the tenant would like Council to consider.

One such program already implemented is the new Tenant enquiry service which has been developed with the Customer Service section to ensure that all enquiries from all Council tenants are recorded correctly but more importantly are forwarded to the correct section for action. This service will also allow tenants to provide feedback on improvements that could be made to their property which could then be considered in future planning.

ITEM 13 (continued)

Council's current tenancy handover process was deemed "not very useful" by the two (2) new tenant responders whom had used it within the past 12 months. A review of the process will be undertaken to improve its usefulness.

The Properties Section will continue to explore methods to enhance communication and feedback with Council's tenants, including the development of a new communication plan. This will be included as part of an extended tenant's induction pack. The communication plan will also review and reinforce existing feedback channels.

Other Initiatives

Council has recently developed and implemented a new Property Management Leasing Database which will fast track leasing information and critical dates to assist Council staff and Council's tenants providing an increased level of customer service.

Financial Implications

This proposal is provided for in the current Properties Base Budget 2013/2014.

Consultation

- Local small business tenants
- Community Relations and Events
- Communications and Media
- Public Works

ITEM 13 (continued)

ATTACHMENT 1



Lifestyle and opportunity
@ your doorstep

SMALL BUSINESS OPERATOR CUSTOMER SURVEY

About this survey

City of Ryde is conducting a short survey to determine the effectiveness of the services provided to small business operators occupying a Council building or land. We would appreciate your feedback to help us improve our services to you.

How to return this survey

Please return this survey to City of Ryde, Reply Paid 65204, North Ryde NSW 1670 by **Friday the 4th of October, 2013**. You do not need to put a stamp on the envelope.

PART 1: CURRENT SERVICE LEVELS

1. Please indicate your tenancy type from the following list. *Select all that apply.*

- Commercial Tenant
- Retail Tenant (e.g. Shops)
- Outdoor Dining

2. In terms of the way Council manages and maintains its assets, how satisfied are you with:

	Not at all satisfied	Not very satisfied	Somewhat satisfied	Satisfied	Very satisfied	N/A
The maintenance and/or repair of the exterior of the property	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The availability of public parking near your business	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The accessibility of footpaths to encourage foot traffic near your business	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. Thinking about your interactions with Council in relation to the property or space that you lease, how satisfied are you with the following aspects of our services?

	Not at all satisfied	Not very satisfied	Somewhat satisfied	Satisfied	Very satisfied	N/A
Staff act in a professional and courteous manner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Availability of key staff to respond to your enquiries/requests	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ease of understanding the information relating to your lease agreement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ease of making rent payments to Council	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. Which of the following methods do you prefer to use when making payments to Council?

- Direct Deposit by EFT
- Credit Card
- Payment by Mail (Cheque)
- Payment in person
- Other, please specify

ITEM 13 (continued)

ATTACHMENT 1

PART 1: CURRENT SERVICE LEVELS (CONTINUED)

5. If Council was to consider new electronic payment options, would you use the following methods?

	Yes	No
Direct Debit	<input type="checkbox"/>	<input type="checkbox"/>
BPay	<input type="checkbox"/>	<input type="checkbox"/>

6. Council periodically provides follow up reminders to tenants of key dates when matters are overdue. How satisfied are you with the usefulness of reminders for:

	Not at all satisfied	Not very satisfied	Somewhat satisfied	Satisfied	Very satisfied	N/A
When rent is due	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
When renewal for public insurance liability is due	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
When lease will expire	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Outgoings recovery (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7. If Council was to consider holding community events at locations near your business, would you be interested in participating in these events?

Yes	No	Unsure
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

8. Do you have any suggestions for how our services could be improved to better meet your needs?

9. Have you become a new tenant of Council in the last 12 months?

- Yes - *Please complete Part 2*
 No - *(End of Survey)*

PART 2: COMMUNICATIONS (Only fill out Question 10 if answered YES to Question 9)

We recently introduced a handover process at the start of a lease to provide tenants with relevant information regarding contact points, introductions to key staff, building orientation and emergency procedures.

10. If you have experienced this handover process in the past 12 months, how useful did you find it?

Not at all useful	Not very useful	Somewhat useful	Useful	Very useful	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

11. Do you have any suggestions for how our handover process could be improved to better meet your needs?

Thank you for completing our survey, we value your feedback.

14 UPDATE TO FEES AND CHARGES - ARTIST STUDIO

Report prepared by: Coordinator - Community Projects (Community & Cultural Buildings)
File No.: GRP/09/4/1/7 - BP13/1472

REPORT SUMMARY

The artist studio program was initiated by Council in response to artist and community needs for space and to continue and build on the City of Ryde's vibrant cultural program. Opportunities to create artist studio space have successfully been negotiated with the tenants at Brush Farm House. The new studio program would run at no cost to Council.

This report recommends Council establish a fee for the artist studio program based on industry standards.

RECOMMENDATION:

- (a) That Council approve a new fee of \$35 per week for an artist studio to be added to Council's Fees and Charges in the category of *Community and Cultural Buildings Leasing and Licensing Fees and Charges*
- (b) That the fee/charge of \$35 per week for art studios be publicly exhibited for a period of not less than 28 days from 28 October 2013 to 25 November 2013.
- (c) That a further report be presented to Council for consideration after the exhibition period, should any submissions be made
- (d) That if no submissions are made, the fee be confirmed by Council without the requirement of a further report to Council.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Chris Hellmundt
Coordinator - Community Projects (Community & Cultural Buildings)

Report Approved By:

Gunjan Tripathi
Acting Service Unit Manager - Community and Culture

Baharak Sahebekhtiari
Acting Group Manager - Community Life

ITEM 14 (continued)

Background

Under the Brush Farm House Memorandum of Understanding, tenants agreed to work in partnership to create a Learning and Development Hub. One of the partnership projects that arose from the Memorandum discussion, was to provide spaces for artists to work and develop their practice where possible. Currently, there is one space available at Brush Farm House.

An artist studio program has now been developed to meet these community needs. Council has recently concluded advertising an expression of interest to test whether there is interest from local artists for the use of available spaces. Five applications were received, indicating a healthy level of interest within Ryde.

If Council endorses an Artist Studio Fee, Community and Culture will seek other spaces for artists to work and create.

Establishing Artist Studio Fees and Charges

The current 2013/14 fees and charges schedule includes approved fees for a number of spaces managed by Council. It does not include a fee for artist studios.

It is recommended that Council approve a new fee of \$35 per week for an artist studio to be added to the category of *Community and Cultural Buildings Leasing and Licensing Fees and Charges*.

A fee of \$35 meets industry standards. Depending on size, artist studio spaces within town centres such as Parramatta and City of Sydney are provided at between \$25 and \$100 a week on a 6 to 12 month agreement. A fee of \$35 per week is considered reasonable for the square meterage that will be allocated in comparison to other artist studios in Sydney.

In discussion with a number of local emerging artists, \$35 was considered affordable.

Financial Implications

There would be a modest but positive financial return to Council, which will be used cover any outgoing costs associated with the space.

Options

Council could choose not to endorse the art studio fee structure proposed. This is not recommended because:

- The fees adhere to industry standards
- The artist studio initiative responds to significant community need.
- The fee meets the balance of being affordable to local artists but also covering Council's costs.

**15 APPOINTMENT OF DELEGATES TO THE RYDE YOUTH COUNCIL
ADVISORY COMMITTEE 2013**

Report prepared by: Acting Service Unit Manager - Community and Culture
File No.: GRP/09/4/1/7 - BP13/1433

REPORT SUMMARY

Council at its meeting held on 12 March 2013 resolved to endorse the appointment of delegates to the Ryde Youth Council (RYC) Advisory Committee.

Council also resolved to request the Ryde Youth Council Advisory Committee to review their Terms of Reference at the first meeting and report back to Council with confirmation of this matter and to notify all those who submitted Expressions of Interest of Council's confirmation.

This report details the progress made on this resolution and outlines key changes made in the Terms of Reference (**ATTACHMENT 1**) through consultations with the RYC delegates.

It is noted in the report that the process of selection of delegates and their participation in refining the Terms of Reference has been valuable in furthering the principles of access, equity, transparency, inclusion and fairness among the young delegates.

The report recommends an ongoing focus on these principles, to establish a high level of participation and engagement with the young people in making decisions. Other intended outcomes of this process have also been to cultivate a sense of empowerment and leadership skills among the delegates.

A training and development program for the delegates has been developed to enhance their effectiveness in advocating for the needs and issues impacting the young people in the City of Ryde.

RECOMMENDATIONS:

That Council endorse the revised Terms of Reference (**ATTACHMENT 1**) for the Ryde Youth Council Advisory Committee.

ATTACHMENTS

- 1 Ryde Youth Council Terms of Reference
- 2 Ryde Youth Council Training Brief

Report Prepared By:

Gunjan Tripathi

Acting Service Unit Manager - Community and Culture

Report Approved By:

Baharak Sahebekhtiari

Acting Group Manager - Community Life

ITEM 15 (continued)

Background

City of Ryde has had a Youth Council since 2004 and in 2010 created the Ryde Youth Council (RYC) as an official Advisory Committee of Council. The RYC has been created to allow young people within the City of Ryde to share their opinions, ideas and views with Council. The RYC provides a vibrant and energetic platform to the young people to engage with City of Ryde.

The mission statement of Ryde Youth Council states that:

“The Ryde Youth Council empowers young people to represent the voice of youth in Ryde and to develop their skills to build engaged citizens and progressive leadership”

Specific functions of the RYC are:

- Advocating, providing advice, and making recommendations to Council on matters affecting young people and the community.
- Co-ordinating, planning and implementing community activities and events, including National Youth Week.
- Identifying and initiating opportunities for participation and involvement of young people in community activity.
- Promoting community awareness of issues impacting on young people.
- Promoting positive images of young people and their achievements in the community.

Discussion

On 12 March 2013, Council resolved that:

A report is presented to the Council confirming a review of the Ryde Youth Council Advisory Committee Terms of Reference and the appointment of the delegates to the Committee.

The first meeting of the Ryde Youth Council Advisory Committee took place on 29 May 2013. All 27 delegates as appointed by Council were invited. Fifteen young people attended this inaugural meeting.

The agenda for this meeting facilitated discussions for planning and development for Ryde Youth Council delegates including:

1. Terms of Reference update on specific areas such as:
 - a. Regularity of meetings and times
 - b. Membership
 - c. Meeting attendance
 - d. Quorum
2. RYC Committee roles and responsibilities
3. Training and development.

ITEM 15 (continued)

The Committee reviewed the Terms of Reference and made minor changes as reflected in the Terms of Reference. These changes are listed as per below.

Items	Proposed Changes and discussions	Implementation
1. Terms of Reference a. Regularity of Meetings b. Membership c. Meeting Attendance d. Quorum	<ul style="list-style-type: none"> - Meetings will be held monthly for 1.5 hours instead of bi-monthly to keep the momentum. - Revised to a minimum of 10 members from 14 as currently listed in the TOR. - The delegates reaffirmed that the TOR should retain ways to remove a member if a member is absent for more than 3 meetings. - Ensure that least 6 members attend meetings for the proceedings to be valid. 	Attachment 1 – Terms of Reference Meetings are scheduled monthly for the last Wednesday of the month 6pm-7.30 pm Quorum for the meeting reflects this change. Current quorum is 50% plus one (at least 6 members to be present) at the meetings for decision making. Reflected in the TOR and continually reviewed. Meeting format reflects this decision. No major decisions are made in the absence of a quorum.
2. RYC Committee Roles and Responsibilities	<ul style="list-style-type: none"> - Committee confirmed that active participation of the delegates in coordinating youth events will provide a platform for development of skills and leadership in this area. Sub-committee structures should be implemented to ensure opportunities for participation and decision making are provided to RYC members. - Elected members of the Committee for 2013-2014 are: <ul style="list-style-type: none"> • Chairperson – Carla Kassab • Deputy Chairperson – Justinian Tabucanon • Public Relations Officer – Sophie Lara-Watson 	Sub Committee structures implemented for.

ITEM 15 (continued)

Items	Proposed Changes and discussions	Implementation
3. Training and Development	- Ongoing consultations with the RYC delegates to lead to the development of a Training Brief outlining key training needs of the Committee. It is envisaged that the specific trainings listed in the brief will be delivered over the next two terms. An evaluation will be conducted at the end of each training session.	Attachment 2 – Training Brief

Conclusion

The proposed changes once endorsed by Council will be incorporated in the revised Terms of Reference and will continue to be monitored throughout the term.

The first round of training was held in July 2013 with a specific focus on the roles and responsibility of the new elected members of RYC. A one and a half day training program was delivered by Dr Kate Sinclair. Based on the evaluation of the training a comprehensive training brief (**ATTACHMENT 2**) has been formulated to support the ongoing leadership development of the young people during their term on the Youth Council. The rationale for the approach is outlined below.

In order to maximise youth outcomes and impact in the community it is suggested that the City of Ryde considers delivering the training as part of a 'developmentally based' package to form a part of an ongoing mentor/leadership program. Studies indicate training that includes follow up sessions after one or two day workshops increases learning by up to 75%. In large part, this is because an extended training focus supports young people to put what they learn in the workshops into practice and in follow up sessions they can reflect and build upon the lessons, integrating into their development, what most needs to be remembered for future success.

Financial Implications

Adoption of this report's recommendation will have no financial implications.

ITEM 15 (continued)

ATTACHMENT 1

RYDE YOUTH COUNCIL TERMS OF REFERENCE

2010



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ATTACHMENT 1

Mission statement

“The Ryde Youth Council empowers young people to represent the voice of youth in Ryde and to develop their skills to build engaged citizens and progressive leadership”

1. ROLE

The primary roles of the Ryde Youth Council Advisory Committee are:

- To advocate for the needs of young people and provide a mechanism for their participation and involvement in decision making on community issues.
- To act in an advisory and consultative capacity to Council and staff on matters affecting young people in the community.
- To assist young people in developing skills in various areas including, leadership, communication, advocacy, governance and administration.

2. RESPONSIBILITIES

The Ryde Youth Council Advisory Committee is responsible for:

- Advocating, providing advice, and making recommendations to Council on matters affecting young people and the community;
- Co-ordinating, planning and implementing community activities and events, including National Youth Week;
- Identifying and initiating opportunities for participation and involvement of young people in community activity;
- Promoting community awareness of issues impacting on young people;
- Promoting positive images of young people and their achievements in the community.

3. MEMBERSHIP, ROLES AND VOTING

Membership of the Ryde Youth Council Advisory Committee comprises:

- No less than one (1) Councillor appointed annually, non voting member;
- One (1) alternate Councillor delegate, non voting member;
- Committee Facilitator;
- Minimum of fourteen (14) Community Representatives aged 12 - 25. Members must live, work, study or recreate in the City of Ryde.;

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- Young people who represent organisations that service young people;
- Young people from diverse socio-economic, cultural and ethnic backgrounds;
- Individuals with specialist skills and professional interest in issues affecting young people will be contracted/ invited as required.

The Committee Facilitator will extend membership to the City of Ryde Young Citizen of the Year each February following the award being received. Upon accepting membership this young person will then be included in any activities of the Committee.

Council officers will provide professional advice and administrative support. It should be noted that employees of the Council are not subject to the direction of the Advisory Committee or any members thereof.

Term of Membership to Committee

Members appointed to the Committee shall be appointed for a two year (or remainder thereof) term.

A member of the Ryde Youth Council may resign from membership by giving notice of not less than two (2) weeks in writing to the relevant Council representative.

Membership may be cancelled by failure to attend three (3) consecutive meetings without sufficient notification to the Council: Chair person/ or deputy chair person”

Council staff will be appointed and removed by the General Manager.

Roles

All members of the Ryde Youth Council will agree to act within the guidelines of the Ryde Youth Council as outlined in this Terms of Reference at all times. This is to be confirmed by signing an agreement form following a briefing session on this Terms of Reference and received Code of Conduct Training.

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Youth Councillor

The role of a Youth Councillor will be to:

- Attend meetings
- Actively seek views and opinions of young people and relevant issues to be brought to the notice of the Ryde Youth Council
- Contribute items of interest to the meeting agendas, by contacting the Chairperson between meetings
- Actively participate in discussions and decisions that take place at meetings
- Actively participate in various working parties and events involving the Ryde Youth Council
- Represent the views and act in the interest of all young people across the Ryde LGA
- Communicate any issues regarding Ryde Youth Council, including absences from meetings or activities with the Community Project Officer – Young people.

Councillor

The role of a Councillor will be to:

- Attend meetings
- Actively participate in discussions and decisions that take place at meetings
- Mentor, liaise and support the Ryde Youth Council and Ryde Youth Council members
- Assist in the communication of ideas of Ryde Youth Council Youth Councillors to other City of Ryde Councillors.
- Communicate any issues regarding Ryde Youth Council, including absences from meetings or activities with the Community Project Officer – Young People.

Chairperson

The role of the Chairperson will be to:

- chair all meetings of the Ryde Youth Council,
- establish a purpose and agenda for each meeting,
- ensure discussion remains on point and manages time,

ITEM 15 (continued)

ATTACHMENT 1

- encourage discussion and constructive input,
- Request agenda items for the next scheduled meeting.

The role of Chairperson shall be elected at the first meeting of the Ryde Youth Council at the beginning of a new two year term. The role of Chairperson can only be filled by a Youth Councillor.

In the event that the elected Chairperson is absent, the Ryde Youth Council shall nominate another member to chair the meeting or the Committee Facilitator will fill the role.

The Committee Facilitator in the role of Chairperson does not become a formal member of the Committee by virtue of this position. All staff are representatives of Council only and not members of the Committee.

Council's Code of Meeting Practice shall be used as the reference guide for any matters pertaining to the Committee meetings which are not otherwise outlined in this Terms of Reference.

Public Relations Officer

The role of the Public Relations Officer will be to:

- draft media releases,
- develop strategies to promote the Ryde Youth Council,
- promote events and activities conducted by the Ryde Youth Council,
- Assist in the development of material to be placed on the Ryde Youth Council webpage.

All media and public relations conducted for the Ryde Youth Council must have prior approval granted by the Manager, Community Relations and Events and Community Project Officer – Young People.

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ATTACHMENT 1

Committee Facilitator

A Committee Facilitator shall be appointed by the General Manager.

The Facilitator shall be a staff member of Council and is responsible for co-ordinating the preparation of agendas, invitations and minutes of the Ryde Youth Council, in partnership with the Chairperson.

The Facilitator shall also be responsible for co-ordinating any presentations from guest speakers and for considering requests from members of the public to address the Committee, also in partnership with the Chairperson.

The Facilitator has the right to refuse a request from a member of the public to address the Committee if it is deemed more appropriate for that person to address a formal Council or Committee meeting, with notification to be given to the Youth Council at the next relevant meeting .

Voting

No formal voting rules apply. As the Committee has an advisory role, its recommendations are made by consensus and no recommendation is deemed to be a decision of Council unless the matter is referred to Council for determination. If consensus is not achieved, and if required, the matter shall be referred to Council for determination.

Proxy

No voting by proxy is permitted. Only members in attendance at the meeting shall be entitled to participate in the decision making process of the Committee. If a member is unable to attend the meeting but wishes to be in attendance for discussion of a particular matter, he/she can notify the Chairperson prior to the meeting to request deferral of the item to a subsequent meeting or to request that the Chairperson formally indicate the member's view to the Committee during the discussion on the matter. The Committee shall decide if a matter is to be deferred to a subsequent meeting based on the representations made to the Chairperson by the absent member.

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ATTACHMENT 1

Quorum

For a valid meeting to occur, a quorum of '6 members' must be in attendance. No decisions can be made at a meeting with less than this number of members present.

4. MEETINGS

Meeting Schedule and Procedures

Meetings are to be held monthly from 6:00pm to 7:30pm or as agreed by members.

The Agenda & meeting papers shall be circulated to members at least 3 days prior to meeting.

Each meeting shall be properly recorded by the taking of minutes.

Public Participation

All meetings of the Committee are public meetings. Members of the public and media can attend meetings as observers, however, they cannot speak at a meeting unless prior arrangements are made through the Committee Facilitator, and Chairperson.

Presentations shall be limited to a maximum of 5 minutes.

5. COMMUNICATIONS & REPORTING

The agendas and minutes of the Committee shall be stored as a permanent record of Council, as determined by the General Manager.

The minutes of each meeting shall be circulated to all members as soon as practicable. Any questions by members regarding the minutes are to be referred immediately to the Committee Facilitator and if any error in the minutes is confirmed, the Committee Facilitator shall arrange to make the appropriate changes.

Minutes will be completed within 2 weeks of the Committee meeting and then reported in the Councillor's Information Bulletin.

All agendas shall be published on Council's website within 5 days of completion.

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ATTACHMENT 1

All minutes shall be published on Council's website within 5 days of adoption by Council.

Minutes may be referred or a report may be prepared for Council's consideration where the Committee suggests an action (or actions) which staff cannot carry out within existing delegations, or resources.

The minutes will be reported directly to the following City of Ryde staff:

- Service Unit Manager – Community + Culture
- Section Manager – Community Projects

Members of the Committee are not permitted to speak to the media as representatives of the Committee unless approved by Council.

6. CODE OF CONDUCT AND OTHER COUNCIL POLICIES

Each Committee member who is not otherwise a Councillor or staff member shall be provided with a copy of Council's Code of Conduct and other related policies that may be applicable to the operation of the Committee.

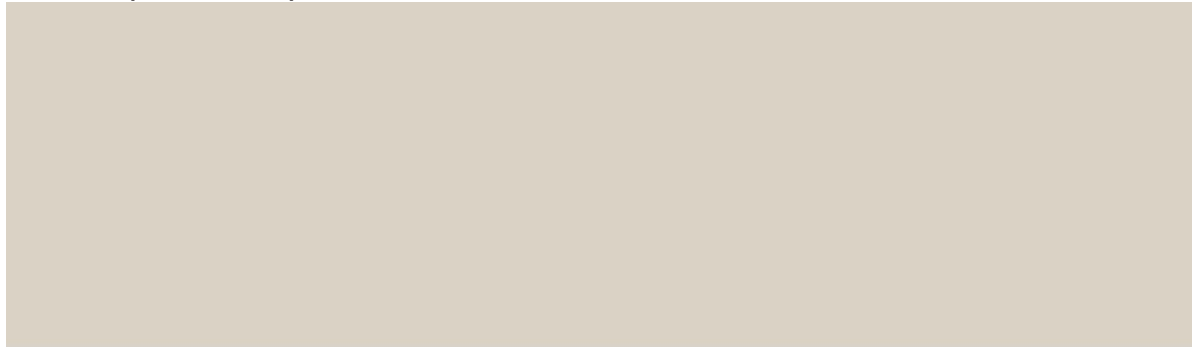
The conduct of each Committee member is expected to be consistent with the principles outlined in these Council publications.

7. REVIEW

A review of the Advisory Committee and Terms of Reference will occur following the end of the two year term.

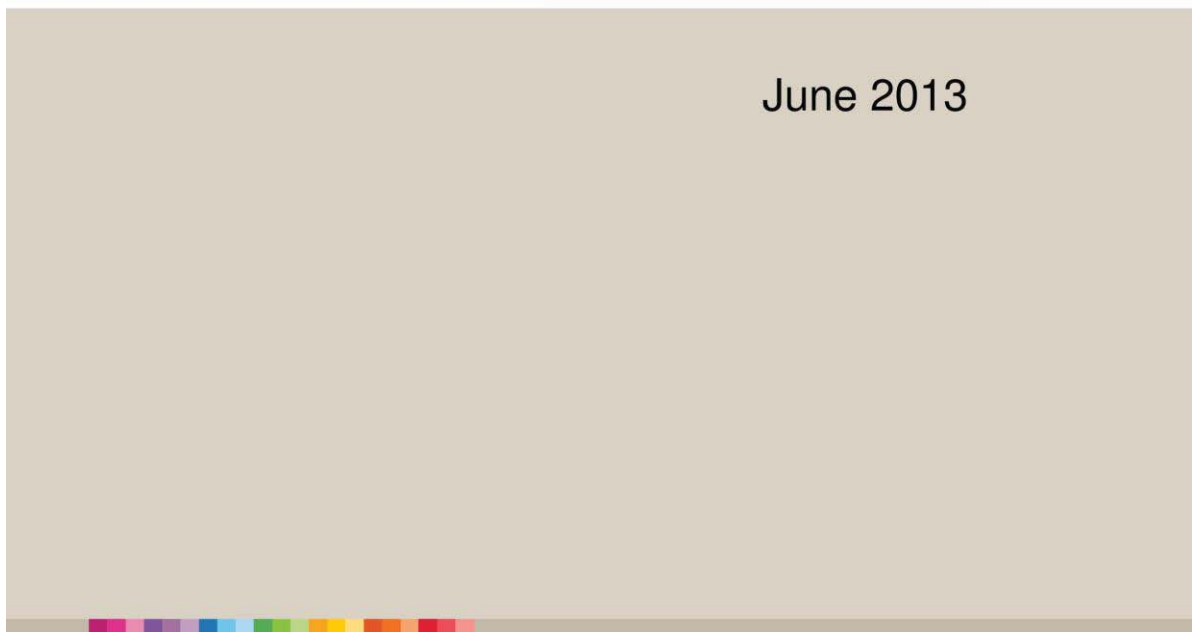
ITEM 15 (continued)

ATTACHMENT 2



**Ryde Youth Council
(RYC) Training Brief**

June 2013



ITEM 15 (continued)

ATTACHMENT 2



RYDE YOUTH COUNCIL (RYC) TRAINING BRIEF

Introduction:

City of Ryde has had a Youth Council since 2004 and in 2010 created the RYC as an official Advisory Committee of Council. The RYC has been created to allow young people within the City of Ryde to share their opinions, ideas and views with Council.

The primary roles of the Ryde Youth Council Advisory Committee are:

- To advocate for the needs of young people and provide a mechanism for their participation and involvement in decision making on community issues.
- To act in an advisory and consultative capacity to Council and staff on matters affecting young people in the community.
- To assist young people in developing skills in various areas including, leadership, communication, advocacy, governance and administration.

The Ryde Youth Council Advisory Committee is responsible for:

- Advocating, providing advice, and making recommendations to Council on matters affecting young people and the community;
- Co-ordinating, planning and implementing community activities and events, including National Youth Week;
- Identifying and initiating opportunities for participation and involvement of young people in community activity;
- Promoting community awareness of issues impacting on young people;
- Promoting positive images of young people and their achievements in the community.

Taken from 2010/2012 RYC Advisory Committee Terms of Reference

Current Status:

The RYC has started its second term and has 26 members with 5 previous members returning and 21 new young people. At the beginning of each new term the Council likes to provide the young people with training in relevant skill sets to their role and responsibility as a part of the advisory committee.

In addition late 2012 a report was created reviewing the previous terms membership and participation. This report combined with information from the young people at the first meeting of the 2013/14 term and information from Council has been outlined for the delivery of a training package in July 2013.

ITEM 15 (continued)

ATTACHMENT 2

The RYC Training Outline

Committee Roles and Responsibilities

- What does it mean to be on the RYC?
- What have you committed to do?
- Understanding and updating Terms of Reference to send to Council for endorsement

Leadership Training

- What makes a leader?
- What are the skills and qualities required for leadership

Individual and Group Goal setting for term of membership

- What do you want to achieve in the length of the two year term? (outcomes for the community, skills, experience?)
- What should the group achieve in the two year term? (outcomes for the community? Youth centre, skate park, community/ youth projects?)
- What are the needs of young people in Ryde?

Council Processes and Procedures

- Meeting procedure - Important steps in the meeting and why we have process – what process do they want for the RYC and how will meetings work?
- Understanding council processes

Event Management

- Why does the RYC run events?
- What events should the RYC run?
- How does this responsibility fit within all of the RYC role and responsibility?
- What will events achieve for the RYC and for the Ryde youth community?

Advocacy and lobbying skill development

- How to define an issue and present an argument to decision makers
- How RYC Youth Councillors can apply Council processes to highlight an issue to community decision makers

Decision making and judgement skill acknowledgement

Including giving members to ability to breakdown a proposal or idea presented to RYC and to:

- understand the objectives of a proposal
- assess need
- assess risk
- judge the purpose and delivery
- determine resources required and what RYC has available
- gaining comfort and confidence in expressing ideas and opinions (including feeling comfortable to say 'I don't know')

Further Information required:

- Times and Dates for training
- Recommendation for training timeline and structure – full days, half days or sessions for training program?

16 REPORTS DUE TO COUNCIL

Report prepared by: Meeting Support Coordinator
File No.: CLM/13/1/4/2 - BP13/1474

REPORT SUMMARY

This Report is submitted to Council to review the status of outstanding reports and confirm the date reports are due to be provided to Council as at 15 October 2013. (listing **ATTACHED**)

There are currently 48 reports listed. Following consideration of this report there will be seven overdue reports due to Council.

RECOMMENDATION:

That the report on Outstanding Council Reports be endorsed.

ATTACHMENTS

1 Outstanding Council Reports - as at 15 October 2013

Report Prepared By:

Carol Mikaelian
Meeting Support Coordinator

Report Approved By:

Amanda Janvrin
Section Manager – Governance

Shane Sullivan
Acting Group Manager – Corporate Services

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ATTACHMENT 1

Outstanding Reports

Meeting Type	Resolution	Due Date of Report	Comments/Update
Works and Community	FEASIBILITY STUDY ON MULTIPURPOSE SYNTHETIC (ARTIFICIAL) FIELDS	13/08/2013	<i>The Workshop on Synthetic Fields has been scheduled for 8 August 2012.</i>
Meeting Date 10/04/2012	1. That the General Manager prepare a feasibility study on multipurpose synthetic (artificial) fields to be installed in the City of Ryde. This study should outline a comprehensive consultation process, projected financial impacts, construction cost estimates and a funding and grants program with all sports facility users and stakeholders in the LGA.	Anticipated date 5/11/2013	<i>To be reported to the Works and Community Committee on 20 November 2012.</i>
Group Community Life	2. A report detailing possible sports funding grants through the State and Federal Governments in the next financial year to assist in this project should also be undertaken. 3. A feasibility study cost be funded through the 2012/13 First Quarter Budget review.	Officer Tatjana Domazet	<i>The Workshop was attended by 50 people including the NSW State Minister for Sport and Recreation.</i>
			<i>Participating in the NSROC project on regional approach for provision of synthetic fields.</i>
			<i>Project brief completed and quotes sought from consultants. Funds requested as part of Quarterly Review Process, as per Council Resolution. Once funds are allocated, the project will commence.</i>

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ATTACHMENT 1

15-Oct-13

Funds allocated on 4 December at Council meeting.

To be delayed and submitted to Council meeting in August 2013 due to further community consultation being undertaken.

Finalisation of report with consultant delayed. Report to be submitted to Council in late August.

Further community consultation being undertaken.

Due to additional consultation with the sporting community the draft report was delayed for comment by the PRG.

Draft report issued to the PRG for comment on 19 September and feedback provided. Due to an extended review period, this report was delayed and will be provided to the Works and Community Committee in November.

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ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Works and Community	GLADESVILLE VACATION CARE SERVICE- Transfer to Gladesville Public School P&C	19/11/2013	<i>This report will be provided on 19 November 2013, after a duration of 12 months as per the resolution.</i>
Meeting Date 26/06/2012	(c)That Council staff review and report to Council on the above arrangements (to ensure service continues to meet the needs of families) after 12 months.	Anticipated date 19/11/2013	
Group Community Life		Officer Baharak Sahbekehriari	

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Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	DEFERRED REPORT: WEBCASTING OF COUNCIL MEETINGS	13/08/2013	<i>Software and hardware sourced. There have been some technical issues which are being addressed and testing is currently underway. The webcasting has been operational during tests but there have been technical issues during Council meeting tests. We are continuing to review the system.</i>
Meeting Date 17/07/2012	(c) That a report be provided to Council following the conduct of the 2012 Local Government Election outlining the outcomes of the trial and recommending appropriate changes to Council's Code of Meeting Practice.	Anticipated date 26/11/2013	<i>Updates will be provided to Councillors through the Councillor Information Bulletin closer to the go live date.</i>
Group Corporate Services		Officer Shane Sullivan	<i>It is anticipated for the system to go live by November 2013 and for the Code of Meeting Practice to be updated accordingly.</i>

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Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	MATTER OF URGENCY – REFERENCE TO RYDE COUNCIL IN THE SYDNEY MORNING HERALD - COMPLETED	25/06/2013	<i>This matter was reported to Council as an attachment to a Mayoral Minute at Council's Meeting on 12 February 2013.</i>
Meeting Date 13/11/2012	That the General Manager provide a detailed report to Councilors on the allegations made in the Sydney Morning Herald in relation to Ryde Council's association with Direct Health Solutions and any other company operated by the Obeid family. This report should detail the circumstances and approval processes that operated and provide an explanation (if necessary) on why the normal tendering process allegedly did not take place.	Anticipated date 8/10/2013	<i>As advised in the report, Council has endorsed completing a full investigation into the two matters by an independent external party.</i>
Group General Manager		Officer John Schanz	<i>A firm has been appointed to conduct the investigation and report back to Council.</i>
			<i>Investigation is ongoing and is expected to be finalised by mid August.</i>
			<i>Report presented to Council on 8 October 2013.</i>
			<i>COMPLETED (To be removed following the Council Meeting on 22 October 2013.</i>

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ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	MAYORAL MINUTTE 15/12 - REVIEW OF POLICIES REGARDING VISITING OVERSEAS DELEGATIONS AND SISTER CITY RELATIONSHIPS	13/08/2013	Council resolved that a Workshop be conducted to allow Council to reconsider its policy with regard to Visiting Overseas Delegations and all aspects of existing sister city relationships. This Workshop has been held.
Meeting Date		Anticipated date	
13/11/2012	(b)That the General Manager bring back a report to Council of existing sister city relationships.	26/11/2013	
Group		Officer	
Corporate Services		Shane Sullivan	Subsequently, Council asked that a further workshop be conducted with Korean representatives.
			Due to the large number of planned workshops this workshop will be delayed.

ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	PLANNING PROPOSAL - 461 - 495 VICTORIA ROAD, GLADESVILLE - COMPLETED	8/10/2013	<i>On 13 November 2012 Council resolved to forward the planning proposal to the Minister for a Gateway Determination. This will occur by 14 December 2012.</i>
Meeting Date 13/11/2012	(c)That, in the event of a gateway determination being issued pursuant to Section 56 of the Environmental Planning and Assessment Act 1979, the proposed be placed on public exhibition and a further report be presented to Council following the completion of the consultation period advising of the outcomes and next steps.	Anticipated date 8/10/2013	<i>Subject to receipt of the Gateway determination from DoPI in February 2013 community consultation will likely commence mid March 2013 and run for at least 28 days to mid April 2013. It is anticipated that a report concerning the outcomes of community consultation will be presented to Council late July / early August 2013.</i>
Group Environment and Planning		Officer Meryl Bishop	<i>Gateway determination received 1 March 2013. Report to Council on 9 April 2013 recommending commencement of community consultation.</i>
			<i>Community Consultation, including Community Information Session, planned for June 2013.</i>

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At its meeting of 23 July 2013 Council resolved to hold a further Community Consultation meeting to address traffic concerns. This is expected to occur in late August 2013.

Report presented to Council on 8 October 2013.

COMPLETED (To be removed the following Council Meeting on 22 October 2013).

ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	7-9 RUTLEDGE STREET, EASTWOOD, LOT 23 DP 4231 and LOT 24 DP 653568. Local Development Application for a mixed use development, containing 6 retail/commercial tenancies, 79 units & basement parking for 155 cars & strata subdivision. LDA 2011/0612.		<i>Amended plans and information to be submitted and then renofited. Not yet received.</i>
Meeting Date		Anticipated date	<i>Amended plans not yet received as at March 2013.</i>
27/11/2012	That Local Development Application No. 2011/0612 at 7-9 Rutledge Street, Eastwood, being LOT 23 DP 4231 and LOT 24 DP 653568 be deferred pending receipt of the information required by the deferred commencement conditions including amended plans etc and exhibition of this information with a further report to Council for consideration in 2013.	Officer	<i>Follow-up letter to applicant sent seeking amended plans 3 April 2013 - applicant has requested more time to provide amendements.</i>
Group		Liz Coad	<i>Date of Report to be determined upon receipt of amended plans. Amended plans not yet received as at August 2013.</i>
Environment and Planning			<i>Some amended plans received, still awaiting further plans as at September 2013. Notification to be undertaken upon receipt of complete amendements and report to Council to follow.</i>
			<i>Amended plans Received. Notification closes 30 October</i>

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ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	GLADESVILLE RSL DEVELOPMENT PROPOSAL	23/07/2013	<i>Council has met with proponents to view draft community consultation plan. Date for report to be determined as a result of outcomes.</i>
Meeting Date 11/12/2012	(b) Following the community consultation, including key stakeholders, that a further report be provided to Council by the Gladesville RSL Club including details of the following:	Anticipated date 10/12/2013	<i>The RSL Club has scheduled consultation events throughout March 2013 - the date of the report is to be confirmed pending the results of the consultation.</i>
Group Public Works	(i) Indicative built form and uses; (ii) Parking management (particularly during the construction phase); and (iii) Results of the community consultation process.	Officer Chris Redman	<i>Workshop deferred to 3 September 2013. Date of report to be determined.</i>
			<i>Workshop undertaken 3 September 2013.</i>
			<i>Update 14 October 2013: Workshop and report undertaken 3 September 2013 by Gladesville RSL Club as per resolution.</i>

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ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	BOARDING HOUSES POLICY - Draft Enforcement Policy and Draft Development Control Plan - COMPLETED	8/10/2013	<i>Draft policy to be exhibited in April 2013.</i>
Meeting Date		Anticipated date	<i>Draft Policy on Exhibition, submissions close 20 May 2013.</i>
11/12/2012	(c)That Council receive a further report on the outcomes of the exhibition of draft Boarding Houses Policy comprising:	8/10/2013	<i>Exhibition completed and reported to Council on 8 October 2013.</i>
Group		Officer	
Environment and Planning	1. Draft Enforcement Policy: Boarding Houses 2. City of Ryde Draft Amending Development Control Plan - Boarding Houses.	Scott Cox	<i>COMPLETED (To be removed following the Council Meeting on 22 October 2013).</i>

ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	RYDE CITY BOWLING CLUB UPDATE	26/11/2013	(c) Subject to arbitration regarding fixtures, due improvements to commence shortly. Anticipated completion date late March - early April.
Meeting Date 12/02/2013	(c) That Council proceed with an EOITender process for the site, once the issues outlined in the body of this report are resolved.	Anticipated date 26/11/2013	(d) Later in the year - report to Council October/November.
Group Community Life	(d) That Council note that the further report considering the future of the Ryde Park including the Ryde City Bowling Club and Argyle Centre sites as to the future development, use and management will proceed following progress of Part (c) above.	Officer Baharak Sanebehtari	Awaiting the outcome of the arbitration before proceeding to the EOITender process. Matter is with the Golden Goal solicitors. Interim report on arbitration process and way forward submitted to Council in August. Further report on the timing of the tender process will be provided to Council in November.

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ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	SPORTING FACILITIES	24/09/2013	<i>Due to the current workload the matter will be reported to the Works and Community Committee meeting in October.</i>
Meeting Date 26/02/2013	That Council receive a report that lists all works Council officers have planned or are proposed for future works within the City on sporting facilities and related amenities blocks.	Anticipated date 3/12/2013	<i>Matter deferred to allow for a provision of additional fitness equipment from Open Space and Sport and Recreation budget (as per recent Council resolution), to be considered by the Sport and Recreation Advisory Committee at its meeting to be held on 11 November 2013.</i>
Group Community Life	The report also to outline ways the officers seem to prioritise works to be done on these planned works and/or proposed works including if known the funding or proposed funding for such works. The report to be returned before the end of the calendar year, and if this cannot be achieved, Councillors to be advised in the CIB of a future reporting date	Officer Tatjana Domazet	

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ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	DRAFT RYDE LEP 2011 - AMENDING PLANNING PROPOSAL - COMPLETED	22/10/2013	<i>Open Community Workshop anticipated July 2013.</i>
Meeting Date 12/03/2013	(c)That a Planning Proposal be prepared to amend Draft LEP 2011 in accordance with Table 2 Planning Proposal Amendments to DLEP 2011 attached to this report and be supported by a consultation programme prepared by Council's Media and Communications Group and reported back to Council for further discussion and endorsement.	Anticipated date 22/10/2013	<i>Workshop held 31 July 2013. Detailed report to Council presented in October 2013.</i>
Group Environment and Planning		Officer Meryl Bishop	<i>COMPLETED (To be removed following the Council meeting on 22 October 2013).</i>

ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	77 WHARF ROAD, GLADESVILLE – LOT 2 DP 536882. Development Application for alterations to the existing dwelling, including a new front fence and gates. LDA2012/0272	4/06/2013	Application requested preliminary meeting to discuss the issues - held in May 2013.
Meeting Date		Anticipated date	
12/03/2013	(a)That LDA2012/272 at 77 Wharf Road, Gladesville being LOT 2 DP 536882 be deferred for a mediation meeting to be undertaken by the Group Manager Environment and Planning with the applicant and the objectors to address issues relating to bulk, scale, habitable areas and streetscape presentation. That a further report be referred to Planning and Environment Committee within three months.		Awaiting provision of amended plans for option to be discussed at mediation meeting.
Group		Officer	
Environment and Planning		Liz Coad	Mediation meeting held 15 July 2013. Awaiting provision of amended plans for notification and assessment.
			Date of report to be determined. Amended Plans not yet received as at September 2013.
			Amended Plans Received and notified. Date of report to be determined.

ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	APPOINTMENT OF DELEGATES TO THE RYDE YOUTH COUNCIL ADVISORY COMMITTEE. - COMPLETED	22/10/2013	Report presented to Council on 22 October 2013.
Meeting Date 12/03/2013	(b) That the Ryde Youth Council Advisory Committee be requested to review their Terms of Reference at their first meeting and report back to Council for confirmation on this matter.	Anticipated date 22/10/2013	COMPLETED (To be removed following the Council Meeting on 22 October 2013).
Group Community Life		Officer Gunjan Tripathi	

ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	NOTICE OF MOTION - SUPPORTING LOCAL BUSINESS LEASING COUNCIL PROPERTIES - COMPLETED	21/05/2013	<i>Update 15 May 2013: Report deferred to 19 November 2013 Works and Community Committee to enable additional stakeholder consultation to be undertaken. Results of consultation to be incorporated into report.</i>
26/03/2013	(a) That the Acting General Manager provide a report including recommendations on improving relations and feedback from small business operators who are leasing properties from the City of Ryde.	Anticipated date 19/11/2013	
Group Public Works	(b) That this report include matters pertaining (but not limited) to: -Possible consultation frameworks; -Improving commercial leasing terms including 'options' to extend a lease after expiry; and -Feedback channels for suggestions that include improvements or enhancements to council properties.	Officer Rod Drummond	<i>Update 19 August 2013 At stakeholder consultation stage. Update 14 October 2013 Report presented to the Council Meeting on 22 October 2013. COMPLETED (To be removed following the Council Meeting on 22 October 2013).</i>

ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	NOTICE OF MOTION - NATIONAL DISABILITY STRATEGY: NSW IMPLEMENTATION PLAN 2012-2014 - COMPLETED	10/09/2013	<i>Report back to Council by early September 2013.</i>
Meeting Date 26/03/2013	That Council receive a report that: -provides an initial assessment of the areas of action required by Councils, as identified in the plan. -identifies the anticipated resourcing issues. -outlines the proposed management mechanism/s to plan and coordinate the implementation of the required actions.	Anticipated date 8/10/2013	<i>Internal working group established. Project needs more time to allow external consultation.</i>
Group Community Life		Officer Gunjan Tripathi	<i>Project to be reported to Council on 24 September 2013.</i>
			<i>Project requires more work following consultation with the Executive Team. Report provided to Council on 8 October 2013.</i>
			<i>COMPLETED (To be removed following the Council Meeting on 22 October 2013).</i>

ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	MATTER OF URGENCY - BUDGET FOR 2013/14	10/12/2013	<i>Scoping of strategy development commenced. Budget changes as requested by Council will be incorporated in draft Delivery Plan for 2013/14.</i>
Meeting Date 26/03/2013	2. Council note the above in relation to the development of a Communications Strategy resolved by Council on 12 March 2013 and to provide an extension for the report back of the draft strategy to Council no later than December 2013.	Anticipated date 10/12/2013	
Group General Manager		Officer Angela Jones-Blayney	

ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	MACQUARIE PARK REVIEW OF PLANNING CONTROLS (RYDE LEP AMENDMENT 1) - COMPLETED	8/10/2013	<i>Council changes are being incorporated into exhibition materials. Public exhibition to follow.</i>
Meeting Date	(b) That the outcomes of community consultation are reported to Council as soon as practicable after the exhibition period.	Anticipated date 22/10/2013	<i>Public Exhibition expected to commence in June 2013 continuing into July 2013.</i>
Group		Officer	
Environment and Planning		Meryl Bishop	<i>Exhibition completed. Detailed report presented to Council on 22 October 2013.</i>
			<i>COMPLETED (To be removed following the Council Meeting on 22 October 2013).</i>

ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	11 FIRST AVENUE, EASTWOOD - Stormwater Drainage	3/12/2013	<i>Update 15 May 2013: Report deferred until legal issues raised are worked out with resident.</i>
Meeting Date 23/04/2013	That consideration of this Item be deferred to the next Works and Community Committee meeting on 7 May 2013 and that the resident be invited to attend the meeting.	Anticipated date 3/12/2013	<i>Update 18 June 2013: A CIB was issued on 9 May 2013 providing an update on this matter. Given that legal issues surround this matter, a definitive report date cannot be provided. Accordingly, the matter will be reported back to the Works and Community Committee once an appropriate course of action can be recommended.</i>
Group Public Works		Officer Anthony Ogle	<i>Update 19 August 2013: Status remains unchanged. Waiting to hear from resident.</i>
			<i>Update 14 October 2013 Council has met with the resident and a solution has been agreed to. Once details have been completed a report will be presented to the Works and</i>

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ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	NOTICE OF MOTION - AMENDMENT TO VOLUNTARY PLANNING AGREEMENT (VPA) POLICY	24/09/2013	<i>In keeping with the Integrated Open Space Plan, the amended VPA Policy seeking additional open space, was approved by Council at its meeting held on 13 August 2013.</i>
Meeting Date 14/05/2013	(b)The Acting General Manager prepare a report identifying how much money Council has for open space acquisition and identify potential purchases for consideration by Council in keeping with the Draft IOSP.	Anticipated date 26/11/2013	<i>The Open Space Future Provision Plan is currently under development and will be discussed at a confidential Councillor workshop to be held in November 2013.</i>
Group Community Life		Officer Tatjana Domazet	

Community Committee as soon as possible.

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ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	58 – 60 FALCONER STREET, WEST RYDE. LOT 1 DP 953646 and LOT 2 DP 102049. Development Application for demolition and construction of 10 strata titled town houses under the Affordable Housing State Environmental Planning Policy. LDA2012/0124		Date to be advised - pending amended plans and renortification.
Meeting Date		Anticipated date	Amended Plans received and renortification underway - submissions close 18 September 2013.
14/05/2013	(b)That the amended plans are renortified to the community including all persons who made submissions and that following this process a further report be presented to Planning and Environment Committee.		
Group		Officer	
Environment and Planning		Liz Coad	

ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	DRAFT DCP 2010 PART 4.4 RYDE TOWN CENTRE - CIVIC PRECINCT		Gateway determination under consideration of DoPI - exhibition pending DoPI decision.
Meeting Date	(c)That Council is presented with a further report following the completion of the exhibition period.	Anticipated date	DoPI requested additional information, which has been provided by Council 5 August 2013.
Group		Officer	
Environment and Planning		Meryl Bishop	Still awaiting DOPI determination as at September 2013.
			Still awaiting DOPI determination as at October 2013. Staff have contacted DOPI fro update. No response has yet been provided.

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ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	NOTICE OF MOTION - ADVERTISING ON PUBLIC LAND AND AROUND DOG OFF LEASH PARKS	10/12/2013	<i>Due to current workload this matter will be reported to Council in December 2013.</i>
Meeting Date	1. That the Acting General Manager provide a report to Council advising of the options for advertisement around the dog off leash parks including proposed fees and terms and conditions for such advertising that are compliant with the requirements of the State Environmental Planning Policy 64.	Anticipated date 10/12/2013	
Group	2. That the Acting General Manager investigate the potential of advertising on public land as an revenue generating option such as advertisement around dog parks, with the expression of interests to be sent to all local vet business and dog food companies, and report back to Council.	Officer Tatjana Domazet	
Community Life			

ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	REQUESTS FOR PROPOSALS RECEIVED FOR THE LEASE OF THE KOTARA PARK AND OLYMPIC PARK TENNIS CENTRES	10/12/2013	<i>This report will be provided to Council in December 2013.</i>
Meeting Date		Anticipated date	
25/06/2013	(e) That a further report be submitted to Council following an Expression of Interest/Requests for Proposal process.	10/12/2013	
Group		Officer	
Community Life		Tatjana Domazet	

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ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council Meeting Date 23/07/2013	NOTICE OF MOTION - LAND ACKNOWLEDGEMENT PLAQUE	22/10/2013	<i>This report will be provided to Council in November 2013.</i>
Group Community Life	(b) That the Acting General Manager report on the options on how Council recognises the area where it is believed that Woollarwarre Bennelong is believed to be buried.	26/11/2013 Anticipated date	
		Officer Gunjan Tripathi	
Meeting Type Council	GRAFFITI VANDALISM AND THE CITY OF RYDE	25/02/2014	<i>This report will be provided to Council in February 2014.</i>
Meeting Date 23/07/2013	(b) That the Graffiti Action Plan be reported to Council in February 2014.	25/02/2014 Anticipated date	
Group Community Life		Officer Derek McCarthy	

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ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	ESTABLISHING AN INTEGRATED YOUTH SERVICE HUB	14/07/2015	<i>This report will be provided to Council in July 2015, after a duration of 24 months as per the resolution.</i>
Meeting Date 23/07/2013	(d) That following the trial period (2 years), a review of the Integrated Youth Service Hub governance model be undertaken by Community and Culture and reported to Council.	Anticipated date 14/07/2015	
Group Community Life		Officer Gunjan Tripathi	

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ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	260-274 VICTORIA ROAD, GLADESVILLE. LOT 62 to LOT 67 DP 10598. Local Development Application for demolition and construction of a mixed use building containing 26 residential apartments and 3 retail tenancies. LDA2012/0360 - COMPLETED	15/10/2013	<i>Mediation meeting to be arranged. Date of report to be determined.</i>
Meeting Date			<i>Mediation undertaken 6 September 2013.</i>
13/08/2013		Anticipated date	<i>Report presented to the Planning and Environment Committee Meeting on 15 October 2013.</i>
		15/10/2013	<i>COMPLETED (To be removed following the Council Meeting on 22 October 2013).</i>
Group		Officer	
Environment and Planning		Liz Coad	

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ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	INTERIM ACTION PLAN- How Council Can Address Risks Raised in the ICAC Hearing	10/12/2013	<i>A Workshop has been scheduled for this matter on 15 October 2013.</i>
Meeting Date 13/08/2013	(c)That Council request the Acting General Manager to schedule a briefing to workshop with Council the various models of IHAP, and their policy and procedural frameworks, with the preferred option to be reported back to Council;	Anticipated date 10/12/2013	
Group Environment and Planning		Officer Dominic Johnson	

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ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	RYDE HERITAGE ADVISORY COMMITTEE REQUEST COUNCIL CONSIDER OPTIONS FOR HERITAGE LISTING RYDE CIVIC CENTRE SITE - COMPLETED	22/10/2013	<i>Report pending response of Heritage Advisory Committee.</i>
Meeting Date			<i>Report presented to Council on 22 October 2013.</i>
13/08/2013	That Council refer this report to the next meeting of the Heritage Advisory Committee for its comment prior to being reported back to Council.	Anticipated date 22/10/2013	<i>COMPLETED (To be removed following the Council Meeting on 22 October 2013).</i>
Group		Officer	
Environment and Planning		Meryl Bishop	

ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council			
Meeting Date	NOTICE OF MOTION - VOLUME AND SPEED OF VEHICLES USING ALL THE RESIDENTIAL STREETS BOUNDED BY VICTORIA ROAD, BOWDEN STREET, CHURCH STREET AND CONSTITUTION ROAD	29/10/2013	<i>Update 19 August 2013: Investigations and a way forward are being determined as to the best approach in regards to this report.</i>
13/08/2013		Anticipated date	
	That the Acting General Manager investigate and report on the volume and speed of vehicles using all the residential streets bounded by Victoria Road, Bowden Street, Church Street and Constitution Road as "through roads" and "rat runs" between these major roads.	19/11/2013	
Group	Officer		
Public Works	Harry Muker		

ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	NOTICE OF MOTION - THE ESTABLISHMENT OF A REGISTER OF LOBBYISTS IN RELATION TO DEVELOPMENT APPLICATIONS - Councillor Jerome Laxale	26/11/2013	<i>Department of Planning and Infrastructure operational model to be used for guidance.</i>
27/08/2013	That Council report back with preferred operational models for such a register, looking to schemes similar Government Registers for guidance.	26/11/2013	Anticipated date
Group Environment and Planning		Officer	
		Meryl Bishop	

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ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	EXPRESSION OF INTEREST - COR-EOI-02/13 - GENERAL REVIEW OF PROCUREMENT AT THE CITY OF RYDE	10/12/2013	<i>Report being prepared for Council Meeting on 10 December 2013.</i>
Meeting Date		Anticipated date	
27/08/2013	That the report arising from this review be presented to Council.	10/12/2013	
Group		Officer	
General Manager		John Schanz	

ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council Meeting Date 27/08/2013	TOP RYDER COMMUNITY BUS UPDATE	22/10/2013	<i>Research and negotiation with prospective sponsors underway - report expected November 2013.</i>
Group Environment and Planning	That a further report be submitted to Council in October 2013 on the research undertaken to fund a continuation of the Top Ryder Community Bus Service and seeking a decision based on the results of the investigation undertaken on whether or not the service should be continued, discontinued or downsized.	12/11/2013 Officer Sam Cappelli	
Meeting Type Council	Resolution PLANNING PROPOSAL - 111 WICKS ROAD, 29 EPPING ROAD AND 31 - 35 EPPING ROAD MACQUARIE PARK	Due Date of Report	Comments/Update <i>Awaiting provision of additional information from applicant.</i>
Meeting Date 27/08/2013	That a further report be provided to Council following the outcomes of those discussions.	Anticipated date	
Group Environment and Planning		Officer Meryl Bishop	

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ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	DRAFT DEVELOPMENT CONTROL PLAN FOR THE FORMER HAWKES ON SECOND AVENUE BOWLING CLUB	10/12/2013	<i>Exhibition expected late October 2013 report to follow.</i>
Meeting Date		Anticipated date	
27/08/2013	That a further report be presented to Council as soon as practicable after the exhibition of the Draft Development Control Plan detailing the outcomes of the consultation process.	10/12/2013	
Group		Officer	
Environment and Planning		Meryl Bishop	

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ITEM 16 (continued)
ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Meeting Date 27/08/2013 Group Community Life	SANTA ROSA PARK AMENITIES BUILDING That given community feedback received, further public consultation be undertaken prior to construction of any amenities block in Santa Rosa Park and a report provided to Council.	Anticipated date 12/11/2013 Officer Tatjana Domazet	<i>Site inspection held with the Mayor on 30 September 2013. Councilors site inspection organised for Tuesday, 15 October 2013. Following this inspection, a report will be provided to Council in November.</i>
Meeting Type Council	NOTICE OF MOTION - SANTA ROSA PARK TOILET FACILITY	Due Date of Report 5/11/2013	Comments/Update <i>Site inspection held with the Mayor on 30 September 2013. Councilors site inspection organised for Tuesday, 15 October 2013. Following this inspection, a report will be provided to Council in November.</i>
Meeting Date 24/09/2013 Group Community Life	(a) That the Santa Rosa Park toilet facility construction be referred to the Works and Community committee for urgent attention, including a site inspection for all Councilors.	Anticipated date 12/11/2013 Officer Tatjana Domazet	

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ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	MAYORAL MINUTE - RESTORATION OF BEACH ACCESS FOR NON MOTORIZED CRAFT AT KISSING POINT PARK	12/11/2013	Update 10 October 2013: Investigations currently underway. Report will be put to the Works and Community Committee on 3 December 2013.
Meeting Date		Anticipated date	
24/09/2013	That this matter be referred for the Acting General Manager to investigate and provide a report to the Works and Community Committee.	3/12/2013	Update 14 October 2013: Consultation underway with club
Group		Officer	
Public Works		Anthony Ogle	

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ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Works and Community	FITNESS EQUIPMENT IN OPEN SPACE AREAS OF THE REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 13/13 held on 3 September 2013	3/12/2013	<i>This matter will be considered by the Sport and Recreation Advisory Committee at its meeting to be held on 11 November 2013 and reported back to the Works and Community Committee by December 2013.</i>
Meeting Date		Anticipated date	
24/09/2013	(c) That a further report be submitted to the Works and Community Committee on options for reprioritisation of funds for renewal of existing outdoor community gyms.	3/12/2013	
Group		Officer	
Community Life		Tatjana Domazet	

ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	POLICY ON THE PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR THE MAYOR AND OTHER COUNCILLORS	12/11/2013	<i>Exhibition closes on 1 November 2013.</i>
Meeting Date 24/09/2013	(c) That after the exhibition period of the draft policy, a further report be provided to Council detailing any submissions received, and seeking the adoption of the draft Policy on the Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors.	Anticipated date 12/11/2013	<i>Report expected for Council Meeting on 12 November 2013.</i>
Group Corporate Services		Officer Shane Sullivan	

ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council Meeting Date 24/09/2013	GIFTS AND BENEFITS POLICY - COMPLETED	Report 8/10/2013	Comments/Update <i>Report presented to the Council Meeting on 8 October 2013.</i>
Group Corporate Services	(d) That a brief report be provided to Council at the next Council meeting outlining recent training for Councilors regarding the Code of Conduct, Disclosures of Interest etc. and attendance at this training.	Anticipated date 8/10/2013 Officer Shane Sullivan	Comments/Update <i>COMPLETED (To be removed following the Council Meeting on 22 October 2013).</i>
Meeting Type Council	Resolution CODE OF CONDUCT	Due Date of Report 22/10/2013	Comments/Update <i>This resolution is now the matter of a Rescission Motion which will be considered at the Council meeting to be held on 22 October 2013.</i>
Meeting Date 24/09/2013	(e) That a Status Report be submitted to Council at the Council Meeting on 22 October 2013.	Anticipated date 12/11/2013 Officer Roy Newsome	Comments/Update <i>A status report is now anticipated for 12 November 2013.</i>
Group General Manager			

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ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	PLANNING PROPOSAL - 10 MONASH ROAD AND 2 COLLEGE STREET, GLADESVILLE		<i>Date of exhibition yet to be determined.</i>
Meeting Date	(c) That, in the event of a gateway determination being issued pursuant to Section 56 of the Environmental Planning and Assessment Act 1979, the planning proposal be placed on public exhibition and a further report be presented to Council following the completion of the community consultation advising of the outcomes and next steps.	Anticipated date	
24/09/2013			
Group		Officer	
Environment and Planning		Meryl Bishop	

ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council Meeting Date 8/10/2013	NOTICE OF RESCISSION: CODE OF CONDUCT - COMPLETED	22/10/2013	<i>Awaiting advice from the Division of Local Government.</i> <i>Rescission Motion is listed for 22 October 2013.</i>
Group General Manager	(c)That on receipt of the Division's advice on the outcome of their review of the Investigation Report, that this be reported back to the next available Council meeting together with the Rescission Motion, for Council's consideration and determination.	22/10/2013 Officer Roy Newsome	<i>COMPLETED (To be removed following the Council Meeting on 22 October 2013).</i>
Meeting Type Council	PLANNING PROPOSAL - AMENDMENTS TO LEP 2013	Due Date of Report	Comments/Update <i>Date of exhibition yet to be determined.</i>
Meeting Date 8/10/2013	(c)That in the event of a gateway determination being issued pursuant to Section 56 of the Environmental Planning and Assessment Act 1979, the Planning Proposal Amendments to DLEP 2013 be placed on public exhibition and a further report be presented to Council following the completion of the exhibition period.	Anticipated date Officer Meryl Bishop	

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ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	PLANNING PROPOSAL - AMENDMENTS TO LEP 2013		<i>Land Owner advised of deferral; Public Works preparing report to Works Committee on drainage and structural issues relating to the site; a further report regarding the planning controls for the site will be provided at a later date.</i>
Meeting Date 8/10/2013	(f) That Council defer amending the planning control for 100 Rowe Street Eastwood from the Planning Proposal Amendments to DLEP 2013 to allow further consideration and discussion with the land owner of the flooding solutions / proposed planning controls for the site. The matter will be reported to Council at a later date.	Anticipated date	
Group Environment and Planning		Officer Meryl Bishop	

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ITEM 16 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	WESTERN SYDNEY LIGHT RAIL - PART 2 FEASIBILITY REPORT	10/12/2013	
Meeting Date 8/10/2013	(b) That the Acting General Manager liaise with Parramatta City Council in respect to their proposed light rail transport system on the basis that any such proposal should involve consultation with the City of Ryde, particularly in relation to Ryde's transport needs, community concerns and future requirements.	Anticipated date 10/12/2013	
Group General Manager	(c) That the Acting General Manager bring a report back to Council as a result of part (b) above.	Officer Roy Newsome	

PRECIS OF CORRESPONDENCE

1 LGNSW - ANNUAL FINANCIAL ACCOUNTS

Report prepared by: Executive Assistant to the Mayor
File No.: MYR/07/10/7 - BP13/1458

CORRESPONDENCE:

Submitting correspondence from LGNSW, dated 4 October 2013, regarding the Annual Financial Statements for the period ended 30 June 2013, Audit Report for year ended 30 June 2013 and Operating Report for year ended 30 June 2013.

Copies of these reports can be found on the LGNSW Website. www.lgnsw.org.au

RECOMMENDATION:

That the correspondence be received and noted.

ATTACHMENTS

1 LGNSW - Annual Financial Statements 2013

Report Prepared By:

Linda Smith
Executive Assistant to the Mayor

Report Approved By:

Shane Sullivan
Acting Group Manager - Corporate Services

Roy Newsome
Acting General Manager

Precis of Correspondence 1 (continued)

ATTACHMENT 1

Linda Smith

From: Christine Horrocks <Christine.Horrocks@lgnsw.org.au>
Sent: Friday, 4 October 2013 11:58 AM
To: 'peter.bray@qcc.nsw.gov.au'; 'tim.overall@qcc.nsw.gov.au';
 'Anthony.andrews@randwick.nsw.gov.au'; 'Robert.belleli@randwick.nsw.gov.au';
 'mayor@randwick.nsw.gov.au'; 'Scott.nash@randwick.nsw.gov.au';
 'mayor@randwick.nsw.gov.au'; 'robert.mustow@richmondvalley.nsw.gov.au';
 'STEPHEN.MORRISSEY@RICHMONDVALLEY.NSW.GOV.AU';
 'jmacdonald@rockdale.nsw.gov.au'; 'jawada@rockdale.nsw.gov.au';
 'lbarlow@rockdale.nsw.gov.au'; 'mnagi@rockdale.nsw.gov.au';
 'sobrien@rockdale.nsw.gov.au'; Artin Etmekdjian; Justin Li; The Mayor;
 'kellie.marsh@shellharbour.nsw.gov.au'; 'david.boyle@shellharbour.nsw.gov.au';
 'john.murray@shellharbour.nsw.gov.au'; 'peter.moran@shellharbour.nsw.gov.au';
 'findleya@shoalhaven.nsw.gov.au'; 'andrew.guile@shoalhaven.nsw.gov.au';
 'gadanthwaite@singleton.nsw.gov.au'; 'jmartin@singleton.nsw.gov.au';
 'tmcnamara@singleton.nsw.gov.au'; 'smoore@singleton.nsw.gov.au';
 'peter.beer@snowyriver.nsw.gov.au'; 'bob.frost@snowyriver.nsw.gov.au';
 'john.cahill@snowyriver.nsw.gov.au'; 'daniel.bott@strathfield.nsw.gov.au';
 'stephanie.kokkolis@strathfield.nsw.gov.au'; 'sang.ok@strathfield.nsw.gov.au';
 'raj.datta@strathfield.nsw.gov.au'; 'helen.mclucas@strathfield.nsw.gov.au';
 'pblight@ssc.nsw.gov.au'; 'kjohns@ssc.nsw.gov.au';
 'rkok@cityofsydney.nsw.gov.au'; 'idoutney@cityofsydney.nsw.gov.au';
 'cmoore@cityofsydney.nsw.gov.au'; 'phil.betts@tamworth.nsw.gov.au';
 'c.murray@tamworth.nsw.gov.au'; 'gcoates@temora.nsw.gov.au';
 'rfirman@temora.nsw.gov.au'; 'njudd@temora.nsw.gov.au';
 'council@tenterfield.nsw.gov.au'; 'council@thehills.nsw.gov.au';
 'council@thehills.nsw.gov.au'; 'council@thehills.nsw.gov.au';
 'dr.tonyhay@thehills.nsw.gov.au'; 'records@tumbashire.nsw.gov.au';
 'sfletcher@tumbashire.nsw.gov.au'; 'blivermore@tumbashire.nsw.gov.au';
 'gmartin@tumbashire.nsw.gov.au'; 'aabeckett@tumbashire.nsw.gov.au';
 'abecke@tumbashire.nsw.gov.au'; 'sbulger@tumul.nsw.gov.au';
 'tsc@tweed.nsw.gov.au'; 'kmilne@tweed.nsw.gov.au';
 'cr.drisscoll@upperhunter.nsw.gov.au'; 'council@upperhunter.nsw.gov.au';
 'cr.bishop@upperhunter.nsw.gov.au'; 'council@upperlachlan.nsw.gov.au';
 'council@upperlachlan.nsw.gov.au'; 'council@upperlachlan.nsw.gov.au';
 'council@uralla.nsw.gov.au'; 'council@uralla.nsw.gov.au'; 'mail@urana.nsw.gov.au';
 'mail@urana.nsw.gov.au'; 'mail@urana.nsw.gov.au'; 'mail@urana.nsw.gov.au';
 'mail@urana.nsw.gov.au'; 'mail@urana.nsw.gov.au'; 'mail@urana.nsw.gov.au'
Subject: TRIM: LGNSW ANNUAL FINANCIAL ACCOUNTS
Attachments: LGNSW 2013 Final.pdf; Independent Auditor's Report - LG NSW.pdf; LGNSW
 Operating report - 30 June 2013.pdf

Dear Councillor,

Local Government NSW is registered as an Employer Association under the Federal Fairwork (Registered Organisations) Act 2009 and the NSW Industrial Relations Act 1996.

In order to fulfill its obligations under both Acts (Part 8 Division 3 and Sec 517(1) respectively) the Association has to provide a copy of the Annual Financial Statements, the Audit report and the Operating Report to all members within 6 months of the end of the financial year.

Accordingly please find attached the 3 reports:

Precis of Correspondence 1 (continued)

ATTACHMENT 1

1. The Annual Financial Statements for the year ended 30th June 2013
2. Audit Report for the year ended 30th June 2013
3. The Operating Report for the year ended 30th June 2013

If you have any questions please feel free to contact Mounie Abraham on 9242 4191.

Yours Sincerely



Bill Gillooly AM
Secretary General



On 1 March 2013 the LGSA merged to become LGNSW – please note change of website and email address.

NOTICES OF MOTION

1 EXTENSION TO TIME LIMIT FOR SUBMITTING COUNCILLOR REIMBURSEMENT CLAIMS - Councillor Terry Perram

File Number: CLM/13/1/4/6 - BP13/1510

MOTION:

- (a) That the extension of time granted at the Council meeting of 27 August 2013 for lodgement of outstanding councillor reimbursement claims be adjusted to commence in October 2012.
- (b) That as the change set out in (a) above is not considered substantive it is not necessary for the *Policy on the Payment of Expenses and Provision of Facilities for the Mayor and Councillors* currently approved for public exhibition to be amended.

2 PEDESTRIAN SAFETY - ST THERESE'S PRIMARY SCHOOL, DENISTONE - Councillor Jerome Laxale

File Number: CLM/13/1/4/6 - BP13/1511

MOTION:

- (a) That the General Manager facilitate a site visit and meeting between the Principal and representatives of the Parents and Friends Committee of St Therese's Primary School in order to obtain a better understanding of concerns they have in regards to pedestrian safety around their school.
- (b) The discussions should have a particular emphasis on:
 - (i) The dangerous footpath outside their main entrance on Terry Rd
 - (ii) Traffic calming measures in the lead up to the bend on Terry Rd when travelling towards Blaxland Road.
- (c) That a report be brought back to the Works and Community Committee for deliberation.

NOTICES OF RESCISSION

1 NOTICE OF RESCISSION: CODE OF CONDUCT - Councillor George Simon, Councillor Jerome Laxale, Councillor Denise Pendleton

File Number: CLM/13/1/4/7 - BP13/1412

Further information on this Item will be circulated separately by the Acting General Manager following advice being received from the Division of Local Government. This advice is expected to be received by close of business on Friday, 18 October 2013 and will be circulated to Council on Monday, 21 October 2013.

That Council rescind the previous resolution in relation to CODE OF CONDUCT, passed at the Council Meeting held on 24 September 2013, namely:

- (a) *That Council endorse the recommendations as detailed in the Conduct Reviewers report on pages 13-14, with the following amendments to points:*
 - *2.1.4 on page 13, taking out the words "or non-pecuniary interest"*
 - *2.1.14 on page 14, deleting the second sentence "This includes any communication with Group Managers and the General Manager", for the reason that Councillor Maggio is now the Mayor.*
- (b) *The Mayor, Councillor Maggio be requested to provide written apologies to affected parties.*
- (c) *That all Councillors be provided with the opportunity to undertake Code of Conduct training.*
- (d) *That Council address the review of the processes to ensure timely investigation and reporting of complaints.*
- (e) *That a Status Report be submitted to Council at the Council Meeting on 22 October 2013.*

CONFIDENTIAL ITEMS

17 SURF ATTRACTION COR-RFT 3/13

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Report prepared by: Project Manager
File No.: GRP/09/3/10 - BP13/1435
Page.: 266

18 ADVICE ON COURT ACTIONS

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (g) advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

This matter is classified confidential because it contains advice concerning legal matters that are:-

- (a) substantial issues relating to a matter to which the Council is involved.
- (b) clearly identified in the advice, and
- (c) fully discussed in that advice.

It is not in the public interest to reveal all details of this matter as it would prejudice Council's position in any court proceedings.

Report prepared by: General Counsel, Public Officer
File No.: COR2013/624 - BP13/1482
Page.: 278
