

**Meeting Date:** Tuesday 25 June 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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**1 CONFIRMATION OF MINUTES - Council Meeting held on 11 June 2013**

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**Report prepared by:** Section Manager - Governance  
**File No.:** CLM/13/1/4/2 - BP13/64

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**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 12/13, held on 11 June 2013 be confirmed.

**ATTACHMENTS**

- 1 Minutes - Ordinary Council Meeting - 11 June 2013

**ITEM 1 (continued)**

**ATTACHMENT 1**

**Council Meeting  
MINUTES OF MEETING NO. 12/13**

**Meeting Date:** Tuesday 11 June 2013  
**Location:** Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde  
**Time:** 7.30pm

**Councillors Present:** The Mayor, Councillor Petch and Councillors Chung, Etmekdjian, Laxale, Li, Pendleton, Perram, Pickering, Salvestro-Martin, Simon and Yedelian OAM.

Note: Councillor Yedelian OAM left the meeting at 11.12pm during the consideration of Item 10 – Renewal of Contract - Community of Interest Network (My Place).

Note: Councillor Pickering left the meeting at 11.12pm during the consideration of Item 10 – Renewal of Contract - Community of Interest Network (My Place).

**Apologies:** Nil.

**Absent:** Councillor Maggio.

**Staff Present:** Acting General Manager, Acting Group Manager – Community Life, Group Manager - Corporate Services, Group Manager – Environment & Planning, Acting Group Manager - Public Works, General Counsel, Section Manager – Community Engagement & Social Media, Manager – Customer Service and Governance and Councillor Support Coordinator.

**PRAYER**

Reverend Mal York of the West Ryde Anglican Church was present and offered prayer prior to the commencement of the meeting.

**LEAVE OF ABSENCE**

Councillor Etmekdjian requested a Leave of Absence for the period of 1 July 2013 to 29 July 2013.

Councillor Li requested a Leave of Absence for 18 June 2013.

Councillor Yedelian OAM requested a Leave of Absence for 18 June 2013.

**RESOLUTION:** (Moved by Councillors Simon and Li)

That Council approve Councillor Etmekdjian's Leave of Absence for the period of 1 July 2013 to 29 July 2013, Councillor Li's Leave of Absence for 18 June 2013 and Councillor Yedelian's Leave of Absence for 18 June 2013.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**Record of Voting:**

For the Motion: Unanimous

**DISCLOSURES OF INTEREST**

Councillor Perram declared a Less than Significant Non-Pecuniary Interest in Item 2(2) of the Report of the Planning and Environment Committee Meeting 9/13 held on 4 June 2013 – 29 Vimiera Road, Eastwood - LOT 10 DP 4574 for the reason that he understands that the Applicant's Lawyer is the same Lawyer that he has been using for another matter.

The Mayor, Councillor Petch declared a Significant Non-Pecuniary Interest in Item 2(2) of the Report of the Planning and Environment Committee Meeting 9/13 held on 4 June 2013 – 29 Vimiera Road, Eastwood - LOT 10 DP 4574 for the reason that the Applicants and Objectors are known to him. He did not participate in consideration of this Item.

The Mayor, Councillor Petch declared a Significant Non-Pecuniary Interest in Item 2(3) of the Report of the Planning and Environment Committee Meeting 9/13 held on 4 June 2013 – 52a Pellisier Road, Putney – LOT 2 DP 859984 for the reason that the Applicants and Objectors are known to him. He did not participate in consideration of this Item.

Councillor Li declared a Significant Non-Pecuniary Interest in Item 2(2) of the Report of the Planning and Environment Committee Meeting 9/13 held on 4 June 2013 – 29 Vimiera Road, Eastwood - LOT 10 DP 4574 for the reason that on 4 June 2013, he became aware that the applicant is represented by the same Solicitor who is also representing defendant Councillors in unrelated Supreme Court Proceedings. He did not participate in consideration of this Item.

Councillor Salvestro-Martin declared a Less than Significant Non-Pecuniary Interest in Item 2(2) of the Report of the Planning and Environment Committee Meeting 9/13 held on 4 June 2013 – 29 Vimiera Road, Eastwood - LOT 10 DP 4574 for the reason that the party is known to him. He did not participate in consideration of this Item.

Councillor Chung declared a Less than Significant Non-Pecuniary Interest in Item 2(3) of the Report of the Planning and Environment Committee Meeting 9/13 held on 4 June 2013 – 52a Pellisier Road, Putney – LOT 2 DP 859984 for the reason that he is familiar with an objector.

**ELECTION OF CHAIRPERSON**

As a result of the Mayor, Councillor Petch declaring a Significant Non-Pecuniary Interest in Item 2(2) - 29 Vimiera Road, Eastwood and Item 2(3) - 52a Pellisier Road, Putney and the Deputy Mayor, Councillor Li declaring a Significant Non-Pecuniary Interest in, and being absent for, Item 2(2) – 29 Vimiera Road, Eastwood of the Report of the Planning and Environment Committee Meeting 9/13, Council was required to undertake an election of a Chairperson for when these matters were considered by Council.

**RESOLUTION:** (Moved by The Mayor, Councillor Petch and Councillor Pendleton)

That Councillor Perram assume the Chair for Item 2(2) – 29 Vimiera Road, Eastwood - LOT 10 DP 4574 and Item 2(3) - 52a Pellisier Road, Putney – LOT 2 DP 859984.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**Record of Voting:**

For the Motion: Unanimous

**PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA**

No addresses were made to Council on Items listed on the Agenda.

**PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA**

The following persons addressed the Council on Items not listed on the Agenda:

Rodney Stern	"To present documents that clearly show that a parking ticket (and court fine) were improperly administered."
Peter Peploe	City of Ryde Enforcement

**MATTER OF URGENCY**

Councillor Salvestro-Martin advised that he wished to raise a Matter of Urgency regarding parking fines incurred by Mr Stern and Mr Peploe.

The Mayor, Councillor Petch accepted this Item as an Urgent Item.

**RESOLUTION:** (Moved by Councillors Salvestro-Martin and Etmekdjian)

That Council consider a Matter of Urgency regarding parking fines incurred by Mr Stern and Mr Peploe, the time being 7.51pm.

**Record of Voting:**

For the Motion: Unanimous

**MATTER OF URGENCY – INVESTIGATION OF FINES**

**RESOLUTION:** (Councillors Salvestro-Martin and Etmekdjian)

- (a) That the City of Ryde independently investigate the fines incurred by Mr Stern and Mr Peploe as detailed at tonight's meeting.
- (b) That Council makes representations to the State Debt Recovery Office to hold the fines in abeyance whilst Council's investigation is undertaken.
- (c) That the result of the investigation be reported back to Council.

**Record of Voting:**

For the Motion: Unanimous

**ITEM 1 (continued)**

**ATTACHMENT 1**

**MAYORAL MINUTES**

**MM17/13 SELECTION AND APPOINTMENT OF RECRUITER - GENERAL  
MANAGER'S POSITION**

**MOTION:** (Moved by The Mayor, Councillor Petch and Councillor Salvestro-Martin)

That the selection committee to manage the recruitment process for the position of General Manager and determine the preferred candidate comprise the Mayor, Deputy Mayor and the Chairs of both the Planning and Environment Committee and the Works Committee.

That the top three recruitment providers address the newly formed committee on 13th June 2013.

**AMENDMENT:** (Moved by Councillors Chung and Pickering)

That the selection committee to manage the recruitment process for the position of General Manager and determine the preferred candidate comprise the Mayor and all Councillors.

That the top three recruitment providers address the newly formed committee on 13th June 2013.

On being put to the Meeting, the voting on the Amendment was four (4) votes For and seven (7) votes Against. The Amendment was LOST. A further Amendment was then put.

**Record of Voting:**

For the Amendment: Councillors Chung, Etmekdjian, Pickering and Yedelian OAM.

Against the Amendment: The Mayor, Councillor Petch and Councillors Laxale, Li, Pendleton, Perram, Salvestro-Martin and Simon.

**FURTHER AMENDMENT:** (Moved by Councillors Etmekdjian and Pickering)

That the selection committee to manage the recruitment process for the position of General Manager and determine the preferred candidate comprise the Mayor and at least the six (6) Councillors that completed the scoring of submissions.

That the top three recruitment providers address the newly formed committee on 13th June 2013.

On being put to the meeting, the voting on the Amendment was four (4) votes For and seven (7) votes Against. The Amendment was LOST. The Motion was then put and CARRIED.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**Record of Voting:**

For the Amendment: Councillors Chung, Etmekdjian, Pickering and Yedelian OAM.

Against the Amendment: The Mayor, Councillor Petch and Councillors Laxale, Li, Pendleton, Perram, Salvestro-Martin and Simon.

**RESOLUTION:** (Moved by The Mayor, Councillor Petch and Councillor Salvestro-Martin)

That the selection committee to manage the recruitment process for the position of General Manager and determine the preferred candidate comprise the Mayor, Deputy Mayor and the Chairs of both the Planning and Environment Committee and the Works Committee.

That the top three recruitment providers address the newly formed committee on 13th June 2013.

**Record of Voting:**

For the Motion: The Mayor, Councillor Petch and Councillors Etmekdjian, Laxale, Li, Pendleton, Perram, Salvestro-Martin and Simon

Against the Motion: Councillors Chung, Pickering and Yedelian OAM

**MATTER OF URGENCY**

Councillor Perram advised that he wished to raise a Matter of Urgency regarding the May Capital Works Update report to be reported at the next meeting of the Works and Community Committee.

The Mayor, Councillor Petch accepted this Item as an Urgent Item.

**RESOLUTION:** (Moved by Councillors Perram and Laxale)

That Council consider a Matter of Urgency regarding the May Capital Works Update report to be reported at the next meeting of the Works and Community Committee, the time being 8.34pm.

**Record of Voting:**

For the Motion: Unanimous

**MATTER OF URGENCY – MAY CAPITAL WORKS UPDATE**

**RESOLUTION:** (Moved by Councillors Perram and Laxale)

That the May Capital Works Update report be reported at the next meeting of the Works and Community Committee.

**Record of Voting:**

For the Motion: Unanimous



**ITEM 1 (continued)**

**ATTACHMENT 1**

**COUNCIL REPORTS**

**1 CONFIRMATION OF MINUTES - Council Meeting held on 28 May 2013**

**RESOLUTION:** (Moved by Councillors Simon and Yedelian OAM)

That the Minutes of the Council Meeting 11/13, held on 28 May 2013 be confirmed.

**Record of Voting:**

For the Motion: Unanimous

**2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 9/13 held on 4 June 2013**

Note: Councillor Salvestro-Martin raised an issue in relation to the Report of the Planning and Environment Committee Meeting 9/13 held on 4 June 2013 on page 38, which incorrectly indicates that he had disclosed a Less than Significant Non-pecuniary Interest in Item 2(3) of the Report of the Planning and Environment Committee Meeting 9/13 held on 4 June 2013 – 52a Pellisier Road, Putney – LOT 2 DP 859984, when in fact it was disclosed in relation to Item 2(2) – 29 Vimiera Road, Eastwood - LOT 10 DP 4574. The minutes of the Planning and Environment Committee Meeting 9/13 will be amended to reflect this change.

**RESOLUTION:** (Moved by Councillors Pendleton and Salvestro-Martin)

That Council determine Items 2, 3, 4 and 5 of the Planning and Environment Committee report, noting that Item 1 was dealt with by the Committee within its delegated powers.

**Record of Voting:**

For the Motion: Unanimous

**2 29 VIMIERA ROAD, EASTWOOD - LOT 10 DP 4574. Building Certificate Application for unauthorised building works to the existing dwelling, including a first floor addition, extensions to the rear of the dwelling and demolition. BC2013/0003.**

Note: The Mayor, Councillor Petch declared a Significant Non-Pecuniary Interest in this Item for the reason that the Applicants and Objectors are known to him and did not participate in consideration of this matter.

Note: Councillor Salvestro-Martin declared a Less than Significant Non-Pecuniary Interest in this Item for the reason that the party is known to him and did not participate in consideration of this matter.

**ITEM 1 (continued)**

**ATTACHMENT 1**

Note: Councillor Li declared a Significant Non-Pecuniary Interest in this Item for the reason that on 4 June 2013, he became aware that the Applicant is represented by the same Solicitor that is also representing defendant Councillor's in unrelated Supreme Court Proceedings and did not participate in consideration of this matter.

Note: Councillor Perram declared a Less than Significant Non-Pecuniary Interest in this Item for the reason that he understands that the applicant's lawyer is the same lawyer that he has been using for another matter.

Note: The Mayor, Councillor Petch and Councillors Li and Salvestro-Martin left the meeting at 8.42pm and were not present for consideration or voting on this Item.

**CHAIRPERSON**

Councillor Perram assumed the Chair in accordance with Council's resolution earlier in the meeting as detailed in these minutes.

**RESOLUTION:** (Moved by Councillors Laxale and Pickering)

- (a) That BC2013/0003 at 29 Vimiera Road, Eastwood being LOT 10 DP 4574 be refused for the following reasons:
1. The alterations and additions result in a dwelling which is inconsistent with the desired future character for the R2 Low Density Residential zone, and in particular the character of the streetscape in the immediate area.
  2. The alterations and additions create a significant visual impact to the streetscape and public domain with a poor design outcome in terms of form, massing, integration and materiality.
  3. The alterations and additions do not integrate with the form or character of the existing dwelling house on site.
  4. In the circumstances of the case, approval of the development is not in the public interest.
  5. The applicant has not demonstrated full compliance with the requirements of the National Construction Code Series - Building Code of Australia (BCA).
  6. The roof water is not suitably discharged into an approved drainage system as required by the BCA. Documentary evidence has not been submitted demonstrating that the proposed drainage system complies with the Council's Development Control Plan 2010 (DCP).

**ITEM 1 (continued)**

**ATTACHMENT 1**

- (b) In light of the Building Certificate application being refused in Part (a) above, the applicant is encouraged to demolish parts of the unauthorised structure (namely the area containing bedrooms 3,4, and 5 and rumpus room) that are visible from Vimiera Road. A building certificate may be issued on the single storey portion of the unauthorised development that comprises the living area subject to a new building application being lodged together with a development application being lodged (and approved) for additions and alterations to the existing dwelling that are consistent with the immediate character of Vimiera Road and integrates with the existing dwelling.
- (c) That Council pursue demolition of the unapproved structure.
- (d) That the persons who made submissions be advised of Council's decision.

**Record of Voting:**

For the Motion: Unanimous

Note: Councillors Li and Salvestro-Martin returned to the meeting at 9.02pm.

**3 52A PELLISIER ROAD, PUTNEY. LOT 2 DP 859984. Development Application for alterations and first floor additions to the existing dwelling, and new swimming pool. LDA2013/0012.**

Note: The Mayor, Councillor Petch declared a Significant Non-Pecuniary Interest in this Item for the reason that the applicants and objectors are known to him and did not participate in consideration of this Item.

Note: Councillor Chung declared a Less than Significant Non-Pecuniary Interest in this Item for the reason that he is familiar with an objector.

**MOTION:** (Moved by Councillors Pendleton and Chung)

- (a) That LDA2013/0012 at 52A Pellisier Road, Putney be deferred to enable the applicant to submit amended plans that provide a more skilful design that improves view sharing opportunities for neighbours and relocates the pool further away from the dwelling and lowers the pool coping height.
- (b) That upon receipt of the amended plans required in part A, the plans are renotified to neighbours and all previous objectors.  
If no further objections are received, then the application can be determined by the Group Manager Environment and Planning. If further objections are received, then a further report will be prepared for the consideration of the Planning and Environment Committee.
- (c) That the people who made submissions be advised of Council's decision.

On being put to the meeting the motion was LOST there being four (4) votes for and six (6) votes against.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**Record of Voting:**

For the Motion: Councillors Chung, Li, Pendleton and Perram

Against the Motion: Councillors Etmekdjian, Laxale, Pickering, Salvestro-Martin, Simon and Yedelian OAM

**MOTION** (Moved by Councillors Salvestro-Martin and Pickering)

- (a) That LDA2013/0012 at 52A Pellisier Road, Putney being LOT 2 DP859984 be approved subject to the conditions set out below:

**GENERAL**

The following conditions of consent included in this Part identify the requirements, terms and limitations imposed on this development.

1. **Approved Plans/Documents.** Except where otherwise provided in this consent, the development is to be carried out strictly in accordance with the following plans (stamped approved by Council) and support documents:

Document Description	Date	Plan No/Reference
Site Plan	18.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.2
Ground Floor	19.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.3
First Floor	19.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.4
Lower Ground	19.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.5
Elevation 1 & 2	19.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.6
Elevation 3 & 4	19.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.7
Sections	19.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.8
Window Schedule 01	19.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.9
Window Schedule 02	19.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.10
Window Schedule 03	19.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.11
Work Site Management Plan	19.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.15

2. **Building Code of Australia.** All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
3. **BASIX.** Compliance with all commitments listed in BASIX Certificate numbered A154520\_06, dated 15 April 2013.
4. **Support for neighbouring buildings.** If the development involves excavation that extends below the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
- Protect and support the adjoining premises from possible damage from the excavation, and
  - Where necessary, underpin the adjoining premises to prevent any such damage, in accordance with relevant Australian Standards.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**Protection of Adjoining and Public Land**

5. **Hours of work.** Building activities (including demolition) may only be carried out between 7.00am and 7.00pm Monday to Friday (other than public holidays) and between 8.00am and 4.00pm on Saturday. No building activities are to be carried out at any time on a Sunday or a public holiday.
6. **Hoardings.**
  - (a) A hoarding or fence must be erected between the work site and any adjoining public place.
  - (b) Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.
7. **Development to be within site boundaries.** The development must be constructed wholly within the boundaries of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Gates must be installed so they do not open onto any footpath.
8. **Public space.** The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council.

**Works on Public Road**

9. **Public Utilities.** Compliance with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RTA, Council etc) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.
10. **Roads Act.** Any works performed in, on or over a public road pursuant to this consent must be carried out in accordance with this consent and with the Road Opening Permit issued by Council as required under section 139 of the Roads Act 1993.

Engineering Conditions

11. **Stormwater disposal.** Stormwater runoff from all impervious areas of the site is to be collected and piped to the existing or new underground stormwater drainage system in accordance with Council's DCP 2010, Part 8.2 "Stormwater Management".
12. **Design and Construction Standards.** All engineering plans and work shall be carried out in accordance with the requirements as outlined within Council's publication *Environmental Standards Development Criteria 1999 and City of Ryde Development Control Plan 2010 Section 8* except as amended by other conditions.
13. **Service Alterations.** All mains, services, poles, etc., which require alteration to facilitate the development shall be altered at the applicant's expense. Written approval and signed off at completion from the relevant Public Authority shall be submitted to Council.

**ITEM 1 (continued)**

**ATTACHMENT 1**

14. **Restoration.** To ensure public areas will be safely maintained at all times all disturbed public areas must be restored to Council satisfaction. All restoration of disturbed road, footway areas, kerb and gutters, redundant vehicular crossings etc arising from the proposed development works will be carried out by Council subject to the lodgement of a Road Opening Permit application to Council with payment of fees in accordance with Council's Management Plan, prior to commencement of works.
15. **Road Opening Permit.** To ensure all restoration works within the public road reserve will be completed and restored to Council satisfaction, the applicant shall apply for a Road Opening permit where excavation works are proposed within the road reserve. No works shall be carried out on the road reserve without this permit being paid and a copy kept on the site.
16. **Council's Approval.** To ensure all engineering works within the public road and/or drainage reserve , including Council's parkland will be completed to Council satisfaction, engineering approval and compliance certificates must be obtained from Council for the following works at the specified stage where applicable and **submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate.** Fees applicable to the proposed works in accordance with Council's Management Plan are to be paid to Council prior to approval being given by Council.
  - Approval for drainage connection(s) to Council's stormwater drainage systems and inspection of the stormwater connection by council prior to backfilling.
  - Approval shall be obtained for the construction of any structure on Council's road and drainage reserve, including parkland. The inspection(s) for these structures, during construction shall be made by Council e.g. prior to casting & backfilling of Council's pits and other drainage structures including kerb & gutter, access ways, aprons, pathways, vehicular crossings, dish crossings and pathway steps etc.
  - Final inspection by Council after completion of all external works with all disturbed areas satisfactorily restored.

**PRIOR TO CONSTRUCTION CERTIFICATE**

A Construction Certificate must be obtained from a Principal Certifying Authority to carry out the relevant building works approved under this consent. All conditions in this Section of the consent must be complied with before a Construction Certificate can be issued.

Council Officers can provide these services and further information can be obtained from Council's Customer Service Centre on 9952 8222.

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with the conditions in this Section of the consent.

Details of compliance with the conditions, including plans, supporting documents or other written evidence must be submitted to the Principal Certifying Authority.

**ITEM 1 (continued)**

**ATTACHMENT 1**

17. **Compliance with Australian Standards.** The development is required to be carried out in accordance with all relevant Australian Standards. Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Principal Certifying Authority prior to the issue of the **Construction Certificate**.
18. **Structural Certification.** The applicant must engage a qualified practising structural engineer to provide structural certification in accordance with relevant BCA requirements prior to the release of the **Construction Certificate**.
19. **Security deposit.** The Council must be provided with security for the purposes of section 80A(6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan prior to the release of the **Construction Certificate**. (category: dwelling houses with delivery of bricks or concrete or machine excavation)
20. **Fees.** The following fees must be paid to Council in accordance with Council's Management Plan prior to the release of the **Construction Certificate**:
  - (a) Infrastructure Restoration and Administration Fee
  - (b) Enforcement Levy
21. **Alignment Levels.** The applicant is to apply to Council, pay the required fee, and have issued site specific alignment levels by Council prior to the issue of the **Construction Certificate**.
22. **Long Service Levy.** Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be submitted to the Principal Certifying Authority prior to the issuing of the **Construction Certificate**.
23. **Dilapidation Survey.** A dilapidation survey is to be undertaken that addresses all properties (including any public place) that may be affected by the construction work namely 52 Pellisier Road, Putney. A copy of the survey is to be submitted to the PCA (*and Council, if Council is not the PCA*) prior to the release of the **Construction Certificate**.
24. **Sydney Water – quick check.** The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre, prior to the release of the **Construction Certificate**, to determine whether the development will affect any Sydney Water assets, sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to the website [www.sydneywater.com.au](http://www.sydneywater.com.au) for:

  - Quick Check agents details - see Building, Developing and Plumbing then Quick Check; and
  - Guidelines for Building Over/Adjacent to Sydney Water assets - see Building, Development and Plumbing then Building and Renovating.

Or telephone 13 20 92.

**ITEM 1 (continued)**

**ATTACHMENT 1**

25. **Reflectivity of materials.** Roofing and other external materials must be of low glare and reflectivity. Details of finished external surface materials, including colours and texture must be provided to the Principal Certifying Authority prior to the release of the **Construction Certificate**.
26. **Fencing.** Fencing is to be in accordance with Council's Development Control Plan and details of compliance are to be provided in the plans for the **Construction Certificate**.
27. **Slope instability – geotechnical report required.** The subject site is located within an area of slope instability and therefore you are required to obtain a satisfactory Geotechnical Report from a qualified Geotechnical Engineer, which is to be submitted prior to the issue of a **Construction Certificate**.

Engineering Conditions

28. **Site Stormwater Drainage System.** To ensure satisfactory stormwater disposal and minimise downstream stormwater impacts, stormwater runoff from the site shall be collected and piped by gravity flow to the foreshore in accordance with the requirements of DCP 2010: Part 8.2- Stormwater Management. Accordingly, detailed engineering plans with certification indicating compliance with this condition are to be submitted with the Construction Certificate application.
29. **Boundary Levels.** The levels of the street alignment shall be obtained from Council. These levels shall be incorporated into the design of the internal driveways, carparking areas, landscaping and stormwater drainage design where applicable to ensure smooth transition.
30. **Driveway Grades.** The driveway access and footpath crossing(s) shall be designed to fully comply with the relevant section of AS 2890.1.-2004 and Council's issued alignment levels. Engineering certification indicating compliance with this condition is to be submitted with the Construction Certificate application.
31. **Vehicle Footpath Crossings.** Concrete footpath crossings shall be constructed at all locations where vehicles cross the footpath, to protect it from damage resulting from the vehicle traffic. The crossing(s) are to be constructed in plain reinforced with location, design and construction shall conform to Council requirements. Accordingly, prior to issue of Construction Certificate an application shall be made to Council's Public Works division for driveway crossing alignment levels. These issued levels are to be incorporated into the design of the driveway access and clearly delineate on plans submitted with the Construction Certificate application.
32. **Vehicle turning paths.** Vehicle turning areas compliant with AS2890.1 (2004) shall be provided for vehicles entering and leaving the garage. Details of compliance shall be shown on the plans submitted with the **Construction Certificate**.



**ITEM 1 (continued)**

**ATTACHMENT 1**

**PRIOR TO COMMENCEMENT OF CONSTRUCTION**

Prior to the commencement of any demolition, excavation, or building work the following conditions in this Part of the Consent must be satisfied, and all relevant requirements complied with at all times during the operation of this consent.

**33. Site Sign**

- (a) A sign must be erected in a prominent position on site, prior to the commencement of construction:
  - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work,
  - (ii) showing the name of the principal contractor (if any) or the person responsible for the works and a telephone number on which that person may be contacted outside working hours, and
  - (iii) stating that unauthorised entry to the work site is prohibited.
- (b) Any such sign must be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

**34. Residential building work – insurance.** In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

**35. Residential building work – provision of information.** Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the PCA has given the Council written notice of the following information:

- (a) in the case of work for which a principal contractor is required to be appointed:
  - (i) the name and licence number of the principal contractor; and
  - (ii) the name of the insurer by which the work is insured under Part 6 of that Act.
- (b) in the case of work to be done by an owner-builder:
  - (i) the name of the owner-builder; and
  - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If any of the above arrangements are changed while the work is in progress so that the information notified under this condition becomes out of date, further work must not be carried out unless the PCA for the development to which the work relates has given the Council written notice of the updated information (if Council is not the PCA).

**36. Excavation adjacent to adjoining land**

- (a) If an excavation extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must, at their own expense, protect and support the adjoining premises from possible damage from the excavation, and where necessary, underpin the adjoining premises to prevent any such damage.

**ITEM 1 (continued)**

**ATTACHMENT 1**

- (b) The applicant must give at least seven (7) days notice to the adjoining owner(s) prior to excavating.
  - (c) An owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.
37. **Pre-commencement dilapidation report.** The submission of a pre-commencement dilapidation report providing an accurate record of the existing condition of adjoining public and private properties namely 52 Pellisier Road, Putney and public infrastructure (including roads, gutters, footpaths, etc). A copy of the report must be provided to Council, any other owners of public infrastructure and the owners of the affected adjoining private properties, prior to the commencement of construction.
38. **Safety fencing.** The site must be fenced prior to the commencement of construction, and throughout demolition and/or excavation and must comply with WorkCover New South Wales requirements and be a minimum of 1.8m in height.

**DURING CONSTRUCTION**

Unless otherwise specified, the following conditions in this Part of the consent must be complied with at all times during the construction period. Where applicable, the requirements under previous Parts of the consent must be implemented and maintained at all times during the construction period.

39. **Critical stage inspections.** The person having the benefit of this consent is required to notify the Principal Certifying Authority during construction to ensure that the critical stage inspections are undertaken, as required under clause 162A(4) of the *Environmental Planning and Assessment Regulation 2000*.
40. **Survey of footings/walls.** All footings and walls within 1 metre of a boundary must be set out by a registered surveyor. On commencement of brickwork or wall construction a survey and report must be prepared indicating the position of external walls in relation to the boundaries of the allotment.
41. **Sediment/dust control.** No sediment, dust, soil or similar material shall leave the site during construction work.
42. **Use of fill/excavated material.** Excavated material must not be reused on the property except as follows:
- (a) Fill is allowed under this consent;
  - (b) The material constitutes Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*;
  - (c) the material is reused only to the extent that fill is allowed by the consent.
43. **Construction materials.** All materials associated with construction must be retained within the site.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**44. Site Facilities**

The following facilities must be provided on the site:

- (a) toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees, and
- (b) a garbage receptacle for food scraps and papers, with a tight fitting lid.

**45. Site maintenance**

The applicant must ensure that:

- (a) approved sediment and erosion control measures are installed and maintained during the construction period;
- (b) building materials and equipment are stored wholly within the work site unless an approval to store them elsewhere is held;
- (c) the site is clear of waste and debris at the completion of the works.

**46. Work within public road.** At all times work is being undertaken within a public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site. Traffic control devices shall satisfy the minimum standards outlined in Australian Standard No. AS1742.3-1996 "Traffic Control Devices for Work on Roads".

**47. Tree protection – no unauthorised removal.** This consent does not authorise the removal of trees unless specifically permitted by a condition of this consent or otherwise necessary as a result of construction works approved by this consent.

**48. Tree protection – during construction.** Trees that are shown on the approved plans as being retained must be protected against damage during construction.

**PRIOR TO OCCUPATION CERTIFICATE**

An Occupation Certificate must be obtained from a Principal Certifying Authority prior to commencement of occupation of any part of the development, or prior to the commencement of a change of use of a building.

Prior to issue, the Principal Certifying Authority must ensure that all works are completed in compliance with the approved construction certificate plans and all conditions of this Development Consent.

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with conditions in this Part of the consent. Details to demonstrate compliance with all conditions, including plans, documentation, or other written evidence must be submitted to the Principal Certifying Authority.

**49. BASIX.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate numbered A154520\_06, dated 15 April 2013.

**ITEM 1 (continued)**

**ATTACHMENT 1**

50. **Road opening permit – compliance document.** The submission of documentary evidence to Council of compliance with all matters that are required by the Road Opening Permit issued by Council under Section 139 of the *Roads Act 1993* in relation to works approved by this consent, prior to the issue of the **Occupation Certificate**.
51. **Post-construction dilapidation report.** The submission of a post-construction dilapidation report which clearly details the final condition of all property, infrastructure, natural and man-made features that were recorded in the pre-commencement dilapidation report. A copy of the report must be provided to Council, any other owners of public infrastructure and the owners of the affected adjoining and private properties, prior to the issue of the **Occupation Certificate**.
52. **Letterboxes and street/house numbering.** All letterboxes and house numbering are to be designed and constructed to be accessible from the public way. Council must be contacted in relation to any specific requirements for street numbering.

Engineering Requirements

53. **Disused Gutter crossing.** Any disused gutter crossings shall be removed and kerb and gutter including footpath shall be reinstated to Council's satisfaction.
54. **Engineering Certification.** To ensure stormwater drainage works are completed in accordance with approved plans, Certification shall also be obtained from a chartered civil engineer with NPER registration with Engineers Australia, indicating the constructed works complied with DCP 2010. Part 8.2.

**OPERATIONAL CONDITIONS**

The conditions in this Part of the consent relate to the on-going operation of the development and shall be complied with at all times.

55. **Single dwelling only.** The dwelling is not to be used or adapted for use as two separate domiciles or a boarding house.
  - (b) That the persons who made submissions be advised of Council's decision.

**AMENDMENT** (Moved by Councillors Chung and Pendleton)

- (a) That LDA2013/0012 at 52A Pellisier Road, Putney being LOT 2 DP859984 be granted a deferred approval subject to part (b) and the conditions set out below:

**GENERAL**

The following conditions of consent included in this Part identify the requirements, terms and limitations imposed on this development.

**ITEM 1 (continued)**

**ATTACHMENT 1**

1. **Approved Plans/Documents.** Except where otherwise provided in this consent, the development is to be carried out strictly in accordance with the following plans (stamped approved by Council) and support documents:

<b>Document Description</b>	<b>Date</b>	<b>Plan No/Reference</b>
Site Plan	18.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.2
Ground Floor	19.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.3
First Floor	19.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.4
Lower Ground	19.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.5
Elevation 1 & 2	19.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.6
Elevation 3 & 4	19.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.7
Sections	19.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.8
Window Schedule 01	19.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.9
Window Schedule 02	19.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.10
Window Schedule 03	19.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.11
Work Site Management Plan	19.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.15

2. **Building Code of Australia.** All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
3. **BASIX.** Compliance with all commitments listed in BASIX Certificate numbered A154520\_06, dated 15 April 2013.
4. **Support for neighbouring buildings.** If the development involves excavation that extends below the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
- Protect and support the adjoining premises from possible damage from the excavation, and
  - Where necessary, underpin the adjoining premises to prevent any such damage, in accordance with relevant Australian Standards.

**Protection of Adjoining and Public Land**

5. **Hours of work.** Building activities (including demolition) may only be carried out between 7.00am and 7.00pm Monday to Friday (other than public holidays) and between 8.00am and 4.00pm on Saturday. No building activities are to be carried out at any time on a Sunday or a public holiday.
6. **Hoardings.**
- A hoarding or fence must be erected between the work site and any adjoining public place.
  - Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.
7. **Development to be within site boundaries.** The development must be constructed wholly within the boundaries of the premises. No portion of the proposed structure shall encroach onto the adjoining properties.

**ITEM 1 (continued)**

**ATTACHMENT 1**

Gates must be installed so they do not open onto any footpath.

8. **Public space.** The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council.

**Works on Public Road**

9. **Public Utilities.** Compliance with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RTA, Council etc) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.
10. **Roads Act.** Any works performed in, on or over a public road pursuant to this consent must be carried out in accordance with this consent and with the Road Opening Permit issued by Council as required under section 139 of the Roads Act 1993.

Engineering Conditions

11. **Stormwater disposal.** Stormwater runoff from all impervious areas of the site is to be collected and piped to the existing or new underground stormwater drainage system in accordance with Council's DCP 2010, Part 8.2 "Stormwater Management".
12. **Design and Construction Standards.** All engineering plans and work shall be carried out in accordance with the requirements as outlined within Council's publication *Environmental Standards Development Criteria 1999 and City of Ryde Development Control Plan 2010 Section 8* except as amended by other conditions.
13. **Service Alterations.** All mains, services, poles, etc., which require alteration to facilitate the development shall be altered at the applicant's expense. Written approval and signed off at completion from the relevant Public Authority shall be submitted to Council.
14. **Restoration.** To ensure public areas will be safely maintained at all times all disturbed public areas must be restored to Council satisfaction. All restoration of disturbed road, footway areas, kerb and gutters, redundant vehicular crossings etc arising from the proposed development works will be carried out by Council subject to the lodgement of a Road Opening Permit application to Council with payment of fees in accordance with Council's Management Plan, prior to commencement of works.
15. **Road Opening Permit.** To ensure all restoration works within the public road reserve will be completed and restored to Council satisfaction, the applicant shall apply for a Road Opening permit where excavation works are proposed within the road reserve. No works shall be carried out on the road reserve without this permit being paid and a copy kept on the site.
16. **Council's Approval.** To ensure all engineering works within the public road and/or drainage reserve, including Council's parkland will be completed to Council satisfaction, engineering approval and compliance certificates must be obtained from Council for the following works at the specified stage where applicable and **submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate.**

**ITEM 1 (continued)**

**ATTACHMENT 1**

Fees applicable to the proposed works in accordance with Council's Management Plan are to be paid to Council prior to approval being given by Council.

- Approval for drainage connection(s) to Council's stormwater drainage systems and inspection of the stormwater connection by council prior to backfilling.
- Approval shall be obtained for the construction of any structure on Council's road and drainage reserve, including parkland. The inspection(s) for these structures, during construction shall be made by Council e.g. prior to casting & backfilling of Council's pits and other drainage structures including kerb & gutter, access ways, aprons, pathways, vehicular crossings, dish crossings and pathway steps etc.
- Final inspection by Council after completion of all external works with all disturbed areas satisfactorily restored.

**PRIOR TO CONSTRUCTION CERTIFICATE**

A Construction Certificate must be obtained from a Principal Certifying Authority to carry out the relevant building works approved under this consent. All conditions in this Section of the consent must be complied with before a Construction Certificate can be issued.

Council Officers can provide these services and further information can be obtained from Council's Customer Service Centre on 9952 8222.

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with the conditions in this Section of the consent.

Details of compliance with the conditions, including plans, supporting documents or other written evidence must be submitted to the Principal Certifying Authority.

17. **Compliance with Australian Standards.** The development is required to be carried out in accordance with all relevant Australian Standards. Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Principal Certifying Authority prior to the issue of the **Construction Certificate**.
18. **Structural Certification.** The applicant must engage a qualified practising structural engineer to provide structural certification in accordance with relevant BCA requirements prior to the release of the **Construction Certificate**.
19. **Security deposit.** The Council must be provided with security for the purposes of section 80A(6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan prior to the release of the **Construction Certificate**. (category: dwelling houses with delivery of bricks or concrete or machine excavation)
20. **Fees.** The following fees must be paid to Council in accordance with Council's Management Plan prior to the release of the **Construction Certificate**:

**ITEM 1 (continued)****ATTACHMENT 1**

- (a) Infrastructure Restoration and Administration Fee
- (b) Enforcement Levy

21. **Alignment Levels.** The applicant is to apply to Council, pay the required fee, and have issued site specific alignment levels by Council prior to the issue of the **Construction Certificate**.
22. **Long Service Levy.** Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be submitted to the Principal Certifying Authority prior to the issuing of the **Construction Certificate**.
23. **Dilapidation Survey.** A dilapidation survey is to be undertaken that addresses all properties (including any public place) that may be affected by the construction work namely 52 Pellisier Road, Putney. A copy of the survey is to be submitted to the PCA (*and Council, if Council is not the PCA*) prior to the release of the **Construction Certificate**.
24. **Sydney Water – quick check.** The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre, prior to the release of the **Construction Certificate**, to determine whether the development will affect any Sydney Water assets, sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to the website [www.sydneywater.com.au](http://www.sydneywater.com.au) for:

- Quick Check agents details - see Building, Developing and Plumbing then Quick Check; and
- Guidelines for Building Over/Adjacent to Sydney Water assets - see Building, Development and Plumbing then Building and Renovating.

Or telephone 13 20 92.

25. **Reflectivity of materials.** Roofing and other external materials must be of low glare and reflectivity. Details of finished external surface materials, including colours and texture must be provided to the Principal Certifying Authority prior to the release of the **Construction Certificate**.
26. **Fencing.** Fencing is to be in accordance with Council's Development Control Plan and details of compliance are to be provided in the plans for the **Construction Certificate**.
27. **Slope instability – geotechnical report required.** The subject site is located within an area of slope instability and therefore you are required to obtain a satisfactory Geotechnical Report from a qualified Geotechnical Engineer, which is to be submitted prior to the issue of a **Construction Certificate**.

Engineering Conditions

28. **Site Stormwater Drainage System.** To ensure satisfactory stormwater disposal and minimise downstream stormwater impacts, stormwater runoff from the site shall be collected and piped by gravity flow to the foreshore in accordance with the requirements of DCP 2010: Part 8.2- Stormwater Management. Accordingly, detailed engineering plans with certification



**ITEM 1 (continued)**

**ATTACHMENT 1**

indicating compliance with this condition are to be submitted with the Construction Certificate application.

29. **Boundary Levels.** The levels of the street alignment shall be obtained from Council. These levels shall be incorporated into the design of the internal driveways, carparking areas, landscaping and stormwater drainage design where applicable to ensure smooth transition.
30. **Driveway Grades.** The driveway access and footpath crossing(s) shall be designed to fully comply with the relevant section of AS 2890.1.-2004 and Council's issued alignment levels. Engineering certification indicating compliance with this condition is to be submitted with the Construction Certificate application.
31. **Vehicle Footpath Crossings.** Concrete footpath crossings shall be constructed at all locations where vehicles cross the footpath, to protect it from damage resulting from the vehicle traffic. The crossing(s) are to be constructed in plain reinforced with location, design and construction shall conform to Council requirements. Accordingly, prior to issue of Construction Certificate an application shall be made to Council's Public Works division for driveway crossing alignment levels. These issued levels are to be incorporated into the design of the driveway access and clearly delineate on plans submitted with the Construction Certificate application.
32. **Vehicle turning paths.** Vehicle turning areas compliant with AS2890.1 (2004) shall be provided for vehicles entering and leaving the garage. Details of compliance shall be shown on the plans submitted with the **Construction Certificate**.

**PRIOR TO COMMENCEMENT OF CONSTRUCTION**

Prior to the commencement of any demolition, excavation, or building work the following conditions in this Part of the Consent must be satisfied, and all relevant requirements complied with at all times during the operation of this consent.

33. **Site Sign**
  - (a) A sign must be erected in a prominent position on site, prior to the commencement of construction:
    - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work,
    - (ii) showing the name of the principal contractor (if any) or the person responsible for the works and a telephone number on which that person may be contacted outside working hours, and
    - (iii) stating that unauthorised entry to the work site is prohibited.
  - (b) Any such sign must be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
34. **Residential building work – insurance.** In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

**ITEM 1 (continued)**

**ATTACHMENT 1**

35. **Residential building work – provision of information.** Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the PCA has given the Council written notice of the following information:
- (a) in the case of work for which a principal contractor is required to be appointed:
    - (i) the name and licence number of the principal contractor; and
    - (ii) the name of the insurer by which the work is insured under Part 6 of that Act.
  - (b) in the case of work to be done by an owner-builder:
    - (i) the name of the owner-builder; and
    - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.
- If any of the above arrangements are changed while the work is in progress so that the information notified under this condition becomes out of date, further work must not be carried out unless the PCA for the development to which the work relates has given the Council written notice of the updated information (if Council is not the PCA).
36. **Excavation adjacent to adjoining land**
- (a) If an excavation extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must, at their own expense, protect and support the adjoining premises from possible damage from the excavation, and where necessary, underpin the adjoining premises to prevent any such damage.
  - (b) The applicant must give at least seven (7) days notice to the adjoining owner(s) prior to excavating.
  - (c) An owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.
37. **Pre-commencement dilapidation report.** The submission of a pre-commencement dilapidation report providing an accurate record of the existing condition of adjoining public and private properties namely 52 Pellisier Road, Putney and public infrastructure (including roads, gutters, footpaths, etc). A copy of the report must be provided to Council, any other owners of public infrastructure and the owners of the affected adjoining private properties, prior to the commencement of construction.
38. **Safety fencing.** The site must be fenced prior to the commencement of construction, and throughout demolition and/or excavation and must comply with WorkCover New South Wales requirements and be a minimum of 1.8m in height.

**DURING CONSTRUCTION**

Unless otherwise specified, the following conditions in this Part of the consent must be complied with at all times during the construction period. Where applicable, the requirements under previous Parts of the consent must be implemented and maintained at all times during the construction period.

**ITEM 1 (continued)**

**ATTACHMENT 1**

39. **Critical stage inspections.** The person having the benefit of this consent is required to notify the Principal Certifying Authority during construction to ensure that the critical stage inspections are undertaken, as required under clause 162A(4) of the *Environmental Planning and Assessment Regulation 2000*.
40. **Survey of footings/walls.** All footings and walls within 1 metre of a boundary must be set out by a registered surveyor. On commencement of brickwork or wall construction a survey and report must be prepared indicating the position of external walls in relation to the boundaries of the allotment.
41. **Sediment/dust control.** No sediment, dust, soil or similar material shall leave the site during construction work.
42. **Use of fill/excavated material.** Excavated material must not be reused on the property except as follows:
  - (a) Fill is allowed under this consent;
  - (b) The material constitutes Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*;
  - (c) the material is reused only to the extent that fill is allowed by the consent.
43. **Construction materials.** All materials associated with construction must be retained within the site.
44. **Site Facilities**  
The following facilities must be provided on the site:
  - (a) toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees, and
  - (b) a garbage receptacle for food scraps and papers, with a tight fitting lid.
45. **Site maintenance**  
The applicant must ensure that:
  - (a) approved sediment and erosion control measures are installed and maintained during the construction period;
  - (b) building materials and equipment are stored wholly within the work site unless an approval to store them elsewhere is held;
  - (c) the site is clear of waste and debris at the completion of the works.
46. **Work within public road.** At all times work is being undertaken within a public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site. Traffic control devices shall satisfy the minimum standards outlined in Australian Standard No. AS1742.3-1996 "Traffic Control Devices for Work on Roads".
47. **Tree protection – no unauthorised removal.** This consent does not authorise the removal of trees unless specifically permitted by a condition of this consent or otherwise necessary as a result of construction works approved by this consent.

**ITEM 1 (continued)**

**ATTACHMENT 1**

48. **Tree protection – during construction.** Trees that are shown on the approved plans as being retained must be protected against damage during construction.

**PRIOR TO OCCUPATION CERTIFICATE**

An Occupation Certificate must be obtained from a Principal Certifying Authority prior to commencement of occupation of any part of the development, or prior to the commencement of a change of use of a building.

Prior to issue, the Principal Certifying Authority must ensure that all works are completed in compliance with the approved construction certificate plans and all conditions of this Development Consent.

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with conditions in this Part of the consent. Details to demonstrate compliance with all conditions, including plans, documentation, or other written evidence must be submitted to the Principal Certifying Authority.

49. **BASIX.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate numbered A154520\_06, dated 15 April 2013.
50. **Road opening permit – compliance document.** The submission of documentary evidence to Council of compliance with all matters that are required by the Road Opening Permit issued by Council under Section 139 of the *Roads Act 1993* in relation to works approved by this consent, prior to the issue of the **Occupation Certificate**.
51. **Post-construction dilapidation report.** The submission of a post-construction dilapidation report which clearly details the final condition of all property, infrastructure, natural and man-made features that were recorded in the pre-commencement dilapidation report. A copy of the report must be provided to Council, any other owners of public infrastructure and the owners of the affected adjoining and private properties, prior to the issue of the **Occupation Certificate**.
52. **Letterboxes and street/house numbering.** All letterboxes and house numbering are to be designed and constructed to be accessible from the public way. Council must be contacted in relation to any specific requirements for street numbering.

Engineering Requirements

53. **Disused Gutter crossing.** Any disused gutter crossings shall be removed and kerb and gutter including footpath shall be reinstated to Council's satisfaction.
54. **Engineering Certification.** To ensure stormwater drainage works are completed in accordance with approved plans, Certification shall also be obtained from a chartered civil engineer with NPER registration with Engineers Australia, indicating the constructed works complied with DCP 2010. Part 8.2.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**OPERATIONAL CONDITIONS**

The conditions in this Part of the consent relate to the on-going operation of the development and shall be complied with at all times.

55. **Single dwelling only.** The dwelling is not to be used or adapted for use as two separate domiciles or a boarding house.
- (b) That the applicant submit amended plans to Council which provide for a reduction in the non-compliance of the pool coping height and that these amended plans be notified to the objectors and that should no further objections to the pool coping height be received that the matter be determined under delegation by the Acting General Manager.
- (c) That the persons who made submissions be advised of Council's decision.

On being put to the Meeting, the voting on the Amendment was three (3) votes For and seven (7) votes Against. The Amendment was LOST. The Motion was then put and CARRIED.

**Record of Voting:**

For the Amendment: Councillors Chung, Pendleton and Perram

Against the Amendment: Councillors Etmekdjian, Laxale, Li, Pickering, Salvestro-Martin, Simon and Yedelian OAM

**RESOLUTION:** (Moved by Councillors Salvestro-Martin and Pickering)

- (a) That LDA2013/0012 at 52A Pellisier Road, Putney being LOT 2 DP859984 be approved subject to the conditions set out below:

**GENERAL**

The following conditions of consent included in this Part identify the requirements, terms and limitations imposed on this development.

1. **Approved Plans/Documents.** Except where otherwise provided in this consent, the development is to be carried out strictly in accordance with the following plans (stamped approved by Council) and support documents:

Document Description	Date	Plan No/Reference
Site Plan	18.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.2
Ground Floor	19.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.3
First Floor	19.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.4
Lower Ground	19.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.5
Elevation 1 & 2	19.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.6
Elevation 3 & 4	19.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.7
Sections	19.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.8
Window Schedule 01	19.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.9
Window Schedule 02	19.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.10

**ITEM 1 (continued)**

**ATTACHMENT 1**

Window Schedule 03	19.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.11
Work Site Management Plan	19.04.2013	Job No. 12-27-Rof, Issue F Dwg. No.15

2. **Building Code of Australia.** All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
3. **BASIX.** Compliance with all commitments listed in BASIX Certificate numbered A154520\_06, dated 15 April 2013.
4. **Support for neighbouring buildings.** If the development involves excavation that extends below the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
  - (a) Protect and support the adjoining premises from possible damage from the excavation, and
  - (b) Where necessary, underpin the adjoining premises to prevent any such damage, in accordance with relevant Australian Standards.

**Protection of Adjoining and Public Land**

5. **Hours of work.** Building activities (including demolition) may only be carried out between 7.00am and 7.00pm Monday to Friday (other than public holidays) and between 8.00am and 4.00pm on Saturday. No building activities are to be carried out at any time on a Sunday or a public holiday.
6. **Hoardings.**
  - (a) A hoarding or fence must be erected between the work site and any adjoining public place.
  - (b) Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.
7. **Development to be within site boundaries.** The development must be constructed wholly within the boundaries of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Gates must be installed so they do not open onto any footpath.
8. **Public space.** The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council.

**Works on Public Road**

9. **Public Utilities.** Compliance with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RTA, Council etc) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.
10. **Roads Act.** Any works performed in, on or over a public road pursuant to this consent must be carried out in accordance with this consent and with the Road Opening Permit issued by Council as required under section 139 of the Roads Act 1993.

**ITEM 1 (continued)**

**ATTACHMENT 1**

Engineering Conditions

11. **Stormwater disposal.** Stormwater runoff from all impervious areas of the site is to be collected and piped to the existing or new underground stormwater drainage system in accordance with Council's DCP 2010, Part 8.2 "Stormwater Management".
12. **Design and Construction Standards.** All engineering plans and work shall be carried out in accordance with the requirements as outlined within Council's publication *Environmental Standards Development Criteria 1999 and City of Ryde Development Control Plan 2010 Section 8* except as amended by other conditions.
13. **Service Alterations.** All mains, services, poles, etc., which require alteration to facilitate the development shall be altered at the applicant's expense. Written approval and signed off at completion from the relevant Public Authority shall be submitted to Council.
14. **Restoration.** To ensure public areas will be safely maintained at all times all disturbed public areas must be restored to Council satisfaction. All restoration of disturbed road, footway areas, kerb and gutters, redundant vehicular crossings etc arising from the proposed development works will be carried out by Council subject to the lodgement of a Road Opening Permit application to Council with payment of fees in accordance with Council's Management Plan, prior to commencement of works.
15. **Road Opening Permit.** To ensure all restoration works within the public road reserve will be completed and restored to Council satisfaction, the applicant shall apply for a Road Opening permit where excavation works are proposed within the road reserve. No works shall be carried out on the road reserve without this permit being paid and a copy kept on the site.
16. **Council's Approval.** To ensure all engineering works within the public road and/or drainage reserve, including Council's parkland will be completed to Council satisfaction, engineering approval and compliance certificates must be obtained from Council for the following works at the specified stage where applicable and **submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate.** Fees applicable to the proposed works in accordance with Council's Management Plan are to be paid to Council prior to approval being given by Council.
  - Approval for drainage connection(s) to Council's stormwater drainage systems and inspection of the stormwater connection by council prior to backfilling.
  - Approval shall be obtained for the construction of any structure on Council's road and drainage reserve, including parkland. The inspection(s) for these structures, during construction shall be made by Council e.g. prior to casting & backfilling of Council's pits and other drainage structures including kerb & gutter, access ways, aprons, pathways, vehicular crossings, dish crossings and pathway steps etc.
  - Final inspection by Council after completion of all external works with all disturbed areas satisfactorily restored.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**PRIOR TO CONSTRUCTION CERTIFICATE**

A Construction Certificate must be obtained from a Principal Certifying Authority to carry out the relevant building works approved under this consent. All conditions in this Section of the consent must be complied with before a Construction Certificate can be issued.

Council Officers can provide these services and further information can be obtained from Council's Customer Service Centre on 9952 8222.

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with the conditions in this Section of the consent.

Details of compliance with the conditions, including plans, supporting documents or other written evidence must be submitted to the Principal Certifying Authority.

17. **Compliance with Australian Standards.** The development is required to be carried out in accordance with all relevant Australian Standards. Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Principal Certifying Authority prior to the issue of the **Construction Certificate**.
18. **Structural Certification.** The applicant must engage a qualified practising structural engineer to provide structural certification in accordance with relevant BCA requirements prior to the release of the **Construction Certificate**.
19. **Security deposit.** The Council must be provided with security for the purposes of section 80A(6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan prior to the release of the **Construction Certificate**. (category: dwelling houses with delivery of bricks or concrete or machine excavation)
20. **Fees.** The following fees must be paid to Council in accordance with Council's Management Plan prior to the release of the **Construction Certificate**:
  - (a) Infrastructure Restoration and Administration Fee
  - (b) Enforcement Levy
21. **Alignment Levels.** The applicant is to apply to Council, pay the required fee, and have issued site specific alignment levels by Council prior to the issue of the **Construction Certificate**.
22. **Long Service Levy.** Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be submitted to the Principal Certifying Authority prior to the issuing of the **Construction Certificate**.
23. **Dilapidation Survey.** A dilapidation survey is to be undertaken that addresses all properties (including any public place) that may be affected by the construction work namely 52 Pellisier Road, Putney. A copy of the survey is to be submitted to the PCA (*and Council, if Council is not the PCA*) prior to the release of the **Construction Certificate**.



**ITEM 1 (continued)**

**ATTACHMENT 1**

24. **Sydney Water – quick check.** The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre, prior to the release of the **Construction Certificate**, to determine whether the development will affect any Sydney Water assets, sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to the website [www.sydneywater.com.au](http://www.sydneywater.com.au) for:

- Quick Check agents details - see Building, Developing and Plumbing then Quick Check; and
- Guidelines for Building Over/Adjacent to Sydney Water assets - see Building, Development and Plumbing then Building and Renovating.

Or telephone 13 20 92.

25. **Reflectivity of materials.** Roofing and other external materials must be of low glare and reflectivity. Details of finished external surface materials, including colours and texture must be provided to the Principal Certifying Authority prior to the release of the **Construction Certificate**.
26. **Fencing.** Fencing is to be in accordance with Council's Development Control Plan and details of compliance are to be provided in the plans for the **Construction Certificate**.
27. **Slope instability – geotechnical report required.** The subject site is located within an area of slope instability and therefore you are required to obtain a satisfactory Geotechnical Report from a qualified Geotechnical Engineer, which is to be submitted prior to the issue of a **Construction Certificate**.

Engineering Conditions

28. **Site Stormwater Drainage System.** To ensure satisfactory stormwater disposal and minimise downstream stormwater impacts, stormwater runoff from the site shall be collected and piped by gravity flow to the foreshore in accordance with the requirements of DCP 2010: Part 8.2- Stormwater Management. Accordingly, detailed engineering plans with certification indicating compliance with this condition are to be submitted with the Construction Certificate application.
29. **Boundary Levels.** The levels of the street alignment shall be obtained from Council. These levels shall be incorporated into the design of the internal driveways, carparking areas, landscaping and stormwater drainage design where applicable to ensure smooth transition.
30. **Driveway Grades.** The driveway access and footpath crossing(s) shall be designed to fully comply with the relevant section of AS 2890.1.-2004 and Council's issued alignment levels. Engineering certification indicating compliance with this condition is to be submitted with the Construction Certificate application.
31. **Vehicle Footpath Crossings.** Concrete footpath crossings shall be constructed at all locations where vehicles cross the footpath, to protect it from damage resulting from the vehicle traffic. The crossing(s) are to be

**ITEM 1 (continued)**

**ATTACHMENT 1**

constructed in plain reinforced with location, design and construction shall conform to Council requirements. Accordingly, prior to issue of Construction Certificate an application shall be made to Council's Public Works division for driveway crossing alignment levels. These issued levels are to be incorporated into the design of the driveway access and clearly delineate on plans submitted with the Construction Certificate application.

32. **Vehicle turning paths.** Vehicle turning areas compliant with AS2890.1 (2004) shall be provided for vehicles entering and leaving the garage. Details of compliance shall be shown on the plans submitted with the **Construction Certificate**.

**PRIOR TO COMMENCEMENT OF CONSTRUCTION**

Prior to the commencement of any demolition, excavation, or building work the following conditions in this Part of the Consent must be satisfied, and all relevant requirements complied with at all times during the operation of this consent.

33. **Site Sign**

- (a) A sign must be erected in a prominent position on site, prior to the commencement of construction:
- (i) showing the name, address and telephone number of the Principal Certifying Authority for the work,
  - (ii) showing the name of the principal contractor (if any) or the person responsible for the works and a telephone number on which that person may be contacted outside working hours, and
  - (iii) stating that unauthorised entry to the work site is prohibited.
- (b) Any such sign must be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

34. **Residential building work – insurance.** In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

35. **Residential building work – provision of information.** Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the PCA has given the Council written notice of the following information:

- (a) in the case of work for which a principal contractor is required to be appointed:
- (i) the name and licence number of the principal contractor; and
  - (ii) the name of the insurer by which the work is insured under Part 6 of that Act.
- (b) in the case of work to be done by an owner-builder:
- (i) the name of the owner-builder; and
  - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

**ITEM 1 (continued)**

**ATTACHMENT 1**

If any of the above arrangements are changed while the work is in progress so that the information notified under this condition becomes out of date, further work must not be carried out unless the PCA for the development to which the work relates has given the Council written notice of the updated information (if Council is not the PCA).

**36. Excavation adjacent to adjoining land**

- (a) If an excavation extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must, at their own expense, protect and support the adjoining premises from possible damage from the excavation, and where necessary, underpin the adjoining premises to prevent any such damage.
- (b) The applicant must give at least seven (7) days notice to the adjoining owner(s) prior to excavating.
- (c) An owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

**37. Pre-commencement dilapidation report.** The submission of a pre-commencement dilapidation report providing an accurate record of the existing condition of adjoining public and private properties namely 52 Pellisier Road, Putney and public infrastructure (including roads, gutters, footpaths, etc). A copy of the report must be provided to Council, any other owners of public infrastructure and the owners of the affected adjoining private properties, prior to the commencement of construction.

**38. Safety fencing.** The site must be fenced prior to the commencement of construction, and throughout demolition and/or excavation and must comply with WorkCover New South Wales requirements and be a minimum of 1.8m in height.

**DURING CONSTRUCTION**

Unless otherwise specified, the following conditions in this Part of the consent must be complied with at all times during the construction period. Where applicable, the requirements under previous Parts of the consent must be implemented and maintained at all times during the construction period.

**39. Critical stage inspections.** The person having the benefit of this consent is required to notify the Principal Certifying Authority during construction to ensure that the critical stage inspections are undertaken, as required under clause 162A(4) of the *Environmental Planning and Assessment Regulation 2000*.

**40. Survey of footings/walls.** All footings and walls within 1 metre of a boundary must be set out by a registered surveyor. On commencement of brickwork or wall construction a survey and report must be prepared indicating the position of external walls in relation to the boundaries of the allotment.

**41. Sediment/dust control.** No sediment, dust, soil or similar material shall leave the site during construction work.

**ITEM 1 (continued)**

**ATTACHMENT 1**

42. **Use of fill/excavated material.** Excavated material must not be reused on the property except as follows:
- (a) Fill is allowed under this consent;
  - (b) The material constitutes Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*;
  - (c) the material is reused only to the extent that fill is allowed by the consent.
43. **Construction materials.** All materials associated with construction must be retained within the site.
44. **Site Facilities**  
The following facilities must be provided on the site:
- (a) toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees, and
  - (b) a garbage receptacle for food scraps and papers, with a tight fitting lid.
45. **Site maintenance**  
The applicant must ensure that:
- (a) approved sediment and erosion control measures are installed and maintained during the construction period;
  - (b) building materials and equipment are stored wholly within the work site unless an approval to store them elsewhere is held;
  - (c) the site is clear of waste and debris at the completion of the works.
46. **Work within public road.** At all times work is being undertaken within a public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site. Traffic control devices shall satisfy the minimum standards outlined in Australian Standard No. AS1742.3-1996 "Traffic Control Devices for Work on Roads".
47. **Tree protection – no unauthorised removal.** This consent does not authorise the removal of trees unless specifically permitted by a condition of this consent or otherwise necessary as a result of construction works approved by this consent.
48. **Tree protection – during construction.** Trees that are shown on the approved plans as being retained must be protected against damage during construction.

**PRIOR TO OCCUPATION CERTIFICATE**

An Occupation Certificate must be obtained from a Principal Certifying Authority prior to commencement of occupation of any part of the development, or prior to the commencement of a change of use of a building.

Prior to issue, the Principal Certifying Authority must ensure that all works are completed in compliance with the approved construction certificate plans and all conditions of this Development Consent.

**ITEM 1 (continued)**

**ATTACHMENT 1**

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with conditions in this Part of the consent. Details to demonstrate compliance with all conditions, including plans, documentation, or other written evidence must be submitted to the Principal Certifying Authority.

49. **BASIX.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate numbered A154520\_06, dated 15 April 2013.
50. **Road opening permit – compliance document.** The submission of documentary evidence to Council of compliance with all matters that are required by the Road Opening Permit issued by Council under Section 139 of the *Roads Act 1993* in relation to works approved by this consent, prior to the issue of the **Occupation Certificate**.
51. **Post-construction dilapidation report.** The submission of a post-construction dilapidation report which clearly details the final condition of all property, infrastructure, natural and man-made features that were recorded in the pre-commencement dilapidation report. A copy of the report must be provided to Council, any other owners of public infrastructure and the owners of the affected adjoining and private properties, prior to the issue of the **Occupation Certificate**.
52. **Letterboxes and street/house numbering.** All letterboxes and house numbering are to be designed and constructed to be accessible from the public way. Council must be contacted in relation to any specific requirements for street numbering.

Engineering Requirements

53. **Disused Gutter crossing.** Any disused gutter crossings shall be removed and kerb and gutter including footpath shall be reinstated to Council's satisfaction.
54. **Engineering Certification.** To ensure stormwater drainage works are completed in accordance with approved plans, Certification shall also be obtained from a chartered civil engineer with NPER registration with Engineers Australia, indicating the constructed works complied with DCP 2010. Part 8.2.

**OPERATIONAL CONDITIONS**

The conditions in this Part of the consent relate to the on-going operation of the development and shall be complied with at all times.

55. **Single dwelling only.** The dwelling is not to be used or adapted for use as two separate domiciles or a boarding house.
  - (b) That the persons who made submissions be advised of Council's decision.

**Record of Voting:**

For the Motion: Councillors Etmekdjian, Laxale, Li, Pickering, Salvestro-Martin, Simon and Yedelian OAM

**ITEM 1 (continued)**

**ATTACHMENT 1**

Against the Motion: Councillors Chung, Pendleton and Perram

Note: The Mayor, Councillor Petch returned to the meeting at 9.42pm.

**4 52 DARVALL ROAD, EASTWOOD. LOT 10 DP 13514. Local Development Application for the use of existing building as a secondary dwelling and an outbuilding. LDA2013/0100.**

**RESOLUTION:** (Moved by Councillors Pendleton and Salvestro-Martin)

- (a) That the Group Manager Environment and Planning write to the Building Professionals Board expressing Council's concern regarding this matter and to request an urgent response to the complaint.
- (b) That upon receipt of advice from the Building Professionals Board, the Group Manager Planning and Environment provide a report to the Planning and Environment Committee detailing the nature of the response and suggesting measures to ensure that the outbuilding does not provide for permanent habitation.

**Record of Voting:**

For the Motion: Unanimous

**5 3-5 TRELAWNEY STREET, EASTWOOD. Part LOT B & LOT A DP 401296. New mixed use development: a building with six retail/commercial tenancies (534m<sup>2</sup>); 57 apartments (13X1 bedrooms, 44X2 bedrooms) and basement parking, and strata subdivision. LDA2011/0611.**

**RESOLUTION:** (Moved by Councillors Pendleton and Salvestro-Martin)

- (a) That Local Development Application No. 2011/0611 for the construction and strata subdivision of a mixed use development consisting of a building with six retail/commercial tenancies, 57 residential apartments and basement parking for 107 cars at 3-5 Trelawney Street, Eastwood be approved subject to the **ATTACHED** conditions (Attachment 1).
- (b) That Council accept the Voluntary Planning Agreement (Reference No. PJAC\_100970\_017.DOC) made by N & G Projects Pty Ltd in conjunction with the approval of LDA2011/0611.
- (c) That the persons who made submissions be advised of Council's decision.

**Record of Voting:**

For the Motion: Unanimous

**ITEM 1 (continued)**

**ATTACHMENT 1**

**3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 8/13  
held on 4 June 2013**

Note: Councillor Chung left the meeting at 9.48pm and was not present for voting on this Item.

**RESOLUTION:** (Moved by Councillors Laxale and Pickering)

That Council determine Item 2 of the Works and Community Committee report, noting that Items 1 and 3 were dealt with by the Committee within its delegated powers.

**Record of Voting:**

For the Motion: Unanimous

**2 JOINT NSROC REGIONAL WASTE DISPOSAL INITIATIVE**

**RESOLUTION:** (Moved by Councillors Laxale and Pickering)

Note: Councillor Chung was not present for voting on this Item.

That Council:

- (a) participate in preparations to go to tender for procurement of waste disposal/processing services for NSROC Councils for a contract commencing in 2014, noting that a further report on tender criteria will come to Council for final agreement as to participation in the tender.
- (b) be part of an application for authorisation (through revocation and substitution of 2003 authorisation) from the Australian Competition and Consumer Commission for group purchasing of waste disposal services.
- (c) participate in formal arrangements with NSROC Councils as shown diagrammatically on page 5 of **CONFIDENTIAL ATTACHMENT 1 – CIRCULATED UNDER SEPARATE COVER**, and to contribute \$8,286 to the costs of establishing partnership arrangements for shared services procurement and management by NSROC Councils, commencing with the waste disposal tender.
- (d) contribute \$13,395 to the governance structure establishment costs on an equal basis amongst all NSROC Councils, and the tender preparation costs in line with volume participation in the waste contract.

**Record of Voting:**

For the Motion: Unanimous

Note: Councillor Chung returned to the meeting at 9.50pm.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**4 OMBUDSMAN SYSTEM**

**RESOLUTION:** (Moved by Councillors Pendleton and Salvestro-Martin)

That this matter be deferred for consideration at a Councillor Workshop.

**Record of Voting:**

For the Motion: Unanimous

**5 POLICY ON THE PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR THE MAYOR AND OTHER COUNCILLORS**

**RESOLUTION:** (Moved by Councillors Salvestro-Martin and Laxale)

- (a) That Council adopt the ATTACHED Policy on the Payment of Expenses and Provisions of Facilities for the Mayor and other Councillors, as amended and incorporating the proposed changes as detailed in the report.
- (b) That, in accordance with Section 253 of the Local Government Act 1993, a copy of the adopted policy be forwarded to the Division of Local Government.

**Record of Voting:**

For the Motion: Unanimous

**6 VOLUNTARY PLANNING AGREEMENT OFFER - 125-135 CHURCH STREET, RYDE.**

**RESOLUTION:** (Moved by Councillors Perram and Laxale)

- (a) That Council support 'in principle' the Voluntary Planning Offer made by Motive Properties Pty Limited as part of the Development Application LDA2012/97 at 125-135 Church Street, Ryde for the construction of four mixed use residential/commercial buildings,
- (b) That the above be communicated to the Joint Regional Planning Panel at the time of determination of the application, and
- (c) That the Acting General Manager be delegated to finalise the Voluntary Planning Agreement with Motive Properties Pty Limited.

**Record of Voting:**

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

Against the Motion: Councillor Salvestro-Martin



**ITEM 1 (continued)**

**ATTACHMENT 1**

**7 LEADERS FORUMS - LOCAL GOVERNMENT REVIEW PANEL & PLANNING WHITE PAPER**

**RESOLUTION:** (Moved by Councillors Yedelian OAM and Pickering)

- (a) That the Mayor, Councillor Petch or his nominee attend the Local Government Review Panel Forum to be held on Friday, 28 June 2013.
- (b) That the Mayor, Councillor Petch or his nominee attend the Planning White Paper Forum to be held on Tuesday, 2 July 2013.

**Record of Voting:**

For the Motion: Unanimous

**8 REQUEST FOR TENDER - COR-RFT 09/13 Santa Rosa Park New Amenities Building**

**RESOLUTION:** (Moved by Councillors Yedelian OAM and Pendleton)

- (a) That Council accept the tender from Terrafirma Property Developments P/L for the Santa Rosa New Amenities Building works for the amount of \$282,095 as recommended in the Tender Evaluation Report.
- (b) That Council advise all the respondents of Council's decision and thank them for their submissions.

**Record of Voting:**

For the Motion: Unanimous

**9 REQUEST FOR TENDER - COR-RFT-25/12 - Courier Service Tender**

**RESOLUTION:** (Moved by Councillors Laxale and Pendleton)

- (a) That Council accepts the tender from Fleet Flyers Pty Ltd trading as Australian National Couriers for the Courier Service to the City of Ryde to the amount of up to \$110,000 (excluding GST) per annum, for a three year period with an option to extend for a further two year period as recommended in the Tender Evaluation Report.
- (b) That Council delegate to the Acting General Manager the authority to enter into a contract with Fleet Flyers Pty Ltd trading as Australian National Couriers on the terms contained within the tender and for minor amendments to be made to the contract documents that are not of a material nature.
- (c) That Council advise all the respondents of Council's decision and thank them for their submissions.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**Record of Voting:**

For the Motion: The Mayor, Councillor Petch and Councillors Chung, Etmekdjian, Laxale, Li, Pendleton, Perram, Pickering, Salvestro-Martin and Simon

Against the Motion: Councillor Yedelian OAM

**PRECIS OF CORRESPONDENCE FOR CONSIDERATION**

**1 PLANNING WHITE PAPER - COMMUNITY CONSULTATION**

**RESOLUTION:** (Moved by Councillors Pickering and Perram)

That the correspondence be received and noted.

**Record of Voting:**

For the Motion: Unanimous

**2 LOCAL GOVERNMENT (EARLY INTERVENTION) BILL 2013**

**RESOLUTION:** (Moved by Councillors Li and Laxale)

- (a) That the correspondence be received noted.
- (b) That Council note the closing date for submissions has been extended until 12 June 2013.
- (c) That Council expresses concerns and makes a submission based on the following reasons:
  - Due process not being followed prior to action being taken, to suspend Councils as foreshadowed in the legislation.
  - Review and support the issues raised by the Mayor of City of Sydney, Clover Moore.
  - Lack of a requirement for reason to be given with no avenue for appeal.

**Record of Voting:**

For the Motion: The Mayor, Councillor Petch and Councillors Chung, Laxale, Li, Pendleton, Perram, Salvestro-Martin, Simon and Yedelian OAM

Against the Motion: Councillors Etmekdjian and Pickering

**ITEM 1 (continued)**

**ATTACHMENT 1**

**3 RESPONSE TO FUTURE DIRECTIONS FOR NSW LOCAL GOVERNMENT - TWENTY ESSENTIAL STEPS**

**RESOLUTION:** (Moved by Councillors Perram and Laxale)

- (a) That Council take action to request Hornsby Council to ensure that any resident of Ryde that is contacted by their surveying Consultants to be advised that data is being collected by Hornsby Council.
- (b) That Council advise our community that Hornsby Council is undertaking surveys seeking information from residents on the issue of amalgamation of Councils and that this survey is not supported by the City of Ryde.
- (c) That Council communicate this matter through The Mayor's Column, City View and Council's website.

**Record of Voting:**

For the Motion: Unanimous

**NOTICES OF MOTION**

There were no Notices of Motion.

**NOTICES OF RESCISSION**

There were no Notices of Rescission.

**QUESTIONS BY COUNCILLORS AS PER POLICY**

**1 QUESTIONS WITH NOTICE - Councillor Jerome Laxale**

**RESOLUTION:** (Moved by Councillors Laxale and Pendleton)

That the following Answers to Questions with Notice be received and noted.

**Record of Voting:**

For the Motion: Unanimous

In light of Council's recent submission against the UAP process in North Ryde, whereby it was noted that working group meetings and steering committee meetings were simply information sharing exercises where true consultation with Council did not take place, please advise:

- 1. How many of these types of meetings have been held?**

**ITEM 1 (continued)**

**ATTACHMENT 1**

Answer 1:

There have been four types of meetings during the consultation process.

Community Reference Groups (CRG)

8x CRG meetings occurred with the community with CoR as observers.

Agency Working Group

7x working group meetings occurred during the period October 2011 to September 2012 which involved agencies including TfNSW, RMS, CoR, OSL and DoH.

Steering Committee

1x meeting for the North Ryde Station UAP occurred on 8 April 2013.

Meeting planned for 6 May 2013 was cancelled.

Technical Staff Meetings

Around 10x technical meetings took place between August 2011 and April 2012.

These meetings brought together specialist technical staff to discuss detailed design matters. This included matters such as infrastructure standards and specifications, connectivity and access, and other technical matters. Essentially, these were information sharing meetings where Transport for NSW was provided technical documents / comments.

Please Note:

Following the Herring Road Steering Committee meeting on 23 May, CoR's submission on the North Ryde Station proposal was discussed with staff from DP&I. CoR was represented by staff members Dominic Johnson and Adrian Melo. (Councillor Maggio and Etmekdjian were to represent Council as it followed the Herring Road Steering Committee meeting; however they were unavailable on the day for these meetings).

**2. Who has attended from Ryde Council (staff and Councillors) and other agencies?**

Answer 2:

Community Reference Group meetings were observed by Council staff member Adrian Melo.

Agency Working Groups were attended by the appropriate staff depending on the issue being discussed. Participants included: Adrian Melo, Lexie Macdonald, Harry Muker, Fiona Morrison, John Brown and Dominic Johnson.

North Ryde Station Steering Committee meeting was attended by Clr Petch, Clr Yedelian, Dominic Johnson and Danielle Dickson ( DD replaced George Dedes who was unavailable for the meeting as the staff representative).

Technical Staff Meetings were attended by numerous Council officers dependant on the matter to be discussed.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**3. What was discussed?**

Answer 3:

Key issues considered included:

CRG meetings – Concerns were raised by the community regarding: the size, massing scale of development, amount of open space, overshadowing, visual impact, connectivity and conservation of vegetation.

Agency working groups - Built form, traffic, open space, flood and stormwater, funding of infrastructures, Section 94 Contributions, Voluntary Planning Agreements, affordable housing and planning framework. During these meetings, Council sought the exclusion of OSL and RMS lands (Tennis World and land adjoining Bundara Reserve).

Steering Committee meeting – given there was only one meeting prior to submissions closing on 19 May, the key issues discussed included: governance, Terms of Reference, time frames and responsibilities.

**4. When will a full report on the meetings come back to Council (through CIB, Council report or otherwise)?**

Answer 4:

Next report will come to Council as part of the update regarding the appointment of the independent consultant to review the North Ryde Station Precinct proposal.

**5. Please elaborate on the format of the meetings? Are they simply briefing sessions as outlined in Council's submission, or are they geared for genuine consultation with Council as a key stakeholder?**

Answer 5:

CRG meetings - Members of the community selected for the CRG were provided information (briefing sessions) regarding the project; there was also an opportunity to ask questions. Minutes were taken and are available on the websites of the Department of Planning and Infrastructure and Transport for NSW.

Agency Working Groups – The format of the meetings typically was a presentation on the proposal by either Transport for NSW and Planning with an opportunity to comment afterwards by Council.

Meetings were essentially briefing sessions with the Department of Planning and Infrastructure providing data and information for comment. Opportunity was provided for CoR to comment; though these comments did not seem to change the original proposal.

Council did provide a submission in response to the proposal at a meeting early in 2012 which summarised Council's key concerns. A copy of this submission can be provided on request.

**ITEM 1 (continued)**

**ATTACHMENT 1**

Steering Committee meetings – given there was only one meeting, the format had not been established. CoR however did raise concerns regarding the Terms of Reference for the Committee, it was CoR's view that the Committee should not be just 'advised about investigations' but rather, be actively involved in the approval and review of investigations.

**CLOSED SESSION**

**ITEM 10 - RENEWAL OF CONTRACT - COMMUNITY OF INTEREST NETWORK (MY PLACE)**

**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: (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**RESOLUTION:** (Moved by Councillors Laxale and Salvestro-Martin)

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

**Record of Voting:**

For the Motion: Unanimous

Note: The Council closed the meeting at 10.22pm. The public and media left the chamber.

**10 RENEWAL OF CONTRACT - COMMUNITY OF INTEREST NETWORK (MY PLACE)**

**MOTION:** (Moved by Councillors Perram and Salvestro-Martin)

- (a) That Council take no further action in this tender.
- (b) That Council pursue an alternative arrangement as part of the Communication Strategy to achieve a similar goal in engaging the community at a lower cost.

**AMENDMENT:** (Moved by Councillors Etmekdjian and Yedelian OAM)

That Council extends the trial for a further 12 month period, commencing in June, in respect of the contract with Toluna Australia at an estimated cost of \$69,958.

On being put to the Meeting, the voting on the Amendment was five (5) votes For and six (6) votes Against. The Amendment was LOST. The Motion was then put and CARRIED.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**Record of Voting:**

For the Amendment: Councillors Chung, Etmekdjian, Laxale, Pickering and Yedelian OAM

Against the Amendment: The Mayor, Councillor Petch and Councillors Li, Pendleton, Perram, Salvestro-Martin and Simon

Note: Councillor Yedelian OAM left the meeting at 11.12pm and did not return.

Note: Councillor Pickering left the meeting at 11.12pm and did not return.

**RESOLUTION:** (Moved by Councillors Perram and Salvestro-Martin)

- (a) That Council take no further action in this tender.
- (b) That Council pursue an alternative arrangement as part of the Communication Strategy to achieve a similar goal in engaging the community at a lower cost.

**Record of Voting:**

For the Motion: The Mayor, Councillor Petch and Councillors Chung, Laxale, Li, Pendleton, Perram, Salvestro-Martin and Simon

Against the Motion: Councillor Etmekdjian

**OPEN SESSION**

**RESOLUTION:** (Moved by Councillors Laxale and Simon)

That Council resolve itself into open Council.

**Record of Voting:**

For the Motion: Unanimous

Note: Open Council resumed at 11.13pm.

**RESOLUTION:** (Moved by Councillors Laxale and Pendleton)

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

**ITEM 1 (continued)**

**ATTACHMENT 1**

**NATIONAL ANTHEM**

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

The meeting closed at 11.16pm.

CONFIRMED THIS 25TH DAY OF JUNE 2013

Chairperson



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## 2 CONFIRMATION OF MINUTES - General Purposes Committee Meeting held on 18 June 2013

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**Report prepared by:** Section Manager - Governance  
**File No.:** CLM/13/1/1/2 - BP13/827

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### REPORT SUMMARY

Attached are the Minutes of the General Purposes Committee Meeting 2/13 held on 18 June 2013. The Minutes are attached for confirmation at this meeting.

The following Committee recommendations for Items 1 and 2 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:

#### 1 OVERVIEW OF COUNCIL'S ACHIEVEMENTS 2012 / 2013 AND PROPOSED INITIATIVES / WORKS 2013-2017 – CENTRAL WARD

**RECOMMENDATION:** (Moved by Councillors Laxale and Pendleton)

That the Acting General Manager, Danielle Dickson, provide a presentation to the meeting on Council's Achievements for 2012/2013 and proposed works and initiatives between 2013 to 2017, in respect of the Central Ward.

**Record of Voting:**

For the Motion: Unanimous

Note: The Acting General Manager, Danielle Dickson made a presentation to the meeting.

#### 2 MAJOR DEVELOPMENT IN CENTRAL WARD - Presentation

**RECOMMENDATION:** (Moved by Councillors Laxale and Pendleton)

That the Group Manager – Environment and Planning, Dominic Johnson, make a presentation to the meeting regarding major developments within the Central Ward.

**Record of Voting:**

For the Motion: Unanimous

Note: Council's Group Manager – Environment and Planning, Dominic Johnson made a presentation to the meeting.

### ATTACHMENTS

- 1 Minutes - General Purposes Committee Meeting - 18 June 2013

**ITEM 2 (continued)**

**ATTACHMENT 1**

**General Purposes Committee  
Community Council Meeting  
MINUTES OF MEETING NO. 2/13**

**Meeting Date:** Tuesday 18 June 2013  
**Location:** Shepherds Bay Community Centre,  
3A Bay Drive, Meadowbank  
**Time:** 7.30pm

**Councillors Present:** The Mayor, Councillor Petch and Councillors Chung, Etmekdjian, Laxale, Pendleton, Perram, Pickering and Simon.

**Apologies:** Councillor Salvestro-Martin.

**Absent:** Councillor Maggio.

**Leave of Absence:** Councillors Li and Yedelian OAM.

**Staff Present:** Acting General Manager, Acting Group Manager – Community Life, Group Manager - Corporate Services, Group Manager – Environment & Planning, Acting Group Manager - Public Works, General Counsel, Manager – Communications and Media, Manager – Customer Service and Governance, Manager – Asset Systems, Coordinator – Commissioning, Section Manager – Governance, Administrative Assistant and Councillor Support Coordinator.

**DISCLOSURES OF INTEREST**

Councillor Simon disclosed a Significant Pecuniary Interest in Item 2 - Major Development in Central Ward – Presentation of the Committee's Report No. 2/13, for the reason that he owns and lives at a property across from a development that was referred in the presentation.

**PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA**

No addresses were made to Council.

**1 OVERVIEW OF COUNCIL'S ACHIEVEMENTS 2012 / 2013 AND PROPOSED INITIATIVES / WORKS 2013-2017 – CENTRAL WARD**

**RECOMMENDATION:** (Moved by Councillors Laxale and Pendleton)

That the Acting General Manager, Danielle Dickson, provide a presentation to the meeting on Council's Achievements for 2012/2013 and proposed works and initiatives between 2013 to 2017, in respect of the Central Ward.

**Record of Voting:**

For the Motion: Unanimous

**ITEM 2 (continued)**

**ATTACHMENT 1**

Note: The Acting General Manager, Danielle Dickson made a presentation to the meeting.

**2 MAJOR DEVELOPMENT IN CENTRAL WARD - Presentation**

**RECOMMENDATION:** (Moved by Councillors Laxale and Pendleton)

That the Group Manager – Environment and Planning, Dominic Johnson, make a presentation to the meeting regarding major developments within the Central Ward.

**Record of Voting:**

For the Motion: Unanimous

Note: Council's Group Manager – Environment and Planning, Dominic Johnson made a presentation to the meeting.

**PUBLIC PARTICIPATION**

The Mayor, Councillor Petch invited questions from the audience.

The following persons addressed the Council:

Phil Peake	Civic Centre refurbishment costs query
Sherie Barton	Dunbar St/Samuel St Traffic/Parking Issues
Diane Erickson	Tucker St/Blaxland Rd Intersection Traffic Issue
John Toohey	Coles Development, West Ryde Latest Update
Helen Rutherford	Free bus Service, Hungry for Art and Event Notifications
Larry Nolan	Future of Civic Centre should Council Amalgamate
John Toohey	Constitution Referendum
RoseMarie Lavery	Attending/addressing Traffic Committees

The meeting closed at 9.32pm.

CONFIRMED THIS 25TH DAY OF JUNE 2013.

Chairperson

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**3 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING  
10/13 held on 18 June 2013**

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**Report prepared by:** Section Manager - Governance  
**File No.:** CLM/13/1/4/2 - BP13/74

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**REPORT SUMMARY**

Attached are the Minutes of the Planning and Environment Committee Meeting 10/13 held on 18 June 2013. The Minutes will be listed for confirmation at the next Planning and Environment Committee Meeting.

Items 1 and 2 were dealt with by the Committee within its delegated powers.

The following Committee recommendations for Items 3 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:

**3 18 SHEPHERD STREET, RYDE. LOT 70 DP 5887. Local Development  
Application for new two storey attached dual occupancy. LDA2012/144.**

Note: Garry Haddad (objector on behalf of John Moses), Janet Tse (objector) and Peter Hall (applicant's architect) and Raymond El Hazouri (applicant) addressed the Committee in relation to this Item.

Note: A Memorandum from the Group Manager, Environment and Planning was circulated in relation to this matter and a copy is ON FILE.

**RECOMMENDATION:** (Moved by Councillors Maggio and Chung)

(a) That Council defer consideration of Local Development Application No. 2012/144 at 18 Shepherd Street being LOT 70 DP5887 to enable the Group Manager Environment and Planning to undertake a mediation with the applicant and objectors to consider the issues of:

- Bulk – limiting the height of the rear dwelling to single storey
- Privacy
- Overshadowing
- Design of open space for front dwelling to be increased

(b) That the amended plans be submitted following mediation and re-notified to the neighbouring properties and previous objectors to the original DA.

If the amended plans do not attract any further submissions then the application may be determined by the Group Manager Environment & Planning under delegated authority. Otherwise, a further report shall be presented to the Planning & Environment Committee for determination.

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

**Record of Voting:**

For the Motion: Councillors Chung and Maggio

Against the Motion: Councillor Pendleton

**ITEM 3 (continued)**

Note: This matter will be dealt with at the Council Meeting to be held on **25 JUNE 2013** as (select) dissenting votes were recorded and substantive changes were made to the published recommendation

**4 68 CHAMPION ROAD, TENNYSON POINT - LOT 21 DP 233234. Local Development Application for extension of boundary fencing within foreshore building line. LDA2013/0080.**

Note: Eric Camp (objector) and Deborah Alexiou (applicant) addressed the Committee in relation to this Item.

**RECOMMENDATION:** (Moved by Councillors Pendleton and Chung)

(a) That LDA2013/0080 at 68 Champion Road, Tennyson Point being LOT 21 DP 233234 be refused for the following reasons:

1. The proposed works to the boundary fence do not comply with the controls set out within the Ryde DCP 2010 or the Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005.
2. The proposed works to the boundary fence within the foreshore building line would result in a structure which is considered to be inconsistent with the desired future character for the R2 Low Density Residential zone, and in particular the character of waterfront development in the Tennyson Point area, and wider waterfront area of the Ryde local government area.
3. The proposed fence being of a solid construction does not comply with the Ryde DCP 2010 control in relation to fences forward of the foreshore building line being of an open and permeable construction, and will impede views to and from the waterfront of Glades Bay.
4. In the circumstances of the case, approval of the development is considered not to be in the public interest.

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

**Record of Voting:**

For the Motion: Councillors Chung and Pendleton

Against the Motion: Councillor Maggio

Note: This matter will be dealt with at the Council Meeting to be held on **25 JUNE 2013** as dissenting votes were recorded

**ATTACHMENTS**

- 1 Minutes - Planning and Environment Committee - 18 June 2013

**ITEM 3 (continued)**

**ATTACHMENT 1**

**Planning and Environment Committee  
MINUTES OF MEETING NO. 10/13**

**Meeting Date:** Tuesday 18 June 2013  
**Location:** Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde  
**Time:** 5.00pm

**Councillors Present:** Councillors Pendleton (Chairperson), Chung and Maggio.

**Apologies:** Councillor Salvestro-Martin.

**Leave of Absence:** Councillor Yedelian OAM.

**Absent:** Councillor Simon.

In the absence of Councillor Simon, the Deputy Chairperson – Councillor Pendleton chaired the meeting.

**Staff Present:** Group Manager – Environment and Planning, Service Unit Manager – Assessment, Service Unit Manager – Environmental Health and Building, Business Support Coordinator – Environment and Planning, Team Leader – Fast Track Team, Team Leader – Assessment, Assessment Officer – Town Planner, Consultant Town Planner (Creative Planning Solutions) and Manager – Customer Service and Governance.

**DISCLOSURES OF INTEREST**

There were no disclosures of interest.

**1 CONFIRMATION OF MINUTES - Meeting held on 4 June 2013**

**RESOLUTION:** (Moved by Councillors Chung and Pendleton)

That the Minutes of the Planning and Environment Committee 9/13, held on Tuesday 4 June 2013, be confirmed, noting Council's resolution of 11 June 2013 which noted that Councillor Salvestro-Martin had declared a Less than Significant Non-Pecuniary Interest in Item 2 – 29 Vimiera Road, Eastwood – LOT 10 DP 4574 – BC2013/0003, for the reason that a speaker on the matter is known to him.

**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**

**2 29 SHEPHERD STREET, RYDE. LOT C DP 327043. Local Development Application for new two storey attached dual occupancy and inground swimming pools. LDA2013/0001.**

Note: Anthony Good (objector) and Peter Hall (applicant's architect) addressed the Committee in relation to this Item.

**RESOLUTION:** (Moved by Councillors Chung and Maggio)

- (a) That Council defer consideration of Local Development Application No. LDA2013/0001 at 29 Shepherd Street Ryde being LOT C DP 327043 to enable the Group Manager Environment and Planning to undertake a mediation with the applicant and objectors to consider the issues of:
- Setbacks
  - Privacy

- (b) That the amended plans be submitted following mediation and re-notified to the neighbouring properties and previous objectors to the original DA.

If the amended plans do not attract any further submissions then the application may be determined by the Group Manager Environment & Planning under delegated authority. Otherwise, a further report shall be presented to the Planning & Environment Committee for determination.

- (c) 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.

**3 18 SHEPHERD STREET, RYDE. LOT 70 DP 5887. Local Development Application for new two storey attached dual occupancy. LDA2012/144.**

Note: Garry Haddad (objector on behalf of John Moses), Janet Tse (objector) and Peter Hall (applicant's architect) and Raymond El Hazouri (applicant) addressed the Committee in relation to this Item.

Note: A Memorandum from the Group Manager, Environment and Planning was circulated in relation to this matter and a copy is ON FILE.

**RECOMMENDATION:** (Moved by Councillors Maggio and Chung)

- (a) That Council defer consideration of Local Development Application No. 2012/144 at 18 Shepherd Street being LOT 70 DP5887 to enable the Group Manager Environment and Planning to undertake a mediation with the applicant and objectors to consider the issues of:
- Bulk – limiting the height of the rear dwelling to single storey
  - Privacy

**ITEM 3 (continued)**

**ATTACHMENT 1**

- Overshadowing
- Design of open space for front dwelling to be increased

(b) That the amended plans be submitted following mediation and re-notified to the neighbouring properties and previous objectors to the original DA.

If the amended plans do not attract any further submissions then the application may be determined by the Group Manager Environment & Planning under delegated authority. Otherwise, a further report shall be presented to the Planning & Environment Committee for determination.

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

**Record of Voting:**

For the Motion: Councillors Chung and Maggio

Against the Motion: Councillor Pendleton

Note: This matter will be dealt with at the Council Meeting to be held on **25 JUNE 2013** as (select) dissenting votes were recorded and substantive changes were made to the published recommendation

**4 68 CHAMPION ROAD, TENNYSON POINT - LOT 21 DP 233234. Local Development Application for extension of boundary fencing within foreshore building line. LDA2013/0080.**

Note: Eric Camp (objector) and Deborah Alexiou (applicant) addressed the Committee in relation to this Item.

**RECOMMENDATION:** (Moved by Councillors Pendleton and Chung)

(a) That LDA2013/0080 at 68 Champion Road, Tennyson Point being LOT 21 DP 233234 be refused for the following reasons:

1. The proposed works to the boundary fence do not comply with the controls set out within the Ryde DCP 2010 or the Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005.
2. The proposed works to the boundary fence within the foreshore building line would result in a structure which is considered to be inconsistent with the desired future character for the R2 Low Density Residential zone, and in particular the character of waterfront development in the Tennyson Point area, and wider waterfront area of the Ryde local government area.
3. The proposed fence being of a solid construction does not comply with the Ryde DCP 2010 control in relation to fences forward of the foreshore building line being of an open and permeable construction, and will impede views to and from the waterfront of Glades Bay.
4. In the circumstances of the case, approval of the development is considered not to be in the public interest.



**ITEM 3 (continued)**

**ATTACHMENT 1**

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

**Record of Voting:**

For the Motion: Councillors Chung and Pendleton

Against the Motion: Councillor Maggio

Note: This matter will be dealt with at the Council Meeting to be held on **25 JUNE 2013** as dissenting votes were recorded

The meeting closed at 6.19pm.

CONFIRMED THIS 16TH DAY OF JULY 2013.

Chairperson

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**4 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 9/13  
held on 18 June 2013**

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**Report prepared by:** Section Manager - Governance  
**File No.:** CLM/13/1/4/2 - BP13/84

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**REPORT SUMMARY**

Attached are the Minutes of the Works and Community Committee Meeting 9/13 held on 18 June 2013. The Minutes will be listed for confirmation at the next Works and Community Committee Meeting.

Items 1,2, 4 and 6 were dealt with by the Committee within its delegated powers.

The following Committee recommendations for Items 3 and 5 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:

**3 WORKS PROGRAM ADJUSTMENTS AND CARRY OVER PROJECTS**

**RECOMMENDATION:** (Moved by Councillors Perram and Laxale)

- (a) That Council allocate the amount of \$99,000 from the Roads and Maritime Services Block Grant Supplementary Roads funding received for the purpose of the 2012/13 Regional Roads Maintenance.
- (b) That that Council increase the amount of Road Resurfacing Renewal Program by \$227,343 to reflect the additional Roads and Maritime Services funding for Herring Road.
- (c) That the unexpended funds for the Road Resurfacing Renewal Program be carried forward from 2012/13 to 2013/14.
- (d) That the unexpended funds for the Epping to Chatswood Line Station Ready Program be carried forward from 2012/13 to 2013/14.
- (e) That the Street Furniture Anti Graffiti and Vandalism project approved by and funded by the Roads and Maritime Services under the Public Benefit Contribution scheme be approved for 2013/14.

**Record of Voting:**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on 25 JUNE 2013 as it is outside the Committee's delegations

**ITEM 4 (continued)****5 104 RUTLEGE STREET - NATIVE VEGETATION ON NATURESTRIP****RECOMMENDATION:** (Moved by Councillors Laxale and Perram)

That this matter be deferred to the Works and Community Committee to be held on 16 July 2013.

**Record of Voting:**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **25 JUNE 2013** as it involves a substantial change to the recommendation.

**ATTACHMENTS**

- 1 Minutes - Works and Community Committee - 18 June 2013

**ITEM 4 (continued)**

**ATTACHMENT 1**

**Works and Community Committee  
MINUTES OF MEETING NO. 9/13**

**Meeting Date:** Tuesday 18 June 2013

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

**Time:** 5.00pm

**Councillors Present:** Councillors Perram (Chairperson), Laxale and the Mayor, Councillor Petch.

**Apologies:** Councillors Etmekdjian and Pickering.

**Leave of Absence:** Councillor Li.

**Staff Present:** Acting Group Manager – Community Life, Acting Group Manager - Public Works, Acting Service Unit Manager – Open Space, Service Unit Manager – Asset Systems, Open Space Planner, Section Manager – Natural Areas and Urban Forest, Coordinator Commissioning and Executive Assistant to Mayor and Councillors.

**DISCLOSURES OF INTEREST**

There were no disclosures of interest.

**1 CONFIRMATION OF MINUTES - Meeting held on 4 June 2013**

**RESOLUTION:** (Moved by Councillors Laxale and Perram)

That the Minutes of the Works and Community Committee 8/13, held on Tuesday 4 June 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 SPORTSFIELD CAR PARK REHABILITATION/RESURFACING PROJECTS  
IN THE 2013/14 CAPITAL WORKS PROGRAM**

**RESOLUTION:** (Moved by Councillors Laxale and Perram)

- (a) That the Works and Community Committee note the report and take no further action in relation to car park expansion projects due to the associated significant unfunded capital and ongoing costs

**ITEM 4 (continued)**

**ATTACHMENT 1**

- (b) That the matter of car park expansion works be referred to Council's Sport & Recreation Advisory Committee for consultation.
- (c) That the advice of the Sport & Recreation Advisory Committee be considered in the development of priorities for capital works projects relating to car park expansion works.

**Record of Voting:**

For the Motion: Unanimous

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

**3 WORKS PROGRAM ADJUSTMENTS AND CARRY OVER PROJECTS**

**RECOMMENDATION:** (Moved by Councillors Perram and Laxale)

- (a) That Council allocate the amount of \$99,000 from the Roads and Maritime Services Block Grant Supplementary Roads funding received for the purpose of the 2012/13 Regional Roads Maintenance.
- (b) That that Council increase the amount of Road Resurfacing Renewal Program by \$227,343 to reflect the additional Roads and Maritime Services funding for Herring Road.
- (c) That the unexpended funds for the Road Resurfacing Renewal Program be carried forward from 2012/13 to 2013/14.
- (d) That the unexpended funds for the Epping to Chatswood Line Station Ready Program be carried forward from 2012/13 to 2013/14.
- (e) That the Street Furniture Anti Graffiti and Vandalism project approved by and funded by the Roads and Maritime Services under the Public Benefit Contribution scheme be approved for 2013/14.

**Record of Voting:**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on 25 JUNE 2013 as it is outside the Committee's delegations

**4 WATER BOTTLE REFILL STATION TRIAL - RESULTS**

**RESOLUTION:** (Moved by Councillors Laxale and Perram)

- (a) That Council retains the refill station at Anderson Park.
- (b) That Council endorse the installation of additional refill stations in regional playgrounds, sporting precincts and parks on recreational trails as part of planned capital projects.

**ITEM 4 (continued)**

**ATTACHMENT 1**

- (c) That all future water bottle refill stations be funded within the relevant capital project budget.

**Record of Voting:**

For the Motion: Unanimous

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

**5 104 RUTLEGE STREET - NATIVE VEGETATION ON NATURESTRIP**

**RECOMMENDATION:** (Moved by Councillors Laxale and Perram)

That this matter be deferred to the Works and Community Committee to be held on 16 July 2013.

**Record of Voting:**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **25 JUNE 2013** as it involves a substantial change to the recommendation.

**LATE ITEM**

**6 PROJECT STATUS REPORT – Project Development Unit**

**RESOLUTION:** (Moved by Councillors Perram and Laxale)

- (a) That Council receive and note this report.
- (b) That ongoing monthly progress status reports be provided to the Works and Community Committee.
- (c) That monthly reports not be provided in the CIB when reporting to the Works and Community Committee commences

**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 5.40pm.

CONFIRMED THIS 16TH DAY OF JULY 2013.

Chairperson

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## 5 A NEW PLANNING SYSTEM FOR NSW - WHITE PAPER SUBMISSION

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**Report prepared by:** Strategic Planner

**File No.:** URB/08/1/23 - BP13/797

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### REPORT SUMMARY

The NSW Government is seeking feedback on a proposed new statutory planning regime for NSW. The Government states that the purpose of the changes to the planning system in NSW is to move planning from an overly regulated and prescriptive system to a simpler and performance based approach.

The Government in April 2013 released the White Paper, draft Planning Bill 2013 and draft Planning Administration Bill 2013, the purpose of which is to set out how the new planning system will function.

The White Paper and draft legislation are open for comment until 28 June 2013.

The White Paper provides detail around 5 major reforms that seek to address key issues and problems that have been identified with the current planning system and the culture of planning that has evolved in NSW. The proposed major areas of reform are:

- Delivery Culture – the establishment of a new culture that will promote co-operation and community participation, the delivery of positive and pragmatic outcomes and a commitment to ongoing education.
- Community Participation – legislation that will provide for a Community Participation Charter with clear objectives to be followed and a requirement that Councils prepare a Community Participation Plan to describe how the community will be actively engaged.
- Strategic Planning – a major shift to evidence based, whole of government strategic planning in the development of plans. A hierarchy of plans and policies will be introduced including state, regional, subregional and local plans.
- Development Assessment – changes which will result in a performance based system where decisions are made faster and more transparent but with no less rigour. Eighty per cent of all developments will be complying or code assessment within the next five years.
- Provision of Infrastructure – legislation seeks to ensure that planning for infrastructure that supports development will occur at the same time as planning for the development itself.

A Councillor information workshop on the White Paper was conducted on the 21 May 2013 and was followed by a Community Workshop on the 6 June 2013 at which 35 persons attended. At both Workshops information on the changes contained within the White Paper and an outline of the implications to Council and the community were presented. Comments received at both Workshops have been incorporated into this report.

**ITEM 5 (continued)**

The report recommends that a submission to the White Paper be prepared based on the issues outlined in this report. In an overview of the legislation it is considered that the legislation's principal focus is on economic growth and ensuring the financial viability of developments. It is considered that greater consideration of the environment, social and cultural heritage and local amenity and character is required.

Areas of the White Paper that it is considered should be supported relate to improved community participation and a delivery culture that promotes co-operation, is outcome focussed and results in a more highly transparent planning system.

However, Council's submission raises a number of concerns. The key concerns are:

- Development Contributions – further tightening of controls and potential loss of unexpended funds.
- That the Community may be disenfranchised from the redevelopment process
- Unrealistic timeframes and resourcing required to implement the White Paper if the legislation comes into effect.
- Lack of consideration of local issues such as:
  - Direct rezoning of major precincts under a subregional plan
  - The use of fewer land use zones in a local plan
  - The use of building envelopes without the use of floor space ratios to determine urban form.
  - Councils being unable to seek exemptions to complying and exempt development types based on local constraints.

**RECOMMENDATION:**

- (a) That Council endorse the response to the White Paper outlined in this report
- (b) That if endorsed this report be the City of Ryde's submission to the Department of Planning and Infrastructure on 'A New Planning System for NSW - White Paper'.

**ATTACHMENTS**

There are no attachments for this report.

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**ITEM 5 (continued)****Background**

In July 2011, the NSW Government commenced a comprehensive review of the states planning system, the aim being to create a new planning system in consultation with stakeholders and the community that is more strategic and streamlined and which facilitate sustainable economic growth and upfront community participation.

In July 2012 the government released 'A new Planning System for New South Wales – Green Paper' which set out the major proposed reforms and responded to an Independent review of the existing legislation. Over 1,500 submissions were received in response and approximately 2,000 people contributed through community workshops, practitioner forums and online discussions.

Council on the 14 August 2012 resolved to endorse a submission to be made on the Green Paper on behalf of the City of Ryde.

Council on the 12 March 2013 resolved the following:

- (a) Hold one or more community workshop(s) on the NSW Planning White Paper, following its expected release in March 2013.
- (b) Conduct any such workshop(s) within one month after the release of the White Paper, in order to inform our local community about the proposals contained within the White Paper and provide an opportunity for Council staff and Councillors to hear community views on these proposals.
- (c) That Council write to the NSW Government and the local member seeking six months of public consultation on the Planning Reform.

Letters to the Department of Planning and Infrastructure and local state members seeking an extension of the public consultation period were sent on the 3 April 2013. A Councillor workshop detailing the amendments to the planning system proposed by the White Paper and the implications to Council and the community was held on the 25 May 2011 followed by a Community Workshop addressing the same issues on the 6 June 2013 at which 35 persons were present.

The White Paper and associated draft Bills were released on the 16 April 2013 and are open for comment until 28 June 2013.

**Discussion**

The NSW Government is seeking feedback on the 'A new Planning System for NSW - White Paper'. The following provides information on each of the main transformative features of the proposed changes followed by comments supporting or identifying issues and concerns on each of the areas.

## ITEM 5 (continued)

### 1. Delivery Culture

*“Enhancing the ability to positively work together to enable good outcomes which building the expertise, leadership and engagement skills of the planning industry.”*

The new Culture will:-

- Promote co-operation and community participation
- Promote the delivery of positive and pragmatic outcomes
- Commit to ongoing education and innovation
- Support the transition to greater transparency and accountability

Key changes Proposed for Delivery Culture include:-

- the establishment of a *culture change action group* to design and oversee the implementation of a range of cultural change actions across the industry in conjunction with the implementation of the new planning system.
- training sessions for practitioners and stakeholders in all areas of the new planning system
- the restructure of Department of Planning and Infrastructure (DoPI) to emphasise strategic planning and community participation
- the monitoring and reporting on the actions for cultural change on an annual basis – to provide a report card on the health of the NSW planning system.
- The preparation of Performance Monitoring Guideline that will provide the methodology and performance indicators for monitoring the planning system

#### *Comment*

The following changes are supported:-

1. A change in “culture” to a can do, outcome focused and a more highly transparent planning system.
2. Actions which will result in better co - operation and community participation and the ability to develop positive and pragmatic outcomes.

### 2. Community Participation

*“Involving the community early when preparing strategic plans on the key decisions that will shape our cities, towns and neighbourhoods”*

Key changes Proposed for Community Participation include:-

- The preparation of a Community Participation Charter that will form part of the new planning legislation. All planning authorities will be required to act consistently with the Charter.
- The requirement for Councils to prepare a Community Participation Plan to describe how the community will be actively engaged in all levels of plan making and development assessment.
- A high level of community participation being required in the development of Regional Growth Plans and Subregional Plans to help set where growth and infrastructure will occur.

**ITEM 5 (continued)**

- The use of Eplanning which will reshape the planning system by transforming paper based development application processes and traditional methods of consultation into an online environment.

*Comment*

The following changes are supported:-

1. The introduction of a Community Participation Charter - Effective community engagement is considered critical for a successful planning outcome.
2. The introduction of Community Participation Plans – Such Plans will provide consistent basis and set the standard for how the community will be actively engaged at all levels of plan making.

The following are issues/concerns:-

1. The proposed minimum exhibition period set by the draft legislation of 28 days for NSW Planning Policies, Regional Growth Plans, Subregional Delivery Plans and Local Plans is not considered sufficient to enable appropriate consideration and comment by the community.
2. Timing, type and resourcing of community consultation is a major issue. The commitment level of individual Councils to community participation in high level plans such as Subregional Delivery Plans has not been identified.

Suggested amendments:-

- Under the Public Participation Charter there should be a distinction between community consultation and notification.
- The exhibition of strategic plans should have a minimum exhibition period of 42 days.

Council is reviewing its interface with the community and if this legislation comes into effect Council will develop a Community Consultation Charter as a component of the ongoing engagement on the review of the Community Strategic Plan.

**3. Strategic Planning Framework**

*“There will be a major shift to evidence, based, whole of government strategic planning in the development of plans, community and stakeholder engagement and decision making”.*

**Key Changes**

- A shift to upfront evidence based strategic planning with a focus on achieving sustainable development
- Infrastructure that is integrated with land use so the community has confidence that growth areas can be supported.
- A partnership between the state, the community, local councils, agencies and the private sector to develop a shared vision of regions, subregions and local government areas.

**ITEM 5 (continued)**

- The introduction of four tiers of plans being:-
  - NSW Planning Policies* – these are documents that will:-
    - Articulate the governments planning policy framework relating to land use and development for a range of sectors
    - Provide a succinct description of the objectives, policy direction and delivery obligations to guide preparation of Regional, Subregional and Local Plans
    - Will incorporate the strategic elements of existing State Environmental Planning Policies (SEPPs) and Section 117 Ministerial Directions.
  
  - Regional Growth Plans* – these are documents that will implement:-
    - A framework for economic growth, environmental management and social wellbeing
    - A focus on integrated infrastructure and land use decisions
    - Housing and employment targets
    - Policies of interest to the State to achieve strategic outcomes e.g. structure and shape of urban areas and regions, the role of different centres, towns and corridors.
  
  - Subregional Plans* –these are documents that will implement:-:-
    - Identification of precincts and locations of significance to the State and the subregion for direct rezoning and setting of development parameters
    - A partnership between State and local government through Subregional Planning Boards
    - The integration of infrastructure and land use planning through new Growth Infrastructure Plans, which will provide a single integrated capital program to support priority housing and employment growth.
  
  - Local Plans* – these are documents that will include the following elements:-
    - A legal mechanism for on ground delivery of the State, Regional and Subregional Plans
    - All statutory planning controls relevant to the area.
    - Land use zones
    - A performance based approach to guide development outcomes.
    - Development Guides which move away from numerical height and floor space controls to address the physical form of development and where possible be visual. In this regard building envelopes are to be used to determine urban form and FSRs are no longer to be used.
    - Creation of Suburban Character Areas to distinguish different areas within the one residential zone. Their use would be based on a desire to preserve the proven significance of the urban character.
    - Regard to the applicable Community Strategic Plan.

**ITEM 5 (continued)***Comment*

The following changes are supported:-

1. NSW Planning Policies - The rationalising of existing SEPPs and s117 Ministerial Directions in the development of new state policies.
2. Regional Growth Plans (RGP) – the creation of a strategic planning framework with interlinking hierarchy of plans and commitment to evidence based planning and policy development.
3. Local Plans - Closely aligning the Community Strategic Plan with the Local Plan (LP).
4. Local Plans – Requiring the strategy section of a LP to provide the framework against which all other parts of LP are to be based. This is supported if the strategy is representative of the local community's response not just the subregional delivery plan.

The following are issues/concerns with respect to Subregional Plans:-

1. City of Ryde is proposed to be in the “Central Subregion” which is comprised of 17 councils including City of Sydney, Waverley, Burwood, Canada Bay and Randwick. The Subregional Planning Board is to comprise of 1 representative from each Council, up to 4 State representatives appointed by the Minister and an independent chair. Concern exists over how the 1 representative from Ryde council can be influential in deciding issues relevant to Ryde.
2. Direct rezoning of major precincts under a subregional plan such as Macquarie Park Corridor is not supported. It is considered that such actions will not take into account local planning issues, local strategic direction for an area or community response.
3. Subregional planning controls including development guidelines are to sit in the Local Plan. This is not supported as decisions at a subregional level will appear to be representative of decisions made by Council. Should such provisions prevail the Minister should not be able to amend a Local Plan without first consulting Council and following the opportunity for a public meeting.
4. There is a significant risk subregional plans may not be developed in a timely manner making housing and employment targets difficult to achieve when developments have already been approved.
5. Consideration in the subregional plan should be given to the delivery of housing and employment floor space that has already occurred under the current regional planning framework.
6. There is a need for clear direction with respect to subregional plans that covers resourcing, funding, realistic timeframes and meaningful consultation.

Suggested amendments:-

- Subregion - Ryde LGA should remain grouped with North Shore councils that share similar interests with Ryde e.g. the NSROC grouping of councils and potentially expanding to include SHOROC.
- Legislating a process by which regional/subregional matters are incorporated into local plan and ensuring that such a process requires consultation with the council and local communities.

**ITEM 5 (continued)**

- In the identification of employment and housing targets in the regional plan consideration/acknowledgment is given to the housing /employment delivered in an LGA since the draft subregional plans were released six years ago.

The following are issues/concerns with respect to Local Plans:-

1. The reduction in zone categories is not supported as it will result in an expansion of land uses inappropriate to a location e.g. B1 Neighbourhood Centre and B3 Commercial Core to be zoned Commercial.
2. The use of suburban character areas to create land use and development control differences in a single Residential zone is not supported as it will result in a series of subzones which reduces certainty and increases complexity. Several parts of a local plan will be required to be consulted to determine land use e.g. land is zoned Residential however in the development guides certain types of development are listed as prohibited.
3. If the use of Suburban Character Areas is to prevail it is not clear how such areas can be distinguished. For example would the Plan permit the whole of the R2 Low Density zone to be considered to have a proven urban character based on amenity and development type.
4. The status of the Development Assessment Code and Development Guide provisions of the Local Plan is unclear.
5. The use of building envelopes to determine urban form without the use of floor space ratios is not supported. Floor space ratios provide certainty with respect to the size of a development, are equitable across areas, are understood and recognised by industry and the community and allow for different building envelopes to be applied based on development type. Building envelopes in contrast are not easily understood by the community, have difficulty responding to topographical differences in land and to different land use types on the same parcel of land e.g. churches, community buildings, dwelling houses. Also the Council resources required to create individual building envelopes for all parcels of land have not been considered. A floor space ratio in conjunction with a building envelope is considered a more suitable way of ensuring certainty and design excellence.
6. Challenges to rezoning application refusals by an applicant should not be permitted upon the adoption of a new Local Plan to enforce the primacy of the Strategic land use planning and community consultation process.

Suggested amendments:-

- The set of zones and associated zone objectives in the Standard Instrument are retained.
- Areas of environmental and heritage significance are to be given the same level of protection as is currently available under the Standard Instrument.
- Suburban Character Areas are not pursued. Any differentiation to the character and built form controls proposed for an area should be included in a DCP.
- The relationship between the Development Assessment Code and Development Guide is clarified with respect to Code and Merit development.

**ITEM 5 (continued)**

- Height and FSR be retained in Local Plans. Use of building envelopes to control built form are not pursued.
- The planning legislation prohibits the ability to challenge rezoning application refusals upon the adoption of a new Local Plan.

Council has recently submitted to the Department its comprehensive LEP known as LEP 2013 for notification on the NSW Legislation Website. Based on the number of years and resources Council has spent in the development of the LEP it seeks a minimum five year savings provision from any changes that might be required as a result of the White Paper to LEP 2013.

**4. Development Assessment**

*“Development assessment will be transformed through a performance based system where decisions are made faster and more transparent but with no less rigour – it makes greater use of code complying development and online tools and removes layers of assessment”*

**Key changes**

- Creates new ‘Assessment Tracks’ for development
- Eighty per cent of all developments will be complying or code assessment within the next 5 years with reduced timeframes and documentation requirements i.e. complying development approvals within 10 days, complying development approvals with minor variation and Code assessment within 25 days
- An expanded range of residential, commercial, retail and industrial developments will be complying or code assessment. Complying development will include dual occupancies where the zone permits and industrial buildings up to 20 000sqm, Code development will include residential flat buildings in a town centre, child care centres, villas townhouses and mixed use developments.
- Expanded low cost appeal rights resulting in fairer assessment and reduced costs
- Promoting independent expert decision making with the use of the Planning Assessment Commission, Regional Planning Panels and Independent Hearing and Assessment Panels
- New merit assessment processes where applications that are consistent with performance outcomes will be subject to less delay and uncertainty

**Comment**

The proposed planning system provides for a range of new development assessment tracks. The comments below have been broken into these different tracks and the different areas of concern.

**ITEM 5 (continued)****Assessment Process in General**

The following changes are supported:-

1. A “can do” culture and finding ways to improve assessment timeframes. However, it must be noted that this ‘Can Do’ culture needs to be fostered throughout the entire planning system and through all stakeholders. This includes Local Government, State Government and the Private Industry. It should not simply be focused on the assessment process but also include provision of infrastructure, creation of strategic plans and the quality of information and applications submitted to local government.
2. The goal of streamlining and fast tracking the assessment process with providing increased certainty to proponents. However, to adequately achieve meaningful implementation of stream lined systems and fast tracking of assessment processes, sufficient resources need to be allocated to this. The white paper is unclear as to how or what resources will be allocated. Prior to Council supporting the proposed amendments, these resources need to be fully identified.
3. The use of ‘plain English’ in the Planning Bill will ensure that all members of the community and industry are able to readily understand the intent and implication of the legislation.

The following are issues/concerns:-

- The proposed timeframes for development assessment are too onerous and not supported. Council resources will not be adequate to implement the proposed timeframes. The new processes and procedures will place an additional burden on Council’s resources. Accordingly, given the additional strain, these existing resources will need to be augmented.
- Often delays in the processing of applications are the result of poor quality applications or documentation prepared by applicants. Whilst Councils can reject or refuse applications outright on the basis of poor quality documentation, this can often lead to disappointment and confusion for applicants. It can also lead to court cases. This occurs for both large and small scale applications. The new planning system does not attempt to address this issue.
- The mandating of a minimum of 80% of all applications to be complying or code does not take into account individual specific circumstances unique to each Council area. The application of complying and codes assessable development should be determined on a case by case basis rather than simply to achieve a predetermined figure. No clarity is provided as to how the Department arrived at this figure.
- The New Planning System does not place adequate emphasis on Environmentally Sustainable Design and Practices.

Suggested amendments:-

- The application and prescribed goals for complying and codes assessable development should be determined on a council by council basis rather than simply to achieve a predetermined figure. This might be achievable or even increased for some LGAs but may not be appropriate for others. i.e.



**ITEM 5 (continued)**

suburban, inner city, rural Councils have varying types and ranges of developments with significantly variable complexities and areas of concerns to individual communities.

**Complying Development**

The following are issues/concerns:-

1. Council will be responsible for approving 'variations' to complying developments being assessed by Private Certifiers by issuing a 'Variation Certificate'. It is considered that this will not streamline the system but will simply create confusion and delays for applicants, certifiers and Councils. The legislation provides that should a Council not issue a variation certificate within the stipulated timeframe, it is assumed that the variation is acceptable. Also, the Planning Bill does not detail what are the ramifications or options for certifiers should the Variation Certificates not be supported. i.e. is there an appeal or review of determination process? There is no details or clarity as to what extent and type of Variations can be considered by Council. The introduction of Variation Certificates will add to Councils responsibilities but there is no commensurate increase to the resourcing of Councils.
2. Councils should be able to seek exemptions to complying and exempt development types based on local plans and character or environmental constraints.
3. There are no securities for development requirements or damage for Complying development. The application of Complying Development could be enhanced and improved through a simplification of the Codes SEPP.
4. Complexity of Complying Development criteria needs to be reviewed as the existing codes are not currently embraced by the Building Industry due to the number and complexity of controls.
5. Support for the new approach to Complying Development cannot be provided until Council's are informed of the types of conditions to be imposed on Complying development.
6. The proposed timeframes for the assessment of complying development should be commensurate to the complexity of the Complying Development under assessment.

Suggested amendments:-

- The issuing of Variation Certificates is not supported and nor is the premise that if no certificate is issued within a stipulated timeframe, that assumed consent is given. The reliance on a Variation Certificate is likely to simply provide additional confusion within the Complying Development track. Should the Department be of the opinion that the Variation Certificate and automatic approval be maintained within the new planning legislation, it must ensure that appropriate receipting requirements are included as part of the regulations to ensure that appropriate evidence of receipt of request by Councils is achieved. Furthermore, the extent and type of variations possible must be included.

**ITEM 5 (continued)**

- Many certifiers and community members find the Codes SEPP complex and difficult to navigate. Whilst the Electronic Housing Code addresses this to a degree, there needs to be a 'plain english' version of the Codes SEPP.
- A clause requiring the payment of bonds for securities for development requirements or damage determined by the relevant Council should be included as part of the Planning Bill.
- The Planning Bill should be amended to allow Councils to be able to seek exemptions to complying and exempt development types based on local plans and character or environmental constraints.
- New Complying categories / controls must consider amenity, environment and the character of local area. Council has expressed concerns regarding such issues in the recent proposed amendments to Industrial / Commercial Codes.
- Given the widened scope of the types of development that may be subject to Complying Development, any such conditions should be dependent on the scope size and impact of the development.
- The timeframes for complying development should be increased to between 10 to 15 days depending on the category of development.

**Code and Merit Assessment**

The following are issues/concerns:-

1. Under Code Assessment, if a development complies the council is to assess the application with no further community consultation. This is not supported as it will result in no meaningful consultation with neighbors.
2. There is no final determined list as to what should be Code Assessed development. Only potential types of development before providing support to any new planning legislation.
3. All references to the 'precautionary principle' have been removed from the Planning Bill.

Suggested amendments:-

- The Draft Planning Bill 2013 seeks to prevent the refusal of Code and Merit applications by Consent Authorities unless the applicant is advised in advance that the application is going to be refused, identified changes that will result in a reconsidering of the proposal, and considered any submissions by the applicant. This process is likely to unduly draw out the code and merit processes to an unreasonable degree. Timeframes should be mandated within any forthcoming regulations should Department insist on including this as part of the new planning regime.
- The Planning Bill should include and enhance the use of the 'precautionary principle'
- The timeframe for assessment of Codes Assessment should allow for a notice period of 30 days to allow for the community to be advised and updated and 60 days for Consultation for submissions.

**ITEM 5 (continued)****State Significant Development and Site Compatibility Certificates**

The following are issues/concerns:-

1. Under Clause 4.19(2) of the Planning Bill which is specific to State and / or regionally significant development, no mention is made of local plans or the strategic intent for an area determined by Council's in consultation of the community.
2. Clause 4.29 of the Planning Bill allows for the Minister to 'Call In' state significant development. There are no guidelines or reference to any forthcoming guidelines as to what will be considered state significant development. This appears to be Part 3A by another name. Whilst it is noted that the Minister must obtain advice from the PAC on the significance of the development and make this advice publicly available, the legislation does not provide that the Minister must consider or adhere to this advice. This is particularly alarming given that Strategic Compatibility Certificates can be made by the director general that also allow for prohibited development under a local plan. (Clause 4.32)
3. It is noted that Clause 4.42 of the Planning Bill requires a Species Impact Statement for all development that is likely to significantly affect threatened species. It is unclear as to how it will be determined whether a development is likely to significantly affect threatened species. This should be further detailed within the Planning Bill. Of concern is that the requirement for a Species Impact Statement is not required for State Significant Development. This is not supported by Council and it is strongly recommended that this point be deleted.

Suggested amendments:-

- Consideration of the local plans adopted and endorsed by Council in consultation with communities must be given when considering State Significant Development. Furthermore it is noted that pursuant to Clause 4.30(4) development that is prohibited on the land can still be approved as state significant development.
- The advice required to be obtained as part of a Strategic Compatibility Certificate from either the relevant council and regional planning panel should be publicly available. This should be included as part of Clause 4.24 of the Planning Bill. It should also make clear the level of community engagement proposed as part of the site compatibility certificate process.
- No site compatibility certificates or urban activation precincts should be permitted without the concurrence of Council

**Conditions of Consent**

The following are issues/concerns:-

1. Clause 4.24 of the Planning bill provides that no condition inconsistent with the regulations or substantially the same as one required by the regulations can be imposed. Given that the regulations have not been provided for review, Council cannot support this aspect of the Planning Bill.

**ITEM 5 (continued)****5. Provision of Infrastructure**

*“Planning for infrastructure that supports development will occur at the same time as planning for housing and jobs in the new planning system”*

## Key changes

- Introduction of Growth Infrastructure Plans as an integral component of strategic planning at all levels to be made by the Minister. Such Plans will apply to infill and greenfield areas as identified in Subregional Delivery Plans and include subregional performance outcomes.
- Three forms of infrastructure contributions will be established:-
  - local infrastructure (previously known as Section 94 contributions) to be located in the Local Plan. Contributions levied are able to be held for a maximum 3 years;
  - regional infrastructure contributions to be located in the Subregional Plan – a fund will be established to hold all regional infrastructure contributions levied across a subregion and will be administered by the Department based on advice from Subregional Planning Boards. Contributions are to be levied at a Council level;
  - A regional growth fund will be established for the collection of funds for the acquisition of land for open space and drainage and will be located in the Subregional Plan.
- Performance reporting and auditing will be established for the management of local contributions held by Council.
- Contributions to be paid nearer the point of sale.
- Contributions to be limited to essential infrastructure attributable to development.
- Restricted use of planning agreements and consent conditions.
- Benchmarking of infrastructure costs. Contributions can vary across Council’s but will be based on a standardised, benchmarked cost for types of infrastructure.

The following are the five key issues/concerns Council has with respect to the proposed changes:-

1. In the Independent Pricing and Regulatory Tribunal (IPART) report titled *Revenue Framework for Local Government* it was identified that there is a backlog of council infrastructure works in NSW that needs to be addressed. For some councils, the backlog maybe so large that it could threaten their financial sustainability. Similarly, in its report on the financial sustainability of the NSW Local Government Sector, Treasury Corporation (TCorp) identified this infrastructure backlog as a key characteristic of the declining sustainability of many Councils. The report also notes that a substantial percentage of the funds available to Councils (50-60% on average, and up to 80% in some instances) are for restricted purposes, such as those sourced from Section 94 Contributions.

**ITEM 5 (continued)**

It is considered that a more expanded definition of nexus to allow Councils to use contribution funds for renewal of existing facilities/infrastructure is required.

2. Three year limit on holding local contributions revenue. This is not supported as it affects Council's ability to accumulate sufficient funds and will impact on the delivery of high level, multi-million dollar infrastructure.
3. No information has been provided on how open space or drainage at a regional level is to be identified for acquisition and on what basis priority will be given to that acquisition.
4. Regional Infrastructure contributions - Council needs assurance that contributions collected through development in Ryde for the Regional Infrastructure Plan will result in a benefit returned to Ryde.
5. Subregional Payments – Ryde will be responsible for the collection /administration of payments at the subregional level which will impact on resources.

Other issues/concerns include:-

6. Benchmarking of infrastructure costs by IPART. There will need to be a schedule or register of benchmarking costs for different infrastructure styles/finishes e.g. one council may choose to have a concrete footpath and another a granite footpath. Administration associated with requesting a change beyond the benchmark could be onerous.
7. Contributions can be paid nearer the point of sale – this is not supported as administrative issues exist around capturing contributions. It is considered that contributions should be paid at issue of Construction Certificates.
8. Contributions to be limited to essential infrastructure attributable to development. The delivery of facilities /services through material public benefits has been removed, curtailing flexibility and opportunities to allow developers to provide works outside the scope of the contributions plan.
9. White Paper states the provision of infrastructure as a condition of consent will be significantly curtailed except under exceptional circumstances. This may have impact on areas such as Macquarie Park where a bonus floor space scheme is proposed in exchange for contribution or works provided separately to Direct or Indirect Contributions. Council does not support the curtailing of PAs outside the contributions plan as they add flexibility and can be used to enhance local development.
10. More stringent reporting on contributions – increased resource allocation to reporting and the auditing of contributions an annual basis will be required.
11. Discrepancy between the White Paper and that the Planning Bill (e.g. Planning Agreements) – Regulations to the Bill have not been provided for comment and the resulting discrepancies cause confusion and result in no surety with respect to areas such as Planning Agreements and what a Planning Agreement can achieve/deliver.

Suggested amendments:-

- A more expanded definition of nexus to allow Councils to use contribution funds for renewal of existing facilities/infrastructure is required.

**ITEM 5 (continued)**

- 3 year limit removed and replaced with a 5 year audit of local infrastructure funds by State Government.
- Expansion of infrastructure types to which contributions can be applied.
- Continue to allow flexibility of contributions as works in kind and material public benefit beyond the proposed scope of the contributions plan.
- Allow Planning Agreements to retain flexibility for developers and Council.
- Subregional expenditure of a Councils funds for regional open space – revisit how this would work or remove the proposal.

**4. Building Regulation and Certification**

*“Changes are being made to the building regulation and certification system to rebuild confidence in the quality and safety of buildings and to provide better direction and support to the NSW building sector.”*

Key changes proposed include:-

- Accreditation of additional occupations involved in building design and construction.
- Mandatory certification of specified building aspects.
- Improved levels of documentation through all stages of the building life.
- Increased support for certifiers on complex building matters through peer review.
- Strengthened controls on certifiers through stronger disciplinary guidelines and increased auditing.

*Comment*

It is considered that all of the key proposed changes will result in improved confidence in quality and safety of buildings and are supported.

**White Paper Community Information Forum - 6 June 2013**

A total of 35 persons attended a “White Paper Community Information Forum” held by Council on the 6 June 2013. Comments made by the public regarding the “White Paper” included:-

- Smaller developments that fall under complying development can be the most controversial.
- Council should set standards and if it does not meet State Government principles then State controls should apply.
- Community discussion has never occurred on whether it wants growth in Sydney.
- Quality of life is not mentioned or addressed in the White Paper.
- Concerns over how community consultation will work at the sub regional level.
- Past plans have set the framework for Sydney. These plans have been met and development has occurred.

**ITEM 5 (continued)**

- Infrastructure, such as roads are already congested. Development continues to occur but nothing is done to address traffic and there is failure to upgrade infrastructure.

A number of people expressed concern that the proposed changes in the “White Paper” maybe linked with the proposed amalgamation of local government areas by the State Government.

**Other Matters**

No serious consideration has been given to heritage conservation in the White Paper. This was identified at a Heritage Council Stakeholder Consultation Workshop on the White Paper held on the 28 May 2013. It was further identified at the Workshop that the submission provided to the Green Paper from heritage interest groups and the Heritage Council had not resulted in any significant changes to heritage controls and considerations including aboriginal significant sites.

Council’s Heritage Officer has identified the following as areas of concern in the White Paper:-

1. The approval role of the Heritage Council with respect to State significant sites is proposed to be removed. This is unsatisfactory as heritage assessments prepared in accordance with standardized criteria as set by the Heritage Council of such sites is considered necessary.
2. Development to heritage items and/or buildings within conservation areas should be considered via a merit assessment to ensure the intrinsic heritage value of a site is not undermined not under a Code Assessment.
3. The definition of “cultural heritage” within the White Paper does not address the built environment and heritage significance of items and conservation areas and their importance to the community.
4. No specific reference or coordinated controls with other legislation to enhance and protect the aboriginal sites and relics and ensure appropriate protection.
5. The lost opportunity to enhance and improve upon protection of existing and future heritage items within the new legislation and to provide for incentives to conserve heritage.

Suggested amendments:-

- The role of the Heritage Council with respect to State significant sites be maintained.
- Development to all heritage items and buildings within a heritage conservation be a merit assessment.

**ITEM 5 (continued)****Financial Implications**

It is considered that the financial implications associated with the introduction of the White Paper relate to:-

1. Resourcing to implement the White Paper – consultant resources and four staff comprising at least three urban planning staff would be required full time for a period of 3 years to resource and implement the White Paper at a cost of approximately \$600 000. This would be expended on Eplanning, consultants/uplift studies, community consultation and transfer of existing LEP and DCP into new formats.
2. Potential loss of revenue from Section 94 – potentially up to \$10 million per annum in unexpended Section 94 contributions may be lost.



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## 6 FUTURE DIRECTIONS FOR NSW LOCAL GOVERNMENT - DRAFT SUBMISSION

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**Report prepared by:** Manager - Customer Service and Governance  
**File No.:** COR2013/354 - BP13/699

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### REPORT SUMMARY

The Independent Local Government Review Panel has been established to advance the program of review and reform launched at the Destination 2036 forum held in Dubbo in August 2011. Its task has been to undertake a wide-ranging review looking ahead to 2036 and beyond, and to formulate options for governance models, structures and boundary changes. Stages 1 and 2 of the Panel's work program are now complete and the process is at Stage 3: models and options.

The Future Directions Paper proposes a reform agenda for Local Government. The Panel will be holding Community Hearings to provide the opportunity for local people and organisations to put forward their views during. The Paper will then be finalised and reported to Government in September 2013.

A submission to the Panel has been developed in consultation with Councillors and the community to respond to the points proposed in the document to meet the submission deadline of Friday, 28 June 2013. In addition, this matter has been discussed with NSROC and a meeting was held on 20 June 2013 for this purpose.

It is recommended that Council endorse the attached submission (**ATTACHMENT 1**), and that attendees at the Community Consultation held 3 June 2013 be thanked for their attendance and provided with details of Council's submission.

### RECOMMENDATION:

- (a) That Council endorse the submission as **ATTACHED** to this report and for it to be provided to the Independent Local Government Review Panel.
- (b) That a copy of Council's submission be placed on Council's website and a press release be prepared outlining the key aspects of Council's submission.
- (c) That those attendees at the Community Consultation held 3 June 2013 be thanked for their attendance and provided details of the submission and associated reports.
- (d) That Council appoint a consultant to undertake a desktop review of the Panel's amalgamation proposal for City of Ryde as detailed in the report and that Council allocate \$40,000 for this as part of the June Budget Review.

**ITEM 6 (continued)****ATTACHMENTS**

- 1** Submission City of Ryde - Future Directions for Local Government - 28 June 2013
- 2** Report - Results of Community Consultation held 3 June 2013 (Attachment 1 to City of Ryde Submission) - CIRCULATED UNDER SEPARATE COVER
- 3** Report - Results of Phone Survey (Attachment 2 - City of Ryde Submission) - CIRCULATED UNDER SEPARATE COVER

Report Prepared By:

**Shane Sullivan**  
**Manager - Customer Service and Governance**

Report Approved By:

**Roy Newsome**  
**Group Manager - Corporate Services**

## ITEM 6 (continued)

### Background

The Independent Local Government Review Panel was appointed by the Local Government Minister, the Hon. Don Page MP, in March 2012 following an approach from the Local Government and Shires Associations. The Panel Chair is Professor Graham Sansom. Other Panel members are Ms Jude Munro AO and Mr Glenn Inglis.

The review was established to advance the program of review and reform launched at the Destination 2036 forum held in Dubbo in August 2011 when it was highlighted that there is a need to take a closer look at local government structures and finances and the way that Councils would deliver services in the future. These areas became the Panel's Terms of Reference.

The review is being conducted in four stages;

- Stage 1 Setting the scene identifying key community issues consultation paper
- Stage 2 Developing concepts – “Case for Change” paper
- Stage 3 Proposed changes and models – “Future Directions paper”
- Stage 4 Final report (September 2013)

The Futures Directions Paper represents Stage 3. It is a progress report and sets out the latest thinking of the Independent Local Government Review Panel.

At the Extraordinary Council Meeting held 30 April 2013 at North Ryde Community Centre, Council resolved as follows:

- (a) *That Council advise the Independent Local Government Review Panel that while Ryde Council understands the principle of local government boundary adjustments, it does not see a future for the Ryde area as part of an enlarged Parramatta City and that in consequence, Council does not propose to attend the “Metropolitan Councils” workshop at Parramatta on 15 May 2013, but instead will attend as observers, at the Northern Sydney Councils workshop at Chatswood on 14 June 2013.*
- (b) *That following the meeting at Chatswood on 14 June 2013, Council hold a consultation program with the community to receive their feedback on the proposal for amalgamation.*

On 13 May 2013, Council wrote to the Chair of the Independent Local Government Review Panel and advised as follows:

The City of Ryde Council has been giving consideration to *Future Directions for NSW Local Government* and is planning to make a submission. In order to be able to adequately provide an informed submission, Council has determined that further information is required regarding the background work that has been done in creating the report.

## ITEM 6 (continued)

To that end, the City of Ryde is respectfully requesting a copy of the relevant working papers that guided the preliminary recommendations contained in the report, particularly with regard to potential savings, potential efficiencies and the optimum size for metropolitan Councils.

As you would appreciate, we would be grateful if this information could be provided as soon as possible so that the City of Ryde can be afforded every opportunity to respond completely to the report within the timeframe allocated.

This is a matter of significant importance to Ryde and we are keen to provide the community, Councillors and Council with adequate information and time to respond.

To date Council has not received the requested information. It is also noted that the detail requested was not provided at either the Community Hearing or Council Workshop attended by City of Ryde representatives.

On 30 May 2013, Council wrote again seeking the information requested so as to better inform our submission.

On Friday, 14 June 2013, staff and Councillor Perram attended the North Sydney Councils Workshop at Willoughby.

### Consultation

Council conducted the following consultation with regard to the Independent Local Government Review Panel report to ensure community opinion was reflected in our submission:

- Survey conducted on MyPlace to which there were 255 responses.
- Phone survey conducted of 600 City of Ryde residents.
- Community Consultation meeting on Monday, 3 June at which there were approximately 140 attendees.

The reports from the phone survey and Community Consultation meeting are **CIRCULATED UNDER SEPARATE COVER** and will also be provided to the Panel with Council's submission.

### Discussion

It is recommended that in further support of Council's submission that the City of Ryde engage a suitably qualified independent provider to evaluate the Panel's proposal and undertake a desktop review of the publicly available information. This is to include:

- financial;
- rating; and

**ITEM 6 (continued)**

- service and asset information (including TCorp and IPART asset assessments).

of Auburn, Holroyd and Parramatta Councils, in determining both the overall outcome in terms of an amalgamated Council as well as the benefit/disbenefits to the community of Ryde.

It is anticipated this report would be provided to Council by the end of August 2013.

**Financial Implications**

It is noted that there are significant potential financial implications as a result of the Panel's recommendations. These are discussed in the ATTACHED draft submission.

In addition, this report recommends the appointment of an independent provider to undertake a desktop review as detailed in the report that will further inform Council and the community on the Panel's proposal. It is recommended that Council allocate \$40,000 for this initiative and refer the allocation to the June Budget Review.

**ITEM 6 (continued)**

**ATTACHMENT 1**

## ***Executive Summary***

The City of Ryde welcomes the opportunity to provide this submission on Future Directions for Local Government and wishes to make the following key points:

### **1. Consultation**

The City of Ryde is concerned that the consultation undertaken by the Panel has been inadequate given the significant impact the recommendations could have on local communities. Council has supplemented the consultation program and has included the outcomes with this submission.

We strongly recommend that prior to any further action being taken or recommendations being finalised that further more extensive consultation be undertaken.

### **2. Larger local government areas**

The City of Ryde does not believe that the case that 'bigger is better' has been made by the Panel. A significant amount of research and a number of experiences identified in our submission do not support the Panel's position with regard to the amalgamation of metropolitan Councils. We believe that amalgamation would be at the expense of recognising communities of interest and appropriate local representation. We also believe that the value placed by residents on adequate local representation has not been quantified or recognised by the Panel.

### **3. Relationship with State Government**

As outlined in our submission, the City of Ryde feels that the Panel's recommendations specifically with regard to Ryde are at odds with current and developing State plans and regions. We feel that based on this the recommendation that Ryde align with Parramatta, Auburn and Holroyd is inconsistent and illogical.

In addition, it is clear that many areas of reform for local government will require significant and long term commitment from the State sector. The City of Ryde believes that the scope of the Panel's recommendations must include significant tangible improvements to the relationship between State and local government particularly with regard to strategic planning, delivery of programs and long term financial sustainability.

### **4. Opportunities for shared services**

We believe that the Panel should give consideration to avenues for Councils to explore a variety of shared service options. This could include County Councils but we believe Councils should not be limited to a particular model that may not be appropriate for every service or every local government area.

Evidence is provided in our submission that a range of consolidation options provides the greatest scope for Councils to achieve economies of scale and efficiencies while maintaining local representation.

### **5. Feedback from City of Ryde residents**

The following graphs show overall feedback from Ryde residents regarding the Panel's recommendations:

**ITEM 6 (continued)**

**ATTACHMENT 1**

*How supportive would you be of City Of Ryde being amalgamated with other nearby Councils?*

**Telephone survey: n=600**

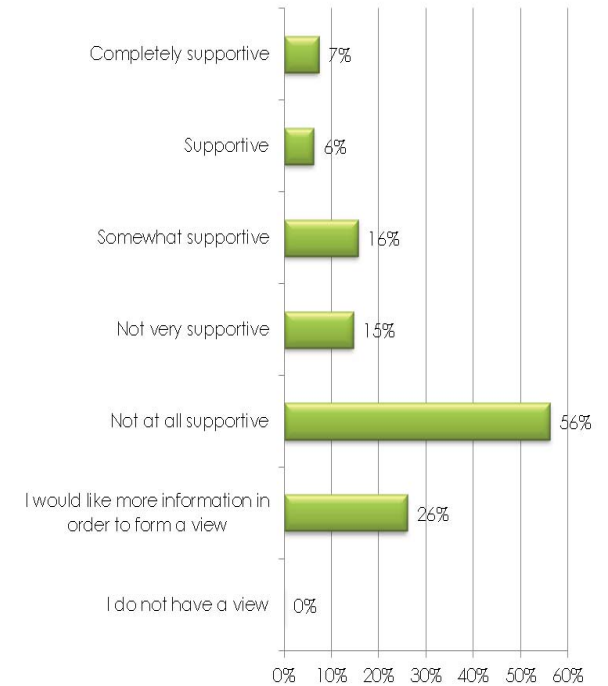
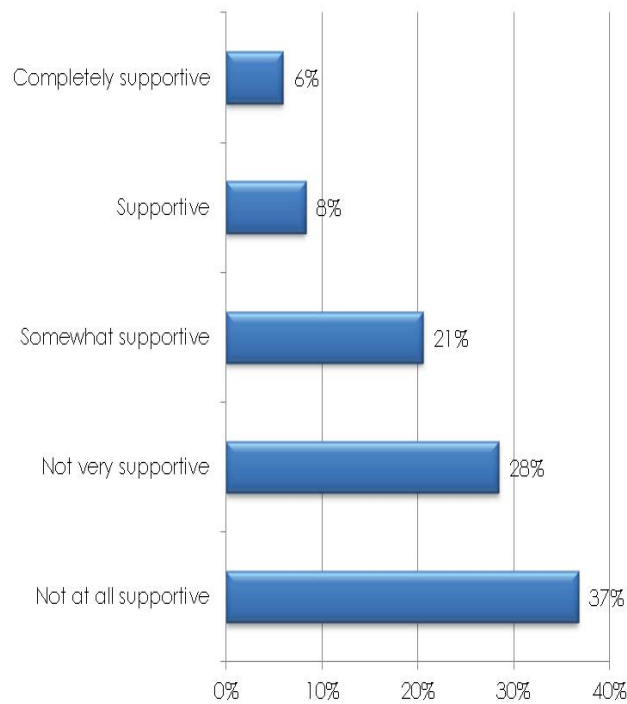
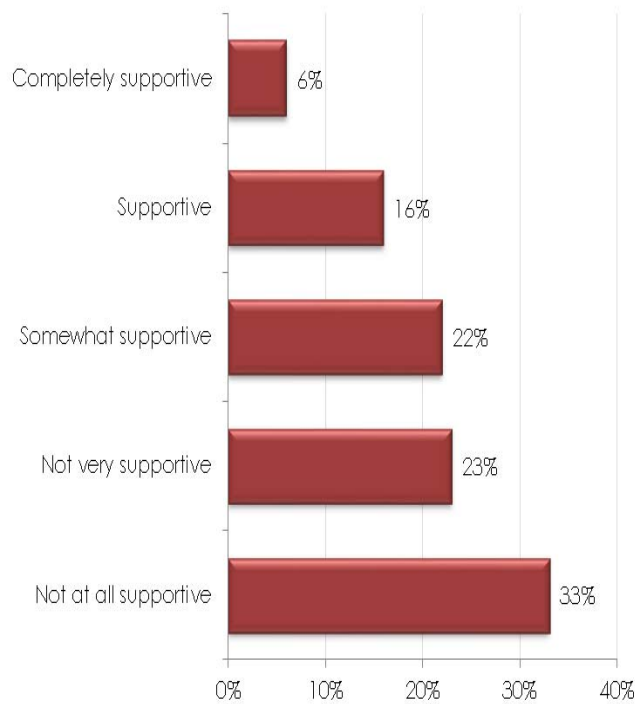
**Online survey: n=256**

**Community workshop: n=121**

56% of residents were not very or not at all supportive of amalgamation

65% of residents were not very or not at all supportive of amalgamation

71% were not very or not at all supportive of amalgamation



**ITEM 6 (continued)**

**ATTACHMENT 1**

*Which one of the following options would be your preference?*

**Telephone survey: n=600**

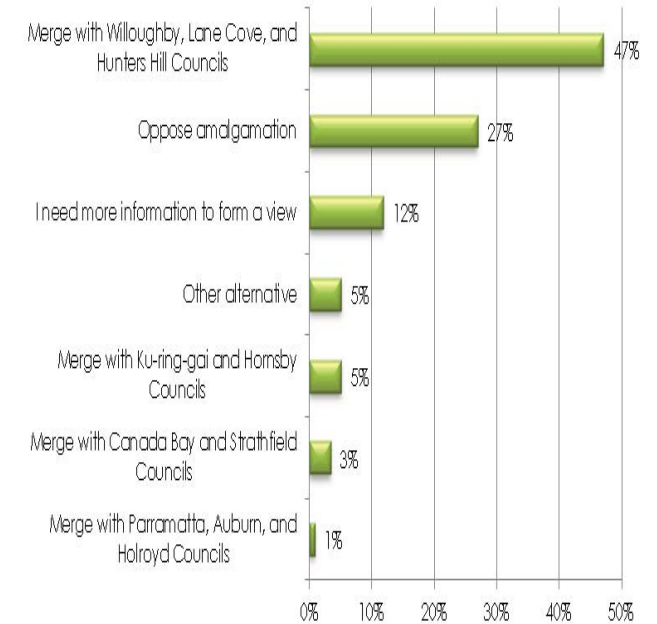
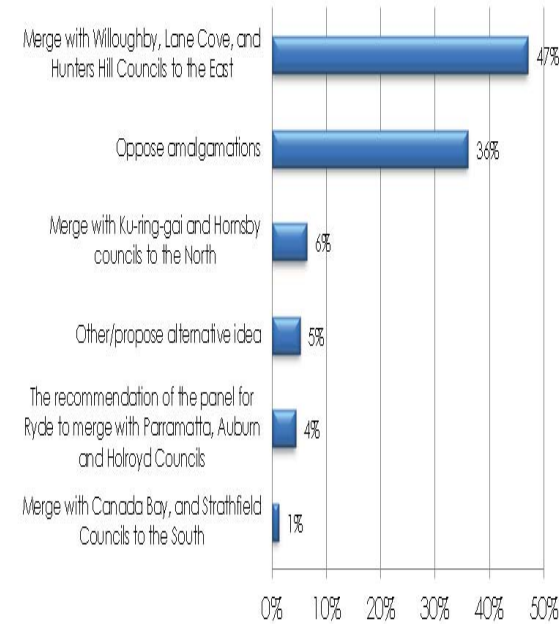
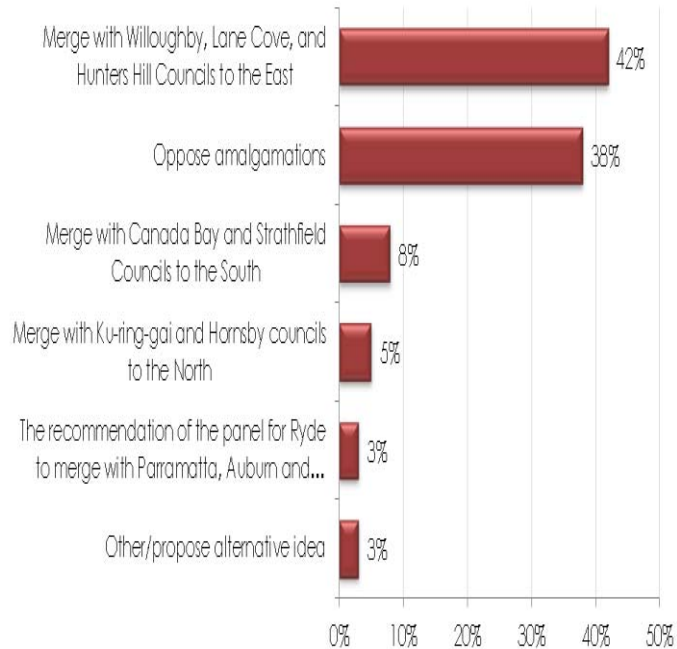
**Online survey: n=256**

**Community workshop: n=119**

If pressed, 42% would prefer to merge Eastward, however, 38% would always oppose amalgamation

If pressed, 47% would prefer to merge Eastward, however, 36% would always oppose amalgamation

If pressed, 47% would prefer to merge Eastward, however, 27% would always oppose amalgamation





**ITEM 6 (continued)**

**ATTACHMENT 1**

## ***Background***

At the Extraordinary Council Meeting held 30 April 2013 at North Ryde Community Centre, Council resolved as follows:

- (a) That Council advise the Independent Local Government Review Panel that while Ryde Council understands the principle of local government boundary adjustments, it does not see a future for the Ryde area as part of an enlarged Parramatta City and that in consequence, Council does not propose to attend the “Metropolitan Councils” workshop at Parramatta on 15 May 2013, but instead will attend as observers, at the Northern Sydney Councils workshop at Chatswood on 14 June 2013.
- (b) That following the meeting at Chatswood on 14 June 2013, Council hold a consultation program with the community to receive their feedback on the proposal for amalgamation.

On 13 May 2013, Council wrote to the Chair of the Independent Local Government Review Panel and advised as follows:

The City of Ryde Council has been giving consideration to *Future Directions for NSW Local Government* and is planning to make a submission.

In order to be able to adequately provide an informed submission, Council has determined that further information is required regarding the background work that has been done in creating the report.

To that end, the City of Ryde is respectfully requesting a copy of the relevant working papers that guided the preliminary recommendations contained in the report, particularly with regard to potential savings, potential efficiencies and the optimum size for metropolitan Councils.

As you would appreciate, we would be grateful if this information could be provided as soon as possible so that the City of Ryde can be afforded every opportunity to respond completely to the report within the timeframe allocated.

This is a matter of significant importance to Ryde and we are keen to provide the community, Councillors and Council with adequate information and time to respond.

To date Council has not received the requested information. It is also noted that the detail requested was not provided at either the Community Hearing or Council Workshop attended by City of Ryde representatives.

On 30 May 2013, Council wrote again seeking the information requested so as to better inform our submission.

ITEM 6 (continued)

ATTACHMENT 1

## ***Outcomes of Public Consultation Undertaken Outcomes of Public Meeting held 3 June 2013***

Council conducted a Public meeting regarding *Future Directions* on Monday, 3 June 2013.

This public consultation was undertaken due to Council's belief that the consultation undertaken to date by the Independent Local Government Review Panel has been limited and it was appropriate that it be supplemented by the City of Ryde.

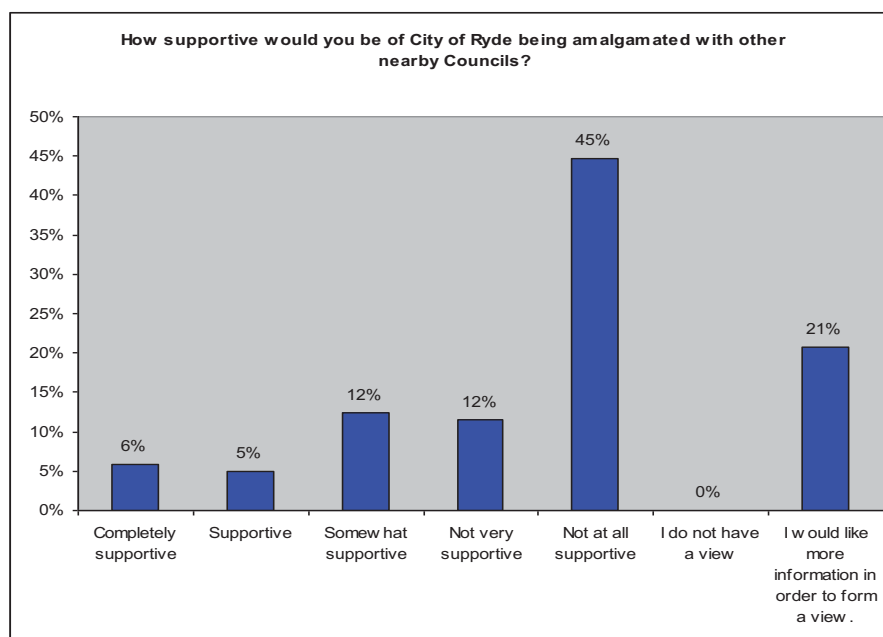
Some of the feedback received as part of the public meeting (both qualitative and quantitative) supports this belief.

The consultation meeting, while hosted by Council, was facilitated by a third party to ensure an open and transparent process.

The following issues were raised at the meeting and where appropriate have been incorporated into Council's submission. A copy of the report is ATTACHED – Attachment 1.

At the conclusion of the Public meeting all attendees were asked to vote on a series of questions. The result was recorded live and provided to the attendees at the meeting.

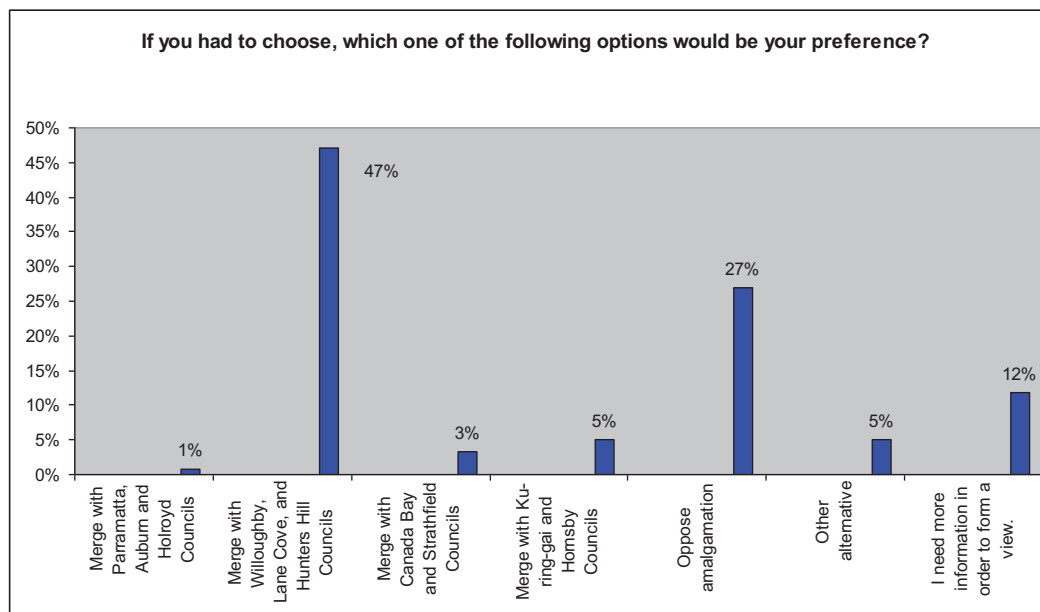
It is clear that those who participated do not support amalgamation generally and most certainly do not support amalgamation with Parramatta, Holroyd and Auburn specifically. 57% of attendees indicated that they were not supportive of amalgamation.



When asked to vote on amalgamation options 1% supported an amalgamation with Parramatta, Auburn and Holroyd (noting that the majority present did not support amalgamation at all)

**ITEM 6 (continued)**

**ATTACHMENT 1**



In summary, the results of the community consultation (as advised by Urbis who facilitated the meeting ) were as follows:

*Based on the considerable attendance at the workshop and the nature of feedback received, it is evident that the proposed reforms are contentious and of interest to the Ryde community. Participants demonstrated a high level of pride in and attachment to their community, and emphasised the importance of local representation, decision makers' knowledge of local needs and issues, and Council being accessible and accountable.*

*An area of particular concern in relation to the reforms is the proposal to amalgamate Ryde with Parramatta, Auburn and Holroyd Councils. Therefore, much of the discussion at workshops focussed on challenges and issues associated with this particular aspect of the proposals. There is greater support for amalgamation with northern Council's on the basis of shared interests and identity, and an established relationship through NSROC.*

*Participants at the workshop were generally supportive of improving the governance and financial sustainability of local governments, though many felt that these outcomes could be achieved without amalgamation. NSROC was cited on a number of occasions as a well-functioning regional network, already achieving efficiencies through collaboration.*

*There is a high level of interest in the rationale for reform (particularly amalgamation) and concern regarding the adequacy research underpinning the proposed changes. Participants indicated a strong desire to know more and receive further information, to inform their views on the proposed reforms.*

**ITEM 6 (continued)**

**ATTACHMENT 1**

## ***Public Survey conducted June 2013***

A random telephone survey of 600 residents was conducted between 28th May and 1st June 2013.

Interviewing was conducted in accordance with IQCA (Interviewer Quality Control Australia) Standards and the Market Research Society Code of Professional Conduct. Where applicable, the issues in each question were systematically rearranged for each respondent.

A copy of the survey report is ATTACHED – Attachment 2

It was clear through the telephone survey that there is no support for the Panel's recommendation that Ryde amalgamate with Parramatta, Auburn and Holroyd.

In addition, the phone survey reinforced Council's concern about the need for additional community consultation regarding the Panel's recommendations. 93% of residents gave the importance of consultation a score of 7 or greater where 10 is very important and 1 is not at all important.

In summary, the results of the phone survey (as advised by Micromex who conducted the survey ) were as follows:

- *70% of residents claim to be aware of the review.*
- *93% of residents indicated that it is important to be consulted with about this issue.*
- *At a broad level, 56% of residents are not very supportive - not at all supportive of the amalgamation option versus 22% who are supportive - very supportive.*
- *If we remove the fence-sitters (somewhat supportive 22%), the data shows that the community is 2.5:1 against amalgamation.*
- *If pressed, the preferred merge option is to merge eastwards (42%), however, 38% still oppose amalgamation outright.*
- *Only 3% of residents support the Panel's proposal of a merger with Parramatta, Holroyd and Auburn.*

***Comments recorded as part of the survey process are included in this submission and identified in blue with a red box.***

**ITEM 6 (continued)**

**ATTACHMENT 1**

***The Panel's stated goal***

*A more sustainable system of democratic local government that has added capacity to address the needs of local and regional communities, and to be a valued partner of State and federal governments.*

City of Ryde welcomes the report from the Independent Panel in achieving a more sustainable system of Local Government.

The Panel has presented the following options for Ryde:

- Amalgamate with Auburn, Holroyd and Parramatta (preferred option); **or**
- Combine a strong County Council and move the northern boundary of Parramatta and western Ryde to M2

The City of Ryde does not support the Panel's preferred option.

The City of Ryde does support a reform agenda and investigating options that promote a County Council model where the local identity of the City of Ryde can be retained. The City of Ryde also does not believe this model should include Auburn, Holroyd and Parramatta with the City of Ryde.

**ITEM 6 (continued)**

**ATTACHMENT 1**

## ***Sustainable system***

The recent publication of the report into Financial Sustainability of the NSW Local Government Sector includes recommendations key to the long term future of local government. As the financial sustainability of all Local Governments is central to this outcome, the City of Ryde strongly recommends that the Panel consult with TCorp to ensure any proposed changes facilitate and encourage the sector to be able to act on these recommendations. This recognises the knowledge and insights that TCorp has gained in undertaking the Financial Sustainability Reviews of all NSW Local Government.

Mr Kevin Pugh, Senior Manager Corporate Finance NSW Treasury Corporation was invited by Council to discuss the TCorp report at a Councillor Workshop held 23 May 2013. He advised his role was completely separate to the Independent Panel's role and that he did not have an understanding as to why the Independent Review had suggested a potential amalgamation with Parramatta, Holroyd and Auburn.

At the Workshop it was also noted that one of the TCorp report recommendations was that rate pegging be reviewed to ensure local government receives enough flexibility in the legislation to allow Council to meet existing costs. City of Ryde strongly supports the removal of rate pegging. It was noted that the Independent Review Panel has suggested the ability for Councils to receive a rate increase equivalent to the rate pegging increase plus 3% which will still be significantly deficient in addressing the revenue increases required by the majority of Local Government.

Other issues raised through the TCorp report that should be further considered include inconsistent treatment of depreciation which significantly impacts benchmarking of financial sustainability and may result in a crude assessment of each Council's infrastructure backlog.

The question was asked at the Workshop whether TCorp would be providing advice to the Independent Panel regarding what changes would be required, especially in respect of the rating legislation, to enable Councils to raise the required level of funds. Mr Pugh advised that this was not within their scope.

The report into the Financial Sustainability of the NSW Local Government Sector provides a unique opportunity for changes to the Local Government Act, which can empower Councils to meet their financial goals and ensure their long term sustainability. Given that TCorp has now had the opportunity to speak to many local Councils it is recommended that the Independent Panel consult and engage with TCorp more specifically to ensure any proposed changes, especially to the Act, are targeted and focused in empowering Councils to achieve financial sustainability.

**ITEM 6 (continued)**

**ATTACHMENT 1**

## ***Local Government to address needs of local and regional communities***

Council struggles to understand how a larger local government area addresses the needs of local communities. More and more, decision making for local communities (particularly with regard to planning matters) is being made at a State level without appropriate consultation. In addition, Council believes that returns from planning growth must be reinjected into local communities to ensure improved services to areas impacted by higher population densities.

Recently, Council has acted on behalf of the community regarding a number of State Government planning decisions. This action has been driven by the community's concerns and it is because of Council's relationship with our community that we have been ready and able to act. Larger Council areas will remove this strong community connection and leave residents in need disenfranchised and unrepresented in State level discussions.

The City of Ryde Council strongly believes that Ryde should be a separate centre of governance because of the area's history, geography, economic structure and the existing communities of interest.

We are one of the oldest local government areas in Australia with a long and proud history that should be respected and maintained.

On the 3rd January 1792, the first land in the Ryde area was granted to eight marines, along the northern bank of the river between Sydney and Parramatta. The area was named by Governor Phillip the 'Field of Mars', Mars being the ancient God of war, named to reflect the military association with these new settlers. Today, Field of Mars Reserve is the remnant of a district which once extended from Dundas to the Lane Cove River.

These grants were followed soon after by grants to ten emancipated convicts in February 1792, the land being further to the east of the marines grants, thus the area was called Eastern Farms or the Eastern Boundary. By 1794 the name Eastern Farms had given way to Kissing Point, a name believed to have originated from the way in which heavily laden boats passing up the Parramatta River bumped or 'kissed' the rocky outcrop which extends into the river at today's Kissing Point.

Few local government areas in Australia, let alone NSW, can lay claim to such a long and proud history as the City of Ryde. To see Ryde Council identified in the Panel's report as 'merge – Parramatta group' disregards Ryde's heritage and importance in NSW local government history.

The City of Ryde is also home to Macquarie Park, a nationally significant research and business centre, specialising in the communications, medical research, pharmaceutical and IT&T sectors. Macquarie Park is set on over 200 ha of commercial landuse, 98 ha occupied by Macquarie University on the doorstep of the National Park. With over 800,000 sqm of commercial floor space and the capacity to reach over 2 million sqm,

**ITEM 6 (continued)**

**ATTACHMENT 1**

Macquarie Park is well placed to be a key anchor in the global economic corridor.

Its prime location in Sydney's Inner North is a major factor driving Macquarie Park's continued growth. It is located 12kms by road from the Sydney CBD and 13kms from Parramatta and the Epping-Chatswood Rail Link provides direct rail access to Macquarie Park.

Council believes that Macquarie Park has already established itself as a premium location for globally competitive businesses with strong links to both the university and research institutions that has achieved an enhanced sense of identity. In the future, Macquarie Park could quite conceivably become Sydney's second CBD.

In addition to Macquarie Park, the City of Ryde has the Eastwood, Gladesville, West Ryde and Ryde town centres as well as the Meadowbank Employment area.

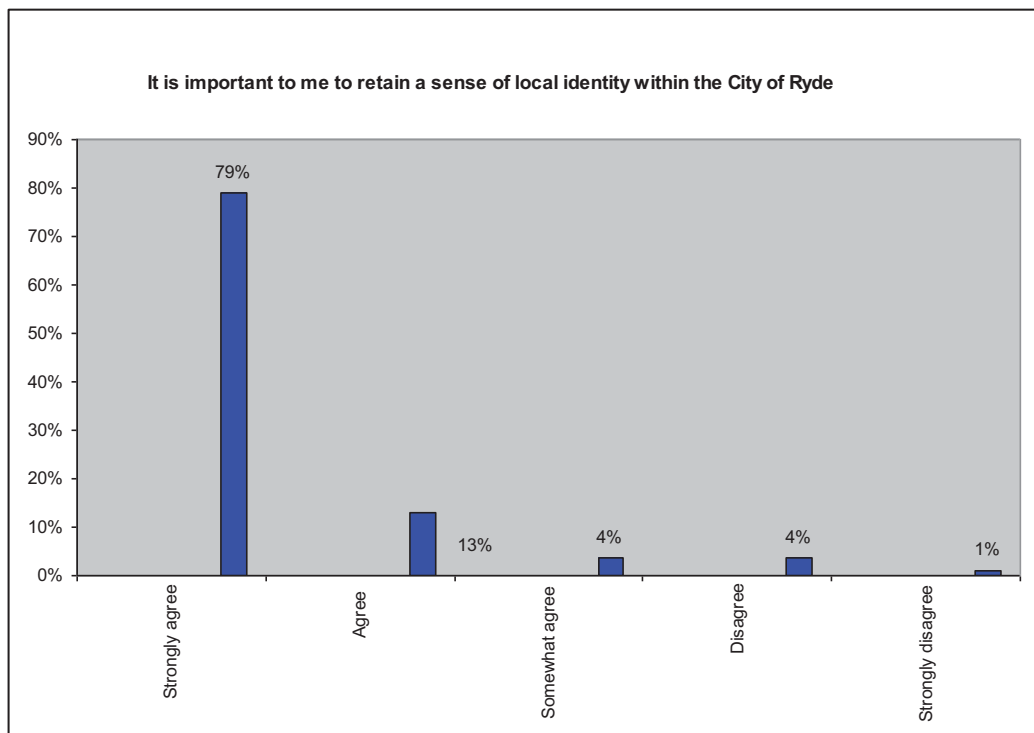
As set out in the National Institute of Economic and Industry Research Report, Ryde is a local government area with significant service provision. It is a local government area with a single large university, a large TAFE and secondary schools. There is also a large hospital. Additionally, the report identifies that Macquarie Park serves to meet the demands of suburbs to the north west of Sydney. Ryde is identified along with Parramatta as a centre that satisfies the demands of suburbs further north west. This suggests that the two areas should remain separate local government areas so that this support and service is neither diminished nor homogenised.

The residents of Ryde have told Council, in no uncertain terms that they do not identify with Western Sydney. At the Community Consultation held 3 June 2013, 79% of those present indicated that they place strong importance on maintaining a sense of local identity within the City of Ryde – as shown in the graph below.



ITEM 6 (continued)

ATTACHMENT 1



They have spoken of key differences with regard to levels of wealth and multiculturalism. One concern is that the City of Ryde has invested prudently and built reserves which are at risk of cross subsidising other Councils who have not been so prudent.

*We have a wonderful city that is of a manageable size and amalgamation would create a very different atmosphere and lose the community spirit we have here now.  
People enjoy living in Ryde at present; it is big enough.*

As set out in the National Institute of Economic and Industry Research Report the defining of communities of interest, or communities of place, can be difficult to quantify including elements such as amenity or community spirit. However, there are many quantifiable characteristics that are considered in the report.

The specific quantifiable areas of wealth and multiculturalism are reflected in the research undertaken by the National Institute of Economic and Industry Research: *New South Wales Local Government Areas: Similarities and Differences*. In this research Ryde is identified as a high wealth LGA. Ryde is not identified with Parramatta, Holroyd and Auburn as a multicultural LGA.

**ITEM 6 (continued)**

**ATTACHMENT 1**

One of the stated goals of the Panel's proposal for Ryde is to create a more diverse local government area. It is our position that the proposed change would certainly result in a very different demographic make up – one with which the current residents of Ryde do not identify. It also disregards Ryde's existing diverse community makeup.

We also put it to the Panel that the proposed change with regard to the Northern Sydney group will not create a more diverse local government area. The evidence provided in the NIEIR Report shows that the Northern Sydney recommendation is an example of bringing together Councils from similar demographic clusters, thus preserving the sense of identity and communities of interest.

The Panel identifies that an essential element of an effective system of local government is to maintain a strong sense of local identity and place. The City of Ryde feels that this is in conflict with the proposed amalgamation of Ryde, Parramatta, Holroyd and Auburn.

*The proposed amalgamation is going to be too large and with no commonality.*

*There would be no sense of belonging and as a result all the communities would suffer*

In *No Lessons Learned: A Critique of the Queensland Local Government Reform Commission – Final Report* by Brian Dollery, Chong Mun Ho and James Alin, the public choice argument regarding larger Councils is considered:

*. . . .a conceptual rebuttal of the notion that 'big is beautiful' by maintaining that large councils are less accountable and transparent and more complex than their smaller counterparts and thus less easily monitored by voters, who have less contact with elected representatives. It is also argued that smaller municipalities are much closer to constituents and thereby better informed than large councils. A second empirical string to the public-choice bow is that 'bigger is not better', since considerable evidence has demonstrated that small councils deliver services more cheaply (see, for example, Boyne 1992; 1998b).*

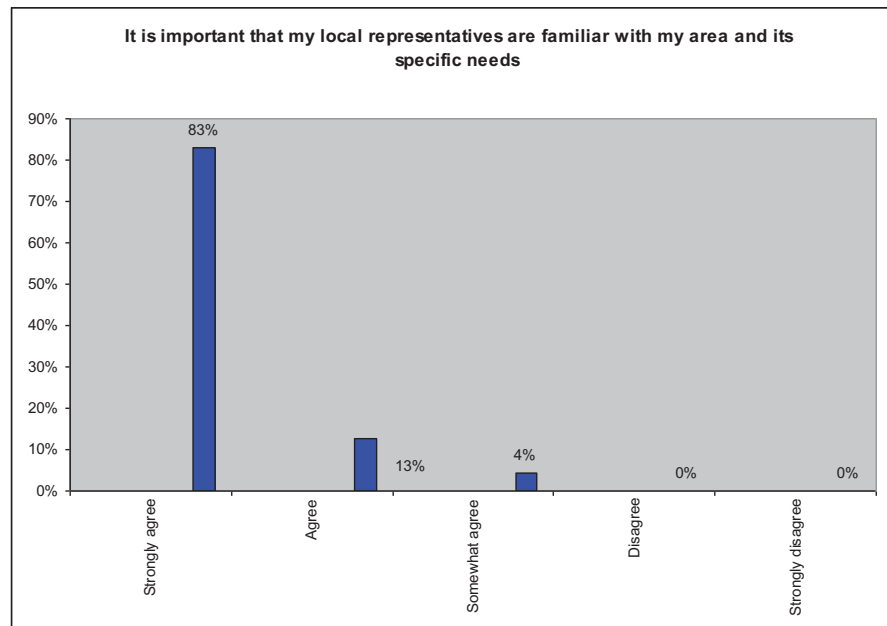
The City of Ryde rejects the Panel's premise that larger local government areas address local needs more effectively or efficiently.

In addition, we strongly believe that counter-measures recommended in the Panel's report to ensure local representation are unnecessary as the argument for amalgamation has not been demonstrated nor validated in your Discussion Paper.

The residents of Ryde have indicated that they place significant importance on local representatives being familiar with their area and its specific needs. 96% of those present at the Community Consultation meeting expressed this view as shown in the graph below.

**ITEM 6 (continued)**

**ATTACHMENT 1**



As first conceived by Coleman in 1988 and as popularised by Putnam in 1993, ‘social capital’ are those aspects of life that enable people to act together to more effectively achieve shared goals. In *The Local Capacity, Local Community and Local Governance Dimensions of Sustainability in Local Government*, Dollery, Crase and Grant state that;

*In the local government context, social capital engenders local civic awareness than manifests itself in a variety of community projects . . . The determinants of local social capital are complex and not well understood, but include a ‘sense of community’ and a ‘sense of place’ that derive from living in a small and distinctive community, such as a local government area. Community size and community social capital are therefore intrinsically linked together.*

*. . . a municipal council often represents the ‘heart’ of a community and serves to symbolize its character and independence. The abolition of these councils could thus severely damage a ‘sense of community’ built up over the generations. The economic consequences of this loss may be felt in different retail shopping patters, altered school, enrolment, changed sporting club allegiances, and so forth, which will have ramifications for the composition of economic activity and the strength of the rate base of the former small council areas.*

For this reason, the City of Ryde does not support the Panel’s amalgamation recommendation. We do, however, support boundary adjustments in addressing anomalies where communities of interest are fragmented. The boundaries of each Local Government area need to be reflective of the natural communities of interest that exist across NSW.

**ITEM 6 (continued)**

**ATTACHMENT 1**

## ***Partner of State and Federal governments***

The State Government has released a significant number of planning and strategy documents over the past year. In none of these documents has the City of Ryde been identified as part of Western Sydney and in all cases has been considered a Central or Northern Sydney Council.

The City of Ryde does not believe that the proposed local government area relating to Ryde reflects the Panel's stated goal. Indeed, we believe it to be in direct contradiction with the goal of partnering local government and State Government.

The following recent NSW Government publications have given consideration to long term planning for NSW and as part of this consideration have identified Council groupings for planning purposes.

- *Draft Metropolitan Strategy for Sydney to 2031 – March 2013*

The stated aim of the Draft Metropolitan Strategy is to set the framework for Sydney's growth through to 2031.

In the draft, the City of Ryde is included in the Central Subregion. This region includes Ashfield, Botany Bay, Burwood, Canada Bay, Hunters Hill, Lane Cove, Leichhardt, Marrickville, Mosman, North Sydney, Randwick, Strathfield, Sydney, Waverley, Willoughby and Woollahra.

Macquarie Park is identified as a specialised precinct in the Strategy and is included in the Global Economic Corridor which includes North Sydney, Chatswood and Parramatta.

The West Central and North West Sub region includes Auburn, Blacktown, Holroyd, Parramatta and The Hills.

- *NSW 2021 – Published December 2012 – Regional Action Plans*

As part of this series of reports the Action Plan identified a Northern Sydney region which included Hornsby, Hunters Hill, Lane Cove, Ku-Ring-Gai, North Sydney, Willoughby and Ryde.

The report states that;

*Northern Sydney is renowned for its high quality lifestyle and environment as well as its status as Australia's 'Silicon Valley', with a number of high-tech and other high quality professional services and education firms and organisations located within the region.*

Parramatta was included as part of the Greater Western Sydney Region which included Auburn, Blacktown, Blue Mountains, Hawkesbury, Holroyd, Penrith and the Hills.

**ITEM 6 (continued)**

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- *A New Planning System for New South Wales – April 2013*

The White Paper sets out a proposal for Subregional Delivery Plans to be prepared by Subregional Planning Boards. These Boards have been identified as a new planning body which will comprise representatives from each Council in the subregion as well as representatives from Planning and Infrastructure.

To date, it has been anticipated that these Subregions would align to those identified in the Draft Metropolitan Strategy for Sydney.

- *Destination 2036 – June 2012*

The Action Plan developed as part of Destination 2036 clearly identified continued support for the strengthened recognition of Regional Organisations of Councils (such as NSROC) as a tool for regional planning and service delivery.

This position was reflected in the Action Plan which states:

*the NSW Government is looking to ROCs as a key regional planning, consultation and delivery mechanism for the new State Plan – NSW 2021, as well as other regional planning initiatives, such as Regional Transport Plans.*

Again, the City of Ryde is included within the Northern Sydney Region Organisation of Councils and is not aligned with Parramatta, Auburn or Holroyd.

As is demonstrated above from a range of State Government reports, the City of Ryde has correctly been identified as a northern or Central Sydney Council. The recommendation to align with Parramatta, Auburn and Holroyd is very inconsistent and illogical.

In a broader sense, while the panel has focused its review on the future of Local Government, the critical component in Local Government's future is how the State Government partners, communicates and genuinely works with Local Government.

Therefore, the City of Ryde strongly emphasises that while this Review is focused on Local Government and the changes that are required to make it more sustainable, equally the focus is required to be on the State Government. It is imperative that the success of the Panel's Review and recommendations will be how serious the State Government embraces this opportunity to work with Local Government as a true partner.

**ITEM 6 (continued)**

**ATTACHMENT 1**

The following sections give specific consideration to the areas identified by the Panel in Future Directions for Local Government

## ***Sustainability and Finance***

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### *General Comments*

The Panel states that in order to achieve strategic capacity there needs to be a move to larger, more robust organisations that can generate increased resources through economies of scale and scope. It is stated that;

*Mergers should be pursued where they can make a substantial contribution to addressing financial problems, reducing fragmentation of resources and duplication of effort, and building strategic capacity for the long term.*

The City of Ryde in principle, supports this.

However, the City of Ryde again directs the Panel to *No Lessons Learned: A Critique of the Queensland Local Government Reform Commission – Final Report* by Brian Dollery, Chong Mun Ho and James Alin.

In discussing economies of scale, the report identifies that;

*. . . in its adoption of the ‘big is beautiful’ perspective of local councils, the Commission alludes to the cost ‘dividends’ attendant upon scale economies in the proposed new larger councils. The Commission thus implicitly endorsed inter alia the findings of Stephen Soul (2000) in his influential doctoral thesis, which examined the effect of council size (as measured by population) on gross expenditure per capita, and concluded that increasing population yields a lower level of gross expenditure per capita up to a council size somewhere between 100,000 and 316,000 people, at which point ‘scale diseconomies’ begin. But the theoretical basis of this study has been shown to be badly flawed on the basis of pioneering work by Boyne (1995) ignored by Soul (2000) (Dollery et al. 2006b). In essence, Boyne (1995) has demonstrated that council size (as proxied by population) bears no relationship to scale economies, since population is linked to numerous other variables affecting expenditure.*

*Finally, the Commission apparently takes for granted that substantial scale economies exist in Australian local government. This presumption is unwarranted and ignores both Australian empirical evidence on economies of scale in local government (see, for instance, Byrnes and Dollery 2002) as well as empirical evidence abroad (see, for example, Bish 1971; 2000; Boyne 1998a; Duncombe and Yinger 1993; Hirsch 1968; and Rouse and Putterill 2005), which points to the fact that scale economies cease for many municipal functions for populations above 50,000 residents and many labour-intensive services exhibit diseconomies of scale.*

**ITEM 6 (continued)**

**ATTACHMENT 1**

*With regard to Australian local government, Byrnes and Dollery (2002, p.405) conclude that 'the lack of rigorous evidence of significant economies of scale in municipal service provision casts considerable doubt on using this as the basis for amalgamations'.*

The City of Ryde believes that there is no evidence that economies of scale would be achieved through the proposed reform agenda. We reject the Panel's premise that larger metropolitan Council areas would be, by definition, more efficient.

*There doesn't seem to be conclusive evidence that there are economic benefits of merging.*

Council does not believe that any evidence has been provided that the proposed mergers could make a 'substantial contribution to addressing financial problems.'

However, there may exist opportunities for economies of scope arising through resource-sharing opportunities. For this reason, the City of Ryde supports a reform agenda focussed on applying the benefits of the County Council or shared-services model more widely. This would in essence formalise the current NSROC (ROC) model with more specific functions in supporting the relevant member Councils.

We believe, like the Panel, that one size does not fit all. As a result, the City of Ryde supports a suite of consolidation options to empower Councils to identify the options that will be the most efficient and effective for our community.

As stated above, the City of Ryde is part of the Northern Sydney Regional Organisation of Councils (NSROC). Recently, NSROC has produced a significant number of strategies and plans regarding the region including the following:

- Regional State of the Environment (SoE) Report 2011-2012. The Report provides updates on environmental indicators and highlights regional and Council initiatives to maintain and improve the environment of northern Sydney.
- Regional Waste Industry Management Consultation. NSROC is facilitating a process for its member Councils to identify the potential for a regional solution to waste management, for the short and long term.
- Coordinated NSROC submission on NSW Government's Discussion Paper "Sydney over the next 20 years" which highlights the key metropolitan planning issues for Northern Sydney.
- Missing Link and Missing Out. The F3-M2 Motorway Connection is critical to Sydney, NSW and the nation. NSROC recognises this, and together with Gosford City Council, have released *Missing Link and Missing Out* a research report by PWC. The report highlights the need for, and the benefits of, the link in the National Road Network.

**ITEM 6 (continued)**

**ATTACHMENT 1**

- NSROC Regional Priorities – Key Actions for Northern Sydney. NSROC has set the scene for the NSW and Federal Governments with **NSROC Regional Priorities – Key Actions for Northern Sydney** plan. The Plan sets out seven priority areas for the region and over 80 actions which involve regional coordination and contribution and leadership by State and Federal Government.
- Comparative analysis of NSW ROCs. NSROC, in collaboration with the Australian Centre of Excellence for Local Government (ACELG), have released a comparative analysis of all NSW ROCs including a summary of their structure, membership, financial, operational and governance arrangements. The report was very timely given the State Government's *Destination 2036: draft action plan* and its proposals for ROCs utilisation. This report provided councils and other stakeholders with an understanding of what the 17 ROCs do across NSW.

In *Shared Services in Australian Local Government: Rationale, Alternative Models and Empirical Evidence* (2009) Dollery, Akimov and Byrnes refer to the South Australian Financial Sustainability Review Board *Rising to the Challenge* report and note that the report;

*. . . contented that cooperation through shared service provision' can be practical and cost-effective way for councils to share experiences and resources, tackle common tasks, or take advantage of economies of scale.' It argued that existing regional organisations of councils (ROCs) and area integration models represent the best institutional vehicles for this purpose.*

In addition, it was noted that;

*. . . the Hawker Report concluded that 'the efficiencies of local government can be improved through a mixture of changes that may include partnerships, regional cooperation and/or amalgamations', although it is stressed that 'one answer does not fit all'. It is recommended that the federal government should engage 'established ROCs and other regional bodies which have demonstrated their capacity to be involved in the regional planning and delivery of federal and state government programs.*

The City of Ryde would like to understand why the Panel appears to have largely disregarded the function of the ROCs. In the particular case of Ryde, the Panel's preferred option disregards the ROC structure to such a degree that it is recommended that Ryde amalgamate with members of WSROC.

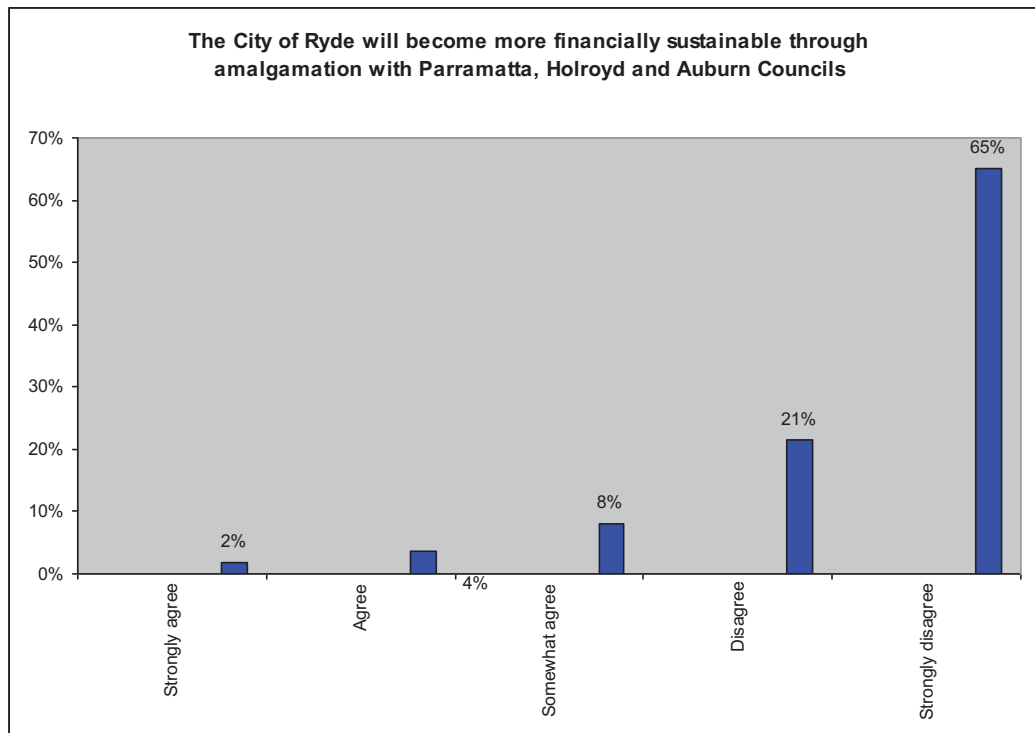
Also, while the current ROC model has some deficiencies, it is believed that the County Council model can be adapted to the current Councils in ROCs as they do share similar communities of interest. This model, supported by the appropriate changes to the legislation, can succeed in delivering a range of agreed shared services to member Councils.



**ITEM 6 (continued)**

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Finally, our community has indicated that they do not believe the Panel's recommendation will improve the City of Ryde's financial viability as shows in the results of the Community Consultation in the graph below.



*Specific Comments – Key Proposals and Options*

- Develop a standard set of sustainability benchmarks; require all councils to appoint a qualified Chief Financial officer; strengthen the guidelines for councils' 4 Year Delivery Programs; and place local government audits under the oversight of the Auditor General

The City of Ryde supports this proposal, noting that we currently have a suitably qualified Chief Financial Officer.

- Improve the rating system and streamline rate-pegging to enable councils to generate essential additional revenue.

The City of Ryde questions the Panel's position with regard to rate-pegging. We believe that the entire financial system, including the rating system must be reviewed and that rate-pegging, at its core, is one of the key factors restricting local government sector sustainability. As detailed earlier in this submission, the City of Ryde is strongly recommending the removal of rate pegging.

In addition, the TCorp report recommended that 'future increases in all rates and annual charges for Council services should be based on the underlying cost of delivering these services and the annual movement in the cost of these services.'

**ITEM 6 (continued)**

**ATTACHMENT 1**

We are concerned that the Panel's proposal that Council be allowed to increase rates by up to 3% more than the annual cap set may not be sufficient to meet underlying costs. This recommendation is not sustainable or will enable Local Government to address the on going examples of operating deficits to be removed. A full and comprehensive review of the Local Government funding model is required.

We are very concerned that the Panel's position will set Councils up to fail by not providing for adequate provisions to bolster their revenue base. Council questions the position that the identified rate increase **should** be sufficient to address the financial positions of each Local Government, identified by TCorp. We look forward to the Panel's further investigations to determine whether the amount identified will enable **all** Councils to tackle ongoing financial sustainability.

*The different financial positions of councils could mean that Ryde ratepayers are subsidising other council areas, there would be less representation for local residents and less input for residents*

- Progressively re-distribute grant funding to provide greater assistance to rural-remote councils with limited rating potential.

The City of Ryde submitted the following Motion to the National General Assembly of Local Government and suggests that the Panel consider this as an avenue to review local government funding:

*Review of Inter-Government Agreement for Local Government and increasing total funding for Financial Assistance Grants to 1% of Total Commonwealth Taxation Revenue*

- (1) That the Federal Minister for Local Government , the Hon Simon Crean MP, urgently organise to undertake the review of the Inter-Government Agreement that Guides Inter-Government Relations on Local Government Matters, to reinforce the principles of the Agreement and commitment from each level of Government to ensure that Local Government receives increased funding for the effective delivery of additional functions that have previously been transferred to Local Government by other levels of Government
- (2) That the Federal Minister for Local Government, the Hon Simon Crean, as an acknowledgement of the critical role played by Local Government in delivering programs and services to the Australian community and to assist in the financial sustainability of Local Government, be requested to restore the total funds available for the Financial Assistance Grant program to 1% of total Commonwealth Government tax revenue.

**ITEM 6 (continued)**

**ATTACHMENT 1**

NOTES

1. The Minister for Local Government of the Commonwealth of Australia, the Hon Simon Crean has agreed for the review of the Intergovernmental Agreement Establishing Principles Guiding Intergovernmental Relations on Local Government Matters (IGA) to be undertaken. This undertaking was given in November 2011, however it still has not been progressed.
2. The IGA stipulates the principles by which intergovernment relations will be undertaken to ensure appropriate funding arrangements are agreed and provided.
3. Despite the presence of the IGA, it has been acknowledged in various reports, that the cost shifting by both the Commonwealth and State Governments to Local Government, is estimated to cost the Local Government sector between \$500 million and \$1.1 billion per annum.
4. Despite this additional cost onto Local Government operations, it has also been coupled with a continuing reduction in funds available for the Financial Assistance Grant. In the early 1990s the total funding for the Financial Assistance Grant (FAG) was 1% of total Commonwealth Tax revenue and this has continued to decline down to the current position of 0.71% of total Commonwealth Tax revenue.
5. Restoring the total FAG allocation to 1% of Commonwealth Tax revenue, would equate to an additional \$750 million.
6. This reduction in the total FAG allocation in real terms, is further demonstrated that while the total FAG allocation in dollar terms has increased by 47.5% since 2001, GST grants to the States has increased by 75.6% and the total Commonwealth Tax revenue has increased by 62%.
7. Growth in demand for Local Government services has increased rapidly over the past decade, together with enormous challenges in maintaining aging assets and infrastructure to satisfactory standards. The current estimated national Local Government infrastructure backlog is \$14.5 billion.

This motion identifies that over a number of years, Local Government has been the recipient of extensive cost shifting from both levels of government, with no increase in revenue. Somehow, Local Government has been expected to pick up and deliver these additional services. In NSW, Local Government has so many constraints such as rate pegging that makes it more difficult in raising additional revenue.

Additionally, the Federal Government over the past decade has slowly reduced the total quantum of funds for the Revenue Sharing Grant. The revenue sharing grant was introduced back in the 1970's to provide Local Government with a share of personal income tax receipts, originally set at 2%. This Grant is Local Government's only receipt of a 'growth' tax, which has been reduced steadily in real terms over the last few decades. It therefore is essential that this grant continue to be paid to each Local Government authority.

In total, these issues have significantly impacted Local Government's ability in being financially sustainable. While there are other contributing factors, these areas have played a critical role and need to be addressed by all levels of Government.

**ITEM 6 (continued)**

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The other area that has had a continuing impact on Local Government's income is all the fees set in statutes. This removes Council's ability to set reasonable levels of fees for services, with a consideration of the actual costs of the service.

All fees set by statute should be removed.

- Establish a State-wide Local Government Finance Agency to bring down interest costs and assist councils make better use of borrowings.

The City of Ryde in principle supports this concept, however more detail is required as this could further impact on Council's overall financial position.

ITEM 6 (continued)

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## Infrastructure

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### General Comments

The City of Ryde is also concerned about the ongoing issue of cost shifting between State and Local Government. In the recent report of the NSW Treasury Corporation on the *Financial Sustainability of the NSW Local Government Sector* (2013) it was found that;

***Cost shifting occurs between different levels of government - TCorp has sighted examples of instances where Councils have been adversely impacted by other levels of government transferring responsibility for certain assets without appropriate funds being provided. Examples of cost shifting include where a State and/or regional road is re-classified as a local road and the responsibility for these assets are transferred to the local Council without adequate compensation to maintain the assets. Other examples include revenue generating activities, such as the operation of caravan parks, that Councils have used to cross subsidise maintenance or other services, being taken from them without adequate compensation or recognition of the adverse impact on the Council***

Given the need to address the infrastructure backlog, Council believes that this cost shifting must be addressed and that the Panel should give further consideration to this recommendation from TCorp. Also, as stated earlier in this submission, City of Ryde's motion to the upcoming General Assembly is seeking to gain the commitment of all levels of Government to honour the Inter Governmental Agreement.

In *A New Model of Regional Governance in Australian Local Government with Local Autonomy Preserved* (2007) Dollery, Wallis and Ramsland consider infrastructure and state that;

*The funding crisis in these local council has been mostly manifested in chronic under-investment in infrastructure with a widespread local infrastructure backlog now obvious. Some of these state systems have undergone extensive amalgamation in the recent past, most notably Victoria, South Australia and New South Wales, but widespread problems of financial unsustainability nonetheless remain amongst their local councils. This indicates that a lack of adequate funding, defects in the local government funding process and expenditure pressures largely outside the control of local councils represent the main source of the financial crisis. The principal problem is this one of funding rather than structure.*

*However, this does not imply that structural change cannot improve the effectiveness and operational efficiency of local councils. However, it does demonstrate that amalgamation is not a 'silver bullet' that can cure all the ills afflicting local councils. Moreover, the bleak experience with amalgamation in other states, especially its social divisiveness and conflictual nature, together with its*

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*damaging economic effects on small local communities, does not offer a solution to the problems in contemporary local government.*

In addition, Council directs the Panel to *Are Shared Services a Panacea for Australian Local Government?* (2008) in which Dollery and Akimov state that;

*. . . a spate of recent national and state-based inquiries into the financial sustainability of Australian local councils have concluded that amalgamation most certainly does not represent a 'silver bullet' for curing the financial ills of local government. Without exception, these reports recommend shared local service arrangements as a superior structural alternative to amalgamation in terms of reducing costs and improving operational efficiency.*

*. . . It appears clear that shared local service models by themselves will never represent a panacea for the deep financial problems facing a large number of contemporary Australian local councils.*

*. . . Indeed, some commentators, like Dollery et al and PWC have argued that only massive monetary injections by the Commonwealth government in the form of a national local infrastructure asset renewal fund will be sufficient to deal with the local infrastructure renewal fund.*

As a result of the above, the City of Ryde encourages the Panel to continue to explore and recommend changes to the local government funding model, not just rating, as the current funding model is grossly deficient. Also narrowing Council funding solutions down to granting an additional 3% rates income above the cap, will not solve Local Government's revenue and infrastructure funding deficiencies. Also, recommendations addressing cost shifting to local government have to be provided to allow Councils to address both their financial position and their infrastructure backlogs.

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*Specific Comments – Key Proposals and Options*

- Maintain the Local Infrastructure Renewal Scheme for at least five years, with a focus on councils facing the most severe problems.

Council notes that this proposal is mainly for rural Councils who would benefit from this scheme. Ryde would support this as we also have a infrastructure back log and funding issues.

- Create a Strategic Projects Fund for roads and bridges to help reduce the infrastructure backlog.

The City of Ryde believes that the current infrastructure backlog can only be addressed by adequate ongoing funding that is realistic and clearly able to meet current and ongoing needs.

**ITEM 6 (continued)**

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This proposal could be to the detriment of metropolitan and more sustainable councils, like Ryde. For the scheme to be a success, funding overall must increase so that there is no transfer of funds from one area to the other, so that there is an equitable system that sets all local government areas up to succeed..

- Investigate the Queensland model of Regional Road Groups, as well as options for cost savings through strategic procurement initiatives.

The Queensland model is for regional areas and there is an agreement between the LGA and State government which works well.

In NSW the model could work in rural areas but not specifically in metropolitan areas

If the County Council model were adopted it could be an option but not as critical in the city where roads are generally of a standard and the issues plaguing Councils are usually with drainage, footpaths and buildings.

Strategic procurement initiatives cost savings are not realistic as Councils already have Local Govt Procurement, State Govt Contracts and NSROC contracts to sources goods and services from extremely efficiently.

- Require asset and financial management assessments of councils seeking special assistance.

City of Ryde supports TCorp undertaking a similar review on a regular basis and when seeking special assistance.

**ITEM 6 (continued)**

**ATTACHMENT 1**

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## ***Productivity and Improvement***

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### *General Comments*

It is noted that the *Future Directions* report gives consideration to the establishment of County Councils where there are strong socio economic links to meet the particular needs and circumstances of a region.

In *Reconceptualising Shared Services* (2011) Peter McKinlay of the Local Government Centre – Auckland University of Technology states that:

*Arguments from the literature have generally favoured shared services over amalgamation. Bish (2001) in a comprehensive review of North American research dismisses the argument for amalgamation as a product of flawed nineteenth-century thinking and a bureaucratic urge for centralised control. He does so making the very reasonable point that the presumed economies of scale which will result from amalgamation are a function not of the size and scale of individual local authorities, but of the services for which those local authorities are responsible, and the point at which economies of scale will be optimised will be very different for different services. The case against amalgamation is also reinforced by the absence of any significant post-facto that amalgamation achieves either the promise savings or the anticipated efficiency gains (McKinlay 2006).*

The City of Ryde supports local government reform that offers flexibility for Councils to identify the appropriate structure for service delivery for their communities. We feel that this is the only way forward that balances local representation with improved productivity.

Deloitte's *Stop, start, save – Shared service delivery in local government* (2009) identified shared service opportunities for local government commencing with transactional processing including payroll and accounts. The report also identifies entering into shared services as an evolutionary process warning against seeing change as a 'tactical quick fix.'

The City of Ryde is generally supporting a County Council or shared services model where all parties have a common need and are committed to working together to achieve an improved outcome. A working example of this is Westpool, a joint pooling arrangement of a number of western Sydney Councils who have joined together to provide insurance coverage and today have expanded the services provided as agreed by all members. Such a model could be applied to the shared provision of services such as:

- Finance (accounting services, accounts payable, payroll)
- Information Systems (system management, system support, information management, printing)
- Human Resources (strategic HR management, remuneration conditions, training and succession planning, recruitment and performance management, WHS management, policy development)
- Stores/Purchasing (strategic procurement, procurement management, inventory management, contract management)



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- Plant/Fleet (fleet management, light fleet, workshop)
- Legal Services
- Property (accommodation, depots, facilities management)
- Customer interfaces (call centre, billing services)

Other services such as libraries could also be considered under such a model. The City of Ryde and Hunters Hill Council have a long standing arrangement currently with regard to the provision of library services at Gladesville.

Some Councils have already progressed or undertaken significant research into the savings and efficiencies of shared services.

One Council with a population of approximately 150,000 and operating expenses of \$235.8 million has identified a potential saving through preliminary shared services of \$4.7 million per annum.

The City of Ryde does not believe the Panel has made the case that amalgamation is the appropriate vehicle to achieve productivity and improvement. As identified in *Consolidation in Local Government: A Fresh Look*, 'efficiency gains can be achieved through various forms of consolidation that have the capacity to yield economies of scope.'

This focus on a County Council or shared service option is supported by the Panel's 'cluster-factor' that identifies strong socio-economic links identified with NSROC Councils. This link does not exist between Ryde and Parramatta, Holroyd and Auburn.

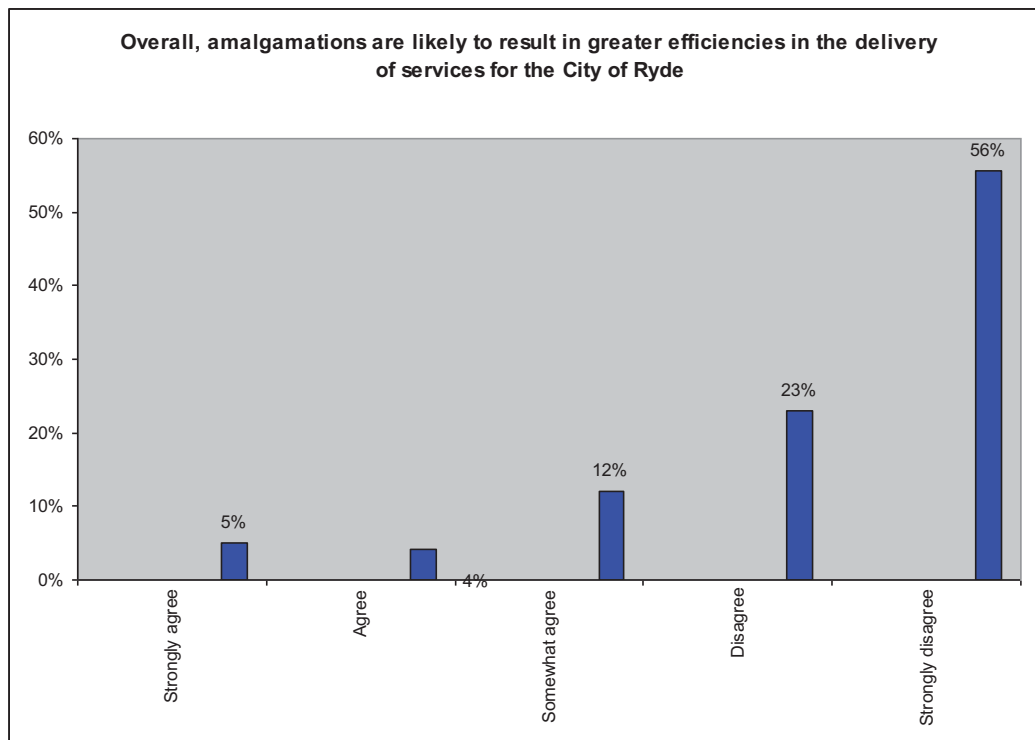
We strongly encourage the Panel to consider alternate models of consolidation that have been demonstrated to reap the benefits required to ensure an efficient and sustainable local government sector.

*Much of the work of a local council requires them to prioritise activities that best suit the needs and the unique character of the particular community in a local government area. My greatest fear is that all the activities that are considered essential to people in Ryde may be disregarded if we are part of a more generic/amalgamated government area.*

Our community has also voiced concern that amalgamations will not result in greater efficiencies in service delivery for the City of Ryde as shown in the survey results from the Community Consultation meeting in the graph below.

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With regard to the Industrial Relations position presented by the Panel, the City of Ryde recommends the following changes with regard to provisions in General Manager and Senior staff contracts to support shared service opportunities identified by the Panel and Destination 2036. It is noted that these recommended changes were identified by the Local Government Managers Association working group into shared services.

- The standard contract should be changed to enable multiple employing entities to be able to employ a General Manager or senior staff member with supporting guidelines to assist in facilitating this arrangement.
- Amend s348(3)(b) of the Local Government Act to include an exception when advertising senior staff positions to enable Councils to determine whether they advertise externally when absorbing senior staff roles through inter-Council staffing arrangements.
- Amend s351 of the Local Government Act to allow temporary appointments for a period of 24 months for the purposes of trialling a new position relating to inter-Council shared services or resource arrangements.

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*Ryde Council is in good shape (well it seems to be). Services in Ryde appear excellent.*

*We have nothing in common with the proposed Councils Ryde would amalgamate with.*

*I doubt the reasoning that a bigger council would provide better or more economic services!*

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*Specific Comments – Key Proposals and Options*

- Introduce a requirement for regular 'best value' service reviews

The City of Ryde has a current rolling program of best value service reviews and supports this proposal. However, there would be a requirement to establish an appropriate standard that would apply for Best Value service reviews.

- Develop a consistent data collection and performance measurement system for NSW councils, and strengthen internal and performance audit processes.

The City of Ryde supports a consistent data collection and performance measurements system. However, we recommend that this be a streamlined process that does not require the duplication of reports as is currently required. There is no reason why NSW Councils could not establish a customer satisfaction index that is benchmarked on an annual basis.

In addition, the City of Ryde recommends that the Division of Local Government act as the coordinating body for much of local government reporting. The Division would require adequate resources for this and suitable accountability measures for the Division would be vital. It is important for the Division to facilitate and establish the standard and provide support to Councils in reaching the required standard.

The City of Ryde has a robust internal audit process. Without further information it is unclear as to how this should or could be strengthened.

The City of Ryde supports any performance audit process being closely linked to the Community Strategic Planning and IPR framework.

- Commission a review by IPART of the regulatory and compliance burden on NSW local government.

This is supported on the condition that the scope of any such review be to reduce the current multiple reporting requirements. Council agrees that local government must be open, accountable and efficient. However Local Government needs to be empowered by the State Government to manage its business. Any regulatory and compliance requirements must complement this goal.

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***Better Governance***

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*General Comments*

It is noted that some of these issues are identified in the Taskforce into a new Act for NSW's Discussion Paper on which the City of Ryde has provided comment.

Providing for local democracy is identified as one of the key drivers for this reform agenda. Consideration is given to two particular characteristics of local democracy, that is, the degree of democratic deficit created by Council amalgamations and the factors in determining local government boundaries.

The Queensland Local Government Regulation of 2005 stated, in part, that local government areas should be drawn in such a way as to:

- Reflect communities of interest;
- Reflect local communities;
- Have a centre, or centres, of administration that is easily accessible to its population;
- Ensure effective elected representation;
- Not divide local neighbourhoods; and
- Follow natural geographical features.

The City of Ryde believes the recommended amalgamation proposal does not reflect communities of interest. This is evidenced in the feedback collected at the Community Consultation meeting and through the phone surveys conducted.

The proposal also divides an existing local neighbourhood relationship between Ryde and Hunters Hill. There is a long history of cooperation between the two local government areas, particularly with regard to community services such as libraries. The NIEIR research supports this in many of the identified cluster groupings.

In addition, the proposal does not follow one of Sydney's most significant natural geographical features; the Parramatta River. This natural boundary not only separates Ryde from western Sydney but creates distinct communities of interest.

With regard to democratic representation, we refer the Panel to the comments of R. Kiss in *Reasserting Local Democracy* (2003) who highlighted the drop in the number of elected local representatives across Australia as a result of Council amalgamations. By way of comparison, Kiss notes that the ratio of Councillors to population in Australia far exceeds the ratio found in Europe.

The City of Ryde believes that an effective level of representation currently exists for the residents and ratepayers of Ryde and is concerned at any proposed increase to the Councillor ratio.

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There exists evidence with regard to the 'bigger is better' attitude to local government reform that the assertion that amalgamations would result in less administration and bureaucracy as well as streamlining processes is unfounded. As stated in *No Lessons Learned: A Critique of the Queensland Local Government Reform Commission – Final Report*:

*. . . in the public administration literature a wealth of evidence exists that larger bureaucracies are less effective since (a) longer administrative hierarchies inhibit the efficacious transformation of policy decision into policy action and (b) decision-making is further removed from situational knowledge and this is less well informed.*

Council fundamentally disputes the proposition that amalgamation is appropriate for Ryde. We do not believe the case has been put that the proposed mergers will improve efficiency. We strongly believe that the proposed merger will, for the City of Ryde, negatively impact local representation and effective democracy.

***Council would be too big to continue representing the local community or residents***

We do however, support the investigation into options relating to a County Council model. Council believes that such a mode could provide efficiencies for our community without compromising local representations.

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*Specific Comments – Key Proposals and Options*

- Mandate ongoing professional development for councillors.

This proposal is supported, however, it must be balanced with a complementary financial allowance for Councillors. If the goal is to promote professionalism and skills within the elected Council there must be financial recognition of this expectation and measures to ensure accountability.

The City of Ryde supports the Panel's position that Councillors cannot be expected to play a strong role in policy development and to effectively monitor the organisation's performance unless they are given adequate support. We do not believe that this is only the responsibility of the Mayor and General Manager and contend that the relevant provisions should support this position.

The proposed amalgamation with Parramatta, Auburn and Holroyd would result in a population of approximately 459,000. In comparison, the State members for Lane Cove, Ryde and Epping represent approximately 65,000, 70,000 and 65,000 people respectively.

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Were the proposed local government area to be represented by, for example, nine Councillors this would result in a representative ratio comparable with a Local member of the State government. The City of Ryde questions how this proposal could be considered effective local democracy for the residents of Ryde.

The geographical area represented should also be considered. The proposed amalgamated Council has an area of around 175km<sup>2</sup>. This is larger than any of the State areas of Lane Cove (33km<sup>2</sup>), Ryde (27km<sup>2</sup>), Epping (32km<sup>2</sup>) or the Federal Division of Bennelong (58km<sup>2</sup>).

The City of Ryde notes that currently being a Councillor is a voluntary role: Councillors are not employed full time to perform their civic duties and are not seeking financial reward for fulfilling their civic duties.

We support an appropriate allowance that recognises the role of Councillors and creates a structure that will assist in attracting women, young people and people from diverse backgrounds to become Councillors.

- Strengthen the authority and responsibilities of mayors and require popular election of mayors in all councils with a population of 20,000 or more.

This proposal is supported; however again, it must be balanced with a complementary remuneration structure for Mayors.

We restate our fundamental concern regarding the representative ratios put forward in the Panel's proposal. We emphatically do not believe that this is an increased level of local democracy.

- Provide additional governance options for larger councils, including a mix of ward and 'at large' councillors and 'civic cabinet' model.

It is noted that the new Act Taskforce is recommending the abolition of Wards. As a result this is a proposal that requires specific consultation and consideration.

The City of Ryde feels that the proposals for 'at large' Councillors and 'civic cabinet' models are an attempt to improve local representation fundamentally undermined by the Panel's proposed amalgamations.

The Panel expresses the importance of keeping a sense of place and community identity proposing that special efforts need to be made after an amalgamation, to support local identity such as "place management" with community committees, with ward Councillors convening local committees or forums.

The City of Ryde questions the need for these provisions given they are currently in existence. If the proposed amalgamations are taken off the table in lieu of other consolidation models such as shared services there is no need to compensate for the loss of local representation with these measures.

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*Too easy for those with the most money to get elected*

- Take steps to improve Council-Mayor-General Manager relations.

This proposal is supported for the General Manager to have a strong and professional relationship with the Mayor. The General Manager also has an obligation to maintain a similar relationship with Councillors.

The Panel considers that the Mayor should be involved alongside the General Manager in the selection process for designated senior staff, and in their performance reviews and any dismissal proceedings. It is noted that the position of the Panel is completely the opposite to the view of the Taskforce currently undertaking the review of the Local Government Act.

**ITEM 6 (continued)**

**ATTACHMENT 1**

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## ***Structural Reform***

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### *General Comments*

In *A Cautionary Tale: Council Amalgamation in Tasmania and the Deloitte Access Economics Report (2013)*, Joseph Drew, Michael A. Kortt and Brian Dollery state that;

*amalgamations seem(s) to have retained an iron grip on state government policy makers, despite not only disappointing results from amalgamation programs, but also conceptual and empirical evidence to the contrary.*

They go on to question the emphasis on structural reform at the expense of other types of reform.

As stated above, the City of Ryde is not against reform per se and encourages the Panel to move its focus on the reform of service provision by extending the County Council and shared services model. This flexibility ensures adequate local representation for the community. It also allows Councils to achieve economies of scope and scale where it is viable as agreed by each member Council and to maintain local services provision where it is not possible or viable to achieve these economies.

In *Consolidation in Local Government: A Fresh Look* by Chris Aulich, Melissa Gibbs, Alex Gooding, Peter McKinlay, Stefanie Pillora and Graham Sansom it is stated that some form of consolidation is an essential strategy to address local government's challenges and notes that:

*Equally there may be disbenefits – disruption, transition costs, weakening of local democracy, loss of local identity and employment – that need to be weighed in any strategic approach to reform.*

The City of Ryde is unconvinced that these elements have been appropriately weighed in the Panel's approach to reform. The options presented such as Local Boards simply add another layer of government and decision making that is currently serviced adequately and admirably by the City of Ryde. In essence, we feel that these measures have been put in place to remedy the loss of local representation and identity caused by the proposed amalgamations.

Allowing Metropolitan Councils to explore the County Council or shared services model meets the stated goals of the Panel to ensure financial sustainability without compromising local democracy.

Referring again to *Consolidation in Local Government: A Fresh Look* the pitfalls of amalgamations as the most appropriate form of consolidation are discussed;



**ITEM 6 (continued)**

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*. . . there is little evidence that **amalgamation** will of itself yield economies of scale greater than those achievable through other forms of consolidation, or that such economies are available across many of local government's functions by whatever means. We found few robust examples in the literature, in the case studies we examined or in the experience and knowledge of the experts with whom we spoke. Yet many in central government – and some in local government – still cling to the belief that substantial savings can and should be made.*

Dollery, Burns and Johnson in *Structural Reform in Australian Local Government* (2005) describe the dangers of amalgamation,

*In effect, amalgamation forces the combined new operations of merged councils towards shared services, with little consideration for any attendant social and local representation damage, often leaving a destructive path where organizational turmoil reigns supreme for years, thereby limiting or even negating any desired gains from amalgamation.*

The City of Ryde wishes to express its deep concerns that a program of amalgamations (voluntary or otherwise) will be a costly exercise that will divide local communities, not deliver the desired efficiencies and will be almost impossible to reverse. This is why any suggested merging of Local Governments must have the considerations of 'community of interest' central to this decision. The other critical issue is ensuring the community understands the proposal and has had a genuine opportunity to express their views and opinion.

***Local communities would be swallowed up and local government would lose their "voice".***

***Bureaucracy and 'red tape' taken to the extreme.***

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*Specific Comments – Key Proposals and Options*

- Introduce the option of Local Boards to service small communities and to ensure local identity and representation in very large urban councils.

As stated above, the City of Ryde believes that the proposal of Local Boards seeks to address a loss in appropriate local representation caused by amalgamations. As stated the City of Ryde believes the case for the benefit of amalgamations has not been made by the Panel nor is it supported by empirical data.

- Seek to reduce the number of councils in the Sydney basin to around 15, and create major new cities of Sydney, Parramatta and Liverpool, each with populations of 600,000 to 800,000

The City of Ryde emphatically does not support this proposal and again points to the lack of empirical data supporting a 'bigger is better' philosophy with regard to improved service, economies of scale or local representation.

**ITEM 6 (continued)****ATTACHMENT 1**

- Introduce a package of incentives for voluntary mergers that offers a higher level of support to 'early movers'

This proposal is of great concern to the City of Ryde. Given we do not support a merger for the City of Ryde for the reasons stated previously it is inappropriate that we be disadvantaged by our position and desire to maintain strong local representation.

In addition, the wording 'early movers' is disturbing as it suggests that amalgamations while currently identified as voluntary are intended to become otherwise.

The Panel should be focused in making fundamental changes to the Local Government funding model if it is serious in addressing Local Government's long term sustainability issues as the current model is very deficient. This requires rate pegging to be removed. The other key area for the Panel is how it proposes to address the reimbursement of Local Government for the years of cost shifting. What measures will the Panel recommend that will prevent further cost shifting to Local Government into the future.

**ITEM 6 (continued)**

**ATTACHMENT 1**

## ***Implementation***

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### *General Comments*

In *Consolidation in Local Government: A Fresh Look* when considering the de-amalgamation of Delatite it is noted that;

*The most important and probably most unsurprising conclusion is that hasty and poorly planned amalgamations that do not involve adequate consultation will result in poor outcomes and disaffected communities. This situation is exacerbated when amalgamations are pursued primarily on cost saving grounds and without regard to strategic outcomes.*

The City of Ryde is deeply concerned that there have not been appropriate levels of community engagement undertaken, nor are appropriate levels planned. It has fallen to Councils to engage and inform. The other critical issue is that the parties to the proposal must be committed and agree to work together in achieving better outcomes for their communities.

*I am not sure what the best option is at this point in time.*

*I am uncertain about whether amalgamation with any other council is the right way to go, I don't have enough information to form an opinion.*

*I would have to do more research, right now I'm uncertain.*

Council directs the Panel to the outcomes of the survey and consultation undertaken at the City of Ryde which are attached to this submission.

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### *Specific Comments – Key Proposals and Options*

- Appoint a Local Government Development Board for a maximum period of 4 years with a brief to drive and support a concerted program of reform.

City of Ryde agrees with a four year period to transition a reformed agenda for Local Government. As stated previously, the City of Ryde is not against reform per se and supports further investigation of consolidation models. We firmly believe the City of Ryde is best placed to deliver efficient and effective services to our community and would welcome the opportunity to explore shared service and County Council models.

We would support any reform agenda that provides choice for local government and their communities.

**ITEM 6 (continued)**

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We absolutely do not support an agenda of forced amalgamations or any changes to local government areas that reduce local representation and participation. As stated earlier in this submission, it is paramount for the community to be provided with a genuine opportunity to have their say.

We believe that the existing Regional Organisation of Councils has the potential to be leveraged and engaged in any local government reform agenda.

However, we echo our community's concerns that there has not been sufficient consultation regarding the Panel's recommendations. In addition, our observation of the consultation that has been undertaken is that it has been inadequate.

- Build on the new State-Local Government agreement to secure increased collaboration and joint planning between councils and State agencies.

The City of Ryde is confused by this proposal.

As stated previously, the Panel's recommendations with regard to the City of Ryde are at odds with recent planning strategies published by the State Government. We are keen to build on the proposals published by the State Government but note that in all cases they contradict the proposal put forward by the Panel. Also, the City of Ryde has experienced its local planning instruments being ignored by the State Government. ie Current Urban Activation Precincts. Unless this approach changes from the State Government, no matter what agreements may be in place, this type of action will disenfranchise and divide our community. The City of Ryde has worked extremely hard in establishing strong links with its community and Council is determined to ensure this position is protected.

- Strengthen recognition of elected local government in the NSW Constitution.

Council supports this proposal.

The City of Ryde supports a Local Government Act that empowers local government and local decision making. The Panel has a unique opportunity to remove the level of bureaucratic control and the red tape from the Act.

We support a reduction in the number of Ministerial approval processes required and, when required, a streamlining of these approval processes.

In addition, the City of Ryde recommends that the Local Government Act recognise when appropriate community consultation has taken place and that this be taken into consideration when determining where Ministerial or other external approval processes are required.

The Independent Review Panel has identified that it is desirable to have a Local Government Act that minimises prescription and provides a range of options for the way councils are structured. This is strongly supported by the City of Ryde and should be reflected in the Act.

**ITEM 6 (continued)****ATTACHMENT 1**

- Focus Local Government NSW (the new single association of councils) and the Division of Local Government on sector improvement.

The City of Ryde supports this proposal and recommends that the roles and responsibility of the Division of Local Government be clearly stated and provided for within the relevant legislation as appropriate.

At a local government level there is a feeling of “Do as we say, not as we do” with regard to State Government. There needs to be a true and genuine partnership between State and local government, with the current imbalance and inequity being addressed. For this reason, the Panel’s report should dedicate a clear focus on what changes are required at the State Government level, to facilitate a genuine partnership with Local Government.

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## 7 NEW LOCAL GOVERNMENT ACT FOR NSW DISCUSSION PAPER - DRAFT SUBMISSION

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**Report prepared by:** Manager - Customer Service and Governance  
**File No.:** COR2013/354 - BP13/702

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### REPORT SUMMARY

The Local Government Acts Taskforce has been appointed by the Minister for Local Government, The Hon Don Page to re-write the Local Government Act (1993) and review the City of Sydney Act (1988).

This review is being conducted in the context of a number of other significant reviews and especially that of the Independent Local Government Review Panel.

The release of this Discussion Paper (**ATTACHMENT 1 - CIRCULATED UNDER SEPARATE COVER**) marks the second stage of the work of the Taskforce.

The closing date for submissions is Friday, 28 June 2013. The final report will be based on the outcomes of the consultation and outcomes of other reviews including the Independent Panel, containing recommendations for a new Local Government Act, will be prepared for the consideration of the Minister for Local Government.

It is recommended that Council endorse the attached submission (**ATTACHMENT 2**), and that it be provided to the Local Government Act Taskforce.

### RECOMMENDATION:

That Council endorse the **ATTACHED** submission to be provided to the Local Government Act Taskforce.

### ATTACHMENTS

- 1 A new Local Government Act for NSW - Discussion Paper 4 April 2013 – CIRCULATED UNDER SEPARATE COVER
- 2 Submission City of Ryde - A New Local Government Act for NSW - 28 June 2013

Report Prepared By:

**Shane Sullivan**  
**Manager - Customer Service and Governance**

Report Approved By:

**Roy Newsome**  
**Group Manager - Corporate Services**

**ITEM 7 (continued)****Discussion**

The Discussion Paper (**ATTACHMENT 1 - CIRCULATED UNDER SEPARATE COVER**) explores matters that are key elements of the new Local Government Act. The Taskforce has the view that Integrated Planning and Reporting (IPR) should form the central theme for the new Act and be the primary strategic tool that supports Councils delivering services and facilities to their communities.

The Taskforce proposes that the elevating of IPR would drive the other provisions of the Act to better utilise IPR and to become streamlined and ensuring that provisions of the Act reflect the roles and responsibilities of the Council, Councillors, Mayor, General Manager and staff.

The Taskforce has asked those making submissions to indicate the initiatives they support, those they support with amendment and those they do not support. This is reflected in the draft submission (**ATTACHMENT 2**).

The draft of the City of Ryde submission was circulated to Councillors on 6 June 2013 and Councillors were asked to provide any comments by 17 June 2013.

It is now recommended that Council endorse the attached submission to be forwarded to the Taskforce by 28 June 2013.

**Financial Implications**

There are no financial implications for Council in adopting the recommendations of this report.

**ITEM 7 (continued)**

**ATTACHMENT 2**

## A new Local Government Act for NSW City of Ryde Submission

The City of Ryde provides the following submission regarding the New Local Government Act for NSW Discussion Paper.

Prior to addressing the specific questions asked in the Discussion Paper, the City of Ryde makes the following comments.

### ***Further Opportunity to comment***

It is unclear whether Council will have a further opportunity to comment on changes to the Local Government Act prior to its commencement.

Given the number of other significant reviews currently being undertaken it is strongly recommended that further consultation with Councils and stakeholders be undertaken prior to the Act's passage through Parliament.

Many elements in the Discussion Paper reference the Independent Local Government Review and note that it would be appropriate to consider possible changes in light of the outcome of that review. The City of Ryde strongly believes that this is an opportunity that must also be afforded to Councils.

Councils are being asked to comment on proposals without this critical context. We feel this is unreasonable and stress our desire for further consultation regarding the proposed changes to the Act.

### ***Recommendations of TCorp report***

The recent publication of the report into Financial Sustainability of the NSW Local Government Sector includes recommendations key to the long term future of local government. The City of Ryde strongly recommends that the Taskforce consult with TCorp to ensure any proposed legislative changes facilitate and encourage the industry to be able to act on these recommendations.

The report into the Financial Sustainability of the NSW Local Government Sector provides a unique opportunity for legislative changes to empower Councils to meet their financial goals and to ensure long term sustainability.

Specifically, the report recommends that the Division, IPART and Councils should work together to develop an achievable pricing path so that Council can achieve, at a minimum, a breakeven operating position.

It is suggested for this to occur, given the precarious financial position of the majority of Councils in NSW, that a specific review into the overall funding model for Local Government in NSW is required. This may warrant a separate and specific review.



**ITEM 7 (continued)**

**ATTACHMENT 2**

Further City of Ryde is proposing that with the intellectual knowledge that TCorp has gained from their recent review of all Local Government's financial position, that TCorp be required to provide the Task Force with the detail of their findings and recommendations they believe need to be made to the Local Government funding model and the rating provisions to provide Local Government with sufficient flexibility to address its long term financial sustainability.

Again, these elements must be considered in the drafting of a new Act and Councils must be afforded an opportunity to comment prior to its passage through Parliament.

***Rating Structure***

The City of Ryde strongly supports the removal of rate pegging from the Local Government Act. The Independent Review Panel through the TCorp report, has quantified the current financial position of NSW Local Government. Rate pegging has played a strong part in this outcome.

While Local Government can apply in the past to the Local Government Minister and now IPART, for consideration of a special rating variation application, Local Government should not have to undertake this process.

The Integrated Planning and Reporting requirements are very sound, therefore if a Council has received the support from its community on its rating structure/proposal, then this should be sufficient with no further approval required.

This amendment to the Act is critical if Councils are going to be in a position to ensure they can adopt an Operating surplus for each year of its Delivery Plan. With rate pegging remaining, this requirement will be unachievable.

As an example of the flexibility, that should be provided to Local Government in the rating system, the Taskforce is encouraged to review the Queensland legislation relating to valuations and the differential rating options provided to Councils

In the scenario that rate pegging remains, the following option is also provided. Under the present legislation Council's increase their rate in the following year by the combination of the growth in the rateable value of land and the general variation permitted by IPART. However, development which occurs during a rating year imposes costs on the community and Council which cannot be recovered under the present legislation. An example of this is where land which was the site of a single dwelling house is developed into a multiple storey residential/business strata complex. The resultant land value is an increase in Council's rateable land value which will be included in the Notional Levy used to calculate the Maximum General Income for the following year. However, the costs to the Council in the current year of the increased population, traffic, child care requirements and other demands on Council's services cannot presently be recovered in that year. However these costs should be off-set by the ability to re levy the rates on the new land value from the date of registration of the deposited plan. This ability is restricted by sections 27B and 62 of the Valuation of Land Act, 1916. A rewording of these sections to enable a council to utilise the rateable land value of developed land during the year the deposited plan

**ITEM 7 (continued)**

**ATTACHMENT 2**

was registered would provide an increase in the actual rate income in a rating year. This additional cost for those Council's experiencing growth are significant and needs to be addressed.

***Empowerment of Local Government***

The City of Ryde supports a new Local Government Act that empowers local government and local decision making.

We support amendments that reduce the number of Ministerial approval processes required and, when required, streamline these approval processes.

In addition, the City of Ryde recommends that the new Local Government Act recognise when appropriate community consultation has taken place and that this be taken into consideration when determining where Ministerial or other external approval processes are required.

The Independent Review Panel has identified that it is desirable to have a Local Government Act that minimises prescription and provides a range of options for the way Council's are structured. This is strongly supported by the City of Ryde and should be reflected in the new Act.

**ITEM 7 (continued)**

**ATTACHMENT 2**

**1. Do you support the proposed approach to the construction of the new Act and why? If not, why not?**

With regard to the key elements and general approach to the construction of the new Act identified in the Discussion Paper, Council provides the following comments:

Element	Comments
3.2.1 Integrated Planning and Reporting	<p>Council supports the integration of the IPR framework into the new Act and reference to this framework in the Role of Local Government.</p> <p>Council supports removing the duplication of reporting requirements and relevant provisions as a result of IPR.</p>
3.2.2 Community Consultation and Engagement	<p>Council is disappointed that community consultation and engagement are not included in the Purpose of the Act.</p> <p>Council supports a new Act that is less prescriptive on how and when consultation will occur. Councils are the best placed to determine appropriate consultation methods for their communities.</p> <p>Council supports a set of guiding principles for consultation and engagement that align with the IPR framework.</p> <p>However, the City of Ryde believes the Act should not rely solely on consultation conducted as part of the IPR process. It is unreasonable to expect the community to be aware of all issues and actions identified in the Delivery Plan. Emergent issues or matters of particular concern to a specific location come into play; these matters must be the subject of appropriate consultation outside the IPR framework.</p>
3.2.3 Technology	<p>The current provisions around advertising in local papers are not always efficient or effective. Councils should be able to identify and use methods appropriate to their demographic make up. Notification provisions should not be prescriptive.</p> <p>Council strongly supports the use of emerging technology particularly in the conduct of Elections, Council Meetings, community consultation, and for the making of payments.</p>

**ITEM 7 (continued)**

**ATTACHMENT 2**

**2. What proposals do you support and why.**

<b>Proposal</b>	<b>Comments</b>
3.3.6 Code of Conduct	Council notes the recent changes to the Code of Conduct provisions.
3.3.11 Capital Expenditure Framework	The proposed provision should be integrated into current planning and reporting as much of this is currently provided for under annual financial reporting and planning requirements.
3.3.12 Public Private Partnerships	PPP provisions should be more clearly articulated and the regulations associated with them clearly stated to encourage appropriate transparency and accountability. Improved Guidelines, as part of the Act, need to be provided to Local Government, that will assist all Council's through this complex process.
3.3.17 Tribunals and Commissions	The City of Ryde feels that the role of the NSW Local Government Remuneration Tribunal should be integrated into a more general Local Government Tribunal body as suggested.

**ITEM 7 (continued)**

**ATTACHMENT 2**

**3. What proposals do you think could be improved, modified and strengthened and how?**

Proposal	Comments
<p>3.1.1 Purpose of the Act</p>	<p>The current Section 7 provides for open government and community participation. The proposed draft is silent on this. The City of Ryde feels it is a vital part of the role of local government and as a consequence should be reflected in the Purpose.</p> <p>Given the importance of Purpose in statutory interpretation we consider this a vital driving force for local government and the application of legislation.</p>
<p>3.1.2 Role and Principles of Local Government</p>	<p>In practice, it was sometimes unclear as to the enforceability of the former Charter.</p> <p>While the City of Ryde generally supports the proposed Role and Principles, it is recommended that an introductory sentence be included to clarify where this Section sits with regard to statutory interpretation.</p>
<p>3.3.1 Elections</p>	<p>Council strongly supports the provision for postal voting but that it should not be the only method of voting. In addition, consideration should be given to more extensive pre-polling and absentee voting options.</p> <p>The City of Ryde supports online voting for Council elections in order to increase voter participation. If on line voting is available, it is suggested that a growing majority of the electorate would adopt this mode of voting as it would be easily accessible and not dependent on their location.</p> <p>Council does not support the abolition of the Ward system, even though all Councillors are elected to represent the whole community. Councils should have the choice that meets their area's requirements.</p> <p>Council supports the enrolment process and the maintenance of the non-residential roll being managed by the NSW Electoral Commission to ensure consistency and ease of access for the public.</p> <p>It is noted that the recommendation for half-terms for Mayors was left in the Discussion Paper in error and is not supported by the Taskforce.</p>

**ITEM 7 (continued)**

**ATTACHMENT 2**

Proposal	Comments
<p>3.3.2</p> <p>Meetings</p>	<p>Council strongly supports provisions to increase the utilisation of technology in the conduct of meetings.</p> <p>Council supports the provision of a generic Code of Meeting Practice that can be supplemented with local provisions.</p> <p>It is recommended that any generic Code of Meeting Practice include provision for public participation specifying a minimum requirement for all Councils.</p> <p>It is also recommended that the provision for expulsion of Councillors, staff or members of the public be strengthened so that the application of any expulsion can be for an extended period of time (within prescribed limits and requiring a resolution of Council)</p>
<p>3.3.3</p> <p>Appointment and Management of staff</p>	<p>Council supports the legislation articulating the role of the Council and the role of the General Manager. Council believes a strong relationship between the Mayor, Councillors and General Manager should be a key focus of the Act.</p> <p>Council strongly supports the removal of a requirement for a Public Officer noting that this often results in a duplication of roles when conforming to other requirements such as the Public Interest Disclosures Act and the NSW Ombudsman's Complaint Management Guidelines.</p> <p>Council supports consistency in the identification of, and contracts for, designated Senior Staff.</p> <p>Council also supports the recommendations made by the LGMA Working Group with the following changes relating to provisions in both the General Manager and Senior staff contracts to support shared service opportunities identified by the Independent Review Panel and Destination 2036.</p> <ul style="list-style-type: none"> <li>- The standard contract should be changed to enable multiple employing entities to be able to employ a General Manager or senior staff member with supporting guidelines to assist in facilitating this arrangement</li> <li>- Amend s348(3)(b) to include an exception when advertising senior staff positions to enable Councils to determine whether they advertise externally when absorbing senior staff roles through inter-Council staffing arrangements</li> </ul>

**ITEM 7 (continued)**

**ATTACHMENT 2**

Proposal	Comments
	<p>- Amend s351 to allow temporary appointments for a period of 24 months for the purposes of trialling a new position relating to inter-Council shared services or resource arrangements</p>
<p>3.3.7 Pecuniary Interest</p>	<p>Council supports clearer explanation of the Pecuniary Interest provisions and the use of available technology to facilitate the declaration of interest process for Councillors and staff.</p> <p>Council recommends that the Act provide a clearer definition of designated persons noting that this is currently applied inconsistently across NSW Councils.</p> <p>Council recommends that the penalties for non-disclosure be strengthened and that determinations of the Pecuniary Interest Tribunal be referenced as case law to assist with interpretation of the provisions.</p>
<p>3.3.8 Delegations</p>	<p>Council supports the revision of the provisions of Section 377.</p> <p>The delegation restriction on Section 356 (donations and grants) should be reviewed to include either a threshold or a mechanism for the General Manager to make a determination within limitations and in accordance with Council's strategic direction. In practice, there are sometimes requests for small grants which fall within Council's Community Strategic Plan but due to the timing of the request and Council's Meeting cycle can not be met.</p> <p>It is recommended that the provisions of Section 377 be written more clearly to facilitate compliance</p>
<p>3.3.9 Financial Management</p>	<p><u>Local Government Funding Model</u></p> <p>The City of Ryde believes there is a need to review the Local Government Funding model as the current model has many deficiencies. This deficiency has again been highlighted by the findings of TCorp and the Financial Sustainability Ratings (FSR) that they have allocated the majority of NSW Local Government. The financial position of Local Government will not be solved by just a few changes to the rating provisions, noting that this will help. Deficiencies in the current model of Local Government's ability to have access to a growth tax, is non-existent. Local Government does not receive any GST income as this is retained by State Government. Local Government requires a mechanism to have the ability to capture the many</p>

**ITEM 7 (continued)**

**ATTACHMENT 2**

Proposal	Comments
	<p>transient users of its facilities and infrastructure on a daily basis. As suggested earlier this broader review of Local Government Funding is required that may be a separate review.</p> <p><u>Rating</u></p> <p>Also, Council believes the rating system for Local Government requires comprehensive review to empower Councils to increase rates where they have gained community support. The current model is a definite improvement through IPART, but why should Local Government have so many controls and constraints placed upon it.</p> <p>Therefore, all opportunities for Councils to explore increasing their income base should be encouraged and as a result the legislation must be balanced between risk management and prescriptive reporting required.</p> <p>As detailed earlier, rate pegging should be removed as NSW Local Government should not be the only State in Australia with this impediment. Given the financial position of Local Government as documented by TCorp, the Independent Review Panel is recommending a variation of 3% above the rate peg amount to those Councils that meet the IP&amp;R criteria. This is not sufficient nor sustainable. The Review Panel together with the Task Force, should be strongly recommending the removal of rate pegging that then allows each Council to determine their rating level/strategy with their respective communities. The goal of removing Operating deficits can then be a realistic objective.</p> <p>Other areas that should be considered are;</p> <ul style="list-style-type: none"> <li>- With the removal of rate pegging, move to Improved Capital Value, that will then allow higher valued properties to be rated accordingly.</li> <li>- Review the Queensland rating legislation to provide flexibility in rating solutions for each Local Government</li> </ul> <p><u>Access to Restricted Funds</u></p> <p>In addition, in accordance with the TCorp recommendations there should be a review of the system and guidelines for accessing restricted funds. Councils should be freed from the requirements to hold substantial funds in reserve for specific purposes to enable them to meet current asset renewal and maintenance requirements. Further given TCorp's understanding and knowledge of the financial position of NSW Local Government, TCorp should be requested to provide advice and recommendations on where and to what extent</p>



**ITEM 7 (continued)**

**ATTACHMENT 2**

Proposal	Comments
	<p>legislative changes should be made to provide opportunities for Local Government to be more sustainable.</p> <p><u>Inter-Governmental Agreement</u></p> <p>Other areas that the Task Force should consider for incorporation into the Act are the requirements relating to the Inter Governmental Agreement, in providing a level of statutory certainty that Local Government is required to be appropriately compensated for undertaking certain services and functions on behalf of other levels of Government. There have been many examples and studies undertaken of the various cost shifting that has occurred over the years that has contributed to Local Government's financial position.</p> <p><u>Statutory Fees</u></p> <p>Another area that should be considered is the removal of statutory fees being imposed on Local Government to charge when there has been no regard for each Council's actual cost.</p> <p><u>State Government Increases</u></p> <p>Finally, there needs to be a provision in the Local Government Act that protects Councils from being imposed with unreasonable and significant State Government increases. At a time when Local Government is under financial pressure to maintain services at reasonable prices to ensure access and equity principles are maintained, substantial increases from compulsory State Government contributions have a significant impact on Local Government's ability to maintain and deliver its many services and facilities. This is in addition to finding the funds to maintain its infrastructure.</p>
<p>3.3.10 Procurement</p>	<p>Council supports the tendering threshold taking into consideration factors beyond the dollar amount to include risk and life of contract.</p> <p>The City of Ryde believes that the tendering thresholds should be relative to the size of the Council and scaled accordingly.</p> <p>The City of Ryde believes the Act should clearly identify whether thresholds are inclusive or exclusive of GST to ensure consistency, accountability and ease of compliance.</p> <p>The new Act must facilitate collaborative procurement arrangements. The current process is cumbersome and can create obstacles to Councils working together to achieve efficient and economic outcomes.</p>

**ITEM 7 (continued)**

**ATTACHMENT 2**

<b>Proposal</b>	<b>Comments</b>
3.3.13 Acquisition of Land	<p>The legislation needs to provide Council the ability to acquire land that is not necessarily identified in the Delivery Plan. Councils need to be able to respond appropriately to emerging issues.</p>
3.3.14 Classification of Public Land	<p>Council should be able to purchase land for the purposes of investment noting that the legislation should provide appropriate checks and balances regarding this provision.</p> <p>The ability for Council to redetermine the proposed use of land should be provided and streamlined.</p> <p>Council feels that the wording of 'reasonable protection for public land use and disposal' is too open ended and ambiguous and needs clarification.</p> <p>Council believes that the Act should not remain silent regarding leasing of public land and should specify a time threshold.</p>
3.3.15 Approvals, Orders and Enforcement	<p>Council believes the proposed provision with regard to ensuring the Act provides guidance on regulatory principles is too prescriptive. It is noted that this would result in a significant amount of State management of Councils which is not required or appropriate.</p>

**ITEM 7 (continued)**

**ATTACHMENT 2**

**4. What proposals do not have your support and why**

Proposal	Comments
<p>3.3.4</p> <p>Formation and Involvement in Corporations and Other Entities</p>	<p>As stated previously, Council is concerned at the deferral of consideration of elements of the new Act. It is vital that Councils be provided the opportunity to comment fully on proposed changes.</p> <p>The City of Ryde believes that Councils should be empowered to form and be involved in other entities.</p> <p>The Discussion Paper states that it is unclear why the requirement to obtain Ministerial consent poses an obstacle noting that very few applications are made each year. Council notes that it is highly likely that it is this very obstacle that has resulted in a small number of applications.</p> <p>The ability to form and be involved in other entities is one avenue Councils should be encouraged to investigate in order to provide more efficient and effective services to the community. The new legislation should reflect and encourage this.</p> <p>Council recommends that the Taskforce amend s358 of the Act to allow for more flexibility for Councils to establish or participate in an entity for the purposes of sharing staff through inter-Council contractual arrangements.</p>
<p>3.3.16</p> <p>Water Management</p>	<p>As stated previously, Council is concerned at the deferral of consideration of elements of the new Act. It is vital that Councils be provided the opportunity to comment fully on proposed changes.</p>
<p>3.3.18</p> <p>Performance of Local Government</p>	<p>As stated previously, Council is concerned at the deferral of consideration of elements of the new Act. It is vital that Councils be provided the opportunity to comment fully on proposed changes.</p> <p>Council remains concerned on the accuracy and consistency of the comparability of the information included in the Comparative Performance publications. It is unclear how some Councils calculate the information. The same is true of some annual reporting requirements such as FTE staff (budget provision or number employed).</p>

**ITEM 7 (continued)**

**ATTACHMENT 2**

Proposal	Comments
	<p>Council also feels that there is currently a significant duplication of reporting requirements to various agencies and that this should be streamlined through the Division of Local Government into an integrated report (eg: Public Interest Disclosures, comparative data, GIPA reporting).</p>

**5. Do you have any alternative proposals for the new Local Government Act that you think the Taskforce should consider? What are they and what is the reason for supporting your proposal(s)?**

*Councillors – Remuneration and Training*

Council believes that in order to support elected representatives in the effective conduct of their civic duties that they should be appropriately remunerated.

Council also believes Councillors should be provided with appropriate formal training to assist in the performance of their roles (unless prior learning can be demonstrated with an appropriate qualification).

*Role of the Division of Local Government*

Council believes that the Division of Local Government should have a stronger role with particular regard to their powers to act in a timely manner.

In addition, Council believes that the Act should prescribe the role of the Division of Local Government and specify timeframes and accountabilities similar to those placed on Local Government.

As stated above, Council also believes the Division of Local Government should be the single coordinating authority for many current annual reporting requirements for Councils.

*Local Government Funding Model-*

As detailed in this submission, a broader review of the adequacy of the current Local Government funding model is required. There have been previous studies and no outcome or change has occurred. Given the TCorp findings, this is the appropriate opportunity for the Task Force to consider and recommend changes to the Local Government Act or at the very least, recommend a separate review into the Funding model.

*Rating Structure and advice from TCorp*

Given the current provisions of the Act, the City of Ryde has proposed a change to the rating provisions in this submission that would clearly assist Local Government's rate revenue levels, for those Council's experiencing significant growth. Further changes including the removal of rate pegging should be proposed by the Task Force, given the findings of TCorp.

The recent TCorp report found that Councils' deteriorating financial performance has been occurring for some time and this has led to a gradual weakening of the local government sector. TCorp concluded that these factors, if not corrected, will lead to

**ITEM 7 (continued)****ATTACHMENT 2**

further deteriorating their financial strength and ultimately a lower quality of assets and hence services that can be delivered by the sector.

One of the report's recommendations was that future increases in all rates and annual charges for Council services should be based on the underlying costs of delivering these services and the annual movement in the cost of these services.

As a result, it is vital that the new Act gives adequate provision for Councils to have the flexibility to enact this recommendation.

The City of Ryde recommends that the Taskforce engage with TCorp to understand their recommendations with regard to local government sustainability and how these recommendations can be appropriately reflected in any legislative changes.

As detailed in this submission, the City of Ryde is strongly recommending that the Task Force require TCorp to provide it with its specific findings and recommendations on how the Act should be amended to provide reasonable opportunities for Local Government to adequately address its financial position. Allowing 3% above the rating cap for many Councils will not provide sufficient funding and therefore increases in rates is not the total answer to resolving this issue. A broader review of Local Government funding is urgently required.

## ITEM 7 (continued)

## ATTACHMENT 2

### 6. Any other comments

#### *3.1.4 Roles and Responsibilities*

It is noted that consideration of this is to be deferred pending the Independent Review of Local Government. It is also noted that the Taskforce identified that it is vital to clearly define the different roles and responsibilities of Councils, the Mayor, Councillors and the General Manager.

For this reason, we again state that it is important that Councils receive further opportunity to comment on the new Act. As the Taskforce identified, this a vital element of the Act. As a consequence, it is vital that Councils have the opportunity to comment on any proposed changes.

#### *Emergency Powers to respond*

The City of Ryde supports a new Local Government Act that clearly articulates a Council's power and delegation to respond and act in the case of local emergencies.

In addition, the Act should provide adequate protections for actions taken in good faith under these emergency provisions.

#### *Headings*

As the NSW Acts Interpretation Act does not permit the use of headings in considering extrinsic materials for interpretation it is recommended that care be taken in drafting to ensure any meaning added by a heading is appropriately incorporated into the relevant section wording.

#### *Definition – Signed*

Council recommends that the new Act provide for the use of electronic signatures where appropriate. Currently a significant number of forms and applications require a signature and this restricts Council's ability to use technology efficiently.

For example, there is currently a requirement that Council Meeting Minutes be signed and this should provide for an electronic approval process rather than a manual signature.

Consideration should also be given to the requirements for archiving Agendas and Minutes to reflect increased use of technology.

#### *Registers*

There are currently a number of registers a Council is required to maintain.

These requirements must reflect current available technology. In particular, it should be clearly stated that registers can be maintained in a electronic document management system or similar.

In addition, there is some overlap in information required to be maintained in registers. This should be reviewed in light of the IPR requirements.

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**8 BOAT TRAILER WORKING GROUP DISCUSSION REPORT AND OPTIONS PAPER - DRAFT SUBMISSION**

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**Report prepared by:** Team Leader - Business Administration  
**File No.:** GRP/09/6/6 - BP13/864

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**REPORT SUMMARY**

Transport for NSW is seeking comment on the recommendations made in the Boat Trailer Working Group Discussion Report and Options Paper. The recommendations are in response to the concerns raised by Councils and the community about boat trailers being left in residential streets near major waterways for extended periods of time. A submission for the City of Ryde has been prepared by Council staff. A copy of this submission is attached.

The Boat Trailer Working Group Discussion Report and Options Paper are open for comment until 28 June 2013.

**RECOMMENDATION:**

- (a) That Council endorse the submission attached.
- (b) That Council approve for a copy of the submission be forwarded to Transport for NSW.

**ATTACHMENTS**

- 1 Submission to Transport NSW

Report Prepared By:

**Claudia Micallef**  
**Team Leader - Business Administration**

Report Approved By:

**Leon Marskell**  
**Manager - Regulatory Services**

**Dominic Johnson**  
**Group Manager - Environment & Planning**

## ITEM 8 (continued)

### Background

Councils and the community have raised concerns with Transport for NSW regarding the safety and amenity issues caused by the long-term parking of boat trailers in the residential streets around major waterways. In response, Transport for NSW established the Boat Trailer Working Group to investigate possible solutions, including a review of the existing legislative powers available to Councils.

Having undertaken a Boat trailer survey and a Legislative analysis the working group has released a Group Discussion Report and Options Paper. The paper provides two recommendations aimed at improving Council's regulatory capacity by providing greater delegated authority to Councils and modifying existing legislation:

1. *That Roads and Maritime Services grant delegation to Councils under Section 12 of the Road Transport (Vehicle Registration) Act 1997 to issue penalty notices under Section 18 of the Act which states that a person must not use an unregistered registrable vehicle on a road or on a road related area.*
2. *The NSW Government considers modifying the Impounding Act 1993 such that "unattended" is defined as, "A vehicle which has been left unmoved in a public place for a period greater than three months. A vehicle may be considered unattended regardless of whether the vehicle is registered or otherwise", or similar wording as appropriate.*

### Current Legislation

- Under the *Road Transport (Vehicle Registration) Act 1997*, Council Officers are not authorised to enforce vehicle registrations laws, only RMS and the NSW Police have this authority.
- Under the *Impounding Act 1993* Councils can only engage the process of vehicle removal if the vehicle is unregistered. This legislation does allow the impoundment/removal of a registered vehicle but the act does not define what constitutes an "unattended vehicle" for the purposes of vehicle removal.
- Under Section 200 of the *Road Rules 2008* Council can currently issue infringements to vehicles over 7.5 meters in length, or with a gross vehicle mass (GVM) of 4.5 tonnes or more that stop in a road in a built up area for longer than one hour.
- Under the *Road Transport (Vehicle Registration) Act 1997*, the definition of a "registrable vehicle" includes any trailer, which includes a boat trailer.



**ITEM 8 (continued)**Effect of Proposed Changes to Legislation

- If the *Road Transport (Vehicle Registration) Act 1997* were to change as per the recommendation, Council Rangers would be able to issue infringements for unregistered or un-roadworthy vehicles.
- If the *Impounding Act 1993* were to change as per the recommendation, the definition of an “unattended” vehicle would be clearer, allowing more effective impounding/removal of registered vehicles.

It is noted that the proposed changes will apply to all registrable or unattended vehicles, not just boat trailers.

While Council acknowledges that the proposed changes would somewhat improve Council’s capacity to regulate unregistered and unattended vehicles, we suggest further improvements to ensure regulation can be more efficient and timely. Council’s submission requests:

- That in addition to the proposed changes to the *Road Transport (Vehicle Registration) Act 1997*, further procedural additions be made to ensure reasonable efforts to identify and contact vehicle owners are made before an infringement is issued in relation to an unregistered registrable vehicle parked on a road or road related area.
- That in addition to clarifying the definition of “unattended”, the Impounding Act be modified to ensure a vehicle cannot simply be moved a nominal distance to avoid being considered “unattended”.
- That the period of 3 months be reduced to 14 days to ensure unattended and abandoned vehicles can be processed in a timely manner, in line with community expectations.

**Financial Implications**

Endorsement of the recommendation will have no financial impact.

**Options**

- 1) That Council endorse the submission in its current form for submission to Transport for NSW
- 2) That Council request amendments to the draft prior to its submission to Transport for NSW.

**ITEM 8 (continued)**

**ATTACHMENT 1**

Mr Howard Glenn  
General Manager  
Office of Boating Safety and Maritime Affairs  
PO Box K659  
HAYMARKET NSW 1240

13 June 2013

TRIM Ref: D13/47438

Dear Mr Glenn,

**Discussion Report and Options Paper on Boat Trailers**

The City of Ryde is pleased to provide this submission on the Boat Trailer Working Group (BTWG) Discussion Report and Opinion Paper in reference to the invitation by Transport for NSW dated 23 May 2013.

Comments are provided below in reference to the two recommendations proposed in the BTWG Paper:

Recommendation 1 - Delegation of Councils to issue penalty notices for unregistered vehicles

Council supports this change with the following suggestion.

A section should be added to the Road Transport (Vehicle Registration) Act modelled on Section 16 of the Impound Act 1993. This section should set out the procedures for issuing infringements for all unregistered vehicles.

The section should ensure that reasonable enquiries to identify the name and address of owner are made prior to the issuing of an infringement in relation to an unregistered registrable vehicle parked on a road or road related area. The section should also ensure that when identified, an owner be given 14 days to move the vehicle prior to the issuing of an infringement notice.

**ITEM 8 (continued)**

**ATTACHMENT 1**

Recommendation 2 - Modifying the Impounding Act 1993 definition of "unattended"

Council supports this change with the following suggestions.

A further amendment should be made to the definition to ensure vehicles cannot be moved a nominal distance to avoid being considered "unattended". For example, a "moved" vehicle could be defined as "a vehicle moved outside a five kilometre radius from its original noted position".

One of the main issues for customers regarding unregistered vehicles is that they are not being removed off the street fast enough. The City of Ryde considers a three month period to be too long, and suggests 14 days would be sufficient.

The City of Ryde is in agreement with the Department of Local Government and notes that extensive consultation is required to determine the effects on all stakeholders before any changes to the legislation are made.

On behalf of the City of Ryde I would like to thank you for the opportunity to make comments on the Discussion Report and Options Paper on Boat Trailers. For any further enquiries please contact Claudia Micallef, Team Leader Business Administration, Rangers and Parking Services on 02 9952 8294.

Yours sincerely,

Dominic Johnson  
Group Manager, Environment and Planning  
City of Ryde Council

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**9 CITY OF RYDE - DRAFT RESPONSE TO THE HIGH SPEED RAIL STUDY - PHASE 2 REPORT**

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**Report prepared by:** Senior Sustainability Coordinator, Transport and Environment  
**File No.:** COR2006/672 - BP13/876

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**REPORT SUMMARY**

This report provides a draft response to the Australian Government High Speed Rail Study – Phase 2 Report where the Minister has invited online feedback until 30 June 2013.

An executive summary and the key findings of the Phase 2 Report are **ATTACHED**.

The online feedback form has a series of chapter related questions linked to the Phase 2 Report and the City of Ryde's response is structured around the online form and is based on providing feedback more specifically on issues affecting the Ryde Local Government Area. A summary memorandum dated 13 June 2013 and titled 'Response to High Speed Rail Study – Phase 2 Report' is also **ATTACHED**.

Endorsement is sought to complete and submit the feedback online in line with the issues raised in the attached the memorandum dated 13 June 2013.

**RECOMMENDATION:**

That Council endorses the submission dated 13 June 2013 titled 'Response to the High Speed Rail Study – Phase 2 Report' for on-line submission before the due date of 30 June 2013.

**ATTACHMENTS**

- 1 Executive Summary and Key Findings\_High Speed Rail Study\_Phase 2 Report - CIRCULATED UNDER SEPARATE COVER
- 2 Draft High Speed Rail Study Phase 2 Report Submission dated 13 June 2013 - draft watermark inserted

Report Prepared By:

**Jenai Davies**  
**Senior Sustainability Coordinator, Transport and Environment**

Report Approved By:

**Sam Cappelli**  
**Manager The Environment**

**Dominic Johnson**  
**Group Manager - Environment & Planning**

**ITEM 9 (continued)****Discussion**

In August 2010, the Australian Government committed to a strategic study on the implementation of high speed rail (HSR) on the east coast of Australia between Brisbane-Sydney-Canberra-Melbourne. The Phase 1 report was launched in August 2011 and identified corridors and station locations and potential patronage, as well as providing an indicative estimate of the cost to build the HSR network.

The Phase 2 report (500 pages plus appendices, plus maps) was released in April 2013 and built on the work of Phase 1, but was considerably deeper in objectives and scope, and refined many of the Phase 1 estimates; particularly the demand and cost estimates. The Executive Summary and Key Findings (CIRCULATED UNDER SEPARATE COVER) provide a good synopsis of the whole report.

Councillors wishing to view the whole report can access it through the Board Vantage portal.

The preferred alignment includes 4 capital cities stations, 4 city-peripheral stations (including northern and southern Sydney peripheral stations), and stations at the Gold Coast, Casino, Grafton, Coffs Harbour, Port Macquarie, Taree, Newcastle, the Central Coast, Southern Highlands, Wagga Wagga, Albury-Wodonga and Shepparton.

Various options for Sydney were considered in the study. These included Stations at:

- Central Station Precinct as the preferred location for a City Centre station in Sydney
- Eveleigh Precinct
- Homebush and surround precinct (including Olympic Park, Homebush West and Strathfield Station locations with Olympic Park identified as the preferred option within the Homebush precinct)
- Parramatta City Centre precinct

Three potential alignments for access to Sydney from the north were considered including:

- The North Shore line
- The Northern line combined with the Carlingford line
- The Western line

The study identified the preferred alignment to access Sydney from the north as a route travelling in tunnel, generally following the Northern line towards Homebush, then eastwards in tunnel generally following the Western line.

**ITEM 9 (continued)**

For the northern Sydney station, various peripheral station locations were considered including:

- Hornsby
- Asquith
- Macquarie Park (although analysis of this option was limited and only discussed briefly in the report appendices)

The study identified Hornsby as the preferred northern peripheral station location for Sydney.

The study also analysed a range of options and identified Holsworthy as the preferred southern peripheral station location for Sydney.

The study also considered various alternatives for a potential second City Centre Station at Olympic Park (with this analysis limited to the report appendices). The study analysed the following combination of station configurations and recommended that Central Station with northern and southern peripheral stations was the preferred option.

- Central Station + Olympic Park, no peripheral stations
- Central Station + Olympic Park with northern and southern peripheral stations
- Central Station, with northern and southern peripheral stations

For Ryde effective linkage of the High Speed Rail network with Macquarie Park is considered of paramount importance. The location of the Sydney North peripheral station and a potential second Sydney Station should allow effective connection with Macquarie Park and should consider future employment and population growth. With 2 urban activation precincts identified at North Ryde Station and in the Herring Road precinct, growth projections indicate employment numbers will double to 80,000 by 2031, making Macquarie Park the 4th largest business centre in NSW.

Given the strategic importance that Macquarie Park brings as the northern anchor of the global economic arc of NSW and its recognition as a specialized employment centre under the Draft Metropolitan Strategy, Sydney 2031, it is felt there are good economic grounds why further analysis should be undertaken to consider the potential for a peripheral station to be sited at Macquarie Park or a second City Centre station be located at Olympic Park with enhanced transport connections to Macquarie Park.

As the analysis in Appendix 3A regarding the potential for a viable peripheral station at Macquarie Park provided insufficient evidence of the economic appraisal and cost benefit analysis methodology used it will be recommended in this submission that the Phase 2 Report should undertake further analysis of the potential for a peripheral station at Macquarie Park.

The study implementation plan includes a public consultation phase for Stage 3 (Newcastle to Sydney) to be undertaken from 2019 to mid 2022.

**ITEM 9 (continued)**

The Australian Government has committed to consulting with local councils along the preferred route with community groups, Regional Development Australia committees and industry organisation. However the specific consultation approach to be used with local councils and communities is still to be developed.

It is important that when the City of Ryde is consulted that the City's position regarding the importance of linkages to Macquarie Park from the high speed rail network is clearly articulated together with matters relating to how the preferred corridor will be secured, the proposed public/private Governance Model, how will the community/council be engaged and that the mechanism are intended for acquisition clearly understood. It will be recommended in this submission that the City of Ryde be consulted on these issues.

The high speed rail system has been designed with the capacity to accommodate fast commuter rail services between the capital cities and their nearer regional centres (such as the Central Coast and Newcastle in NSW) with commuter services probably being operated by third parties. However, it appears that the economic opportunity resulting from providing commuter services has not been effectively analysed as user benefits and externalities from commuter travel were not analysed in the cost benefit analysis described in Appendix 5B and Chapter 8 of the report.

Potential State Commuter Services are discussed as part of the organisational model discussed in *Chapter 10.3.4* which includes "if desired, a regime for the states to run fast commuter services on those train paths not required for HSR inter-capital express and regional services" and in *Section 11.4* which mentions a separate commuter concession to the North and South of Sydney. However, it is unclear from this report whether the State Government has committed to running commuter services to the north and south of Sydney as part of the High Speed Rail project.

It will be recommended in this submission that the NSW Government commit to running commuter services to the north and south of Sydney as part of the High Speed Rail project together with provision of a subsidy if required to support this.

Overall it is expected that HSR would play an effective role in meeting future travel demand by providing an alternative mode of transport that would be attractive for people to use. It would substantially improve accessibility for the regional centres it served and provide opportunity for regional development.

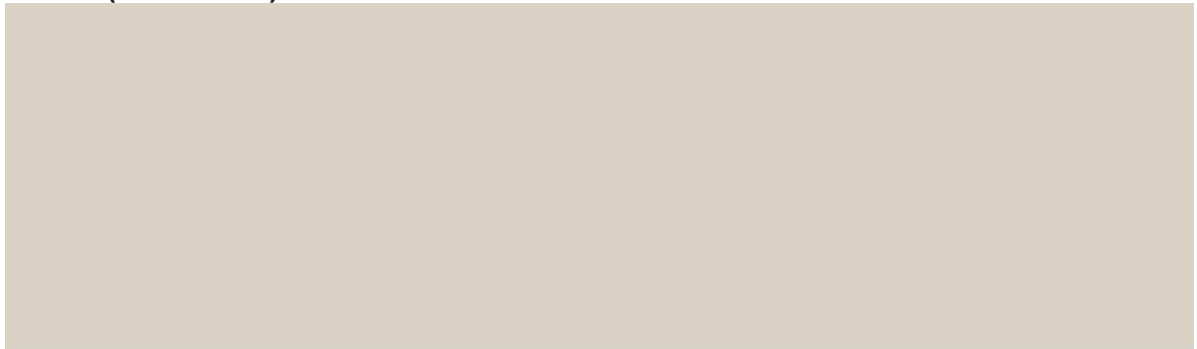
The Council submission will serve to build on this and integrate the importance of serving the residents and workers of Ryde, particularly those located in Macquarie Park, into the solution.

**Financial Implications**

Adoption of the recommendation will have no direct financial impact.

**ITEM 9 (continued)**

**ATTACHMENT 2**



Response to the  
**High Speed Rail Study Phase 2  
report**

City of Ryde

13 June 2013



## ITEM 9 (continued)

## ATTACHMENT 2

## City of Ryde Support for High Speed Rail Study

The City of Ryde would like to congratulate the Department of Infrastructure and Transport on the High Speed Rail Study Phase 2 Report.

Overall the City of Ryde is very supportive of the High Speed Rail study, particularly because of the benefits which this will provide for the people of North Western Sydney.

### Alignment and station locations

#### General comments

Whilst the City of Ryde is supportive of the high speed rail project in general and the provision of any high speed rail station which serves the people of North Western Sydney (such as the northern Sydney peripheral station proposed at Hornsby) we also seek further analysis regarding other options for alignments and station locations

#### Olympic Park

Ryde notes that *Appendix 3A Chapter 7.2.7* (which assesses various options for a second Sydney Station at Homebush/Olympic Park) appears to have an error in *Table 9* with the calculation of change in net user benefit for Option 3 (Central Station with peripheral station). This error would result in Option 3 actually having a marginally lower change in net user benefit than Option 1 (Central Station and Olympic Park with no peripheral stations).

To Ryde's analysis this shows Option 3 was incorrectly shown as having the highest net benefit when Option 1 would actually have the highest net benefit. We also ask that a summary of the analysis undertaken in *Appendix 3A* for assessment of a second Sydney station at Homebush/Olympic Park be included in *Chapter 4*.

**Recommendation 1:** The City of Ryde strongly supports the inclusion of a station at Olympic Park as a second City Centre station given its proximity to key City of Ryde centres including Macquarie Park. In this regard, the City of Ryde believes revisiting the net user benefit calculations in *Appendix 3A* will demonstrate a higher net benefit in this regard.

#### Macquarie Park

The City of Ryde would also like to ask that further analysis be undertaken of the potential for a peripheral station at Macquarie Park. We feel that further analysis is justified given Macquarie Park's role as the northern anchor of the global economic arc and its recognition as a specialised employment centre under the Metropolitan Strategy, Sydney 2031. With two urban activation precincts identified at North Ryde Station and in the Herring Road precinct, growth projections indicate employment numbers will double to 80,000 by 2031, making Macquarie Park the fourth largest business centre in NSW.

The City of Ryde notes that in *Appendix 3A Chapter 7.2.9 (pg 66)* "A peripheral station location at Macquarie Park was tested to ascertain the difference in user benefits between Hornsby and a location closer to Sydney CBD. A station at Macquarie Park would increase user benefits by \$400 million (less than two per cent increase) compared to the Hornsby peripheral station.

The infrastructure costs of extending the HSR alignment to Macquarie Park plus the cost of a station would exceed this benefit." However, the City of Ryde seeks further detail regarding the Economic Appraisal and Cost Benefit Analysis undertaken for this potential location (in combination with a range of other options for Olympic Park as discussed in *Chapter 7.2.7*). In addition, a summary of the analysis undertaken in *Appendix 3A* for a peripheral station at Macquarie Park should be included in *Chapter 4* together with an analysis of transport and other constraints.

**ITEM 9 (continued)**

**ATTACHMENT 2**



**Recommendation 2:** The City of Ryde requests that further analysis be undertaken of the potential for a peripheral station at Macquarie Park and that the summary of the analysis undertaken in Appendix 3A for a peripheral station at Macquarie Park be included in Chapter 4 together with an analysis of transport and other constraints.

**Recommendation 3:** The City of Ryde seeks further detail regarding the Economic Appraisal and Cost Benefit Analysis undertaken for Macquarie Park as a potential location (in combination with a range of other options for Olympic Park as discussed in *Chapter 7.2.7*).

**Consideration of the full combination of alternative alignments and station locations from Hornsby through to Holsworthy**

Accepting that the Central Station precinct is the preferred City Centre Station site in Sydney and that Holsworthy is the preferred southern peripheral station, it is important that the full combination of alternative alignments and station locations from Hornsby through to Holsworthy (as discussed in *Appendix 3A*) be summarized in *Chapter 4* to enable separate consideration of the costs/benefits and issues relevant to each option as a package including:

- Central Station + Olympic Park, no peripheral stations (including all alignment options)
- Central Station + Olympic Park with peripheral stations at Holsworthy and Macquarie Park (including all alignment options)
- Central Station + Olympic Park with peripheral stations at Holsworthy and Hornsby (including all alignment options)
- Central Station, with peripheral stations at Hornsby and Holsworthy (including all alignment options)
- Central Station, with peripheral stations at Macquarie Park and Holsworthy (including all alignment options).

Without further analysis (regarding cost/benefits and transport/other constraints) it is difficult for the City of Ryde to suggest its preferred option from the combinations listed above. However the City of Ryde would be supportive of the option which links most effectively with Macquarie Park and other key centres of the City of Ryde, via existing or planned public transport connections with minimal congestion impacts and which most effectively considers future land use considerations and constraints for relevant station locations.

**Recommendation 4:** The City of Ryde requests that the full combination of alternative alignments and station locations from Hornsby through to Holsworthy (as discussed in *Appendix 3A*) be summarized in *Chapter 4* to enable separate consideration of the costs/benefits and issues relevant to each of the options. Specifically, the City of Ryde will support any option or package of options that most effectively link and connect with Macquarie Park and other key centres of Ryde.

**Commuter Travel**

The City of Ryde also notes that, as per the Executive Summary, "If built, the system would also have the capacity to accommodate fast commuter rail services between the capital cities and their nearer regional centres (such as the Central Coast and Newcastle in NSW), many of which currently have relatively slow, if any, services.

Commuter services would probably be operated by third parties. They have been allowed for in the physical planning but they would not positively contribute to the financial performance of HSR, nor would they be the source of any significant incremental economic benefit in the cost-benefit analysis of HSR. Commuter demand was therefore excluded from the economic and financial appraisals."

The City of Ryde notes that, as per *Section 1.2.1*, "potential demand for high speed commuter services was investigated in two corridors – Newcastle- Sydney and Brisbane-Gold Coast. Newcastle- Central Coast- Sydney is likely to be the biggest commuter market on the HSR network. Under fare assumptions consistent with conventional commuter services (i.e. with subsidies), there would be a demand for these services.



**ITEM 9 (continued)**

**ATTACHMENT 2**



However, these services would not contribute to the financial performance of HSR, nor would they be the source of any significant incremental economic benefit in the cost-benefit analysis of HSR. Commuter demand was therefore excluded from the demand forecasts in *Chapter 2* and the financial and economic appraisals in Chapters 7 and 8, although it was allowed for in the capacity planning."

The City of Ryde feels that there is insufficient evidence to support the statement in *Section 1.2.1* and the *Executive Summary* that commuter services would not "be the source of any significant incremental economic benefit in the cost-benefit analysis of HSR" given that user benefits and externalities from commuter travel were not analysed in the cost benefit analysis described in *Appendix 5B and Chapter 8*.

It is also unclear whether the preferred Australian model for HSR passenger train operations outlined in *Section 11.4* includes a separate publicly run commuter concession to the North and South of Sydney and from this report whether the State Government has committed to running commuter services to the north and south of Sydney as part of the High Speed Rail project.

**Recommendation 5:** Contrary to *Section 1.2.1* and the *Executive Summary*, the City of Ryde believes that commuter travel should be considered fully as part of the economic and financial appraisal of this study.

**Recommendation 6:** The City of Ryde seeks further clarification on the potential State Commuter Services proposed as part of the HSRDMA organisational model discussed in *Chapter 10.3.4* which may include "if desired, a regime for the states to run fast commuter services on those train paths not required for HSR inter-capital express and regional services."

**Recommendation 7:** The City of Ryde requests that the NSW Government be required to commit to running commuter services to the north and south of Sydney as part of the High Speed Rail project and to commit to a subsidy if required to support this.

**Consideration of future employment and population growth**

We note that the report does refer to the Metropolitan Plan for Sydney 2036 and does consider future employment and population growth at potential City Centre Station locations as well as urban renewal opportunities.

However, the Report fails to consider and reference the Draft Metropolitan Strategy for Sydney to 2031. This would enable future employment and population growth and renewal opportunities to be more explicitly referenced and considered when assessing Sydney Northern peripheral station options (including Hornsby and Macquarie Park).

**Recommendation 8:** The City of Ryde requests that the HSR Phase 2 Report consider the implications of the Draft Metropolitan Strategy particularly when assessing Sydney Northern peripheral station options (including Hornsby and Macquarie Park).

**Corridor reservation and acquisition- community and council engagement processes**

The City of Ryde notes that the study implementation plan includes a public consultation phase for Stage 3 (Newcastle to Sydney) to be undertaken from 2019 to mid 2022. The City of Ryde notes that the specific methods proposed for corridor reservation and acquisition and council/community engagement are still to be developed.

**Recommendation 9:** The City of Ryde be closely consulted during the future phases of the HSR project, particularly with relation to issues around corridor protection, land acquisition, the proposed public/private Governance Model.



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**10 VOLUNTARY PLANNING AGREEMENT OFFER - 1-3 WHARF ROAD, GLADESVILLE.**

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**Report prepared by:** Team Leader - Building and Development Advisory Service  
**File No.:** GRP/09/3/10 - BP13/886

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**REPORT SUMMARY**

Council is in receipt of Local Development Application LDA2012/417, for 1-3 Wharf Road, Gladesville for the construction of a 7 storey mixed use building containing 57 units, commercial / retail tenancies on the ground floor and basement car parking.

The development application includes both private land as well as public (road reserve) the latter being owned by the City of Ryde.

The Wharf Road reserve is subject to a "Put and Call" option between the owners of 1 -3 Wharf and Council. The option agreement includes the purchase of the northern end (closed) end of Wharf Road and footpath.

The proposal also includes public domain works comprising the provision of a publicly accessible plaza in private ownership at the northern end of Wharf Road and a new public laneway at the rear of the site connecting Meriton Street with Wharf Road.

As the capital investment value is over \$5 million and the development involves Council owned lands, the Development Application will need to be determined by the Joint Regional Planning Panel and further subject to independent planning assessment with a report submitted to and determined by the Joint Regional Planning Panel (JRPP) (Meeting date to be determined).

As part of the proposal, the proponents are seeking to enter into a Voluntary Planning Agreement (VPA) with Council. The VPA forms a contractual agreement between Council and the Developer. The purpose of this report is for Council to determine whether it will endorse the VPA should the application be approved by the Joint Regional Planning Panel (JRPP). The VPA offers public benefit.

It is recommended that Council determine whether the proposed offer is acceptable and if supported, endorse the Voluntary Planning Offer.

**RECOMMENDATION:**

- (a) That if the Joint Regional Planning Panel resolves to approve Local Development Application 2012/0417 at 1-3 Wharf Road, Gladesville then Council give 'in principle' support to the Voluntary Planning Agreement made by Windesea Build Pty Ltd & Xcel Pty Ltd dated 29 May 2013 with the removal of the contingency component and a corresponding increase in the monetary component to achieve close proximity to the 20% threshold in excess of s94 contributions.

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- (b) That the above be communicated to the Joint Regional Planning Panel at the time of determination of the application, and
- (c) That the Group Manager, Environment and Planning be delegated to finalise the Voluntary Planning Agreement with Windesea Build Pty Ltd & Xcel Pty Ltd in accordance with the submitted Voluntary Planning Agreement and the applicable legal requirements under the *Environmental Planning and Assessment Act 1979*.

**ATTACHMENTS**

- 1 VPA document including plans and applicant's quantity surveying report - CIRCULATED UNDER SEPARATE COVER
- 2 Indicative layout plan - CIRCULATED UNDER SEPARATE COVER
- 3 Consultant's quantity surveying report prepared for COR - CIRCULATED UNDER SEPARATE COVER

Report Prepared By:

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**Team Leader - Building and Development Advisory Service**

Report Approved By:

**Dominic Johnson**  
**Group Manager - Environment & Planning**

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**2. Site (Refer to map.)**



**3. Councillor Representations**

Nil.

**4. Political Donations or Gifts**

Any political donations or gifts disclosed? No.

**5. Background**

Council at its meeting of 10 May 2011 resolved to enter into a non-binding Memorandum of Understanding MOU as well as a Deed of Put and Call option for the conditional sale of land described as land depicted in the Road Closure Plan attached to the Deed, being areas adjacent to 1-3 Wharf Road, Gladesville. The Deed further includes the conditional sale of land at 136 – 140 Victoria Road and 2-10 Wharf Road, Gladesville which is not the subject of this application.

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A previous application, LDA 2011/0622, associated with the same private and public land, proposed construction of an 8 storey mixed use development containing retail/commercial floor space at ground floor level; 68 residential apartments; and parking for 119 cars over three and a half basement levels. Works to partially establish the publicly accessible plaza and other public domain works were also proposed.

The DA was subject to an independent assessment report to the Sydney East JRPP meeting of 2 May 2012, which recommended refusal of the application. The applicant withdrew the application immediately prior to the JRPP considering the assessment report.

Prior to the lodgement of the current Development Application, the proponent submitted a concept development proposal together with a preliminary draft VPA which were considered by Council's VPA panel on 8 August 2012. The proposal was also subject to an Urban Design Review Panel (UDRP) and pre-lodgement meeting on 16 August 2012. The UDRP and Council officers provided both pre-lodgement and VPA Panel advice to the applicant in writing, raising numerous issues of concerns including building height, setbacks, FSR, poor residential amenity, vehicular access and parking as well as other more minor issues. Further details and information were sought.

The draft VPA offer was considered unsatisfactory on the grounds of inadequate building setbacks, costing and design. Further information was also required in regards to the design of the plaza, public art, landscaping, street furniture and refurbishment of the heritage clock tower. The draft VPA also fell short of the expected 20% in excess of the calculated S94 contribution applicable to the development. The proponent was advised of these issues and further advised that if they wished to proceed with the VPA in lieu of S94 contributions a cash contribution would be required in addition to any public benefit.

Following these initial meetings proponent undertook to make progressive changes to both the draft VPA and concept development proposal in an effort to address the various issues raised. The Development Application and VPA were lodged on 5 November 2012.

As the capital investment value is over \$5 million and the development involves Council owned lands, the Development Application will need to be determined by the Joint Regional Planning Panel and further subject to independent planning assessment with a report submitted to and determined by the Joint Regional Planning Panel (JRPP) (Meeting date to be determined).

The VPA Panel reviewed the draft VPA offer submitted with the development application on 3 December 2012. The Panel found the VPA unacceptable and requested it to be redrafted to address a number of issues detailed in a letter sent to the applicant on 17 December 2012. The issues included further details of the public

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benefit, general costing, refurbishment of the clock tower, public signage as well as revised calculations of s94 contributions.

In response the applicant submitted an amended 2<sup>nd</sup> draft VPA together with supporting documentation on 9 January 2013, which was further placed on public exhibition for 28 days in accordance with the relevant provisions of the Environmental & Planning & Assessment Act with period ending 20 February 2013. No submissions and/or objections were received to the VPA as a result of the public exhibition.

The VPA Panel further met on 13 February 2013 to consider the revised VPA and found that although the VPA now addressed a majority of issues raised previously, it contained certain aspects that were not acceptable and further additional information and clarification was required, details of which were provided to the applicant via letter on 21 February 2013. These included the following:

- a structural report to confirm the “latent” condition of the clock tower
- A (mini) Conservation Management Plan (CMP) required for clock tower
- Written agreement from owners of 2-8 Wharf Road agreeing to the VPA and sharing the costs as well as providing details as to how works will be delivered, the timing, responsibilities and future upkeep of the plaza.
- provision of 2 additional planter boxes with trees within the plaza
- rejection of VPA project related contingency for the delivery of the plaza, for the amount of \$56,378
- rejection of the costing for traffic management and road closure for the amount \$30,000. (These were both rejected on the grounds that they are considered as ordinary and incidental in undertaking the redevelopment of the site).

An independent quantity surveyor was further engaged by Council to check and review the costing as provided with the VPA.

The proponent further responded to the letter and submitted a revised 3<sup>rd</sup> draft VPA together with supporting documentation on 28 February 2013. This revised draft now contained a cash contribution of \$65,000, being half of a total \$130,000 being shared by the proponents of 2-8 Wharf Road for the refurbishment of the clock tower in lieu of carrying out the works. The proponent further provided an argument justifying retention of project contingency and traffic management costing forming part of the VPA.

The applicant further made reference to a draft Implementation Deed submitted to Council which provides details on the timing, delivery and ongoing upkeep and maintenance of both the plaza and public laneway. The draft Implementation Deed together with a Memorandum of Understanding (MOU) and a Put and Call option for the sale of the land are the subject of a **separate report** as prepared by Council's General Counsel to be considered by Council at this same meeting which will provide an update on the current status and validity of these documents.



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The 3<sup>rd</sup> draft VPA was further considered by the VPA panel on 18 March 2013. The panel again rejected the proponent's arguments justifying the inclusion of the project contingency and traffic management costing as part of the VPA. Further the \$65,000 cash contribution (half of a total \$130,000 being shared by the proponents of 2-8 Wharf Road) was considered inadequate given the uncertainties surrounding the scoping of works that would need to be carried out by Council to refurbish the Clock Tower. A cash contribution of \$85,000 (total \$170,000) was considered more appropriate to cover such works.

The costing as provided with the VPA was further reviewed by Council's independent QS, which revealed a major difference between the two estimates, with developer's cost totalling \$1,464,873 as compared to the independent QS estimate of costs, totalling \$976,239, being a difference of \$488,634 which indicated that the VPA offer as grossly overvalued.

The applicant was advised of these issues via letter dated 18 April 2013 and it was further requested that a meeting be arranged between both Quantity Surveyors to review and identify any inconsistencies and discrepancies that may have occurred so that a final costing could be verified for the VPA.

Subsequent to Council's letter, the applicant further revised the QS costing and submitted a revised version for the meeting arranged with both QSs which took place on 22 May at the Council's Ryde Panning and Business Centre. As a result of the meeting, the revised estimates have reduced the difference between the two costing from the previous amount of \$488,634 to \$79,575.

Following this meeting, the applicant has submitted a further revised VPA document been the 4<sup>th</sup> draft VPA on the 29 May 2013 together with an updated QS Report and Section 94 contribution calculation with an increased cash contribution of \$95,000 to refurbish the Clock Tower (originally \$65,000). The revised draft VPA is considered to now achieve a level of public benefit that warrants Council's consideration and is the subject of this report.

The applicant on 4 June 2013 has further submitted revised architectural drawings together with a revised schedule of apartments. These respond to concerns and issues raised by Council's planning consultant undertaking independent assessment of the application and further the Urban Design Review Panel and a briefing of the JRPP.

The changes alter the layout of the apartments increasing apartment numbers from 57 to 62 and further alter the apartment mix to 49 x 1 bedroom and 13 x 2 bedroom (these changes are reflected in the current draft VPA). Other changes are also proposed, these are currently undergoing further independent planning assessment with a report to be submitted to the JRPP. The assessment report will be made available to Councillors at the same time that it is provided to the JRPP with a meeting date yet to be scheduled.

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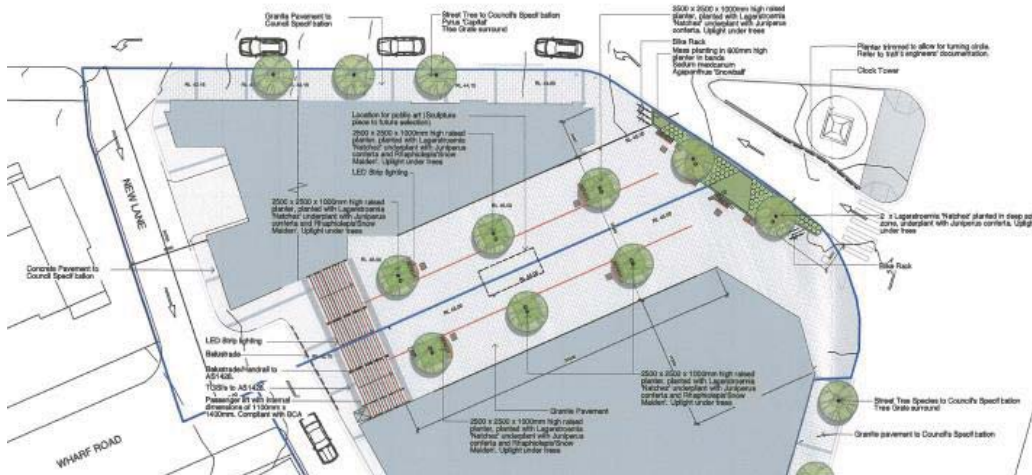
**Report**

Council has received Local Development Application LDA2012/417, at 1-3 Wharf Road, Gladesville. The development proposes the following works:

- Construction of 7 storey mixed residential and retail building
- A total of 57 apartments, consisting of 33 x 1 bedroom apartments, 24 x 2 bedroom apartments and 2 retail premises on the ground floor.
- Parking is proposed for 81 vehicles in 3 basement levels.
- Public domain works including the provisions a publicly accessible plaza in private ownership (works to deliver the plaza shared with an adjacent development site 2-8 Wharf Road) on the northern end of Wharf Road and a new laneway connecting Meriton Street with Wharf Road.

This original proposal has been recently amended changing the layout of the apartments, increasing the numbers from 57 to 62 and altering the apartment mix to 49 x 1 bedroom and 13 x 2 bedroom. These changes are reflected in the current draft VPA which is the subject of this report.

The application includes both private land and public land (road reserve) the latter being owned by Council. The “site area” area is 1330m<sup>2</sup>, comprised of 1-3 Wharf Road (623m<sup>2</sup> approx) and Wharf Road reserve (707m<sup>2</sup>).



The Wharf Road reserve is subject to a non-binding Memorandum of Understanding MOU as well as a Deed of Put and Call option for the conditional sale of land which Council resolved to enter into at its meeting of 10 May 2011. The Deed further includes the conditional sale of land at 136 – 140 Victoria Road and 2-10 Wharf Road, Gladesville which is not the subject of this application.

The MOU, the Deed of Put and Call option for the sale of the land together with a draft Implementation Deed recently submitted to Council which provides the details on the timing, delivery and ongoing upkeep and maintenance of both the plaza and public laneway are the subject of a **separate report** as prepared by Council's

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General Counsel to be considered by Council at this same meeting which will provide an update on the current status and validity of these documents.

A Voluntary Planning Agreement has been submitted as part of the development application. A VPA is a contractual agreement between Council and a developer under which public benefit for a public purpose is delivered as part of a Development Application. As the Development Application is to be determined by the JRPP and the VPA is a contractual agreement between Council and the Developer, Council must determine whether the VPA is supported.

The JRPP will be notified of Council's resolution regarding the VPA prior to its determination of the Development application

**Independent assessment of the Development Application**

As the development involves Council owned lands, the application is subject to an independent planning assessment. In this regard Stewart McDonald consultant town planner from SJB Planning P/L has been engaged to complete an independent planning assessment of the DA and submit a report for determination by the Joint Regional Planning Panel (JRPP). The assessment report will be made available to Councillors at the same time that it is provided to the JRPP with a meeting date yet to be scheduled.

Council's consultant town planner has carried out a preliminary assessment of the DA against the Ryde LEP 2010 & DLEP 2011, the design principles contained in State Environmental Planning Policy No 65 (SEPP 65); Some of the key "rules of thumb" contained in the NSW Residential Flat Design Code (RFDC); and the Ryde Development Control Plan 2010. Further the application has been the subject of a briefing to the Sydney East Joint Regional Planning Panel (JRPP), who is the consent authority.

This initial assessment together with the briefing of the JRPP and the Council's pre-lodgement comments has revealed several major non compliances and issues of concerns with the proposal which have been detailed in a letter to the applicant dated the 13 March 2013.

The issues can be categorised under four broad headings:

- inclusion of land classified as "public road";
- external impacts arising from non-compliance with the relevant planning controls;
- internal amenity of the residential units and other design matters arising from non-compliance with the relevant planning controls; and
- design of the Wharf Road plaza.

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The main issues raised as part of this independent assessment that are relevant for the consideration of the VPA are as follows:

- The majority of the development “site” is land that is classified as public road under the NSW Roads Act 1993, being sections of Wharf Road and Meriton Street. Until such time as the public road is formally closed and declassified a consent authority is unable to consent to any development within or upon the public road. The JRPP has indicated that, even if generally supportive of any DA that included the public road area, it would be unwilling to consider granting any form of deferred commencement consent pending declassification, given the uncertainty and likely length of time surrounding the road closure process.
- the proposal departs significantly from some of the applicable planning controls, and in particular is greater in height, storeys, footprint and general building envelope. The range of unacceptable external impacts include :
  - Reduction in the area and quality of the public domain. This arises from an increased footprint and envelope of the building, over and above that provided for in the Ryde DCP 2010 (see diagram below). The expanded footprint and envelope encroaches into the areas surrounding the building that are nominated as public domain, or at least publicly accessible unbuilt upon areas, in the DCP.
  - The public domain area as required under the Ryde DCP 2010 (see diagram below) includes a 15m metre wide plaza in the current Wharf Road reservation. The 15m width is clear of any intrusion below or above ground. The development encroaches into the 15m wide plaza, to the extent that all 6 levels above the ground floor uniformly encroach by a minimum of 2m. The basement levels extend all the way below the plaza.
  - The new lane at the rear of the site connecting Meriton Street and Wharf Road, required under the Ryde DCP 2010, and which will be dedicated as a public road, is required to have an unimpeded reservation width of 8m. The development meets this requirement at ground level, however above ground level, it uniformly encroaches into the reservation by 2m (width of 6m to the southern face of the building).
  - The development also extends into the existing Meriton Street road reserve, increasing the footprint of the building and reducing the extent of the public domain indicated in the Ryde DCP 2010.

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**Ryde DCP 2010 (Part4.6) Gladesville Town Centre and Victoria Road Corridor (DCP) controls - Key Site Diagram**



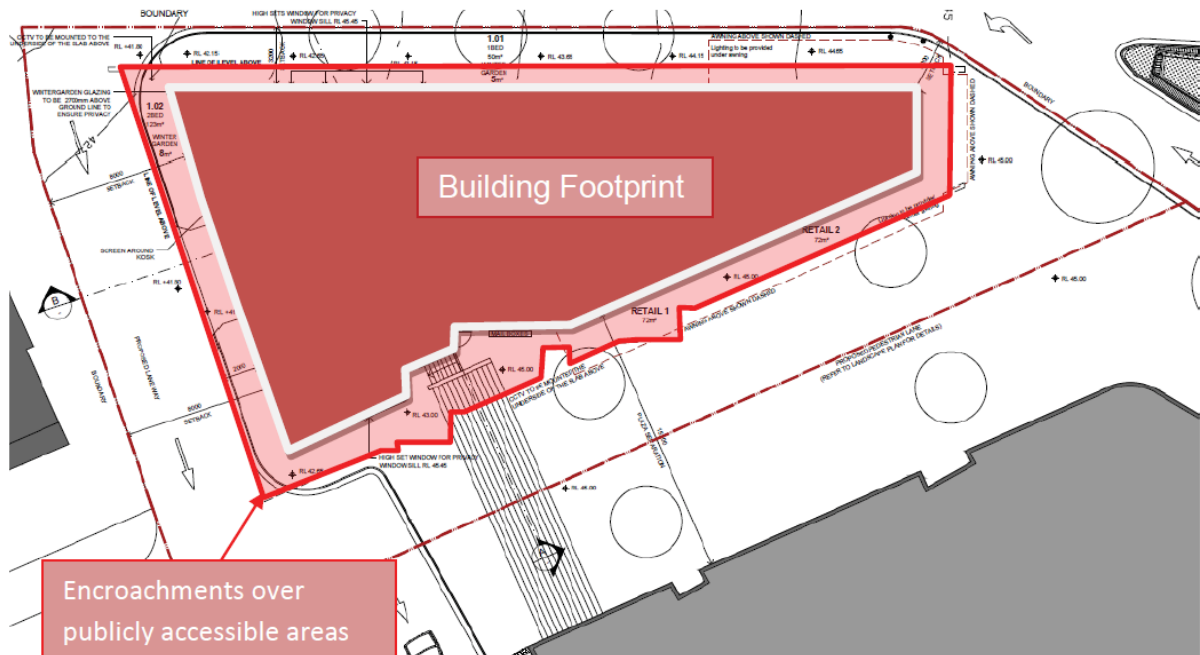
In response to Council's letter and the issues raised by the consultant in the preliminary assessment of the application, the applicant submitted further revised architectural drawings together with a revised schedule of apartments and other supporting documentation and information on 4 June 2013. These changes are currently undergoing further independent assessment with a final report to be submitted to the JRPP. The assessment report will be made available to Councillors at the same time that it is provided to the JRPP with a meeting date yet to be scheduled.

It should be noted, however, that as part of these latest amendments, no changes have been made to the expanded footprint and envelope of the development which encroaches above ground level into the areas surrounding the building nominated as public domain, including the new public lane and the publicly accessible unbuilt upon area of the plaza.

In this regard the proponent has continuously argued in meetings with Council officers that to comply with these requirements of the DCP would render the development economically unviable as a reduced footprint would not yield the number of apartments to appropriately finance the development, including the purchase of Council's land. These encroachments however reduce the area and quality of the public domain and compromise the total public benefit that will be delivered as part of the VPA.

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The figure below shows in red the areas of encroachment over the areas of publicly accessible space. These areas include the plaza over Wharf Road, footpath along Meriton St and the footpath along the new lane.



## Summary of VPA Offer

Matters proposed by the proponent to be delivered as part of the VPA are as follows:

- Provision of a publicly accessible plaza in private ownership to the northern (closed) end of Wharf Road with a land area is approx. 923m<sup>2</sup>. The works will include :
  - Public domain works which includes granite paving
  - Planters & landscaping/trees
  - Footpaths
  - Public area lighting
  - Drainage systems
  - Street furniture & bicycle racks
  - Public signage
  - Pedestrian safety balustrade
  - Chair lift
- Provision of a new public laneway (slip lane) at the rear of the premises connecting Meriton street to Wharf Road. This land, which is 140m<sup>2</sup> in area is to be dedicated to Council as a stratum lot. The works include construction of the lane, footpath, drainage system, lighting and landscaping.

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- A monetary contribution of \$95,000.00 been half of a total \$190,000 being shared by the proponents of 2-8 Wharf Road for the proposed refurbishment of the clock tower which is identified as a significant landmark and listed as Heritage under Ryde LEP 2011
- Exclusion of the provision of section 94.

A plan identifying the extent of the proposed works to be included as part of the VPA forms part of the attachments (CIRCULATED UNDER SEPARATE COVER) for this report.

The above works are to be carried out at the developer's expense and completed prior to any occupation certificate, following the granting of development consent to the development application. The VPA will be registered on the title of the subject property, ensuring that if the property is sold any future purchasers will be required to adhere to the VPA. Given that the JRPP will be determining the application, this matter will be dealt with by the JRPP at time of determination.

**Consultation**

The development application and draft VPA was notified and advertised between the period of 14 November and 12 December 2012. During this period 54 letters of objections were received to the proposed development, 44 of which are in the form of various "form" letters raising the same issues. These objections relate to the development proposal, however a majority raise objection to:

- Council's sale of Wharf Road and the road closure,
- the notion of a privately owned public plaza and how this will be delivered, managed and maintained in the future,
- Adverse traffic and amenity impacts by the creation of new slip lane connecting Meriton Street to Wharf road.

As mentioned previously, these issues are the subject of a separate report as prepared by Council's General Counsel to be considered by Council at this same meeting which will provide an update on the current status and validity of the MOU, the Deed of Put and Call option for the sale of the land together with a draft Implementation Deed.

132 letters of support to the development were also received with all but a few also in the form of brief "form" letters

A revised 2<sup>nd</sup> draft VPA was further advertised for 28 days between the period of 23 January and 20 February 2013. During this period no submissions were received.

## ITEM 10 (continued)

These submissions and objections will further be addressed as part the independent planning assessment with a report to be submitted for determination by the Joint Regional Planning Panel (JRPP). The assessment report will be made available to Councillors at the same time that it is provided to the JRPP with a meeting date yet to be scheduled.

### Consideration of the Voluntary Planning Agreement

The Section 93F of the *Environmental Planning and Assessment Act 1979* details various matters that must be addressed by a VPA.

It should be noted that the VPA satisfies all requirements of Section 93F and that the VPA has identified that substantial public benefit is being provided.

A detailed consideration of Section 93F is provided below.

Environmental Planning and Assessment Act 1979 Clause 93F		
Clause 93F	Proposal	Complies?
<p>(1) A planning agreement is a voluntary agreement or other arrangement under this Division between a planning authority (or 2 or more planning authorities) and a person (the <b>developer</b>):</p> <p>(a) who has sought a change to an environmental planning instrument, or</p> <p>(b) who has made, or proposes to make, a development application, or</p> <p>(c) who has entered into an agreement with, or is otherwise associated with, a person to whom paragraph (a) or (b) applies,</p> <p>under which the developer is required to dedicate land free of cost, pay a monetary contribution, or provide any other material public benefit, or any combination of them, to be used for or applied towards a public purpose.</p>	<p>The proponents are seeking to provide:</p> <ul style="list-style-type: none"> <li>– Provision of a publicly accessible plaza to the northern (closed) end of Wharf Road with a land area 923m<sup>2</sup>. The works include :               <ul style="list-style-type: none"> <li>○ Public domain works which includes granite paving</li> <li>○ Planters/ landscaping/trees</li> <li>○ Footpaths</li> <li>○ Public area lighting</li> <li>○ Drainage systems</li> <li>○ Street furniture &amp; bicycle racks</li> <li>○ Public signage</li> <li>○ Pedestrian safety balustrade</li> <li>○ Chair lift</li> </ul> </li> <li>– Provision of a new public slip lane at the rear of the premises connecting Meriton street to Wharf Road. This land which is 140m<sup>2</sup> in area is to be dedicated to Council as a stratum lot</li> <li>– A monetary contribution of \$95,000.00 for the proposed refurbishment of the clock tower which commemorates the work and service of Alderman James Y Sheridan and is identified as a significant landmark and listed as Heritage item no 224 under Ryde LEP 2011</li> <li>– Exclusion of the provision of section 94.</li> </ul>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>



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<b>Environmental Planning and Assessment Act 1979 Clause 93F</b>		
<b>Clause 93F</b>	<b>Proposal</b>	<b>Complies?</b>
	The provisions of the above constitute land dedication and material public benefit which shall be used and applied towards a public purpose.	
<i>(2) A public purpose includes (without limitation) any of the following:</i>		
<i>(a) the provision of (or the recoupment of the cost of providing) public amenities or public services,</i>	All matters included within the VPA constitute public amenity, with the exclusion of the undefined cash contribution.	Yes
<i>(b) the provision of (or the recoupment of the cost of providing) affordable housing,</i>	No affordable housing is provided.	N/A
<i>(c) the provision of (or the recoupment of the cost of providing) transport or other infrastructure relating to land,</i>	No transport or other infrastructure provided	N/A
<i>(d) the funding of recurrent expenditure relating to the provision of public amenities or public services, affordable housing or transport or other infrastructure,</i>	The VPA includes a total of \$95,000 cash contribution for the proposed refurbishment of the heritage listed clock tower	Yes
<i>(e) the monitoring of the planning impacts of development,</i>	No monitoring of planning impacts is provided.	N/A
<i>(f) the conservation or enhancement of the natural environment.</i>	No conservation or enhancement of the natural environment is provided.	N/A
<i>(3) A planning agreement must provide for the following:</i>		
<i>(a) a description of the land to which the agreement applies,</i>	It is considered that the VPA adequately satisfies the requirement of this part.	Yes
<i>(b) a description of:</i> <i>(i) the change to the environmental planning instrument to which the agreement applies, or</i> <i>(ii) the development to which the agreement applies,</i>		
<i>(c) the nature and extent of the provision to be made by the developer under the agreement, the time or times by which the provision is to be made and the manner by which the provision is to be made,</i>		

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<b>Environmental Planning and Assessment Act 1979 Clause 93F</b>		
<b>Clause 93F</b>	<b>Proposal</b>	<b>Complies?</b>
<p><i>(d) in the case of development, whether the agreement excludes (wholly or in part) or does not exclude the application of section 94, 94A or 94EF to the development,</i></p> <p><i>(e) if the agreement does not exclude the application of section 94 to the development, whether benefits under the agreement are or are not to be taken into consideration in determining a development contribution under section 94,</i></p> <p><i>(f) a mechanism for the resolution of disputes under the agreement,</i></p> <p><i>(g) the enforcement of the agreement by a suitable means, such as the provision of a bond or guarantee, in the event of a breach of the agreement by the developer.</i></p>		
<p><i>(3A) A planning agreement cannot exclude the application of section 94 or 94A in respect of development unless the consent authority for the development or the Minister is a party to the agreement.</i></p>	<p>The VPA does not exclude the operation of Section 94 on the proposed development.</p>	<p>N/A</p>
<p><i>(5A) A planning authority, other than the Minister, is not to enter into a planning agreement excluding the application of section 94EF without the approval of:</i></p> <p><i>(a) the Minister, or</i></p> <p><i>(b) a development corporation designated by the Minister to give approvals under this subsection.</i></p>	<p>Section 94EF does not apply to the proposal.</p>	<p>N/A</p>
<p><i>(6) If a planning agreement excludes benefits under a planning agreement from being taken into consideration under section 94 in its application to development, section 94 (6) does not apply to any such benefit.</i></p>	<p>The VPA does not seek the exclusion of Section 94.</p>	<p>N/A</p>
<p><i>(7) Any Minister, public authority or other person approved by the Minister is entitled to be an additional party to a planning agreement and to receive a benefit under the agreement on behalf of the State.</i></p>	<p>No additional parties are proposed.</p>	<p>N/A</p>

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<b>Environmental Planning and Assessment Act 1979 Clause 93F</b>		
<b>Clause 93F</b>	<b>Proposal</b>	<b>Complies?</b>
<i>(8) A council is not precluded from entering into a joint planning agreement with another council or other planning authority merely because it applies to any land not within, or any purposes not related to, the area of the council.</i>	No joint planning agreement with another council or planning authority is proposed.	N/A
<i>(9) A planning agreement cannot impose an obligation on a planning authority:  (a) to grant development consent, or  (b) to exercise any function under this Act in relation to a change to an environmental planning instrument.</i>	The planning agreement does not impose an obligation to grant development consent or change an environmental planning instrument.  Whilst the VPA forms part of the Development Application, support of the VPA does not grant approval to the Development Application.	Yes
<i>(10) A planning agreement is void to the extent, if any, to which it requires or allows anything to be done that, when done, would breach this section or any other provision of this Act, or would breach the provisions of an environmental planning instrument or a development consent applying to the relevant land.</i>	The works proposed under the VPA are to be subject to further consideration by the JRPP and will be determined as part of the application.  Subject to careful consideration of the proposed works by JRPP and standard conditions of consent, it is unlikely that the matters to be dealt with under the VPA will breach to <i>Environmental Planning and Assessment Act 1979</i> , applicable environmental planning instruments or development consent applying to the subject site.	Yes

As identified above, it can be seen that the proposed Voluntary Planning Agreement satisfies the principles underlying the use of planning agreements and fulfils several categories of works that Council will consider as part of a VPA. Notwithstanding the above, further consideration of the Voluntary Planning Agreement and the public interest and benefit is detailed below.

The merits of the Voluntary Planning Agreement were discussed in detail during several meetings of an internal Panel chaired by Council's General Counsel.

It was considered that the proposal provided substantial public benefit and was in the public interest due to scope of matters to be provided by the proponents. The table below summarizes the matter proposed and the public benefit delivered.

<b>Matter proposed</b>	<b>Public Benefit</b>
Construction works for the provision of a publicly accessible plaza to the northern end of Wharf Road including public domain works upgrades, granite paving Planters/ landscaping/trees, footpaths, public area lighting, drainage systems,	The delivery of the public plaza will rejuvenate and activate this section of the Gladesville town centre and will provide for a civic gateway as well as improved streetscape and public amenity The plaza is a requirement under the key site diagram as part Development Control Plan 2010 and will provide a

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Matter proposed	Public Benefit
street furniture & bicycle racks, public signage, pedestrian safety balustrade, chair lift <b>Total area of 923.39m<sup>2</sup></b>	significant public benefit and a much improved Gladesville town centre
Land dedication for the provision of a new slip lane at the rear of the premises connecting Meriton street to Wharf Road The developer will further construct the slip lane including public domain works, new kerb, road sub-base and surfacing, line marking, footpath, street signage, stormwater drainage, tree planting, granite paving and public lighting. <b>Total area of 137.18m<sup>2</sup></b>	The provision of the new slip lane is also a requirement under the key site diagram as part of DCP 2010 and will provide for improved through traffic from Victoria Road to Meriton Street and Wharf Road, together with improved access and carriageway to the development. This will provide a significant public benefit.
A monetary contribution of \$95,000.00 to Council for refurbishment and embellishment of the clock tower  (50% of a total \$190,000 being shared by the proponents of 2-8 Wharf Road for the proposed refurbishment of the clock tower)	These funds provide a resource to Council that can be used for the upgrade, refurbishment and embellishment of the clock tower which commemorates the work and service of Alderman James Y Sheridan and is identified as a significant landmark and listed as Heritage item no 224 under Ryde LEP 2010.  The clock tower has fallen into a state of disrepair and structurally unsound and requires extensive restoration works both of a structural and cosmetic nature including landscaping to bring it back to a sound and rejuvenated condition to ensure longevity.

As part of the VPA process, Council engaged a Quantity Surveyor to provide an independent value for the works to be delivered to Council and the land to be dedicated. This independent report and those of the proponents are **attached**.

The value of proposed works exceeds the required Section 94 Contributions that are currently applicable to the development which has been calculated at \$606,479. This figure does not include the land value of the right of way and the money required for its ongoing maintenance. A breakdown of the value of works being undertaken and the Section 94 Contributions is provided below.

Item	Proponent Proportion value	Proponent's QS Value	Council's QS Value	Difference
Construction of new public accessible Plaza on the northern end of Wharf. <b>Total 923.39m<sup>2</sup></b>	\$547,732 (50% of value)	\$1,147,769	\$1,104,481	<b>-\$43,288</b>
Construction and dedication of a new lane way at the rear of the site <b>Total 137.18m<sup>2</sup></b>	\$170,516 (100% of value)	\$170,517	\$141,298	<b>-\$29,219</b>
Total value for providing both plaza and laneway including all public domain work (incl GST)	<b>\$790,073</b>	<b>\$1,450,114</b>	<b>\$1,370,357</b>	<b>-\$79,757</b>

**ITEM 10 (continued)**

Item	Proponent Proportion value	Proponent's QS Value	Council's QS Value	Difference
A monetary contribution for the refurbishment of the clock tower (50% of a total with 2-8 Wharf Road)	\$95,000			
Total Public benefit by this developer incl GST	<b>\$714,556</b>			
Contribution under the Council's Section 94 Contribution Plan	<b>-\$606,479</b>			
Total of offer in excess of Section 94 Contributions	<b>\$108,077</b> (18%)			

It can be seen that the value of the proposed VPA provides a significant uplift in public benefit above and beyond the applicable Section 94 Contributions, however the total of \$108,077 represents close to 18% in excess of the applicable s94 contribution and within close proximity of the expected 20% above the contribution amount.

The proponent has further included in the VPA costing an amount of \$ 54,656 as VPA works related contingencies, this was previously rejected by the VPA panel as the works are considered ordinary and incidental in undertaking the development of the site. Removal of such an amount will reduce the offer in excess of s94 contribution by almost half and therefore not recommended as acceptable to Council. In this regard an increased monetary contribution should be sought so as so that the offer can be within the expected 20% of the applicable s94 contribution, which amounts to total of \$121,296

Having regards to the \$79,757 difference between the two totals of the estimates, this variance is not regarded as excessive and within tolerable limits and it is expected to further reduce with more accurate details of the lighting as well as other design specifications.

It is accepted that the delivery of the publicly accessible plaza, the new slip lane and refurbished clock tower as part of the VPA will provide a significant public benefit which will rejuvenate and activate this section of Gladesville Town Centre and further provide a civic space and improved streetscape and public amenity which has been envisioned the as part of the Ryde LEP and DCP2010.

Council should be mindful, however, of the expanded footprint and envelope of the proposed development which encroaches above ground level into the areas surrounding the building nominated as public domain, including Meriton Street, the new public lane and the publicly accessible unbuilt upon area of the plaza. These encroachments have the effect of reducing the area and quality of the public domain and compromise the total public benefit that will be delivered as part of the VPA.

**ITEM 10 (continued)**

Normally, to ensure that the VPA is registered on the title of the land it would be necessary to impose a condition on the consent for this to occur prior to the issue of any Construction Certificate. This issue will be addressed by the JRPP at time of determination.

Notwithstanding the above, it should be noted that Council received the final version of the legal VPA document on 29 May 2013 and given the protracted nature of the negotiation thus far, it was necessary for staff to submit the VPA for consideration by Council before Council's General Counsel had been given the opportunity to undertake a final review of the document prior to submission to Council. As such, it is recommended that should the matters included as part of the VPA be supported by Councillors that the Group Manager Environment and Planning be granted delegation to finalise the negotiation of the legal VPA instrument to ensure that the document is legally sound and binding on both parties.

**Critical Dates**

There are no critical dates required to be met: at this stage, however a recommendation as to whether Council supports the VPA is to be submitted to the JRPP for the determination of the application (meeting date yet to be determined).

**Policy Implications**

There are no policy implications through adoption of the recommendation.

**Financial Impact**

The proponents have nominated to enter into a VPA with Council to off-set s94 contributions

**Other Options**

There are three options in considering the VPA:

- (1) Endorse the VPA as it is in its current form as recommended by this report,
- (2) Refuse the VPA for reasons deemed appropriate by Council, or
- (3) Seek amendments to the VPA as deemed appropriate by Council.

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**11 REQUESTS FOR PROPOSALS RECEIVED FOR THE LEASE OF THE KOTARA PARK AND OLYMPIC PARK TENNIS CENTRES**

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**Report prepared by:** Acting Service Unit Manager - Open Space  
**File No.:** GRP/09/4/8 - BP13/759

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**REPORT SUMMARY**

Council at its 11 December 2012 meeting resolved to invite expressions of interest/request for proposals from suitable not-for-profit organisations to manage and operate the Kotara Park (off Abuklea Rd Marsfield) and Olympic Park (off Potts Street Ryde) Tennis Centres.

A Request for Proposal (RFP) to lease the two Centres was advertised for a period of four weeks and at the closing date, 9 May 2013, only one submission had been received for the lease of the Olympic Park Tennis Centre from the current operator.

The Evaluation Panel's recommendation is that North Western Suburbs Tennis Association Inc. submission be accepted and that the Association be offered a 5 year lease. Details concerning the submission received together, with the Evaluation Panel's report and recommendations are set out in the discussions section of this Report.

No submissions were received for the lease of the Kotara Park Tennis Centre.

The current lessee of the Kotara Park Tennis Centre, Eastwood Thornleigh District Tennis Association (ETDTA) wrote to Council outlining the reasons why it had not made a submission to lease the facility. It requested that Council consider the option of entering into further talks with the ETDTA Inc. to negotiate an amended agreement outside the terms and conditions outlined in the RFP.

Since the RFP invitation closed Council officers have received three separate unsolicited approaches from commercial operators interested in managing the tennis centres.

Due to the lack of response to the RFP process and in view of the recent level of interest to lease the Centre, including the continued interest of the current operator, this report recommends that management and operation of the Kotara Park Tennis Centre be advertised, seeking Requests for Proposals from the marketplace.

**RECOMMENDATION:**

- (a) That Council enter into a five year lease agreement with the North Western Suburbs Tennis Association Inc. for the Olympic Park Tennis Centre, subject to no submissions being received by Council following the statutory advertising of the lease in accordance with Section 47 of the Local Government Act, under the terms and conditions outlined during the Request for Proposal process.

**ITEM 11 (continued)**

- (b) That the Acting General Manager be delegated authority to execute all relevant documents for the Olympic Park Tennis Centre lease agreement.
- (c) That Council advertise an expression of Interest/Request for Proposals seeking submissions from the market for the management and operation of the Kotara Park Tennis Centre.
- (d) That Council extend the existing agreement with the Eastwood Thornleigh District Tennis Association for the management of the Kotara Park Tennis Centre on a month-by-month arrangement under the same terms and conditions of the original agreement. This is to continue until such time as the outcome of the Expression of Interest/Request for proposals has been considered by Council.
- (e) That a further report be submitted to Council following an Expression of Interest/Requests for Proposal process.

**ATTACHMENTS**

- 1 Lease of Kotara Park Tennis Centre Abuklea Road, Marsfield and/or Olympic Park Tennis Centre Weaver Street Ryde COR-RFP-01/13 Scoring Matrix - Tennis Court Tender - **CIRCULATED UNDER SEPARATE COVER – CONFIDENTIAL**
- 2 Lease of Kotara Park Tennis Centre Abuklea Road, Marsfield and/or Olympic Park Tennis Centre Weaver Street Ryde COR-RFP-01/13 Request for Proposal Report - **CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL**
- 3 Eastwood Thornleigh District Tennis Association Inc response to Council COR-RFP-01/13 lease of the Kotara Park Tennis Centre - **CIRCULATED UNDER SEPARATE COVER – CONFIDENTIAL**

Report Prepared By:

**Simon James**  
**Acting Service Unit Manager - Open Space**

Report Approved By:

**Baharak Sahebekhtiari**  
**Acting Group Manager - Community Life**



## ITEM 11 (continued)

### Background

Council at its 11 December 2012 meeting considered a report in respect of the future management and operation of the Kotara Park Marsfield and Olympic Park Ryde Tennis Centre and resolved:-

- *That Council advertise an Expression of Interest/Requests for Proposal, seeking submissions from suitable not-for-profit organisations for the management and operation of Abuklea and Olympic Park Tennis centres.*
- *That Council extend the existing agreement on a month-by-month arrangement under the current terms and conditions, until such time the outcome of the Expression of Interest/Request for proposal has been reported back to Council.*
- *That a further report be submitted to Council following an Expression of Interest/Requests for Proposals process*

### Conditions of the RFP

As both tennis centres possess similar facilities and characteristics, most significantly each contain 8 tennis courts, a Request for Proposal (RFP) document was formulated to incorporate consistent terms and conditions to apply to both centres.

The Rental Fee component was split into a fixed annual amount and a percentage component of income generated from the centres' operation, above a specified threshold. This provides Council with a minimum return and flexibility to potential operators, catering for fluctuations in their income on an annual basis. Staff calculations indicated that the potential dollar amount would be comparable with the current rental fee paid by the operator of Olympic Park Tennis Centre.

The requirements for maintenance and capital improvement are consistent with current arrangements with both Centres.

To maximise the use of the facilities the RFP also sought to ensure that entities making a submission offered a wide range of programs and services so that the use of the facilities offered the maximum benefit to the community.

Details on the types of programs that would be offered and the inclusion of a business plan were required in the submission, to ensure that applicants maximised the use of these community facilities.

In essence the intent of the process was to ensure a financially sustainable outcome for Council in the management of the facilities and a community benefit through an increase in the range of programs and services that were offered. The terms and conditions outlined in the RFP were as detailed below:

**ITEM 11 (continued)**

*Period of Lease:* Five (5) years with an option to obtain a further five (5) year lease subject to the proposal level of capital contribution to be provided by a respondent.

*Rental Payable:* The payment to Council of an annual base rental of no less than \$16,000 per annum and 20% of the annual gross income derived from the operation of each centre above a threshold of \$80,000 per annum (exclusive of GST). The base rental amount shall be indexed annually in line with the CPI or 3% whichever is the greater.

*Maintenance/Repairs/Capital Improvements:* Successful respondent/s to be responsible for all maintenance/repairs and capital improvement works required during the lease term.

*Outgoings and Operating Costs:* Successful respondent/s to be responsible for the cost of all outgoings, services and other operating costs.

*General:*

- Operate and manage the Centres to optimise the use of the centre.
- Ensure community access to a diverse and innovative range of quality tennis services and programs.
- Encourage participation and involvement of diverse age groups and demographics in the sport of tennis.

Applicant organisations had the option of submitting an alternate proposal which would be considered subject to that organisation also submitting a conforming proposal. This provided organisations with the opportunity to propose different lease arrangements to those outlined in the RFP document. The document specifically identified that a longer term lease (up to 10 years) would be considered if the organisation indicated that it was willing to undertake substantial capital improvement works.

Council advertised the Request for Proposals (RFP) for the Kotara Park (Abuklea Rd, Marsfield) and Olympic Park (Weaver St, Ryde) Tennis Centres from Tuesday the 9 of April. The notification for RFP's was advertised in the Sydney Morning Herald and Northern District Times and on the Tenderlink portal. At the advertised closing time on Thursday 9 May, only one (1) conforming submission was received for the lease of the Olympic Park Tennis Centre (Weaver St, Ryde). The same organisation also submitted one (1) alternate submission for the Olympic Park Tennis Centre. Zero (0) submissions were received for the lease of the Kotara Park Tennis Centre (Abuklea Rd, Marsfield).

**ITEM 11 (continued)****Discussion****Future Operation/Management of the Olympic Park Tennis Centre**

The North Western Suburbs Tennis Association (NWSTA) provided a conforming submission which was evaluated by the assessment panel. This evaluation is outlined in the attached Evaluation Matrix **CONFIDENTIAL ATTACHMENT 1 - CIRCULATED UNDER SEPARATE COVER.**

The evaluation panel determined that this submission met all the requirements set out in the Request for Proposal document. The Association agreed to the base rental amount of \$16000 and the payment 20% of annual gross income derived from the operation of the Centre. The Association also committed to increase the range of programs offered at the Centre to encourage greater utilisation of the facility by the community. The panel considered that the rental offer represented an acceptable return to Council.

The North Western Suburbs Tennis Association (NWSTA) has a proven record of managing and operating tennis centres. The NWSTA has managed the Kotara Park Tennis Centre for over 20 years and also manages the Meadowbank and Birchgrove Tennis Centres. In their conforming submission the NWSTA adequately met each of the assessment criteria specified. The panel formed the view after assessing the submission that, on the whole, it met the requested requirements and that there would be no adverse impact to Council if a further lease for the Olympic Park Tennis Centre was offered to the NWSTA on the basis out lined in the recommendation of this Report.

An alternate submission was also put forward by the NWSTA. This proposed a lower base rental and indicated that any major capital works at the centre would not be undertaken until after 2017. The evaluation panel considered that it did not provide any greater benefits to Council above those contained within the conforming submission and was therefore not considered. A report on the submissions made is attached in **CONFIDENTIAL ATTACHMENT 2 - CIRCULATED UNDER SEPARATE COVER.**

The land upon which this Centre is located is referred to as 'Community Land' and therefore in line with the provisions of the Local Government Act 1993, the granting of any lease must not occur until the lease proposal has been publicly notified for a period of twenty eight (28) days and Council has considered any submissions received objecting to the lease proposal.

Accordingly should Council be supportive of the proposal to grant a further lease of the Centre to the NWSTA, appropriate arrangements will be made to advertise the lease and a further report will be provided should any objections be received relating to the proposed lease.

**ITEM 11 (continued)****Future Operation/Management of Kotara Park Tennis Centre**

No submissions were made for the Kotara Park Tennis Centre and therefore future management options are discussed below for Council's consideration.

On the 9 May, correspondence was received from the Eastwood Thornleigh District Tennis Association (ETDTA) outlining the circumstances which lead to a decision being made not to lodge a submission. A copy of the correspondence is attached **CONFIDENTIAL ATTACHEMENT 3 - CIRCULATED UNDER SEPARATE COVER.**

On Wednesday 29 May 2013 Council officers conducted a meeting with representatives of ETDTA to seek clarification and a better understanding of their reasons and rationale why a submission had not been made.

The main concerns raised on behalf of the Association related to:

- 1) the lease period offered (5 years) and the requirement for the maintenance and capital works to be undertaken by the lessee. The representatives were of the view that the investment required in undertaking capital upgrades could not be recouped over such a short lease period.

Council staff indicated that the RFP document provided an opportunity for an alternate submission to be made by a respondent for a longer lease term up to a maximum of 10 years based on the level of capital investment offered by a proposed respondent. The representatives indicated that the Association was not willing to submit a conforming submission as there was concern that the Association would be legally bound to that proposal.

- 2) The base rental and requirement for the payment 20% of annual gross income derived from the operation of the Centre above the threshold of \$80,000.

ETDTA has indicated that they would like to discuss an arrangement with Council outside the requirements of the RFP.

Since the close of the RFP invitation, Council staff have also received unsolicited approaches from three (3) separate operators expressing interest in the management of the Kotara Park and Olympic Park Tennis Facilities on a commercial basis.

Taking into consideration the lack of response received in respect of the RFP to lease of Kotara Park Tennis Centre by not for profit organisations, the offer made by the current operators of the Centre and recent interest expressed by commercial operators, officers consider that it would be in Council's best interests to undertake a further public invitation process seeking submissions from the open market for the future management and operation of the Centre.

**ITEM 11 (continued)**

This action would provide the opportunity for all interested parties, including the current operator, to lodge a submission while supporting the principles of open and transparent management of Council facilities. In addition, it is considered by Council officers that the implementation of a competitive process has the potential to provide Council with the optimal outcome in terms of community benefit and financial sustainability.

Should Council resolve to seek proposals from the open market, the lease agreement will include in its terms and conditions requirements for the pricing practices of operators to be structured so that the facilities remain accessible to use by the general community.

This will be achieved by the inclusion in the conditions for any proposed rise in court hire charges above CPI to be submitted to Council for approval on an annual basis. The following table provides a snapshot of current pricing for tennis court hire in City of Ryde and surrounding areas.

<b>ORGANISATION</b>	<b>CASUAL DAY RATE</b>	<b>CASUAL NIGHT RATE*</b>
	Monday-Friday 7am-5pm	Monday-Friday 5-10:30pm
<b>Tennis World North Ryde</b>	<b>\$22.00 per hour</b>	<b>\$25 per hour</b>
	Monday-Friday 7am-3pm	Monday-Friday 3pm-11pm
<b>Macquarie University</b>	<b>\$18 per hour</b>	<b>\$22 per hour</b>
	Monday - Friday 8am - 5pm	Monday-Friday 5pm-10pm
<b>Sydney Olympic Park Tennis Centre</b>	<b>\$24.00 per hour</b>	<b>\$28.00 per hour</b>
	Midweek - until 5.00pm (without Lights)	Evenings/Weekends/Public Holidays
<b>Kotara Park Tennis Centre</b>	<b>\$19 per hour</b>	<b>\$24 per hour</b>
<b>Olympic Park Tennis Centre</b>	<b>\$18.00 per hour</b>	<b>\$20.00 per hour</b>

\*Includes use of lighting.

Should Council choose to advertise a new RFP, Kotara Tennis Centre would continue to be managed by the current operator in line with the terms of their expired lease on a month to month hold over basis until a preferred operator following the closing date of the proposed RFP, is appointed.

**Consultation with relevant external bodies**

Council staff have met with the Committee members of the Eastwood Thornleigh District Tennis Association and advised them on the options that will be submitted for Council's consideration.

Ongoing contact has also been maintained with the North Western Suburbs Tennis Association throughout the process.

**ITEM 11 (continued)****Other Options**

- (1) That Council enter into direct negotiations with the existing lessee (ETDTA) for the Kotara Park Tennis Centre.

This option is not recommended because it will result in inconsistent processes and lease arrangements regarding 2 similar community assets, as well as perceived preferential treatment of one not for profit organisation compared to another.

Additionally a competitive process may lead to an improved outcome for Council and the Community, both in terms of realising value for the asset and the range of programs and services available to the community

- (2) That Council terminate the lease with ETDTA and directly manage the site.

This is to incorporate the development of a business plan that identifies use of the facility that provides the maximum benefit to the community. The risk associated with this option is that there will be significant disruption to the current users of the facility and this will create negative community sentiment towards Ryde City Council. There is also a financial risk as this option would require Council to fund a capital upgrade to the facility that would enable it to cater for multiple sports. This option is not recommended as it provides the greatest risk to Council as it currently does not have the resources or previous experience in managing facilities of this nature.

**Financial Implications**

The flexible rental fee structure in the lease proposed for the Olympic Park Tennis Centre, will result in \$16000 plus 20% of the NWSTA income generated through the operation of the Centre (above \$80,000 threshold).

As there was only one conforming submission made and based on the range of programs and services that will be made available to the community, this outcome was considered acceptable to the assessment panel. There is also a benefit to Council by ensuring that the ongoing maintenance and upgrade to the facility are undertaken by the lessee as outlined in the lease terms and conditions.

The cost of re-advertising requests for proposals for the Kotara Park Tennis Centre can be accommodated within Council's allocated budget.

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## **12 SPORTS GROUND ALLOCATION AND SPORTS GROUND USER FEES AND CONTRIBUTIONS POLICIES**

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**Report prepared by:** Sportsground Liaison Officer  
**File No.:** GRP/09/4/2/5 - BP13/892

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### **REPORT SUMMARY**

Following recommendations detailed in the Best Value Review report – Sportsground Allocation and Management, Council officers have drafted two policies to guide Council’s approach to sportsground management. These are the Sports Ground Allocation Policy and the Sports Ground User Fees and Contribution Policy. Details of these policies were outlined in the report to the Works and Community Committee on 2 April, 2013.

As per Council resolution the policies were placed on public exhibition for a period of 6 weeks, which ended on 31 May 2013. There were no submissions received during this period.

Prior to the public exhibition process all sporting clubs and associations in the City of Ryde were given the opportunity to provide feedback on these policies. They were also tabled at the Sport and Recreation Advisory Committee meeting on 18 February 2013. Feedback received from the sporting community during this process has been considered when developing these policies.

This report recommends the adoption of the draft Sports Ground Allocation Policy and the draft Sports Ground User Fees and Contribution Policy.

### **RECOMMENDATION:**

- (a) That Council adopt the attached draft Sportsground Allocation Policy.
- (b) That Council adopt the attached draft Sports Ground User Fees and Contribution Policy.

### **ATTACHMENTS**

- 1 Sports Ground Allocation Policy
- 2 Sports Ground User Fees and Contributions Policy

Report Prepared By:

**Andrew Gibbons**  
**Sportsground Liaison Officer**

Report Approved By:

**Simon James**  
**Acting Service Unit Manager - Open Space**

**Baharak Sahebekhtiari**  
**Acting Group Manager - Community Life**

## ITEM 12 (continued)

### Background

To help with the sustainable management of the City of Ryde's sporting grounds, Council undertook a Best Value Review (BVR) during the period from June until November 2011. During this review, Council's approach to sportsground allocation and management was compared with industry best practice and recommendations were made on what actions were required to be implemented to meet these standards. The draft Sports Ground Allocation and Sports Ground User Fees and Contribution Policies address many of the recommendations made in this report.

At the Works and Community Committee on 2 April 2013, Council resolved the following from the Best Value Review – Sportsground Allocation and Management:

- *That Council place on public exhibition the draft Sportsground Allocation Policy and draft Sports Ground User Fees and Contribution Policy for a period of 6 weeks.*
- *Following the public exhibition process, a further report be submitted to Council on the feedback received.*

Both policies were placed on public exhibition for a period of 6 weeks, which ended on 31 May 2013. An advertisement was placed in the Northern District Times on 17 April 2013 seeking comment on the draft policies and they were also placed on Council's website under the 'Have Your Say' section. Copies of the policy were also available to view at the City of Ryde Libraries, the Customer Service Centre and Ryde Business Centre. No submissions were received during the public exhibition period.

### Discussion

#### *Sports Ground Allocation Policy*

The introduction of this policy aims to assist Council in managing the increasing competing demands from Sporting Clubs and the wider community to access the City of Ryde's sporting grounds. The development of this document will also help in determining Council's position on a number of different sports ground use and management issues.

Key points are:

- That a local club will now be classified as a club which is based or plays in a competition which is centred in the City of Ryde Area.
- Allocation matrix tool to assist in determining ground allocation where conflicting demands occur.



**ITEM 12 (continued)***Sports Ground User Fees and Contributions Policy*

This policy in particular addresses the issues of capital contribution and the fee structure for sporting ground hire and floodlighting use. The policy aims to recognise the significant contribution made by the local sporting community to Council's assets whilst also recognising that Council must maintain these assets in a financially sustainable manner, in particular in relation to the ever increasing utility costs.

Council encourages sporting groups to co-contribute to Council identified sports ground and amenity projects. Council will aim to obtain a minimum 40% contribution towards the total project cost from user groups. Prior to the commencement of any capital projects, a written agreement will be put in place between Council and the relevant user group detailing each parties expectations

**Consultation Undertaken**

The policies were tabled at a Sport & Recreation Advisory Committee meeting in February 2013, with committee members invited to provide comment. Copies of the policies were distributed to all sporting clubs within the City of Ryde for their review and comment. The draft policies were placed on public exhibition for a period of 6 weeks with no submissions received during that period.

**Financial Implications**

The draft Sport Ground User and Contribution Policy proposes Council move towards a percentage subsidy where a level of subsidy is set at 75% for all community, not-for-profit users, thus the fees payable by the associations and clubs equates to 25% of the total cost of maintaining and booking these assets. This is in line with the recommendation of the NSROC Regional Sportsground Management Strategy 2011. Any increase in funds obtained from the use of sporting facilities will be utilised to ensure the service levels to the ever increasing number of users can be maintained.

Furthermore, Council currently subsidises floodlighting costs by up to 80%, with no consistent methodology in calculating actual costs. A significant increase in the amount of subsidy provided by Council has been caused by the recent increases in electricity costs that were significantly over and above the IPART increases applied over recent years. An increase in floodlighting fees will provide Council with additional funds to meet its increasing utilities and maintenance costs associated with the floodlighting assets.

ITEM 12 (continued)

ATTACHMENT 1



## Sports Ground Allocation Policy

### Scope

This policy applies to those sports grounds located in the City of Ryde owned or managed by the Council. The policy must be adhered to by all current seasonal and casual hire groups wishing to use any sports ground. Broadly the goal of the policy is to ensure the sustainable and equitable use of Council's sporting fields and provides the guiding principles for how use of those facilities will be managed.

While the policy will largely be applicable to seasonal sporting clubs, associations and schools, it will also apply to other community groups, private and commercial organisations who wish to apply for allocated use of a sportsground and/or associated facilities

This policy does not apply to Special Events and activities booked as an event function. Special events organisers must complete a special event form and comply with all the requirements on that form. The policy also does not apply to any sportsground or amenity building that is occupied by a user group under a licence agreement.

### Purpose

The introduction of this policy aims to assist Council in managing the increasing competing demands from Sporting Clubs and the wider community to access the City of Ryde's sporting grounds. The development of this document will also help in determine Council's position on a number of different sports ground use and management issues. Specifically Council intend to achieve the following:-

- To provide a responsible, consistent, transparent and equitable process for the use of Council sportsgrounds and associated facilities.
- To provide agreed principles to priorities use and management of the sportsgrounds and associated facilities.
- To assist Council in the allocation of Sports Grounds when competing requests are submitted.
- To provide a Policy that is consistent with Council policies, relevant local laws and other relevant legislation.

The City of Ryde has a number of operational documents that are used to manage sports ground allocation. These include but are not limited to:-

- Casual Hire Application Form
- Seasonal Hire Application Form
- Event Hire Application Form

City of Ryde Sports Ground Allocation Policy		
Owner: Open Space	Accountability:	Policy Number: #
Trim Reference: D13/30528	Review date:	Endorsed:

**ITEM 12 (continued)**

**ATTACHMENT 1**



**Guidelines / Procedures**

Sportsground allocation is the process which Council undertakes to hire out its sportsgrounds to a variety of community and commercial user groups. Council has identified the following principles to guide them in meeting the objectives outlined in this policy:-

- 1.1 Seasonal bookings have priority over casual bookings.
- 1.2 In the event that there is a need to prioritise contested use of sportsgrounds, the applications will be considered utilising the Priority Matrix (see attachment A) as the method for determining priority.
- 1.3 Clubs will be required to provide Council with its official membership list confirming the residential suburb details of its members. This information is to be submitted by the Clubs and Associations each year and Council may ask for this information to be verified.
- 1.4 Council will arrange for a meeting of the relevant user groups prior to finalising the seasonal ground allocations. This policy will guide Councils approach to those discussions.
- 1.5 All requests for bookings must be made on the relevant Application Form. Requests for seasonal bookings must be made by the due date specified by Council. Bookings are not confirmed until the Club, Association or user group receive a permit from Council. All applicants must comply with the terms and conditions outlined on the application form.
- 1.6 Casual bookings and bookings made by sporting teams from out of the area will only be considered where there is no existing booking request.
- 1.7 Casual bookings will not be confirmed until payment is received.
  - Council will only consider an application if the ground is in a satisfactory condition, which will be determined after consultation with the relevant Council maintenance staff.
- 1.8 Season draws must be provided to Council once confirmed by the sporting associations to allow Council hire out unused sports fields. Blanket bookings are not permitted and associations must ensure every effort is made to notify Council of any unused dates in advance.

City of Ryde Sports Ground Allocation Policy		
Owner: Open Space	Accountability:	Policy Number: #
Trim Reference: D13/30528	Review date:	Endorsed:

**ITEM 12 (continued)**

**ATTACHMENT 1**



Lifestyle and opportunity  
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**DEFINITIONS**

<b>Application Form</b>	The 'Application for Hire Form' provided by Council Officers for user groups to complete.
<b>Casual Bookings</b>	Irregular one off booking for a sportsground(s) made by a user group.
<b>City of Ryde Based</b>	<p>Organisation must be named or based in a suburb within the Ryde Local Government Area and/or or plays in a competition which is centred in the City of Ryde Area.</p> <p>Out of the area Club – Does not meet the criteria detailed above.</p>
<b>In Season Sports</b>	<p><i>Winter codes are:</i> Football (Soccer), Netball, Rugby League, Rugby Union, Australian Rules Football, Hockey.</p> <p><i>Summer codes are:</i> Athletics, Baseball, Cricket, Oz Tag, and Touch Football.</p>
<b>No Allocation</b>	Booking for use of sportsground is not provided to applying organisation or individual.
<b>Seasonal Bookings</b>	Booking for a sportsground(s) made for a summer or winter period and can relate to training or competition use by a club or association body.
<b>Season Draws</b>	Official competition draws provided by the relevant governing association for that particular sport. These competition draws will cover the period that the booking is requested.
<b>Summer Season*</b>	2 <sup>nd</sup> weekend in September – 2 <sup>nd</sup> last weekend of March
<b>Winter Season*</b>	2 <sup>nd</sup> weekend in April to the 2 <sup>nd</sup> last weekend of August

\*Exemption may be made by Council, giving consideration to level of competition and competitions played across multiple areas.

City of Ryde Sports Ground Allocation Policy		
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**ITEM 12 (continued)**

**ATTACHMENT 1**

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**References - Legislation**

Updating of this policy is required to be done in consultation with representatives of the City of Ryde Sporting Group community.

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**Review Process and Endorsement**

This Policy should be reviewed bi-annually and endorsed by Council.

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**Attachments**

<i>Title</i>	<i>Trim Reference</i>
Priority Matrix	
Sportsgrounds in the City of Ryde	

City of Ryde Sports Ground Allocation Policy		
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Priority Matrix

- 2 Where two or more sports clubs have applied for an available sportsground and officers are unable to facilitate shared use, the following assessment criteria shall be used, with the highest scoring club given priority allocation.
- 3 An application will not be considered for allocation where a club's application receives a 'no allocation' score.

Principle	Scoring	Assessment Guide	Specific Criteria	Strategy
Historical use of facilities	10	Historical home ground of CoR based club (i.e no other club has ever been based there)	Recognition of the social and cultural importance of a club's historical connection with a home ground and will give priority to a home ground application over a non-home ground application. Clubs base determined as per the definitions provided in the 'Sportsground Allocation Policy.'	Council will give preference to CoR based clubs over non CoR clubs. The length of club's past tenure of a sportsground will be considered when assessing an application.
	5	CoR home based club for more than 5 years		
	3	CoR home based club for less than 5 years		
	1	Non CoR home based club for over 5 years		
	0	Other clubs		
Tenancy Record	5	Good Record – no breaches in the previous 5 years	Council will take into account the pattern, number and severity of tenancy breaches and upheld complaints over the previous five years when assessing seasonal allocation applications. Council will provide the club with written advice of upheld complaints and tenancy breaches.	Council recognises the social and cultural importance of a club's having a good relationship with Council, co-tenants and the local community.
	3	Fair Record – no breaches in the previous 2 years		
	0	No Allocation Where there has been non-compliance with 3 or more of Council's terms and conditions		

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Access & Equity	5	3 or more programs for people from a targeted group	Recognition of organisations who provide activities for specific targeted groups: <ul style="list-style-type: none"> <li>• CALD</li> <li>• Junior boys from a disadvantage background</li> <li>• Junior girls from a disadvantaged background</li> <li>• People with a disability</li> <li>• Seniors (over 50)</li> </ul>	Ensuring the opportunity for participation to a broad mix of population groups.
	3	2 programs for people from a targeted group		
	1	1 program for people from a targeted group		
	0	0 programs for people from a targeted group		
Division of Sports Season	5	In season application	The definition for 'in-season sports' as outlined in the Councils 'Sportsground Allocation Policy'.	Ensuring a diverse range of activities is available and use is not dominated by one activity.
	3	Out of season application with no in season club contesting allocation		
	No allocation	Out of season application with an existing in season sport booking.		
Contribution Towards Council Infrastructure	10	Capital investment over \$50,001	Recognition of organisations who have contributed toward facility improvements within the last 10 years and the resulting benefits to other facility users.	Providing incentive and recognition to sport and recreation organisations to contribute toward facility upgrades.  <i>Note. Council will 'cap' use of sportsgrounds by allocated users where appropriate.</i>
	6	Capital investment between \$30,001 and \$50,000		
	2	Capital Investment between \$10,001 and \$30,000		
	1	Capital investment under \$10,000.		

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History of Compliant use	5	No outstanding debt with Council	Providing recognition of a user who has similar demand at that specific facility to previous years.	Clubs will not be considered for allocation if they have outstanding debts to Council and do not have a Council approved repayment plan in place.
	3	Outstanding debt with Council with an approved repayment plan or requested information not provided by the due date	Providing recognition of previous compliance with terms and conditions of hire.	
	No Allocation	Outstanding debt with Council with no repayment plan and requested information not provided to Council		
Club Development	5	Clubs with documented policies, and initiatives to support volunteers.	Recognition of clubs and organisations that develop and implement best practice RM practices. Examples are established policies for member/child protection, anti-harassment, facility management, succession planning, constitutional review etc	Council Working in partnership with users to ensure good risk management (RM) principles are incorporated into sports development and initiatives to ensure a safe environment for all participants.
	3	Policies in development.		
	0	No documented policies or plans score in place.		
<b>TOTAL</b>				

\*Winter codes are: Football (Soccer), Netball, Rugby League, Rugby Union, Australian Rules Football, Hockey.

\*Summer codes are: Athletics, Baseball, Cricket, Oz Tag, and Touch Football.

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SPORTSGROUNDS IN THE CITY OF RYDE

Park	Address	(April – August)		(Sept – March)
		Oval	Winter Usage	Summer Usage
<b>BILL MITCHELL</b>	Morrison Road Tennyson (Opposite Peel Park)	1 2	Soccer Soccer	Cricket – Synthetic Wicket Cricket - Junior Concrete
<b>BRUSH FARM Oval</b>	Lawson Street Eastwood	Oval	Netball – 14 grass courts Dog Training (Sunday) Netball – 4 Courts	Cricket – Synthetic Wicket Dog Training (Sunday) Netball – 4 Courts
<b>BRUSH FARM Netball</b>		Netball		
<b>BREMNER</b>	Morrison Road Gladesville	1	Soccer	Cricket – Junior Synthetic
<b>CHRISTIE</b>	Christie Road Macquarie Park	1	Soccer	Soccer
		2	Soccer	Soccer
<b>CLEEVES</b>	Douglas Street Gladesville	1	NIL	Cricket – Junior Concrete
<b>DARVALL</b>	Chatham Road West Ryde	1	NIL	Cricket – Junior Concrete
<b>EASTWOOD</b>	Lakeside Ave Eastwood	Upper Lower	Soccer Soccer	Cricket – Turf Wicket
<b>E.L.S. HALL</b>	Kent Road North Ryde (Main Entrance)	1	Rugby League, Soccer, Aussie Rules	Cricket – Turf Wicket Baseball
	Scott St North Ryde (Rear Entrance only to this oval)	2	Soccer	Cricket – Turf Wicket
	Kent Road (Rear of houses at Main Entrance)	3	Aussie Rules – Junior Netball – 3 grass Courts	Netball Courts
<b>FONTENOY</b>	Fontenoy Road North Ryde	1	Mini Soccer	Community Use
<b>FORRESTOR</b>	Viveria Road Eastwood			Community Use
<b>GANNAN</b>	Buna Street Ryde	1	Baseball	Cricket

City of Ryde Sports Ground Allocation Policy		
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Park	Address	Oval	Winter Usage	Summer Usage	
<b>MAGDALA</b>	Magdala Road North Ryde	1	Soccer	Baseball	
		2	Soccer	Baseball	
<b>MARSFIELD</b>	Culloden Road Marsfield		Pony Club	Pony Club	
<b>MARSFIELD</b>	Vimiera Road Marsfield <i>Cricket Wicket in the middle of Nos. 1 &amp; 2 Ovals</i>	1	Rugby Union	Cricket – Synthetic Wicket	
		2	Rugby Union		
<b>MEADOWBANK</b>	Constitution Road Meadowbank – <b>MAIN ENTRANCE</b>  ENTRANCE in Ross Smith Avenue " " " MAIN ENTRANCE in Constitution Rd " " " " " " " " " ENTRANCE in Adelaide Street ENTRANCE in Andrew Street	2	Soccer	Cricket – Synthetic Wicket	
		3	Soccer	Cricket – Synthetic Wicket	
		4	Soccer – Mini Oval	NIL	
		5	Soccer – Mini Oval	NIL	
		6	Soccer – Mini Oval	NIL	
		7	Soccer	Cricket – Synthetic Wicket	
		8	Soccer	Cricket – Synthetic Wicket	
		9	Soccer	NIL	
		10	NIL	Cricket – Synthetic Wicket	
		12	Soccer	Cricket – Synthetic Wicket	
		13	Hockey	Community Use	
			Netball	Netball – 26 Courts	Netball
		<b>MONASH</b>	Cnr Ryde Road & Westminster Road Gladesville	1	Soccer
<b>MORRISON BAY</b>	Morrison Road Putney	1	Soccer	Touch Football (Weekdays)	
		2	Soccer	Touch Football (Weekdays)	
		3	Soccer – Mini Oval	Touch Football (Weekdays)	
		4	NIL	Cricket	
		5	Soccer	Cricket ( Soccer-Weekdays)	
		6	Soccer	Mini Soccer Weekdays 4-6pm	
<b>NORTH RYDE</b>	Cnr Pittwater Road & Cressy Road North Ryde	1	Soccer	Cricket – Synthetic Wicket	
<b>PEEL</b>	Morrison Road Gladesville (Near Stanbury Street)	1	Soccer	Baseball	
<b>PIDDING</b>	Cnr Cressy Road & Wellington Rd Ryde	1	Soccer	Cricket	

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Park	Address	Oval	Winter Usage	Summer Usage
PIONEER	Balaclava Road Marsfield	1	Baseball – Juniors Only	Baseball – Juniors Only
PUTNEY PARK	Pellisier Road Putney		Open Space	Open Space
RYDE	Cnr Princes Street & Blaxland Road Ryde	1 3	Rugby Union Soccer	Cricket – Turf Wicket
SANTA ROSA	Quarry Rd / Bridge Rd Denistone East ( 2 ENTRANCES )	1 2 3	Soccer Mini Soccer Mini Soccer	NIL NIL NIL
TUCKWELL	Cnr Fontenoy & Lane Cove Roads North Ryde	1	Baseball	Cricket – Synthetic Wicket
TYAGRAH	Tyagrah Street Ryde	1	Netball – 3 grass Courts	Cricket – Junior Concrete
WATERLOO	Waterloo Road Marsfield	1 1	Soccer Basketball	Baseball Basketball
WESTMINSTER	Cnr Ryde Road and Westminster Rd, Gladesville	1	Soccer	Cricket – Synthetic Wicket

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ITEM 12 (continued)

ATTACHMENT 2



## Sports Ground User Fees and Contribution Policy

**Scope**

This policy applies to all sports grounds located in the City of Ryde. Broadly the goal of the policy is to ensure the sustainable and equitable use of Council's sports grounds. Through the development of this policy, Council's position broadly outlining the manner in which the fees and charges will be set for use of sports grounds are determined. It will also guide how financial contributions made by community groups will be managed.

Hirers who utilise sports grounds for special events (sporting activities only) must complete a special event form and comply with all the requirements on that form.

**Purpose**

The development of this document will also help in determining Council's position on a number of different sports ground management issues. Specifically Council hope to achieve the following:-

- Provide the optimum quality of sports grounds and associated amenities for user groups in a sustainable manner.
- Develop guiding principles in determining user fees and charges for use of sportsgrounds; and
- Provide clear and consistent direction for managing contributions from sporting groups for improvements to sports grounds and associated infrastructure.

Reference is made to the NSROC Regional Sports Management Strategy principles as these have been considered in the formulating of this policy.

**Procedures / Guidelines**

**1. Fee Structure**

1.1 Fees will be based on the actual cost of maintenance and provision of service.

1.2 Council will undertake an annual audit of the cost of maintaining and providing the sportsgrounds in the City of Ryde. Included in this calculation will be the direct administrative costs of providing the booking service. This audit will include the following considerations when calculating the cost of maintaining a sporting field:-

- o Direct ground maintenance costs (including grounds staff costs).
- o The wages of the Parks Booking Officer including on costs.

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**ATTACHMENT 2**



1.3 Fees and Charges for sportsgrounds will be reviewed on an annual basis and then ratified through Council's Corporate Management Planning process.

1.4 Council will continue to maintain fees at two different levels for the hire of sportsgrounds and associated amenities. These are as follows:-

- a) City of Ryde Rate - To be applied to incorporated not for profit community sporting groups, associations and charities that are defined as City of Ryde Based as outlined in the 'DEFINITIONS' in this document. Not for profit status is required to be proven at the time of submitting the booking.
- b) Non City of Ryde Rate – To be applied to user groups who do not meet the definition of a City of Ryde club.

Commercial and private operators will be charged the Non City of Ryde Rate, regardless of where that group is based.

The level of subsidy provided by Council will be greater for City of Ryde Clubs than it will be for Non – City of Ryde Clubs.

1.5 Fees will be set based on three (3) different levels (Ground Hierarchy). Each sports ground will be rated at a certain level (1, 2 or 3) based on the level of competition played on it, the associated amenities at that ground and the supporting infrastructure. These will be detailed in Council's Fees and Charges Schedule and reviewed annually.

1.6 Fees charged for sportsground use will be either based on a daily or hourly rate (or pro rata if applicable). This aims to discourage clubs or associations from booking grounds for periods which they do not require.

**2. Council Subsidy**

2.1 The fees applied to sportsgrounds use will aim to achieve a 75% subsidy level for the total cost to Council of maintaining the Sportsground (as detailed in point 1.2).

2.2 Fees charged for special events held on sportsgrounds will be applied in accordance with item 1.4. However Council will aim to fully recoup additional costs incurred due to hosting that event. These fees will be discussed with the hirer at the time of booking and detailed in the hire agreement.

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**ATTACHMENT 2**



2.3 Fees for the use of floodlights are set to recover direct costs to Council, including electricity and minor maintenance. Fees are not set to recover the cost of major maintenance or the original capital expenditure. Council will continue to subsidise the capital cost and major maintenance of the floodlights out of its general rates income.

2.4 School groups based in the City of Ryde will be able to use Council's sportsgrounds free of charge for general school sports programs. Schools utilising sports fields for sporting activities such as Carnivals and inter school competition events (Gala days) will be charged the relevant fee as detailed in the Fees and Charges Schedule.

**3. Capital Contribution**

3.1 Council encourages sporting groups to co contribute to Council identified sports ground and amenity projects. Council will aim to obtain a minimum 40% contribution towards the total project cost from user groups. Prior to the commencement of any capital projects, a written agreement will be put in place between Council and the relevant user group detailing each parties expectations. This will include:-

- a) A Memorandum Of Understanding outlining the project and clarifying each parties expectation and responsibilities;
- b) A capital depreciation schedule detailing the value of the asset over a specified time period; and
- c) An agreement for the reduction of fees for use of the relevant facility if appropriate.

**4. Other**

4.1 Council will aim to recognise groups conducting programs for people from a disadvantaged background (disability, socially disadvantaged, CALD, etc.) through a reduction in fees. This will require a written application and will be considered by the Group Manager – Community Life. This fee reduction will be up a maximum of 50% subject to the criteria identified below. The reduction in fees will only apply to those facilities specifically utilised in delivering the program/s.

- a) 50%      3 or more programs for people from a targeted group
- b) 30%      2 programs for people from a targeted group
- c) 10%      1 program for people from a targeted group
- d) 0%        0 programs for people from a targeted group

Name - <Council> <Organisational> Policy		
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**ATTACHMENT 2**

Targeted groups can include:

- CALD (Culturally and Linguistically Diverse)
- Junior boys from a disadvantage background
- Junior girls from a disadvantaged background
- People with a disability
- Seniors (over 50)

**DEFINITIONS**

<b>Contribution</b>	Where a community user group provides funds to assist with the completion of a capital work project. These funds can be via a government grant awarded to the club or from the clubs financial reserves.
<b>City of Ryde Based</b>	<p>Organisation must be named or based in a suburb within the Ryde Local Government Area and/or or plays in a competition which is centred in the City of Ryde Area.</p> <p>Out of the area Club – Does not meet the criteria detailed above.</p>
<b>Fees and Charges</b>	Costs charged to user groups for access to Council facilities, updated on an annual basis and advertised in the 'Schedule of Fees and Charges document.
<b>Ground Hierarchy</b>	The classification of a ground into a certain category based on the level of competition played on the ground and the supporting amenities available at that ground.
<b>Inter School Competitions</b>	A school based competition where more than one school is involved in a competitive event (i.e sport gala day).
<b>Special Event</b>	A sporting activity conducted on a sportsground that is considered out of the ordinary for a sporting group, i.e charity game, invitational match.
<b>Subsidy</b>	Where Council does not recover all of the direct costs of providing a service or facility.

**References - Legislation**

Name - <Council> <Organisational> Policy		
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**ATTACHMENT 2**



Updating of this policy is required to be done in consultation with representatives of the City of Ryde Sporting Group community.

**Review Process and Endorsement**

This Policy should be reviewed bi-annually and endorsed by Council.

**Attachments**

<i>Title</i>	<i>Trim Reference</i>
Form	

<b>Name - &lt;Council&gt; &lt;Organisational&gt; Policy</b>		
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**13 FOUR YEAR DELIVERY PLAN 2013-2017 INCLUDING ONE YEAR OPERATIONAL PLAN 2013/2014**

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**Report prepared by:** Chief Financial Officer  
**File No.:** FIM/07/6/2/3/4 - BP13/858

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**REPORT SUMMARY**

This report provides Council with a summary of public submissions received in relation to the exhibition of the Draft Four Year Delivery Plan and Draft One Year Operational Plan together with the recommended amendments for Council's consideration in adopting the Delivery Plan for the period 2013-2017 and the Operational Plan 2013/2014.

This report also seeks Council's commitment to attend either a weekend workshop or additional workshops in late July/August, that will allow Councillors to fully discuss and determine Council's position relating to its long term financial sustainability. This will include determining the acceptable standards of asset condition, services and service standards together with the appropriate funding options to achieve Council's required outcomes.

**RECOMMENDATION:**

- (a) That Council note the public submissions received during the public exhibition period and the responses to the submissions, as detailed in the report.
- (b) That in accordance with Sections 404 & 405 of the Local Government Act (1993), the Draft Four Year Delivery Plan 2013-2017 including One Year Operational Plan 2013/2014 be adopted as the Four Year Delivery Plan 2013-2017 including One Year Operational Plan 2013/2014, incorporating the amendments described in this report, and all changes consequential thereunto.
- (c) That, in accordance with Sections 534 and 535 of the Local Government Act, 1993, Council makes the following rates and charges for every parcel of rateable land within the City of Ryde for the year commencing 1 July 2013 as detailed in the Four Year Delivery Plan 2013-2017 including One Year Operational Plan 2013/2014.
  - (i) A Residential Ordinary Rate of zero point one three six six nine eight (0.136698) cents in the dollar levied on the land value of all rateable land within the City of Ryde categorised as residential in accordance with Section 516 of the Local Government Act, 1993 subject to a minimum amount of four hundred and seventy three dollars and thirty cents (\$473.30).
  - (ii) A Business Ordinary Rate of zero point seven one six nine zero eight (0.716908) cents in the dollar levied on the land value of all rateable land within the City of Ryde categorised as business in accordance with

**ITEM 13 (continued)**

Section 518 of the Local Government Act, 1993, (excepting land sub-categorised as Business - Major Retail Centre - Macquarie Park or sub-categorised as Business - Major Retail Centre - Top Ryde, subject to a minimum amount of four hundred and seventy three dollars and thirty cents (\$473.30).

- (iii) A Business - Major Retail Centre - Macquarie Park Ordinary Rate of one point one four five one two two (1.145122) cents in the dollar levied on the land value of all rateable land within the City of Ryde sub-categorised as Business - Major Retail Centre - Macquarie Park in accordance with Section 529(2)(d).
  - (iv) A Business - Major Retail Centre - Top Ryde Ordinary Rate of zero point eight five zero seven nine five (0.850795) cents in the dollar levied on the land value of all rateable land within the City of Ryde sub-categorised as Business - Major Retail Centre - Top in accordance with Section 529(2)(d).
  - (v) An Environmental Management Rate of zero point zero two two three three seven (0.022337) cents in the dollar be levied on the value of all rateable land within the City of Ryde subject to a base amount of fifty five dollars and fifty one cents (\$55.51), which will levy thirty six point zero five per cent (36.05%) of the total amount raised within this rate.
  - (vi) A Macquarie Park Corridor Special Rate of zero point one three eight two zero five (0.138205) cents in the dollar be levied on the land value of all rateable land categorised as business in accordance with Sections 518 or 529(2) (d) and included in the Macquarie Park Corridor, as identified by the map contained in the Four Year Delivery Plan 2013-2017 including One Year Operational Plan 2013/2014.
  - (vii) That aggregation of parcels of land, subject to a minimum or base amount, be permitted in accordance with Section 548A of the Local Government Act 1993.
- (d) That, in accordance with Section 496 (1) of the Local Government Act 1993, the charge for the Domestic Waste Management Service for each rateable residential property be set at three hundred and sixty seven dollars (\$367.00) per service per annum and the following additional services be provided, on request, to each rateable residential property, for the following annual charges:
- (i) Upgrade from 140 litre to 240 litre service      \$268.00
  - (ii) Additional 140 litre Garbage bin                      \$279.00
  - (iii) Additional 240 litre Garbage bin                      \$548.00
  - (iv) Additional Recycle bin                                      \$ 44.00
  - (v) Additional Green bin    \$ 44.00

**ITEM 13 (continued)**

- (e) That, in accordance with Section 496 (2) of the Local Government Act 1993 the standard charge for the Domestic Waste Management service provided, on request, to non-rateable residential properties be set at three hundred and sixty seven dollars (\$367.00) per service per annum and the following additional services be provided, on request, to each non-rateable residential property, for the following annual charges:
- |   |          |
|---|----------|
| (i) Upgrade from 140 litre to 240 litre service | \$268.00 |
| (ii) Additional 140 litre Garbage bin           | \$279.00 |
| (iii) Additional 240 litre Garbage bin          | \$548.00 |
| (iv) Additional Recycle bin                     | \$ 44.00 |
| (v) Additional Green bin                        | \$ 44.00 |
- (f) That, in accordance with Section 501 (1) of the Local Government Act 1993 the standard charge for the Other Waste Management service provided, on request, to non-rateable non-residential properties be set at four hundred and three dollars and seventy cents (\$403.70) per service per annum, inclusive of GST and the following additional services be provided, on request, to each non-rateable non-residential property, for the following annual charges:
- |   |          |
|---|----------|
| (i) Upgrade from 140 litre to 240 litre service | \$294.80 |
| (ii) Additional 140 litre Garbage bin           | \$306.90 |
| (iii) Additional 240 litre Garbage bin          | \$602.80 |
| (iv) Additional Recycle bin                     | \$ 48.40 |
| (v) Additional Green bin                        | \$ 48.40 |
- (g) That in accordance with Section 496A of the Local Government Act 1993, the Stormwater Management Service Charge be levied at the following rates:
- |   |   |
|---|---|
| (i) Strata titled residential home units        | \$12.50 per unit                          |
| (ii) Other residential property                 | \$25.00 per rateable property             |
| (iii) Business rateable properties<br>land area | \$25.00 per 350 sq metres of<br>land area |
| (iv) Business rateable Strata Properties        | \$12.50 per unit                          |

**ITEM 13 (continued)**

- (h) That, in accordance with Section 611 of the Local Government Act 1993, the following annual charges be made:
- (i) the use of Council land for the vehicle overbridge situated in Herring Road be charged in accordance with the legal agreement between the City of Ryde and the owners of Macquarie Shopping Centre (anticipated income is \$79,640 including GST for 2013/2014).
  - (ii) the use of Council land for the Shell Oil company pipeline in the City of Ryde be charged in accordance with the pricing formula agreed with the Company, (anticipated income is \$62,151 including GST for 2013/2014).
  - (iii) the use of Council land for AGL Gas Mains in the City of Ryde be charged at a rate based on an annual review by KPMG of AGL's revenue (anticipated income is \$57,702 including GST for 2013/2014).
- (i) That the rate of interest payable in respect of rates and charges that remain unpaid after they become due and payable be set at nine percent (9%) per annum.
- (j) That the Schedule of Fees and Charges, annexed to the Draft Four Year Delivery Plan 2013-2017 including One Year Operational Plan 2013/2014 as amended in terms of this report, be adopted as Council's Fees and Charges for 2013/2014.
- (k) That Council take no further action in respect of rate discounting as detailed in this report.
- (l) That Council commits to either a weekend workshop in late July/August or multiple workshops during the week in late July/August to consider the matters relating to Council's financial sustainability.

**ATTACHMENTS**

- 1 Submissions on Four Year Delivery Plan 2013-2017 and One Year Operational Plan 2013/2014
- 2 Submission from RHHFFPS on Four Year Delivery Plan
- 3 Proposed adjustments to Projects in the Four Year Delivery Plan and the Operational Plan

Report Prepared and Approved By:

**John Todd**  
**Chief Financial Officer**

Report Approved By:

**Roy Newsome**  
**Group Manager - Corporate Services**

## ITEM 13 (continued)

### Background

Council, at its Ordinary Meeting on 14 May 2013, resolved that pursuant to Sections 404 & 405 of the Local Government Act 1993, that the document titled "Draft Four Year Delivery Plan 2013-2017 including One Year Operational Plan 2013/2014" be adopted as the Draft Four Year Delivery Plan and Draft One Year Operational Plan of the City of Ryde, to be placed on public exhibition for a period of not less than 28 days from 22 May 2013 to 18 June 2013.

### Draft Ryde 2025 Community Strategic Plan

In the formulation of the Draft Plans, consideration has been given to the draft Draft Ryde 2025 Community Strategic Plan, which is reported to this meeting for Council's consideration and adopted by Council on Tuesday 28 June 2011. It reflects the feedback and priorities received from the Community Survey results in 2008, together with the feedback from further extensive community consultation, undertaken on the key Outcome areas. A summary of the Outcomes showing the proposed expenditure allocation in the Draft Four Year Delivery Plan 2013-2017 is below:

	<b>Base</b>	<b>Projects</b>	<b>Total</b>
	<b>\$ M</b>	<b>\$ M</b>	<b>\$ M</b>
A City of Connections	63.0	22.4	85.3
A City of Environmental Sensitivity	106.4	11.1	117.5
A City of Harmony & Culture	27.3	2.0	29.3
A City of Liveable Neighbourhoods	34.1	2.2	36.3
A City of Progressive Leadership	118.3	21.6	139.9
A City of Prosperity	1.2	5.3	6.5
A City of Well Being	78.8	10.6	89.4
<b>Total</b>	<b>429.1</b>	<b>75.2</b>	<b>504.3</b>

The Draft Four Year Delivery Plan 2013-2017 including One Year Operational Plan 2013/2014 has been prepared in alignment with the draft Ryde 2025 Community Strategic Plan providing details on the projects to be delivered within each Outcome area.

This is the third time Council has produced its Four Year Delivery Plan in this format in response to the new legislation. Council fully complied with reporting to its Community Strategic Plan from 1 July 2012, with the Workforce Plan, Asset Management Plans and Long Term Financial Plan presented to a Council Workshop on 19 June 2012 and a separate report at Council's meeting on 26 June 2012, ensuring that all plans are fully integrated.

### ITEM 13 (continued)

The diagram below shows the relationship between the Community Strategic Plan, the Four Year Delivery Plan and the Operational Plan:



### Report

In accordance with Council's resolution at its meeting on 14 May 2013, the Draft Four Year Delivery Plan 2013-2017 including One Year Operational Plan 2013/2014 was advertised on 22 May 2013 and also distributed to other key stakeholders in seeking feedback from our community. A summary of these initiatives is detailed below;

### Public Advertising/ Consultation Program

In the preparation of the Draft Four Year Delivery Plan and Draft One Year Operational Plan, Council undertook a comprehensive advertising/ consultation program. The program was as follows:

- Formal public advertising of the Draft Four Year Delivery Plan and Draft One Year Operational Plan commenced on 22 May 2013 with an advertisement being placed in the Northern District Times advising the community of the public exhibition period for submissions being up to 18 June 2013 and that the Draft Plans were available at all Council Libraries, the Civic Centre and on Council's website.

**ITEM 13 (continued)**

Key highlights of the Draft Four Year Delivery Plan 2013-2017 including One Year Operational Plan 2013/2014 and important information on how the community could comment on the Draft Plans was included in the advertisement. Council's website also provided other supporting documentation to assist the community in accessing and being fully informed of Council's Draft Plan with an opportunity to provide feedback on line.

A special edition of the City View also contained details of the draft plans.

- Similar articles were also included in the Mayoral Column.
- A number of public community forums and presentations to key stakeholder groups were held for both the Community Strategic Plan and the Four Year Delivery Plan seeking community comment and feedback.
- A community information session at La Piazza at Top Ryde City Shopping Centre on 1 June from 9.00am to 12 noon.
- All Advisory Committees and their members were notified of the public exhibition of both Draft Plans and referred them to Council's website seeking their feedback.

All information on the presentations made, are detailed later in this report.

**Public Submissions**

Submissions closed on 18 June 2013. Two public submissions were received, one was received early and is summarised in **ATTACHMENT 1** together with a response from the relevant Council Officer.

The second submission has only just been received and is **ATTACHMENT 2**, due to the lateness of the submission, staff will arrange comments to be provided separately to Councillors.

The submissions related to the following areas:

- North Ryde Investigation Area and Local Planning Study
- Lack of emphasis on biodiversity and integrated natural areas management

There are no recommended changes to Council's Delivery Plan proposed from the submission.

## ITEM 13 (continued)

### Projected Working Capital

As reported to Council in the Quarterly Reviews of the Four Year Delivery Plan 2012-2016 including One Year Operational Plan 2012/2013, Council is on track with the 2012/2013 budget and is projecting a Working Capital of \$3.43 million, as at 30 June 2013.

In the preparation of the Draft Plans, the 2013/2014 Draft Budget has been formulated by Council keeping increases in its total rates income, fees and charges at reasonable levels. The Draft Budget is proposed to utilise \$0.39 million of Working Capital, therefore the Working Capital is projected to be \$3.04 million as at 30 June 2014.

The project Working Capital over the period of the Delivery Plan is now:

	<i>Total</i> <i>2013/2014</i> \$'000	<i>Projected</i> <i>2014/2015</i> \$'000	<i>Projected</i> <i>2015/2016</i> \$'000	<i>Projected</i> <i>2016/2017</i> \$'000
Opening Working Capital	3,433	3,037	3,283	3,375
Net Working Capital Result	(396)	245	92	(150)
<b>Closing Working Capital</b>	<b>3,037</b>	<b>3,283</b>	<b>3,375</b>	<b>3,225</b>

This includes proposed adjustments as detailed later in this report.

### Draft Four Year Delivery Plan and Draft One Year Operational Plan and Recommended Amendments

Since the Draft Four Year Delivery Plan and Draft One Year Operational Plan was adopted by Council for public exhibition, there are some amendments that are required to be made to the Draft Plans to correct minor typographical errors or amendments to the wording of the document, adjustments vacant positions that have been filled, other labour adjustments, plus some minor budgetary adjustments, as detailed below.

Once adopted the Four Year Delivery Plan 2013-2017 including One Year Operational Plan 2013/2014 will be published in its final form on Council's website with notification in the Ryde City View newsletter. A bound copy of the document will be distributed to all Councillors and will also be available at Customer Service and our five libraries.

### Proposed Amendments

The following proposed amendments are put forward for Council's consideration and determination.



**ITEM 13 (continued)**

To balance Working Capital and the Asset Replacement Reserve in the Delivery Plan and Operational Plan, a total of \$7.90 million in projects, both Capital and Non-Capital have been removed from the draft Delivery Plan and Operational Plan. This was due to the draft plans, as exhibited having both Working Capital and the Asset Replacement Reserve overdrawn.

As a result, this has resulted in the following cuts having to be made to the Delivery Plan to ensure they are in alignment with the projected funds available and in maintaining a Working Capital balance at \$3 million or above:

	Cuts by Year \$ M
2013/2014	-0.1
2014/2015	0.0
2015/2016	3.0
2016/2017	5.1
<b>Total Delivery Plan</b>	<b>7.9</b>

The negative figure relates to additional projects that have been added, being Meadowbank Station Precinct Master Plan.

A complete listing of all projects that are affected across the Long Term Financial Plan are in **ATTACHMENT 3** showing the amounts changed in the Delivery Plan.

The changes made in 2013/2014 have the following impact on the budget.

	\$ '000
<b>OPERATING REVENUE</b>	
Rates & Charges	130
User Charges & Fees	(193)
Operating Grants & Contributions	31
<b>TOTAL OPERATING REVENUE</b>	<b>(32)</b>
<b>OPERATING EXPENSES</b>	
Employee Costs	(635)
Materials & Contracts	263
<b>TOTAL OPERATING EXPENSES</b>	<b>(372)</b>
<b>Capital</b>	<b>98</b>
<b>Reserves</b>	<b>(262)</b>
<b>TOTAL CHANGES</b>	<b>(20)</b>

**ITEM 13 (continued)**

The main points of the changes are:

- Increase in rates and annual charges identified through changes in the rating base.
- Reduction in the projected income in the Health and Building area, due to some area being competitive.
- Increase in grant income that relates to Waste projects, identified in Materials and Contracts.
- Budgeting for a 2% saving in salaries throughout the year. These have generally been brought to account through the Quarterly Reviews and used to fund other works.
- Materials and Contracts adjustment includes costs for the merchandise sold at the RALC, two non-capital projects funded from Domestic Waste Reserve and Grants.

These adjustments will see a reduced flexibility in Council's budget in 2013/14, which will restrict Council's ability to fund any additional requests throughout the year.

**Councillor Workshops – Financial Sustainability, Assets, Services and Service Standards**

As discussed previously with Councillors, Council is required to review its current financial position and agree on how it will address its long term financial sustainability.

It is proposed that the topics to be covered are:

- Understand Council's current projected financial position and the adjustments required to be made to both the Delivery Plan and Long Term Financial Plan, to ensure both documents are balanced and sustainable.
- Review and discuss funding options on how Council can address its current and future financial challenges.
- Review, discuss and confirm the satisfactory standard of asset condition across all classes of assets.
- Review, discuss and confirm the services and standards of service across all areas, including maintenance activities.

**ITEM 13 (continued)**

- Review the result of the above determination in a revised Long Term Financial Plan (LTFP).

To fully discuss the above issues, it is proposed to schedule at least a two day workshop with Councillors or multiple night workshops.

It is proposed that such sessions would be undertaken in late July/August.

This report seeks Council's endorsement as to its preference of scheduling a weekend session or multiple workshops in late July/August.

**Civic Centre Refurbishment**

As resolved by Council on 14 May 2013, the Civic Centre Refurbishment has been included in the Four Year Delivery Plan and One Year Operational Plan

**Capital Works Program 2013-2017**

City of Ryde's revised 4 year Capital Works program totals \$69.00 million with \$19.69 million Program for 2013/2014. A proposed Capital Works program has been **CIRCULATED UNDER SEPARATE COVER.**

**Loan Borrowings**

City of Ryde proposes to borrow \$1.5 million in additional funds, for the Children's Play implementation project, with Council's forecasted debt service ratio being less than 3% as at 30 June 2014. There is a loan borrowing for the Surf Attraction that is yet to be drawn down and will be done during 2013/2014, which is due to delays with the project

**Rates and Annual Charges**

The Minister for Local Government has set the rate pegging limit at 3.4% for 2013/2014 and this is proposed to be adopted by Council for the 2013/2014 rating year.

The Minister for Local Government has advised the maximum interest rate on overdue rates for 2013/2014 is 9%. It is recommended that Council adopt this amount.

**Fees & Charges**

It is proposed that the following changes be made to the Schedule of Fees and Charges in respect of the following areas:

1. Bookings in fees and charges change from 6 hours to 4 hours for General halls only for Category 2, 3, 4

**ITEM 13 (continued)**

2. A new Annual Charge for a Waste for properties other than residential properties, which are not Domestic Waste Charges. This is also now subject to GST. An example would be a Church.

**Summary - Key Initiatives and Key Performance Indicators in the Draft Four Year Delivery Plan 2013-2017 including One Year Operational Plan 2013/2014**

Key aspects and financial indicators included in the Draft Plans for the 2013/2014 budget are:

- Total budget (Operating & Capital Expenditure excluding depreciation) is \$100.75 million.
- The Operating Result before Depreciation provides for a surplus of \$12.07 million.
- Forecasted Working Capital as at 30 June 2013 is \$3.43 million and as at 30 June 2014 is projected to be \$3.04 million.
- The budget provides for 486.9 full time equivalent employees with a total headcount of 678 staff.
- Debt Service Ratio is estimated to be <3% as at 30 June 2014.
- Capital Expenditure in 2013/2014 is budgeted at \$19.69 million representing a Council funded program of \$5.85 million; there are no contributed assets in forecast in 2013/2014.
- City of Ryde will in 2013/2014, continue to provide significant subsidies to various community groups, sporting clubs and government organisations. Subsidies are provided by either reduced rentals on Council facilities, pensioner rate subsidies, reduced hire fees for Council facilities, grants to various organisations or sponsorship of events.
- City of Ryde will make payments/contributions to NSW Government entities totalling \$10.62 million in 2013/2014.
- The principal areas of project expenditure in 2013/2014 are:
  - Capital Expenditure - \$19.69 m
  - Non-Capital Expenditure - \$ 2.57 m
  - In-kind Capital - \$ 0.00 m
  - Total Projects \$22.26 m

**ITEM 13 (continued)**
Council funded projects \$22.26 million

<b>Program</b>	<b>Capital Projects \$ M</b>	<b>Non-Capital Project Projects \$ M</b>	<b>Total \$ M</b>
Catchment program	1.96	0.02	1.97
Centres and Neighbourhood program	1.25	0.31	1.56
Community and Cultural program	0.21	0.21	0.42
Customer and Community Relations program		0.34	0.34
Economic Development program		0.09	0.09
Environmental program		0.15	0.15
Foreshore program	0.05		0.05
Governance and Civic program			
Internal Corporate Services program	4.21	0.24	4.45
Land Use Planning program		0.47	0.47
Library program	0.66		0.66
Open Space, Sport & Recreation program	3.41	0.07	3.48
Organisational Development program			
Paths and Cycleways program	1.00		1.00
Property Portfolio program	1.53	0.05	1.58
Regulatory program		0.09	0.09
Risk Management program		0.03	0.03
Roads program	4.13		4.13
Strategic City program	0.03	0.05	0.08
Traffic & Transport program	0.62	0.30	0.92
Waste and Recycling program	0.62	0.16	0.78
<b>Total</b>	<b>19.69</b>	<b>2.57</b>	<b>22.26</b>

Details of both the Macquarie Park Special Rate (which was approved by the Minister for Local Government for 2006/2007 on an ongoing basis) and the Stormwater Management Service Charge are contained in the Revenue Policy within the Draft Plans. All of the funds raised from these sources will be dedicated to the purposes raised and will address priority work relating to the current condition of Council's infrastructure valued at \$1.3 billion. These works are detailed in the Projects by Program section of the Draft Plans.

In summary, the Draft Plans, Draft Budget and Draft Fees and Charges for 2013/2014 maintain the current level of services to the community whilst continuing to deliver a substantial Capital Works Program. As forecasted in the Draft Plans, Council's funded Capital Works Program is projected to reduce over the four (4) years to a program of \$13.64 million, unless other sources of funds are found.

### ITEM 13 (continued)

Council is continuing to address the condition of the City's infrastructure and in particular the renewal of existing infrastructure. Council's proposed Capital Works Program of \$19.69 million for 2013/2014 provides for approximately \$10.95 million of renewal of existing assets next year.

This represents a shortfall of \$7.05 million next year. Council's Long Term Financial Plan recommends Council spend \$18 - \$20 million per year on asset renewal of its existing infrastructure assets, based on asset management principles. This level of capital expenditure includes the use of \$10.97 million from Reserves on hand for 2013/2014.

It should be noted that Council's Operating Result Before Capital (including depreciation) is projected to be a loss of \$9.17 million, which represents the level of additional funding that is required for annual infrastructure renewal.

This shortfall will need to be addressed and additional funding identified in supplementing our future Capital Works Program otherwise the condition of the City's infrastructure will deteriorate to a level that will not be sustainable in the longer term.

Council is continuing to work to address the challenge of funding this shortfall to ensure that public infrastructure continues to be maintained at a satisfactory standard that is acceptable to the community. A comprehensive review of Infrastructure Assets and their funding is planned to be undertaken during 2013/2014.

### Rates Discounting

The matter of rates discounting was raised at the Council Meeting on Tuesday 14 May 2013, with a further report to come back to Council.

An analysis has been undertaken previously of the rate payment history over the last few years together with research of a sample number of Local Government authorities on this matter. There has not in the last two years been a significant variance in the payment pattern.

Key findings on the analysis undertaken are as follows:

- The City of Ryde in 2012/2013 averaged the following payment history, compared to the previous analysis, which is also shown:

Period	Percentage 2012/2013	Percentage Previously
End Aug	24.0%	25.2%
End Nov	23.4%	28.4%
End Feb	22.0%	21.7%
End May	23.8%	22.9%
June	6.8%	1.8%

**ITEM 13 (continued)**

The payment pattern strongly reflects that ratepayers are paying by instalments (interest free) with a small proportion paying in full by the first instalment, but more interesting is that ratepayers are deferring payments more than previously.

- Given the above information, the ability for Council to generate and improve its financial position by offering a discount is believed to be very unlikely. It is suggested from the above information that Council would be in a worse financial position by offering a discount, by approximately \$44k.
- When compared to the fact that ratepayers could hold these funds in a mortgage offset account and get a reduction in their mortgage interest equivalent to their mortgage rate for the same period, the best advantage for them, is to have the funds in the mortgage offset account. As an example on a mortgage at 6.99%, a person can earn relief on their interest at the rate of 6.99% compared to what Council could offer. In those circumstances it would be unlikely that ratepayers would take advantage of a discount.
- Unlike Queensland, where they are not rate pegged, Council's offer of a discount is factored into their Rate Yield, some offer a two tiered discount, as an example Gladstone Regional Council offers two discounts (10% & 5%) for two different periods (30 days and 60 days). In their budget process they simply increase the yield from their rates to cover the total estimated amount of discount, which is not possible in NSW. Any discount in NSW is a reduction of income for Council, is not recoverable in a rating increase or a valid reason for a rating increase.
- From a sample survey of Councils it is understood that there are no NSW Councils offering a rate discount, mainly due to the limitations of the NSW Rate Pegging Legislation.

It is therefore recommended that Council not introduce a rate discount scheme.

From the Councils surveyed, only two (2) Councils offered an incentive scheme for early payment of rates, one Council offering a car and the other shopping vouchers.

It is suggested that if Council supported the incentive scheme, that further investigation on the prizes to be offered together with a promotion plan need to be undertaken and reported back to Council for its determination.

**Critical Dates**

Council publicly exhibited the Draft Four Year Delivery Plan and Draft One Year Operational Plan on 22 May 2013 for a period of 28 days, inclusive, closing on 18 June 2013, to allow the public to make submissions on any aspect of the Draft Plans.

**ITEM 13 (continued)**

Council is required to consider all public submissions received during the public exhibition period, when considering this matter at its meeting on Tuesday, 26 June 2012, prior to formally adopting the Four Year Delivery Plan 2013-2017 including One Year Operational Plan 2013/2014.

**Consultation**

Internal Council business units consulted included:

- Executive Team
- Corporate Strategy Unit
- Finance Unit
- All Council Service Units
- Staff Champions

Internal Workshops held:

- Councillor workshops - In the preparation of the Draft Plans, workshops have been held with Councillors as follows:
  - Workshop 1      27 Nov 2012      (Overview & Timeframe)
  - Workshop 2      12 Feb 2013      (Rates, Fees & Charges)
  - Workshop 3      26 Feb 2013      (Base Budget)
  - Workshop 4      12 Mar 2013      (Projects)
  - Workshop 5      26 Mar 2013      (Projects)
  - Workshop 6      9 Apr 2013      (Corporate Priorities Review)
- Councillors were also requested, at the commencement of the budget process, to submit their priority projects
- Staff workshops - In the preparation of the Draft Plans, workshops have been held with staff for each Outcome area under the Draft Community Strategic Plan to consider Projects that would meet the goals and strategies within the Community Strategic Plan.

External public consultation on both Draft Plans included:

- Public exhibition of Draft Four Year Delivery Plan 2013-2017 including One Year Operational Plan 2013/2014 between 22 May 2013 and 18 June 2013.
- Information package on Council's website, Civic Centre and all Libraries
- An invitation to provide feedback on both Draft Plans were made to:
  - State and Federal Government Members of Parliament
  - State Government agencies
  - Macquarie Park Forum



**ITEM 13 (continued)**

- Ryde Business Forum, all Chambers of Commerce
- EDAC Committee Economic Development Advisory Committee
- Macquarie University
- TAFE
- Local Service Providers (All Rotary organisations)
- Advice to all Advisory Committee members, Chambers of Commerce/Progress Associations providing links to Council's website
- Public presentations of the draft plans were held:
  - 1 June with a Community drop in session at La Piazza at the Top Ryde Shopping Centre
  - 3 June with an after-hours event with the Ryde Business Forum.

**Operational Plan Budget / Linkages**

The Draft Four Year Delivery Plan 2013-2017 including One Year Operational Plan 2013/2014 detail the key projects, initiatives and actions that Council proposes to be undertaken over the next year. It provides the strategic direction for Council and details the key initiatives, deliverables and performance measures for 2013/2014 in addition to formally allocating resources through the Budget.

**Financial Implications**

The Draft Four Year Delivery Plan 2013-2017 including One Year Operational Plan 2013/2014 maintains the City of Ryde's sound financial position whilst delivering a significant Capital Works Program of \$19.69 million and projects a Working Capital balance of \$3.04 million, as at 30 June 2014.

Council is continuing to address the condition of the City's infrastructure and in particular the renewal of existing infrastructure. Council's proposed 4 year capital works program of \$69 million provides approximately \$41.25 million for renewal of existing assets which equates to \$10.31 million per year.

However, based on asset management principles, Council should spend \$18 - \$20 million per year on asset renewal. On Council's projected level of expenditure, City of Ryde's infrastructure will continue to decline and increase expenditure will be required in future years in maintaining Council's infrastructure at a satisfactory condition.

As detailed in this report, Council's Delivery Plan has been adjusted to ensure that the Plan adopted by Council is realistic and can be delivered. To further address Council's long term financial sustainability, this report is seeking for Councillors to have additional workshops in July/August to determine Council's position and strategy.

**ITEM 13 (continued)****Other Options**

Council has the discretion to accept or reject the proposed amendments to the Draft Plans and to accept or reject any of the public submissions. Due to the tight nature of the budget, should Council decide to reject or accept additional expenditure or income, an alternative source of those funds would need to be found.

**ITEM 13 (continued)**

**ATTACHMENT 1**

Four Year Delivery Plan 2013-2017 Submissions and response from Council Officers

<b>Date Reference</b>		<b>Submission</b>	<b>Comments</b>
23/5/2013 D13/41932	Ryde Community Alliance  The Friends of North Ryde	<p>North Ryde Investigation Area and Local Planning Study.</p> <p>Ryde Community Alliance and the Friends of North Ryde request that the Council immediately withdraw the reference and details of the "Investigation Area", which identifies a large area of the existing residential area south of Epping Road, from the Local Planning Study currently on the Council website.</p> <p>Although Council officers have stated that the area is to be investigated for increased housing over a five year time frame, the community has been told otherwise by an officer of the Department of Planning &amp; Infrastructure who stated that the area south and south west of North Ryde Railway Station was currently being investigated for high density housing. When further clarification was subsequently requested by a representative of the Friends, the officer stated that Ryde Council was currently investigating higher density residential in the investigation area.</p> <p>In the circumstances, in which the Council has resolved to object to the proposed rezoning of the North Ryde Railway Station Precinct for high rise residential and mixed use development, it is critical that the proposed investigation area be removed from the Local Planning Study and the website. The Planning Study states that the dwelling targets for Ryde can be achieved without rezoning additional land. As the investigation area is not required to be included under the Ryde Local Environmental Plan for the Council to meet the dwelling targets it is therefore not relevant and should be removed.</p> <p>The Council's planning for North Ryde has been very successful. Firstly, by generating the successful Macquarie Park and North Ryde business parks and creating significant employment. Secondly, by supporting the</p>	<p>The Local Planning Study was adopted by Council on 7 December 2010. The Planning Study and its recommendations were the basis for the perpetration of the comprehensive Local Environment Plan. An amendment to the Study is considered inappropriate given these circumstances.</p> <p>The City of Ryde Four Year Delivery Plan 2013 – 2017 identifies a project proposed to be undertaken in 2014/2016 at a total cost of \$100 000 known as the Epping Road Study.</p> <p>This project is a result of the resolution of Council on the 7 December 2010 to adopt the City of Ryde Local Planning Study.</p> <p>A further study relating to the southern side of Epping Road was a recommendation made both in the Centres and Corridors Study and the Housing Study.</p> <p>The justification for the study includes:-</p> <ul style="list-style-type: none"> <li>To provide a transition in scale and built form between the taller buildings in Macquarie Park and lower scaled</li> </ul>

**ITEM 13 (continued)**

**ATTACHMENT 1**

<b>Date Reference</b>		<b>Submission</b>	<b>Comments</b>
		<p>renewal and revitalisation of the North Ryde residential area by a new generation of families and residents. Thirdly, by strengthening the community ties in the area. And also, through the increasing awareness and care for the natural and cultural environment of the North Ryde area. It is important that the Council maintain the local planning controls and it's commitment to the North Ryde area and it's community.</p> <p>As no consultation with the community has taken place regarding the investigation area and no details of how increased densities might be achieved over and above the existing options such as dual occupancy, villas and other infill forms it is strongly recommended that the Council withdraw the investigation area immediately.</p>	<p>residential development</p> <ul style="list-style-type: none"> <li>• A need to revitalise existing retail and commercial areas along Epping Rd</li> <li>• To provide opportunity for redevelopment of older residential areas with a diverse range of residential land uses.</li> <li>• To take into consideration the proposed future county road corridor connecting Epping Road to Eastwood.</li> <li>• Council has been approached with ad hoc Planning proposals on the southern side of Epping Road. A Study would enable a contextualised and holistic approach to such future development.</li> </ul> <p>However the following are concerns/issues with respect to carrying out such a study:-</p> <ul style="list-style-type: none"> <li>• Redevelopment on the southern side of Epping Road has generated significant community concern</li> <li>• Traffic generation issues</li> <li>• Council at the time of the Local Planning Study did not anticipate the scale of the North Ryde Station Precinct or Herring Road Urban Activation Precincts.</li> </ul>

**ITEM 13 (continued)**

**ATTACHMENT 1**

<b>Date Reference</b>		<b>Submission</b>	<b>Comments</b>
			Options <ul style="list-style-type: none"><li>• Council removes the project from the Four Year Delivery Plan and amends the Local Planning Study to remove all reference to the Study</li><li>• Council defers the project from the Four Year Delivery Plan.</li><li>• Council continues with the project as part of the Four Year Delivery Plan</li></ul>

**ITEM 13 (continued)**

**ATTACHMENT 2**



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**Ryde - Hunter's Hill Flora and Fauna Preservation Society**

Member of Nature Conservation Council of N.S.W.

**P.O. Box 2127  
Boronia Park 2111**

Ms Danielle Dickson,  
Acting General Manager,  
The City of Ryde  
Locked Bag 2069, North Ryde NSW 1670.  
[cityofryde@ryde.nsw.gov.au](mailto:cityofryde@ryde.nsw.gov.au)  
16 June, 2013

**RE: Draft Four Year Delivery Plan 2013-2017.**

Dear Ms Dickson,

The Society expresses its disappointment with the lack of emphasis on biodiversity protection and integrated natural areas management in the Draft Four Year Delivery Plan 2013-2017.

A catchment approach is supported by the Society but this should not just focus on stormwater controls and upgrades. Ultimately, all stormwater discharge is to a local creek or waterway. Poor biodiversity along riparian zones will reduce water quality and weed invasion impedes the capacity of natural watercourses to accommodate higher peak flows. Urban watercourses are under assault from:

- increased intensity and frequency of peak rain events which will exacerbate due to climate change;
- loss of purifying ground water zone with deeper excavation for high rise development;
- increased hard surfacing across all catchments, whether that be roadside kerb and gutter programs, cycleways, footpaths, urban backyards or hard standing of sportsfields.

Management of catchments needs an integrated approach and it is concerning that Council's operational approach fails to reflect this at times. For example, the Society has always supported the need for a Buffalo Creek Flood Plain Risk Plan but this needs to be linked to broader masterplanning for the Field of Mars Wildlife Refuge which has not occurred. (No money is available currently for a Masterplan.) The recent Brush Farm Park Masterplan was prepared without input from a hydrological study. Ironically, the draft Masterplan has identified the need for a hydrological study prior to implementation of most of the plan.

**ITEM 13 (continued)**

**ATTACHMENT 2**

In principle, the Society supports Master Planning for larger open space areas but feel there is the need to ensure that masterplanning is "in-house", integrated and realistic in terms of community expectations and available finances. A whole of Council approach is required rather than competing wish lists and ad hoc development of valuable open space.

Biodiversity sustains our physical and social well being, yet the need for strategies to ensure protection of our biodiversity, especially threatened species and endangered ecological communities is poorly prioritized in the draft plan. The City of Ryde recently dropped biodiversity mapping from its planning controls, the fox control program has ceased and contracted bush regeneration hours appear reduced and less targeted towards biodiversity preservation.

Volunteer programs represent one approach to achieve biodiversity protection (and Ryde provides an excellent service in this area), but volunteers do not always have the availability, expertise and broader focus that is required in ensuring improved biodiversity outcomes. Projects such as the recent River to River project build community awareness and capacity, but they may not result in good biodiversity outcomes. For example, the bird monitoring component of this project identified large numbers of noisy miners and rainbow lorikeets which crowd out the abundance and diversity of other native bird species.

Reconstructed habitat corridors across catchments need to be independently monitored to ensure they do actually improve biodiversity. It is concerning that Council has ceased ecological monitoring via its Flora and Fauna Studies. These excellent Studies, undertaken by Council some years ago provide critical information to identify strategies to ensure good biodiversity outcomes. The studies need to be replicated regularly (every five to ten years) to ensure local biodiversity is actually improving. Council's State of Environment Reporting lacks this level of scientifically based detail.

The cessation of the fox control program for the last two years has been very disappointing to the Society and we urge immediate action to reinstate this relatively modest costing program that is continuing in adjoining Council areas. The Field of Mars is Ryde's only Wildlife Refuge and it would seem (anecdotally) that the likelihood of visitors and students sighting ducklings, brush turkeys and water dragons has reduced over the past year presumably due to the presence of foxes which are either directly sighted or known from their scats often observed along the boardwalk.

Dogs, as pets, increasingly form an important component of many family units. Whilst there is often the presumption that dogs do no "harm" to native fauna, this is not backed up in studies. Dogs, on and off leash, reduce abundance and diversity of birds, especially small birds. This is not that dogs directly attack birdlife but that they are perceived as a predator by small birds that become stressed, especially when dogs are in small bird breeding habitat.

**ITEM 13 (continued)**

**ATTACHMENT 2**

Over the past few years, Council has increased dog off leash areas in some parks that adjoin habitat corridors. The off leash dog areas were introduced by Council in a rush. There was no fencing installed in parks where off lease areas adjoined sensitive bushland and habitat. We note that some money has been allocated in the draft plan for this purpose and trust that this is adequate and that any installation of fencing will be well targeted and carefully installed.

The draft Delivery Plan suggests a need for greater transparency in how some expenditure is presented. For example, Porter's Creek old tip site appears to continue as a significant expenditure item. The leachate from this site is a major point source of pollution for the Lane Cove National Park and contributes to weed invasion from the increased nutrient load it places on the river. An initial glance at the draft delivery Plan would suggest Council is investing significantly in Waste and Recycling programs. However, it would really seem that 97% of the Projects Expenditure Budget for "...educating on and facilitating recycling..." is spent on Porters Creek and that 21% of the operational allocation in the "City of Environmental Sensitivity" is directed also to Porters Creek. It should be noted that 0.02% is allocated to protecting Ryde's Biodiversity in the "City of Environmental Sensitivity". We question why the Top Rider Bus Service is entered under Environment Program. We would presume that this service does not reduce car dependency but does assist in meeting the important mobility and access needs of an increasingly aging population.

Road maintenance continues to absorb significant amounts of Council's expenditure and we urge that Council consider, where possible, the future impacts of climate change in maintenance programs as roads will become an increasingly expensive asset to maintain.

The Society is unclear whether library expenditure has been increased since the move to the new central library which was an exciting move for the community. Libraries appear to be changing in their function, especially as they become "hot spots" for a range of devices and user groups. They are very busy places and adequate resourcing is necessary to ensure they meet the current and changing needs of residents. Ryde's librarians continue to provide an excellent service in the changing shape of the modern library.

We wish Council well in the implementation of its Delivery Plan. We trust that the value of Ryde's natural habitat areas and watercourses will be recognized and protected as all of Sydney comes under increasing pressure from State Government urban growth economic policies.

Yours sincerely,

Sue Burnet,  
Secretary.



**ITEM 13 (continued)**
**ATTACHMENT 3**

Projects removed from the draft Delivery Plan and Operational Plan					
Total Adjustments	- 148,000	10,000	2,990,155	5,051,980	7,904,135
Projects	2013/14 Base Budget Total	2014/15 LTFP Total Budget	2015/16 LTFP Total Budget	2016/17 LTFP Total Budget	TOTAL DELIVERY PLAN
<b>Non-Capital Projects</b>	-	-	115,000	215,000	330,000
30068. Community Garden & Nursery	-	-	-	15,000	15,000
30162. GPIMS - System Development	-	-	40,000	-	40,000
30218. Economic Development Plan Implementation	-	-	-	50,000	50,000
30238. Top Ryder Community Bus Service	-	-	-	100,000	100,000
30251. City of Ryde Food & Festivals Guide	-	-	-	50,000	50,000
30464. eBusiness - Smart Forms	-	-	75,000	-	75,000
<b>Capital Projects</b>	- 148,000	10,000	2,875,155	4,836,980	7,574,135
30469. Lighting Audit and Upgrade Work	20,000	10,000	10,000	-	40,000
Addington House	- 50,000	-	-	-	- 50,000
Meadowbank Station Precinct Master Plan	- 150,000	-	-	-	- 150,000
40001. Bus Shelters - new	-	-	-	-	-
40002. Bus Stop DDA compliance	-	-	-	-	-
40003. Bus Stop Seats - new	-	-	-	-	-
40026. Street Tree Planting Program	-	-	-	-	-
40027. Park & Open Space Tree Planting Program	-	-	-	-	-
40029. Delineation of Natural Area	-	-	-	12,500	12,500
40087. Library Books	-	-	-	-	-
40089. Heavy Patching	-	-	-	-	-
40610. Digital enhancement for Libraries	-	-	-	25,000	25,000
40611. Renewal of Public PCs at Libraries	-	-	-	19,000	19,000
40801. West Ryde Library Renewal and Furniture	-	-	-	265,000	265,000
40816. RFID equipment replacement	-	-	-	129,380	129,380
50001. Cycleways Construction Renewal	-	-	-	-	-
50002. Road Resurfacing Renewal	-	-	94,975	967,970	1,062,945
50003. Footpath Construction Renewal	-	-	-	200,000	200,000
50004. Road Kerb Renewal	-	-	-	-	-
50005. Traffic Facilities Renewal	-	-	-	-	-
50006. Bridge Upgrade / Renewal	-	-	-	-	-
50007. Neighbourhood Centre Renewal	-	-	-	483,640	483,640
50009. Seawalls/Retaining Walls Refurbishment Renewal	-	-	56,280	57,960	114,240
50011. Sportsfield Floodlighting Renewal	-	-	-	-	-
50012. Sportsfield Renewal & Upgrade	-	-	-	-	-
50014. Community Buildings Renewal	32,000	-	-	-	32,000
50015. Sportsground Amenities Renewal & Upgrade	-	-	-	-	-
50016. Playground Construction & Renewal	-	-	-	-	-
50018. Corporate Buildings Renewals	-	-	200,000	200,000	400,000
50020. Information Technology Renewals	-	-	200,000	136,820	336,820
50021. Car Park Renewal	-	-	-	-	-
50023. Town Centre Upgrade Renewal	-	-	1,540,000	1,500,000	3,040,000
50025. Operational Buildings Renewal	-	-	50,000	-	50,000
50026. Community Buildings Renewals - Libraries	-	-	-	75,000	75,000
51003. Footpath Construction Expansion	-	-	723,900	764,710	1,488,610

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**14 CARRYOVER FUNDS/PROJECTS 2012/2013 TO 2013/2014**

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**Report prepared by:** Chief Financial Officer**File No.:** FIM/07/6/2/2/6 - BP13/859

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**REPORT SUMMARY**

This report details the funds/projects that are recommended to Council to be carried over from the 2012/2013 budget and to carry forward the expenditure, associated income and reserve funding into the 2013/2014 financial year. The carryover projects are being recommended for the following reasons;

- The carryover funds/projects have been substantially commenced
- Funding/grant notification was confirmed late in the financial year
- The project was delayed due to circumstances beyond Council's control.
- The project will not be completed by the 30 June 2013.

Of the works sought to be carried forward \$4.29 million is from Council's General Revenue.

Council started the year with \$23.54 million in projects (\$20.52 million in capital and \$3.02 million in non-capital) and have added some \$6.29 million in projects (\$5.77 million in capital and \$0.52 million in non-capital) through the three quarterly reviews, plus carried over projects of \$13.74 million (\$12.57 million in capital and \$1.17 million in non-capital) from last year. From these works, Council is on track to deliver a total of \$30.18 million in projects (\$26.70 million in capital and \$3.48 million in non-capital) or 128% of the original amount budgeted in the Delivery and Operational Plan.

**RECOMMENDATION:**

- (a) That Council endorse the following proposed carryovers and include them in the 2013/2014 Budget;
- i. \$0.66 million for projects that will benefit from broader scope for efficiencies,
  - ii. \$0.38 million for projects that have contract disputes
  - iii. \$2.83 million for projects that have been delayed for reasons detailed in this report
  - iv. \$9.53 million for projects that were substantially commenced, tendered and/or contracts signed
- (b) That the proposed transfer to reserve for the public art component of projects, included in this report totalling \$0.11 million be endorsed for transfer to a Public Art Reserve.
- (c) That the proposed transfers to and from Reserves as detailed in the report, and included as budget adjustments, totalling a net increase in Reserves of \$5.24 million be adopted.

**ITEM 14 (continued)**

**ATTACHMENTS**

- 1 Carryover Expenditure 2012/2013
- 2 Carryover Reserves 2012/2013

Report Prepared and Approved By:

**John Todd**  
**Chief Financial Officer**

Report Approved By:

**Roy Newsome**  
**Group Manager - Corporate Services**

## ITEM 14 (continued)

### Background carryover funds/projects

Under Section 405 of the Local Government Act, Councils are required to adopt an Operational Plan (or Management Plan during the transitional period). Under clause 201(1)(a) of the Local Government Regulation councils are required, as part of that operational plan, to estimate its income and expenditure, for the specific financial year of the Operational Plan.

Under clause 211 of the Local Government Regulation all votes lapse at the end of the financial year, with the following exceptions:

- Works carried out or started or contracted to be carried out
- Services, goods or materials provided or contracted to be provided
- Facilities provided or started or contracted to be provided

What this means is that the budget for a specific year ends at the 30 June. Should there be projects or funding that a council has committed to in a financial year, but has not had them provided or contracted or has not finalised the expenditure by the 30 June, there is a need for Council to resolve for those funds to be spent in the next financial year, commonly called carryovers.

Those contracted, started, provided or contracted are also included in this process to ensure completeness and transparency of the amounts carried from one year to the next and to facilitate a clear distinction of that expenditure in the new financial year.

### Report

#### Carryover funds/projects

This report details the funding for projects that was approved in the 2012/2013 financial year budget and which are required to be carried forward into the 2013/2014 financial year.

A dissection of the categories of the reason for the requested carryover is shown in the table below. Approval is sought to carry forward the expenditure and associated income and reserve funding into the 2013/2014 financial year.

The total amount of works sought to be carried forward is \$13.40 million with a complete listing of all expenditure detailed in **Attachment 1**, which are recommended to be carried forward and the detailed reason for the carryover. A dissection of the source of funding is shown below. A listing including funding sources to be carried over is detailed in **Attachment 2**.

The greater percentage of works proposed for carry over are funded from external sources and reserves, with \$4.29 million of Council's General Revenue to be carried forward. Carryovers will be considered in this report and minor adjustments also made in the June Quarterly Budget Review. It should also be noted that as part of the March Quarterly Review, all projects that had a likelihood of an amount that would need to be carried over were identified as such.

**ITEM 14 (continued)**

The categories and reasons for seeking the carryover are detailed below.

Already approved by a Council Resolution	0
Broader Scope for Efficiencies	661
Contract Dispute	378
Delayed - Community Consultation	1,406
Delayed - Council Resolution	135
Delayed - Matching funds	597
Delayed - RTA/Other Departments Approval	529
Delayed - Staff Changes	104
Delayed - Supply of Materials	64
Only added in March Quarterly Review	2
Substantially Commenced, Tendered, and/or Contracts Signed	9,525
<b>TOTAL</b>	<b>13,400</b>

It is recommended that Council endorse the expenditure, the supporting sources of funding and the transfers to/from reserves to be carried over to the 2013/2014 budget.

From Council's capital works projects, funds are allocated for Public Art components, and as part of these carryovers it is recommended to transfer these amounts to a specific internal reserve for Public Art and when the works are due to commence, that these be brought back from the reserve when Council considers the Public Art component.

The following are the sources of funding for the recommended carryovers.

Government Grants	3,723
Contributions	640
Asset Replacement Reserve	805
Domestic Waste Reserve	22
Investment Property Reserve	29
Macquarie Park Special Rate	1,127
Public Arts Reserve	106
Ryde Aquatic Leisure Centre (including Internal Loan)	1,785
Sec 94 Reserves	-326
Loans (external)	1,200
General Revenue	4,290
<b>TOTAL</b>	<b>13,400</b>

The negative amount from Section 94 relates to a change in funding source from General Revenue to Section 94 for the Sportsground Amenities Upgrade program.

**ITEM 14 (continued)**

It should be noted that last financial year, \$4.79 million of General Revenue was carried forward from 2011/2012.

Council's Capacity to undertake works

Each year when Council considers the level of carryovers, Council's capacity to undertake the level of work in the Delivery Plan plus the carryovers is raised and questioned as to whether Council does or does not have the capacity to do the works.

The following table shows 2012/2013 in relation to the amount of project work (capital and non-capital) that has been budgeted and either done or anticipated to be completed.

	<b>Capital</b>	<b>Non-Capital</b>	<b>Total</b>
Original Budget	20,523	3,020	23,544
Carryover Budget	12,570	1,174	13,744
Quarter 1 Review	1,583	212	1,795
Quarter 2 Review	2,902	124	3,026
Quarter 3 Review	1,287	182	1,469
<b>Approved Budget</b>	<b>38,865</b>	<b>4,712</b>	<b>43,577</b>
<b>Carryovers Sought</b>	<b>12,164</b>	<b>1,236</b>	<b>13,400</b>
Amount Expected to be completed	26,701	3,476	30,177
<b>% of original budget</b>	<b>130%</b>	<b>115%</b>	<b>128%</b>

What can be seen from this is that Council is on track to deliver, taking into account carryovers, approximately 128% of the value of the original budgeted amount that was included in the 2012/2013 Operational Plan.

Council started the year with \$23.54 million in projects (\$20.52 million in capital and \$3.02 million in non-capital) and have added some \$6.29 million in projects (\$5.77 million in capital and \$0.52 million in non-capital) through the three quarterly reviews, plus carryovers of \$13.74 million (\$12.57 million in capital and \$1.17 million in non-capital) from last year.

It is recommended to carryover \$13.40 million (\$12.16 million in capital and \$1.24 million in non-capital), which means Council is on track to deliver a total of \$30.18 million in projects for the 2012/2013 year (\$26.70 million in capital and \$3.48 million in non-capital).

**ITEM 14 (continued)****Financial Implications**

By Council resolving to carryover the funds/projects from 2012/2013 to 2013/2014 together with the supporting funding, there will be no impact on the available Working Capital, as the funds were already committed in the 2012/2013 budget and had been taken into account when calculating Council's available Working Capital.

Council has the option of not adopting any or all of the proposed carryovers, unless they fall into the exceptions within clause 211 of the Local Government Regulation, where works have been commenced under contract.

**Conclusion**

This report is produced for Council to consider the proposed carryover of funds/projects from the 2012/2013 financial year to the 2013/2014 financial year and it is recommended to carryover \$13.40 million of expenditure. This expenditure is funded in part by the use of \$4.29 million of General Revenue, together with external income sources and reserves which had been budgeted to in 2012/2013 financial year.

**ITEM 14 (continued)**

**ATTACHMENT 1**

Cost Centre	Project	Current Approved Budget	YTD Actuals	Amount Requested	Comments
1830366	Trial of webcasting Council Meetings	20,000	6,359	13,641	Delayed due to procurement of equipment and software
1830547	Delegations Register in CHRIS	2,000	-	2,000	Additional work will be required in 13/14 due to availability of provider and Council system.
2030557	Council Resolved Community Engagement	50,000	-	20,000	Funding required for future community information sessions
2230284	PMCOR System Development	65,000	6,000	35,000	Council resolution May 2013 to endorse contractor payment. Project to progress to completion in 13/14
2230287	Best Value Reviews (annual)	25,000	761	18,000	Consultant was unable to commence project until the final quarter, project will be completed in 2013/14
2424284	Budgeting Tool Software - Purchase	18,300	8,100	10,200	Scoping commenced, delays in getting contractor onsite to implement changes.
2440740	TechOne Enhancements	175,107	66,081	100,000	The new modules have substantially been scoped, changes have been determined, but delays in delivery of final solution have put this behind, including the appointment of a project manager.
2450020	Information Technology Renewals	540,000	339,227	83,000	\$83k carry-over budget request due to the slight delay of the Council web site content management system replacement and the Tree Management system implementations.
2730299	Review Stormwater DCP and align WSUD	75,000	3,902	71,098	Project on track . Project brief runs until September 2013
2830158	Electronic Developmnt Assessment Project	60,000	3,200	56,800	Projected to be completed in 13/14
3230246	Future Focus Home Waste & Sustainability	62,600	33,600	22,000	2 year project ongoing with adjustment in spending between Years 1 and 2
3430311	CRM Workflow Update	105,000	21,250	83,750	Ongoing project to upgrade Council's customer request management system
4111087	Eastwood Master Plan	31,790	-	31,790	The project has been delayed due to the timing of DLEP 2011 and the need for 2 significant DAs in the centre to be determined. Funds are required to allow the completion of the project.
4130059	Section 94 Contribution Plan	150,000	81,124	55,000	Delays have occurred in finalising the Reserch and Economic Analysis due to the need to model additional scenarios. The stage needs to be completed before the Development Contributions Plan can be prepared. The funds allow the completion of the project
4130062	Macquarie Park DCP	170,729	45,893	100,000	Progressing the project was delayed due to the need to hold a second Councilor Workshop. Funds are required to allow the exhibition of the DLEP, amendment to the Plan based on the review of provisions/ issues raised in submissions and employment of a town planner to review the DCP part 4.5
4130225	Macquarie Park Website	75,000	-	46,000	The scope of the project has been expanded to allow for focus groups to be held with Macquarie Park workers to shape the content and look of the website. This has delayed the development/build of the site. The funds are required to allow for the completion of the project.
4130249	Implementation of Marketing Plan	76,330	16,750	25,000	This project funds a number of items identified in the implementation plan. Some delays occured in commencing the projects. Funds are required to allow the completion of the item "Meet Macquarie Park Guide".
4130251	City of Ryde Food & Festivals Guide	40,000	25,550	10,000	The project is completed however funds are required to print ad and distribute the Guide.
4140010	Public Wifi Feasibility Study	50,000	15,181	8,000	Funds are required mainly for the operational requirements of the facility such as line rental, signage and advertising.
4150007	Neighbourhood Centre Renewal	565,470	80,477	472,448	Construction works in the centres of Boronia Park and Agincourt Road have commenced but the projects are behind schedule due to a delay in commencing work (resulting from delays in finalising the detail design) and wet weather. Funds are required to complete the works
4150023	Town Centre Upgrade implementation - Renewal	1,372,500	225,000	1,147,500	The completion of the detailed design and employment of the contractor for Church St has been delayed due factors such as the need for a heritage report, lighting design and revised design to meet the budget. This has delayed construction. The carryover funds plus 13/14 budget will allow the construction work to be completed.
4640109	Boronia Park Centre - Design and Construction	510,105	378,553	131,552	Construction works in the centres of Boronia Park have commenced but the projects are behind schedule due to a delay in commencing work (resulting from delays in finalising the detail design) and wet weather. Funds are required to complete the works.
4640264	Rowe Street- Detailed Design	174,010	107,785	65,855	Funds required to allow the completion of the public domain and public art plan for Rowe Street.
4740565	Asset Management - Condition Data	300,000	222,422	77,578	Project scope to run over into 13/14 Financial year to complete Asset data acquisition
4740597	Public Domain Upgrade Waterloo Rd	536,002	48,000	488,002	Delays have occurred in the finalisation of the detailed design due to some variation in the design scope resulting delaying the recruitment of the contractor and construction. Contractor has now been secured. Additional \$170,000 funding has been allocated to the project in Q3 12/13.
4740819	MQ Park TINSW ECRIL Station Access Works	2,830,000	95,400	2,670,000	Reported to Works Committee 18/6/13, MOU with TINSW to complete works, also includes arrangements for works and funding to carry into 2013/14
4750002	Road Resurfacing Renewal	2,575,000	2,575,669	- 150,000	As reported to Works Committee 18 June, Herring Rd & Badajoz Rd were programmed but require deferral due to works by Macquarie shops and a school function respectively
4930517	Meadowbank/Gladesville Traffic Study	250,000	52,393	197,607	Project still at consultation stage for Ryde Rehabilitation Centre
4940742	Agincourt and Balaclava Rd TCS	690,441	161,276	529,165	Project delayed due to negotiations with RMS.
5130390	Stormwater Levy Proj	100,000	2,030	92,993	New project added 12/13 from Council resolution. Funds being carried over to complete



**ITEM 14 (continued)**

**ATTACHMENT 1**

Cost Centre	Project	Current Approved Budget	YTD Actuals	Amount Requested	Comments
5140151	Buffalo and Kitty's Creek Study	197,289	139,000	56,017	3 year grant funded project funds carried over to complete
5140152	Parramatta River – Ryde Catchment Study	168,885	151,575	17,310	3 year grant funded project, funds being carried over to complete
5140570	Shrimptons Ck - Bioretention Basin	316,000	53,811	257,700	2 year grant funded project, funds being carried over to complete
5150022	Stormwater Improvement Works - Renewal	1,080,000	300,439	45,000	Works being done by Council staff in June, with potentially some delays due to weather and site conditions
5422010	Playing Field Lighting Upgrade (ESD, POT p.58)	78,728	-	78,728	Waterloo Park consultation substantially undertaken
5422014	Ryde Parramatta River Walk (POT p.43/57)	1,660,175	330,850	990,000	Significant delay due to extended community consultation required
5540280	Addington House - Upgrade	157,355	52,984	100,000	Contract Awarded Works to be completed in July / August 2013
5540281	Installation Cogeneration Plant - RALC	817,208	38,918	778,290	Custom made plant from Germany due August 2013 commission September 2013
5620014	West Ryde Community Facility - (Fitout & Project Man)	435,245	57,206	378,040	Payments for contract for disputed works to be made in 13/14
5630343	Land Register & CT System Review	100,000	71,468	28,532	Project to progress to completion in 13/14 to complete actions arising from audit
6830017	Crime Prevention Plan - implementation	59,000	29,563	20,000	As a result of staff changes, projects identified in the Community Crime Prevention Plan will be completed in early July
6830368	Operational Asset Management Plan	15,000	3,000	10,000	This project was planned over 2 financial years; with the project sequence of strategic planning and then detailed asset planning. The second phase will be carried out next year and hence funds carry over.
6930045	Live Neighbourhood Project	77,710	37,212	40,498	This cost centre includes two projects Hungry for Art and the Bennelong Bicentenary Celebrations. Both of these events are scheduled for 1st quarter next year. All unexpended funds by the end of June will need to be carried over.
6930047	Ryde Youth Theatre Group	95,650	48,286	32,000	This funding relates to purchase of equipment and finding a suitable venue. No suitable venue has been secured as yet
6930068	Community Garden & Nursery	17,050	8,414	8,000	Design completed, construction to occur
6930320	Feasibility Study Community Hub-Eastwood	105,000	-	95,000	This project was reported to Council and planned in two phases. Unexpended funds at the end of Financial Year will have to be carried over.
7030373	Libraries for Ryde	65,000	4,550	40,000	Project crosses 2 financial years
7611020	Brush Farm Park - Initiation of Action Plan	69,646	35,109	30,000	Master Plan to be reported to Council 16 July 2013
7611107	Field of Mars Initiation of Action Plan	24,166	-	10,000	Project works commenced and will be completed by August '13.
7630379	Feasibility study on synthetic fields	45,000	22,704	10,000	Slightly delayed, in final stage, to be completed in Q1 13/14.
7640603	Elouera Reserve Upgrade	80,000	12,000	68,000	Ensure link into North Ryde Precinct Proposal
7730070	Active in Ryde Program Implementation	10,300	7,389	2,911	Successfully obtained NSW Govt Grant
7740230	Magdala Park - Upgrade of Existing Amenities	61,210	2,026	59,184	Savings to be recommended for transfer to Sportsground Amenities Expansion cluster. Design drawings for projects in this cluster completed.
7740256	Sportsfield Renewal & Upgrade - Brush Farm Park	57,275	-	57,275	Funding required for consultation with key stakeholders to guide priorities. Scope of works have now been finalised.
7750016	Playground Renewal & Construction	566,500	198,340	295,000	Delay in program due to land remediation, final design approved and construction to be completed in Q1 13/14.
7751011	Sportsfield Floodlighting Expansion	409,939	173,097	229,652	Further consultation with Macquarie University is required. Report updating Council on consultation outcomes scheduled for late July.
7751015	Sportsground Amenities Upgrades Expansion	360,000	92,116	230,000	Contract Awarded, Construction works carried over
7840282	Surf Attraction Equipment - RALC	3,135,263	320,123	2,785,140	Project programmed for completion in 2013/2014 year
8411338	Business Audit Program	35,612	29,885	4,500	Remainder of grant funding to expend before 30 Sept 2013
8411358	River to River Corridors Project	57,986	42,354	7,500	Remainder of grant funding to expend before 30 Sept 2013
8530162	GPIMS - System Development	150,000	101,429	16,570	Final stage of project to progress 13/14
8740264	Rowe Street - Public Art	16,000	-	16,000	Funds are required to allow the completion of the Public Domain and Public Art Plan for Rowe St.
8750023	Public Art - Town Centre Upgrade implementation	162,690	41,025	89,615	Funds are required for the completion of the art project in Church St and the development of the public art concept for Rowe St.
<b>TOTAL</b>				<b>13,400,441</b>	

**ITEM 14 (continued)**

**ATTACHMENT 1**

Cost Centre	Project	Current Approved Budget	YTD Actuals	Amount Requested	Comments
	Broader Scope for Efficiencies			661	
	Contract Dispute			378	
	Delayed - Community Consultation			1,406	
	Delayed - Council Resolution			135	
	Delayed - Matching funds			597	
	Delayed - RTA/Other Departments Approval			529	
	Delayed - Staff Changes			104	
	Delayed - Supply of Materials			64	
	Only added in March Quarterly Review			2	
	Substantially Commenced, Tendered, and/or Contracts Signed			<u>9,525</u>	
	<b>Total</b>			<b>13,400</b>	
	Carryover Government Grants			3,723	
	Carryover Contributions			640	
	Carryover Asset Replacement Reserve			805	
	Carryover Domestic Waste Reserve			22	
	Carryover Investment Property Reserve			29	
	Carryover Macquarie Park Special Rate			1,127	
	Carryover Public Arts Reserve			106	
	Carryover Ryde Aquatic Leisure Centre			1,785	
	Carryover Sec 94 - Reserves			- 326	
	Carryover Loans			1,200	
	Carryover Works Reserve - General Revenue			<u>4,290</u>	
	<b>Total</b>			<b>13,400</b>	

**ITEM 14 (continued)**

**ATTACHMENT 2**

Cost Centre	Project	Current Approved Budget	YTD Actuals	Reserve Amount	Comments
2830156	Electronic Developmnt Assessment Project	60,000	3,200	56,800	Projected to be completed in 13/14
3230246	Future Focus Home Waste & Sustainability	62,600	33,600	22,000	2 year project ongoing with adjustment in spending between Years 1 and 2
4111087	Eastwood Master Plan	31,790	-	15,000	The project has been delayed due to the timing of DLEP 2011 and the need for 2 significant DAs in the centre to be determined. Funds are required to allow the completion of the project.
4130059	Section 94 Contribution Plan	150,000	81,124	55,000	Delays have occurred in finalising the Reserch and Economic Analysis due to the need to model additional scenarios. The stage needs to be completed before the Development Contributions Plan can be prepared. The funds allow the completion of the project
4130062	Macquarie Park DCP	170,729	45,893	100,000	Progressing the project was delayed due to the need to hold a second Councilor Workshop. Funds are required to allow the exhibition of the DLEP, amendment to the Plan based on the review of provisions / issues raised in submissions and employment of a town planner to review the DCP part 4.5
4130225	Macquarie Park Website	75,000	-	46,000	The scope of the project has been expanded to allow for focus groups to be held with Macquarie Park workers to shape the content and look of the website. This has delayed the development/build of the site. The funds are required to allow for the completion of the project.
4130249	Implementation of Marketing Plan	76,330	16,750	25,000	This project funds a number of items identified in the implementation plan. Some delays occurred in commencing the projects. Funds are required to allow the completion of the item "Meet Macquarie Park Guide".
4150007	Neighbourhood Centre Renewal	565,470	80,477	472,448	Construction works in the centres of Boronia Park and Agincourt Road have commenced but the projects are behind schedule due to a delay in commencing work (resulting from delays in finalising the detail design) and wet weather. Funds are required to complete the works
4740565	Asset Management - Condition Data	300,000	222,422	77,578	Project scope to run over into 13/14 Financial year to complete Asset data acquisition
4740597	Public Domain Upgrade Waterloo Rd	536,002	48,000	488,002	Delays have occurred in the finalisation of the detailed design due to some variation in the design scope resulting delaying the recruitment of the contractor and construction. Contractor has now been secured. Additional \$170,000 funding has been allocated to the project in Q3 12/13.
4740819	MQ Park TfNSW ECRL Station Access Works	2,830,000	95,400	540,000	Reported to Works Committee 18/6/13, MOU with TfNSW to complete works, also includes arrangements for works and funding to carry into 2013/14
4750002	Road Resurfacing Renewal	2,575,000	2,575,669	200,000	As reported to Works Committee 18 June, Herring Rd & Badajoz Rd were programmed but require deferral due to works by Macquarie shops and a school function respectively
4930517	Meadowbank/Gladesville Traffic Study	250,000	52,393	97,607	Project still at consultation stage for Ryde Rehabilitation Centre
5130390	Stormwater Levy Proj	100,000	2,030	92,993	New project added 12/13 from Council resolution. Funds being carried over to complete
5140151	Buffalo and Kitty's Creek Study	197,289	139,000	56,017	3 year grant funded project funds carried over to complete
5140152	Parramatta River - Ryde Catchment Study	168,885	151,575	17,310	3 year grant funded project, funds being carried over to complete
5150022	Stormwater Improvement Works - Renewal	1,080,000	300,439	45,000	Works being done by Council staff in June, with potentially some delays due to weather and site conditions
5422014	Ryde Parramatta River Walk (POT p.43/57)	1,660,175	330,850	- 340,787	Significant delay due to extended community consultation required
5540280	Addington House - Upgrade	157,355	52,984	100,000	Contract Awarded Works to be completed in July / August 2013
5540281	Installation Cogeneration Plant - RALC	817,208	38,918	778,290	Custom made plant from Germany due August 2013 commission September 2013
5620014	West Ryde Community Facility - (Fitout & Project Man)	435,245	57,206	378,040	Payments for contract for disputed works to be made in 13/14
5630343	Land Register & CT System Review	100,000	71,468	28,532	Project to progress to completion in 13/14 to complete actions arising from audit
6830017	Crime Prevention Plan - implementation	59,000	29,563	20,000	As a result of staff changes, projects identified in the Community Crime Prevention Plan will be completed in early July
7030373	Libraries for Ryde	65,000	4,550	40,000	Project crosses 2 financial years
7640603	Elouera Reserve Upgrade	80,000	12,000	68,000	Ensure link into North Ryde Precinct Proposal
7730070	Active in Ryde Program Implementation	10,300	7,389	3,103	Successfully obtained NSW Govt Grant
7740256	Sportsfield Renewal & Upgrade - Brush Farm Park	57,275	-	57,275	Funding required for consultation with key stakeholders to guide priorities. Scope of works have now been finalised.
7751015	Sportsground Amenities Upgrades Expansion	360,000	92,116	-	Contract Awarded, Construction works carried over
7840282	Surf Attraction Equipment - RALC	3,135,263	320,123	1,585,140	Project programmed for completion in 2013/2014 year
8411338	Business Audit Program	35,612	29,885	4,500	Remainder of grant funding to expend before 30 Sept 2013
8411358	River to River Corridors Project	57,986	42,354	7,500	Remainder of grant funding to expend before 30 Sept 2013
8740264	Rowe Street - Public Art	16,000	-	16,000	Funds are required to allow the completion of the Public Domain and Public Art Plan for Rowe St.
8750023	Public Art - Town Centre Upgrade implementation	162,690	41,025	89,615	Funds are required for the completion of the art project in Church St and the development of the public art concept for Rowe St.
<b>TOTAL</b>				<b>5,241,963</b>	

**ITEM 14 (continued)**

**ATTACHMENT 2**

Cost Centre	Project	Current Approved Budget	YTD Actuals	Reserve Amount	Comments
	Broader Scope for Efficiencies			294	
	Contract Dispute			378	
	Delayed - Community Consultation			- 284	
	Delayed - Council Resolution			100	
	Delayed - Matching funds			590	
	Delayed - Staff Changes			20	
	Substantially Commenced, Tendered, and/or Contracts Signed			4,143	
	<b>Total</b>			<b>5,242</b>	
	Carryover Government Grants			1,054	
	Carryover Contributions			640	
	Carryover Asset Replacement Reserve			805	
	Carryover Domestic Waste Reserve			22	
	Carryover Investment Property Reserve			29	
	Carryover Macquarie Park Special Rate			1,127	
	Carryover Public Arts Reserve			106	
	Carryover Ryde Aquatic Leisure Centre			1,785	
	Carryover Sec 94 - Reserves			- 326	
	<b>Total</b>			<b>5,242</b>	

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**15 INVESTMENT REPORT - May 2013**

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**Report prepared by:** Chief Financial Officer**File No.:** GRP/09/3/10 - BP13/880

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**REPORT SUMMARY**

This report details Council's performance of its investment portfolio for the month of May 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 4.95%, which is 1.63% above benchmark. Income from interest on investments and proceeds from sale of investments totals \$5.1M, which is \$1.97M above original budget projections, which includes the full payment of two investments held in the Lehman / Grange IMP investment, the sale of the Oasis CDO and the recovery due to legal action from the Rembrandt CPDO totalling \$1.35M, which has been transferred into the Financial Security Reserve. The balance relates to additional interest earned on Council's Section 94 Contributions, which are projected to be \$18.80 million at 30 June 2013.

**RECOMMENDATION:**

- (a) That Council endorse the report of the Chief Financial Officer dated 12 June 2013 on Investment Report – May 2013.
- (b) That Council note the action taken in respect of the Lehman / Grange IMP legal matter, as detailed in the report.

**ATTACHMENTS****1** Investment Report May 2013 Attachment

Report Prepared By:

**John Todd**  
**Chief Financial Officer**

Report Approved By:

**Roy Newsome**  
**Group Manager - Corporate Services**

**ITEM 15 (continued)**

**Discussion**

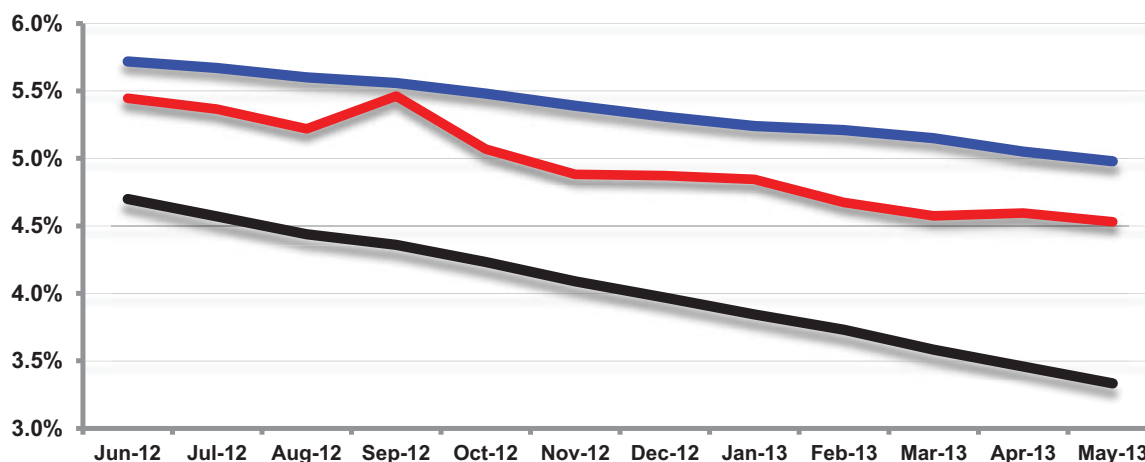
Council’s Responsible Accounting Officer, is required to report monthly on Council’s Investment Portfolio and certify that the Investments are held in accordance with Council’s Investment Policy and Section 625 of the Local Government Act.

**Investment Performance Commentary**

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

	May 2013	12 Mth	FYTD
<b>Council Return</b>	<b>4.53</b>	<b>4.98</b>	<b>4.95</b>
<b>Benchmark</b>	<b>3.07</b>	<b>3.33</b>	<b>3.32</b>
<b>Variance</b>	<b>1.47</b>	<b>1.65</b>	<b>1.63</b>

**Performance - All Investments**



— 12 Mth W Avg — 12 Mth Avg Benchmark — Monthly W Ave Incl Expired

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

Cash/Term Deposits	\$66.5M	63.7%
Floating Rate Notes	\$20.9M	20.0%
Fixed Rate Bonds	\$2.0M	1.9%
<b>Total Cash Investments</b>	<b>\$89.4M</b>	
Property	\$15.1M	14.4%
<b>Total Investment Portfolio</b>	<b>\$104.5M</b>	

Whilst the amount of investments appears high, approximately \$18.8M of the total funds held relate to Section 94 contributions.

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.

**ITEM 15 (continued)**

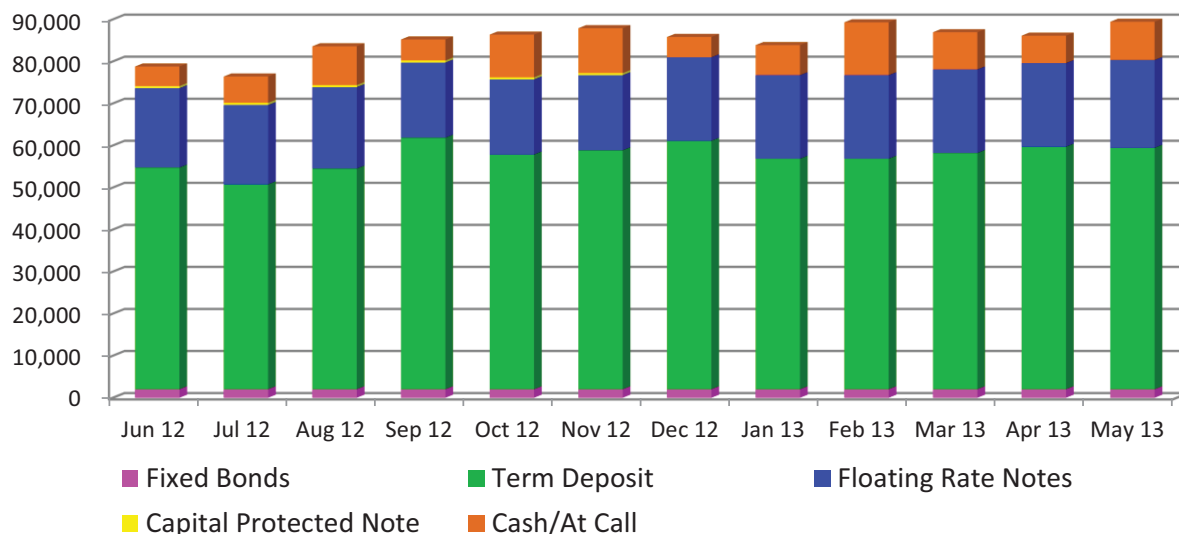
Whilst Council has moved some of its investment portfolio out to longer terms, locking in some of the returns, the majority of Council’s funds are held in internal reserves. Should Council consider utilising its internal reserves, this will have a direct impact on the amount of investment income that 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.

Review of Investment Policy and Strategy – Meeting with Oakvale Treasury

As reported in the last Investment Report, a meeting with Council’s Independent Investment advisor, Oakvale Treasury (Oakvale) and Council’s staff took place on 6 June 2013 in reviewing Council’s investment portfolio and strategy. Oakvale will provide their report back to Council in late June, that will include their recommendations on where Council should consider amending its Investment Strategy and Policy.

This information and any recommended changes will be incorporated in Council’s Investment Report for June 2013.

**Total Funds Invested**



**Financial Security Reserve (FSR)**

The Financial Security Reserve has a balance of \$3.44M as at 31 May 2013 as detailed below:

<b>Financial Security Reserve</b>	<b>(\$'000)</b>
Balance 1 July 2012	2,064
Interest on Written Down CDO's	20
Proceeds from Sales & Maturities of Written Down CDO's	1,353
<b>Balance of Financial Security Reserve</b>	<b>3,437</b>

### **ITEM 15 (continued)**

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 its June meeting, stating while there was scope to support further rate cuts, the cuts over the last 18 months had supported interest rate sensitive areas of the economy and further effects can be expected over time.

With a drop in forward capital expenditure estimates last quarter, the manufacturing sector continued its decline, as Ford announced it would be closing down its operations in Australia from 2016. It's not only manufacturing that is looking weak. Around \$150B in mining related projects have been delayed, reassessed, or cancelled. Completed construction work in the March quarter fell by 2% with the mining sector registering a 6.1% decrease.

The release of the March quarter GDP figures showed WA, SA and Tasmania have dipped into recession. Despite a not unhealthy headline figure of 0.6%, on a per capita basis, GDP grew by 0.2%.

Signs of a recovery appears underway in the US, with unemployment dipping to 7.5%, and positive indicators in the manufacturing and housing sectors.

In China, industrial production fell below market expectations. In Europe the unemployment rate hit 12.2%, in Spain, youth unemployment hit 56%, and in Greece youth unemployment hit 62.5%. European GDP has now contracted for six straight quarters.

### **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 also endorsed being a third party to an action against the Commonwealth Bank (CBA).

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.

#### Scheme of Arrangement – Creditors Meeting 19 June 2013

The following key points are provided in respect of an update on this matter and the Proposed Scheme of Arrangement;



**ITEM 15 (continued)**

- Justice Rares has now issued final orders in this matter
- The Liquidation of Lehman Brothers Australia (LBA) have filed a Notice of Appeal against the Orders made by Justice Rares. The appeal is being progressed with no hearing date set at this stage.
- The Liquidators of LBA have proposed a Scheme of Arrangement, for consideration and adoption by creditors in resolution of their various claims.
- If Creditors approve this Scheme of Arrangement, one of the conditions of acceptance is that the class action be discontinued.
- Piper Alderman together with Council's funder, IMF, have provided detailed advice to Council and to all member Councils involved in the Class Action.
- In summary, while it is each member Council's obligation to seek independent legal advice, both Piper Alderman and IMF are supportive of the proposed scheme for the following reasons:-
  - The Scheme is very similar in the process that was being pursued by the Class Action
  - The Scheme refers the actual assessment exercises to highly regarded independent assessors
  - The Scheme will include substantial contributions from US insurers and QBE in return for the releases given to those entities
  - Both Piper Alderman and IMF believe the proposed Scheme represents a reasonable commercial outcome in its present form
  - It is estimated by the Liquidators that the average return to Creditors under the Scheme ranges between 40.7 to 49.9 cents in the dollar. They estimate the return to be between 33.2 and 41.6 cents in the dollar if the class action continues to a final liquidation of Lehman Brothers Australia
  - For the above reasons, Council's staff have on behalf of Council, advised IMF of their support for the Scheme of Arrangement and have approved IMF to vote in favour of the Scheme at the Creditors meeting.

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.

### **ITEM 15 (continued)**

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 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 Council 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. It is still early in this legal action being taken and no further updates have been received since last reported to Council.

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.

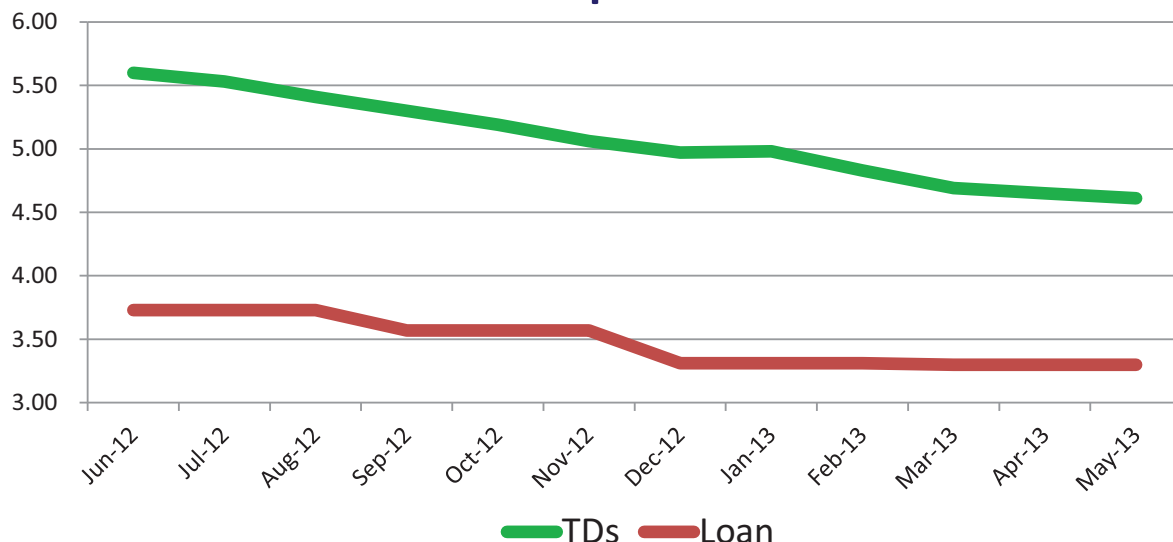
#### **Loan Liability**

Council's loan liability as at 31 May 2013 was \$3.5 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).

ITEM 15 (continued)

### Term Deposits/Loan Interest Rate Comparison



### 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, cutting services or capital expenditure.

Debt Service Ratio		
Category 3 Councils	2010/11	2.87%
City of Ryde	2011/12	0.75%

**ITEM 15 (continued)**
**INVESTMENT SUMMARY AS AT 31 MAY 2013**

Issuer	Investment Name	Investment Rating	Invested at 31-May-13 \$000's	Annualised Period Return (%)	12 Month Average Return on Current Investments	Return since 01 July 2012	% of Total Invested	Indicative Market Value ** \$000's	% Market Value
Westpac	1. Westpac At Call	AA-	3,016	2.73	3.33	3.29	3.37	3,016	100.00%
Bank of Queensland	2. Bank of Queensland TD	BBB+	750	4.48	5.18	5.10	0.84	750	100.00%
Westpac	3. St George Term Deposit	A+	1,000	4.24	4.90	4.83	1.12	1,000	100.00%
NAB	4. NAB Term Deposit	AA-	1,000	4.24	4.94	4.89	1.12	1,000	100.00%
Westpac	5. Westpac Term Deposit	AA-	1,000	4.35	5.08	5.08	1.12	1,000	100.00%
Westpac	6. Westpac Term Deposit	AA-	500	4.95	4.95	4.95	0.56	500	100.00%
NAB	7. NAB Term Deposit	AA-	1,000	6.60	6.60	6.60	1.12	1,000	100.00%
AMP	8. AMP TD	A	1,000	4.21	5.62	5.48	1.12	1,000	100.00%
Westpac	9. Westpac Term Deposit	AA-	500	4.88	4.88	4.88	0.56	500	100.00%
P&N Bank	10. P&N Bank	Unrated	500	4.24	4.82	4.73	0.56	500	100.00%
CBA	11. Bankwest TD	AA-	1,000	4.12	4.73	4.64	1.12	1,000	100.00%
CBA	12. Bankwest Term Deposit	AA-	1,000	4.22	4.78	4.70	1.12	1,000	100.00%
NAB	13. NAB Term Deposit	AA-	1,000	4.72	4.97	4.94	1.12	1,000	100.00%
Defence Bank	14. Defence Bank TD	BBB+	500	4.21	4.98	4.89	0.56	500	100.00%
Railways CU	15. Railways CU	Unrated	500	4.40	4.87	4.77	0.56	500	100.00%
Qld Country CU	16. Qld Country Credit Union	Unrated	500	4.36	5.05	5.00	0.56	500	100.00%
Bendigo and Adelaide Bank	17. Bendigo Bank TD	A-	1,000	4.16	4.83	4.74	1.12	1,000	100.00%
Hunter United Credit Union	18. Hunter United Credit Union TD	Unrated	500	4.30	4.73	4.65	0.56	500	100.00%
CUA	19. Credit Union Australia TD	BBB+	500	4.35	5.35	5.28	0.56	500	100.00%
Coastline CU	20. Coastline Credit Union TD	Unrated	500	4.70	4.91	4.87	0.56	500	100.00%
Peoples Choice CU	21. Peoples Choice CU	BBB+	500	4.32	4.61	4.58	0.56	500	100.00%
Rural Bank	22. Rural Bank	A-	1,000	6.48	6.48	6.48	1.12	1,000	100.00%
Banana Coast CU	23. Banana Coast CU TD	Unrated	500	4.65	4.98	4.96	0.56	500	100.00%
SGE CU	24. SGE Credit Union TD	Unrated	500	4.16	4.16	4.16	0.56	500	100.00%
B&E Ltd	25. B & E Building Soc TD	Unrated	500	4.30	4.66	4.57	0.56	500	100.00%
Victoria Teachers CU	26. Victoria Teachers CU	Unrated	500	4.40	4.72	4.69	0.56	500	100.00%
CBA	27. CBA TD	AA-	2,000	5.76	5.76	5.76	2.24	2,000	100.00%
Me Bank	28. ME Bank TD	BBB	1,000	4.33	5.02	4.96	1.12	1,000	100.00%
Macquarie Bank	29. Macquarie Bank Term Deposit	A	500	4.36	4.78	4.74	0.56	500	100.00%
CBA	30. Bankwest Term Deposit	AA-	1,000	7.00	7.00	7.00	1.12	1,000	100.00%
IMB	31. IMB TD	BBB	700	4.24	4.70	4.68	0.78	700	100.00%
Summerland CU	32. Summerland CU TD	Unrated	250	5.05	5.20	5.09	0.28	250	100.00%
Wide Bay CU	33. Wide Bay CU TD	BBB	500	4.55	4.90	4.80	0.56	500	100.00%
Northern Beaches CU	34. Northern Beaches CU TD	Unrated	500	4.47	4.80	4.80	0.56	500	100.00%
Queenslanders CU	35. Queenslanders CU TD	Unrated	500	4.70	5.00	4.95	0.56	500	100.00%
Warwick CU	36. Warwick CU TD	Unrated	500	4.35	4.92	4.83	0.56	500	100.00%
Maitland Mutual	37. Maitland Mutual Bldg Soc TD	Unrated	500	4.30	4.87	4.80	0.56	500	100.00%
AMP	38. AMP eASYSaver	A	2,944	3.76	4.01	3.98	3.29	2,944	100.00%
South West CU	39. South West CU TD	Unrated	500	4.16	4.33	4.33	0.56	500	100.00%
CBA	40. CBA Term Deposit	AA-	1,000	4.55	4.85	4.78	1.12	1,000	100.00%
Gateway CU	41. Gateway CU TD	Unrated	500	4.37	4.70	4.67	0.56	500	100.00%
Rabobank	42. Rabobank TD	AA-	500	4.31	5.09	5.01	0.56	500	100.00%
Newcastle Perm Bldg Soc	43. Newcastle Perm Bldg Soc	BBB+	1,000	4.21	4.69	4.67	1.12	1,000	100.00%
QT Mutual Bank	44. QT Mutual Bank	Unrated	500	4.30	4.87	4.78	0.56	500	100.00%
ING	45. ING TD	A	1,000	4.36	5.87	5.80	1.12	1,000	100.00%
Greater Bldg Soc	46. Greater Bldg Soc TD	BBB	1,000	4.41	4.91	4.83	1.12	1,000	100.00%
Holidaycoast CU	47. Holidaycoast CU TD	Unrated	500	4.32	5.06	5.02	0.56	500	100.00%
The Rock Bldg Soc	48. The Rock Bldg Soc TD	BBB-	500	4.35	4.49	4.43	0.56	500	100.00%
Police CU (SA)	49. Police CU - SA	Unrated	500	4.25	5.27	4.25	0.56	500	100.00%
Bank of Queensland	50. BoQ TCD	BBB+	2,000	4.32	4.86	4.81	2.24	2,007	100.35%

ITEM 15 (continued)

Issuer	Investment Name	Investment Rating	Invested at 31-May-13 \$000's	Annualised Period Return (%)	12 Month Average Return on Current Investments	Return since 01 July 2012	% of Total Invested	Indicative Market Value ** \$000's	% Market Value
Suncorp-Metway	51. Suncorp Metway FRN	A+	1,000	4.15	4.49	4.42	1.12	1,000	100.04%
Intech CU	52. Intech CU TD	Unrated	500	4.37	4.79	4.68	0.56	500	100.00%
AMP	53. AMP TD	A	1,000	7.14	7.14	7.14	1.12	1,000	100.00%
Rabobank	54. Rabobank TD	AA-	500	5.05	5.26	5.20	0.56	500	100.00%
Bendigo and Adelaide Bank	55. Bendigo and Adelaide Bank FRN	A-	1,000	4.61	4.88	4.82	1.12	1,000	100.00%
WaW CU	56. WAW CU Coop	Unrated	500	4.16	4.29	4.29	0.56	500	100.00%
Community First CU	57. Community First CU TD	Unrated	500	4.40	4.66	4.54	0.56	500	100.00%
CBA	58. CBA TD	AA-	1,000	3.88	4.13	4.13	1.12	1,000	100.00%
Heritage Bank	59. Heritage Bank	BBB-	1,000	4.50	4.87	4.80	1.12	1,000	100.00%
CBA	60. CBA TD	AA-	1,000	4.03	4.78	4.80	1.12	1,000	100.00%
Rabobank	61. Rabodirect At-call	AA	990	3.42	3.89	3.85	1.11	990	100.00%
Me Bank	62. ME Bank At Call Account	BBB	2,148	3.52	3.96	3.92	2.40	2,148	100.00%
NAB	63. NAB FRN	AA-	1,001	4.26	4.58	4.50	1.12	1,020	101.99%
NAB	64. NAB FRN	AA-	998	4.37	4.69	4.61	1.12	1,020	101.99%
CBA	65. CBA FRN	AA-	999	4.16	4.59	4.53	1.12	1,018	101.81%
Westpac	66. Westpac FRN	AA-	997	4.12	4.64	4.60	1.12	1,018	101.82%
CBA	67. CBA FRN	AA-	998	4.21	4.64	4.58	1.12	1,018	101.81%
NAB	68. NAB FRN	AA-	993	4.55	4.87	4.80	1.11	1,020	101.99%
Westpac	69. Westpac FRN	AA-	998	4.05	4.57	4.53	1.12	1,015	101.54%
NAB	70. NAB FRN	AA-	994	4.53	4.85	4.78	1.11	1,020	101.99%
CBA	71. CBA FRN	AA-	994	4.38	4.81	4.76	1.11	1,018	101.81%
ING	72. ING TD	A+	1,000	4.33	4.33	4.33	1.12	1,000	100.00%
ANZ	73. ANZ FRN	AA-	993	4.32	4.85	4.81	1.11	1,018	101.85%
Rabobank	74. Rabobank FRN	AA-	990	4.51	4.96	4.89	1.11	1,011	101.10%
Police CU (SA)	75. Police CU - SA	Unrated	500	5.70	5.70	5.70	0.56	500	100.00%
Investec	76. Investec TD	BBB-	250	5.24	5.32	5.24	0.28	250	100.00%
NAB	77. NAB Fixed MTN	AA-	994	6.30	6.28	6.28	1.11	1,079	107.86%
Westpac	78. Westpac Fixed MTN	AA-	997	6.20	6.19	6.18	1.12	1,079	107.88%
ING	79. ING Direct	A	1,000	4.41	5.14	5.05	1.12	1,000	100.00%
Macquarie Bank	80. Macquarie Bank TD	A	500	6.50	6.50	6.50	0.56	500	100.00%
CBA	81. CBA Retail Bond	AA-	957	4.78	5.10	5.02	1.07	971	100.10%
Bendigo and Adelaide Bank	82. Delphi Bank TD	Unrated	250	6.05	6.05	6.05	0.28	250	100.00%
Rural Bank	83. Rural Bank TD	A-	1,000	4.31	4.83	4.79	1.12	1,000	100.00%
Me Bank	84. ME Bank TD	BBB	1,000	4.38	4.96	4.94	1.12	1,000	100.00%
CBA	85. CBA Retail Bonds	AA-	491	5.00	5.29	5.23	0.55	501	100.10%
CBA	86. CBA Retail Bonds	AA-	491	5.03	5.30	5.26	0.55	501	100.10%
Bank of Queensland	87. Bank of Queensland TD	BBB+	1,000	4.31	4.95	4.94	1.12	1,000	100.00%
Bank of Queensland	88. Bank of Queensland TD	BBB+	1,000	4.35	4.75	4.75	1.12	1,000	100.00%
Investec	89. Investec TD	BBB-	250	6.15	6.15	6.15	0.28	250	100.00%
CBA	90. CBA Retail Bond	AA-	492	4.94	5.09	5.09	0.55	501	100.10%
Westpac	91. St George TD	AA-	1,000	4.24	4.69	4.69	1.12	1,000	100.00%
CBA	92. CBA Retail Bond	AA-	492	4.93	5.06	5.06	0.55	501	100.10%
Rural Bank	93. Rural Bank TD	A-	1,000	4.35	4.82	4.82	1.12	1,000	100.00%
ING	94. ING Floating Rate TD	A	1,000	5.36	5.63	5.63	1.12	1,000	100.00%
IMB	95. IMB TD	BBB	1,000	4.24	4.50	4.50	1.12	1,000	100.00%
Bank of Queensland	96. Bank of Queensland TD	BBB+	1,000	4.45	4.80	4.80	1.12	1,000	100.00%
NAB	97. NAB TD	AA-	1,000	4.80	4.80	4.80	1.12	1,000	100.00%
Me Bank	98. ME Bank TD	BBB	1,000	4.35	4.59	4.59	1.12	1,000	100.00%
Bank of Queensland	99. Bank of Queensland FRN	BBB+	2,000	4.66	4.72	4.72	2.24	2,009	100.47%
Bank of Sydney	100. Bank of Sydney TD	Unrated	250	4.53	4.66	4.66	0.28	250	100.00%
Goldfields Money Ltd	101. Goldfields Money Ltd TD	Unrated	250	4.45	4.45	4.45	0.28	250	100.00%
Westpac	102. Westpac Flexi TD	AA-	1,000	4.32	4.32	4.32	1.12	1,000	100.00%
Bendigo and Adelaide Bank	103. Bendigo Bank TD	A-	1,000	4.61	4.61	4.61	1.12	1,000	100.00%
Bendigo and Adelaide Bank	104. Bendigo & Adelaide Bank FRN	A-	1,000	4.04	4.04	4.04	1.12	1,001	100.07%
CBA	105. CBA TD	AA-	1,000	4.10	4.10	4.10	1.12	1,000	100.00%
			<b>89,417</b>	<b>4.54</b>	<b>4.91</b>	<b>4.87</b>	<b>100</b>	<b>89,893</b>	

**ITEM 15 (continued)**

\*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**

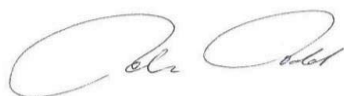
<b>Weighted Average Return</b>	<b>4.53</b>	<b>4.98</b>	<b>4.95</b>
<b>Benchmark Return: UBSA 1 Year Bank Bill Index (%)</b>	<b>3.07</b>	<b>3.33</b>	<b>3.32</b>
<b>Variance From Benchmark (%)</b>	<b>1.47</b>	<b>1.65</b>	<b>1.63</b>

**Investment Income**

	<b>\$000's</b>
This Period	330
Financial Year To Date	5,136
Budget Profile	4,950
Variance from Budget - \$	<u>186</u>

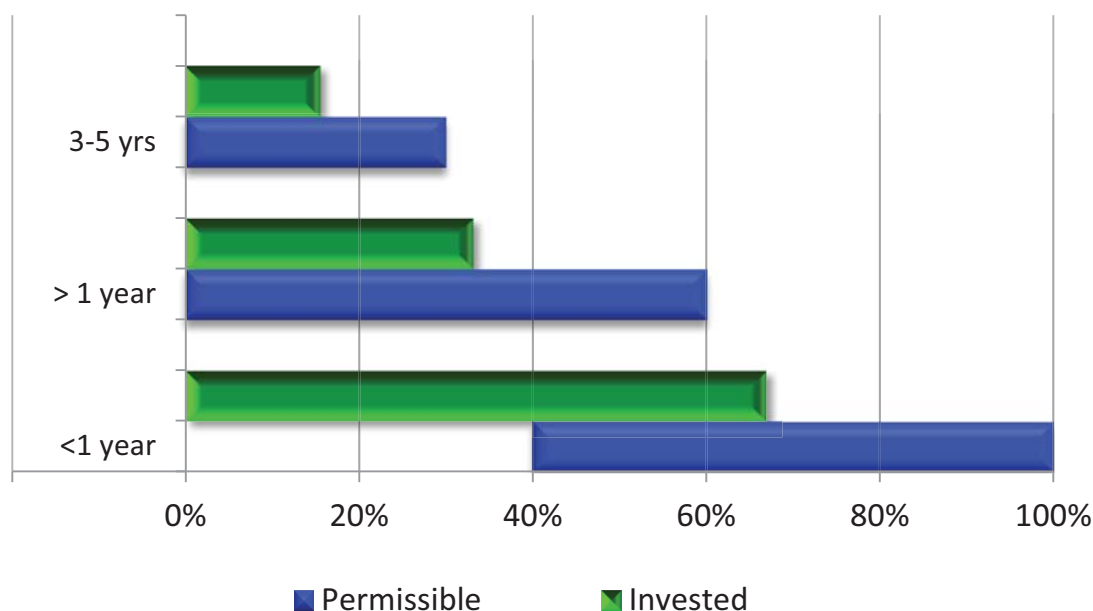
**Certificate of the Chief Financial Officer**

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.

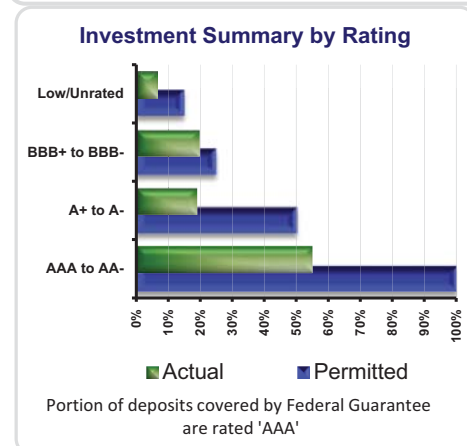
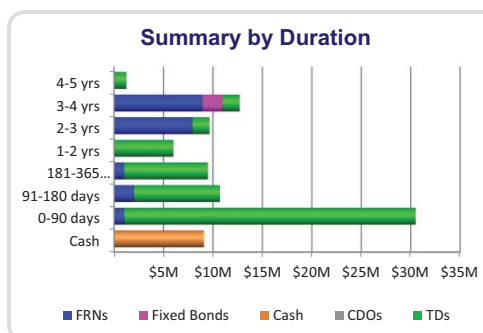
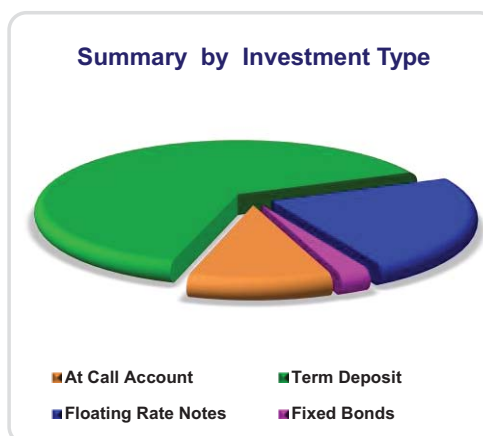
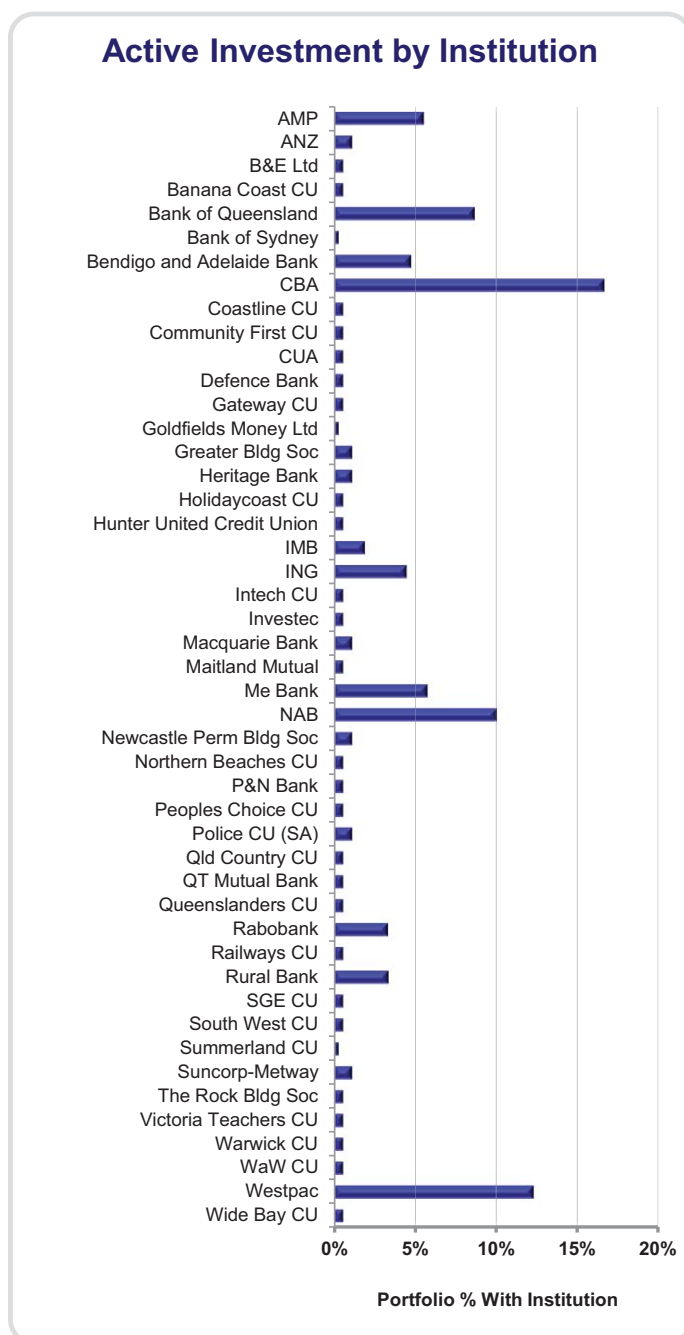


John Todd      Date: 12/06/2013

**Policy Limits on Maturities**



ITEM 15 (continued)



	>365 days	<365 days
Cash/TDs	\$10.8M	\$55.8M
FRNs	\$16.9M	\$4.0M
Fixed Bonds	\$2.0M	\$0.0M
	<b>\$29.6M</b>	<b>\$59.8M</b>

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 15 (continued)****Financial Implications**

Income from interest on investments and proceeds from sales of investments totals \$5.1M, being \$1.97M above original budget projections as per the Delivery and Operational Plan, which will not improve Council's Working Capital result as at 30 June 2013.

This is due to estimated further cuts in the official cash rate anticipated by the RBA, \$976K from the sale of the Oasis CDO, the payment of two (2) investments of the Grange / Lehman IMP and proceeds from legal proceedings which will be transferred to the Financial Security Reserve. The other factor is an increase in interest due to the Section 94 Contributions Reserve due to the projected balance of \$18.8M on hand at 30 June 2013. Interest on these funds is required to be transferred to the Section 94 Reserve and this has been brought to account in the March Quarterly Budget Review.

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



## ITEM 15 (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.

### 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.

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

## ITEM 15 (continued)

## ATTACHMENT 1

- 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

### Overview of Investments

An overview of all investments held by the City of Ryde as at 31 May 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 180 day term deposit, paying 4.40% (4.48% annualised), and matures on 31 July 2013.

**ITEM 15 (continued)**

**ATTACHMENT 1**

3. **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.
4. **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.
5. **Westpac Term Deposit (AA-):** This investment is a two year term deposit, paying 4.35% % (4.35% annualised, and matures 29 May 2015.
6. **Westpac Term Deposit (AA-):** This investment is a three year term deposit, paying 4.95% pa, and matures 21 September 2015.
7. **NAB Term Deposit (AA-):** This investment is a three year term deposit, paying 6.60% p.a., and matures 4 April 2014.
8. **AMP Term Deposit (A):** This investment is a 93 day term deposit, paying 4.15% p.a. (4.21% annualised), and matures 1 August 2013.
9. **Westpac Term Deposit (AA-):** This investment is a 273 day term deposit, paying 4.85% (4.88 annualised), and matures 28 June 2013.
10. **Police & Nurses Credit Union (Unrated):** This investment is a 1 year term deposit, paying 4.24% (4.24% annualised) and matures on 25 February 2014.
11. **Bankwest Term Deposit (AA-):** This investment is a 59 day term deposit, paying 4.05% p.a. (4.12% annualised), and matures 20 June 2013.
12. **Bankwest Term Deposit (AA-):** This investment is a 62 day term deposit, paying 4.15% p.a. (4.22% annualised), and matures 8 July 2013.
13. **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.
14. **Defence Bank Term Deposit (Unrated):** This investment is a 92 day term deposit paying 4.15% (4.21% annualised) and matures on 30 July 2013.
15. **Railways CU Term Deposit (Unrated):** This investment is a 181 day term deposit paying 4.35% (4.40% annualised) and matures on 5 August 2013.
16. **Queensland Country CU (Unrated):** This investment is a 119 day term deposit paying 4.30% (4.36% annualised) and matures on 28 June 2013.
17. **Bendigo Bank Term Deposit (A-):** This investment is a 98 day term deposit paying 4.10% (4.16% annualised) and matures on 13 June 2013.
18. **Hunter United Credit Union (Unrated):** This investment is a 181 day term deposit paying 4.25% (4.30% annualised) and matures on 12 August 2013.

**ITEM 15 (continued)**

**ATTACHMENT 1**

- 19. 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.
- 20. 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.
- 21. Peoples Choice CU Term Deposit (Unrated):** This investment is a 94 day term deposit, paying 4.25% (4.32% annualised), and matures on 8 Aug 2013.
- 22. Rural Bank Term Deposit (A-):** This investment is a five year term deposit, paying 6.48% p.a., and matures on 21 March 2017.
- 23. Bananacoast CU Term Deposit (Unrated):** This investment is a 180 day term deposit paying 4.60% (4.65% annualised) and matures on 1 July 2013.
- 24. SGE Credit Union Term Deposit (Unrated):** This investment is a 122 day term deposit, paying 4.10% (4.16% annualised), and matures 11 July 2013.
- 25. B & E Ltd Building Society Term Deposit (Unrated):** This investment is a 181 day term deposit paying 4.25% (4.30% annualised) and matures on 5 August 2013.
- 26. 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.
- 27. CBA Term Deposit (AA-):** This investment is a three year term deposit paying 5.76% p.a. and matures on 8 December 2014.
- 28. 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.
- 29. Macquarie Bank Term Deposit (A):** This investment is a 121 day term deposit paying 4.30% (4.36% annualised) and matures on 1 August 2013.
- 30. Bankwest TD (AA-):** This investment is a four year term deposit paying 7.00% (7.00% annualised) and matures on 13 February 2015.
- 31. IMB Term Deposit (BBB):** This investment is a 182 day term deposit paying 4.20% (4.24% annualised), and matures 17 October 2013.
- 32. Summerland CU Term Deposit (Unrated):** This investment is a three year term deposit paying 5.05% pa and matures on 21 September 2015.
- 33. Wide Bay CU Term Deposit (BBB):** This investment is a 180 day term deposit paying 4.50% (4.55% annualised) and matures on 2 July 2013.
- 34. Northern Beaches CU Term Deposit (Unrated):** This investment is a 90 day term deposit paying 4.40% (4.47% annualised) and matures on 22 July 2013.

**ITEM 15 (continued)**

**ATTACHMENT 1**

- 35. Queenslanders Credit Union Term Deposit (Unrated):** This investment is a 181 day term deposit paying 4.65% (4.70% annualised) and matures on 25 July 2013.
- 36. Warwick CU Term Deposit (Unrated):** This investment is a 183 day term deposit paying 4.30% (4.35% annualised), and matures 8 October 2013.
- 37. Maitland Mutual Building Society (Unrated):** This investment is a 150 day term deposit paying 4.25% (4.30% annualised) and matures on 26 September 2013.
- 38. 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.
- 39. South West CU Term Deposit (Unrated):** This investment is a 92 day term deposit paying 4.10% (4.16% annualised) and matures on 14 June 2013.
- 40. CBA Term Deposit (AA-):** This investment is a 3 year term deposit paying 4.55% annually and matures on 17 June 2013.
- 41. Gateway Credit Union Term Deposit (Unrated):** This investment is a 92 day term deposit paying 4.30% (4.37% annualised) and matures on 16 May 2016.
- 42. Rabodirect Term Deposit (AA):** This investment is a 122 day term deposit, paying 4.25% (4.31% annualised), and matures on 11 July 2013.
- 43. Newcastle Permanent Building Society (BBB+):** This investment is a 94 day term deposit, paying 4.15% (4.21% annualised), and matures on 13 June 2013.
- 44. QT Mutual Bank (Unrated):** This investment is a 182 day term deposit paying 4.25% (4.30% annualised) and matures on 15 July 2013.
- 45. ING Term Deposit (A):** This investment is a 179 day term deposit paying 4.31% (4.36% annualised) and matures on 16 August 2013.
- 46. Greater Building Society Term Deposit (BBB):** This investment is a 123 day term deposit, paying 4.35% (4.41% annualised), and matures on 4 June 2013.
- 47. Holidaycoast CU Term Deposit (Unrated):** This investment is a 91 day term deposit, paying 4.25% (4.32% annualised), and matures 27 June 2013.
- 48. The Rock Building Society Term Deposit (BBB-):** This investment is a 182 day term deposit, paying 4.30% (4.35% annualised), and matures on 5 June 2013.
- 49. Police CU (SA) (Unrated):** This investment is a 35 day term deposit, paying 4.17% (4.25% annualised), and matures 4 July 2013.

**ITEM 15 (continued)**

**ATTACHMENT 1**

- 50. 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.
- 51. Suncorp Metway FRN (A+):** This is a floating rate note purchased at a margin of 106 points above 90 day BBSW, maturing 18 June 2013.
- 52. Intech CU Term Deposit (Unrated):** This investment is a 90 day term deposit, paying 4.30% (4.37% annualised), and matures on 2 July 2013.
- 53. AMP Term Deposit (A):** This investment is a four year term deposit paying 7.14% which matures on 16 February 2015.
- 54. Rabobank Term Deposit (AA):** This investment is a one year term deposit paying 5.05% pa and matures on 3 September 2013.
- 55. 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.
- 56. WAW CU TD (Unrated):** This investment is a 92 day term deposit paying 4.10% (4.16% annualised) and matures on 22 August 2013
- 57. Community First CU TD (Unrated):** This investment is a 180 day term deposit paying 4.35% (4.40% annualised) and matures on 30 July 2013.
- 58. CBA Term Deposit (AA-):** This investment is a 32 day term deposit paying 3.81% (3.88% annualised), and matures 11 June 2013.
- 59. 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.
- 60. CBA Term Deposit (AA-):** This investment is a 30 day term deposit paying 3.96% (4.03% annualised), and matures 6 June 2013.
- 61. 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.
- 62. 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.
- 63. 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.
- 64. 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.

**ITEM 15 (continued)**

**ATTACHMENT 1**

- 65. 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.
- 66. 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.
- 67. 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.
- 68. 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.
- 69. 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.
- 70. 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.
- 71. 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.
- 72. ING Term Deposit (A+):** This investment is a 202 day term deposit, paying 4.29% (4.33% annualised), and matures on 17 December 2013.
- 73. 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.
- 74. 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.
- 75. Police CU (SA) Term Deposit (Unrated):** This investment is a two year TD paying 5.70% (5.70% annualised) and matures 18 April 2014.
- 76. Investec Term Deposit (BBB-):** This investment is a one year TD paying 5.24% (5.24% annualised) and matures 10 July 2013.
- 77. NAB Fixed MTN (AA-):** This is a fixed rate bond paying 6.18% (6.30% annualised) and matures 15 February 2017.

**ITEM 15 (continued)**

**ATTACHMENT 1**

- 78. Westpac Fixed MTN (AA-):** This is a fixed rate bond paying 6.00% (6.14% annualised) and matures 20 February 2017.
- 79. ING Direct Term Deposit (A):** This is a 178 day term deposit paying 4.36% (4.41% annualised) and matures 17 October 2013.
- 80. Macquarie Bank Term Deposit (A):** This is a five year term deposit paying 6.50% (6.50% annualised) and matures 3 April 2017.
- 81. 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.
- 82. Delphi Bank Term Deposit (Unrated):** This investment is a five year term deposit paying 6.05% p.a. and matures on 15 May 2017.
- 83. Rural Bank Term Deposit (A-):** This investment is a 120 day term deposit paying 4.25% p.a. (4.31% annualised) and matures on 25 July 2013.
- 84. 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.
- 85. 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.
- 86. 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.
- 87. Bank of Queensland Term Deposit (BBB+):** This investment is a 122 day term deposit paying 4.25% (4.31% annualised) and matures 19 September 2013.
- 88. Bank of Queensland Term Deposit (BBB+):** This investment is a 150 day term deposit paying 4.30% (4.35% annualised) and matures 26 September 2013.
- 89. 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.
- 90. 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.
- 91. St George Term Deposit (AA-):** This investment is a 182 day term deposit paying 4.20% (4.24% annualised) and matures on 26 August 2013.



**ITEM 15 (continued)**

**ATTACHMENT 1**

92. **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.
93. **Rural Bank Term Deposit (A-):** This investment is a 177 day term deposit, paying 4.30% (4.35% annualised), and matures on 29 August 2013.
94. **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.
95. **IMB Term Deposit (BBB):** This is a 179 day term deposit paying 4.20% (4.24% annualised) and matures 19 July 2013.
96. **Bank of Queensland Term Deposit (BBB+):** This is a 179 day term deposit paying 4.40% (4.45% annualised) and matures 16 August 2013.
97. **NAB Term Deposit (AA-):** This is a 2.25 year term deposit paying 4.80% pa and matures 18 December 2014.
98. **Members Equity Bank Term Deposit (BBB):** This is a 1 year term deposit paying 4.35% (4.35% annualised) and matures 20 February 2014.
99. **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.
100. **Beirut Hellenic Bank Term Deposit (Unrated):** This investment is a 90 day term deposit paying 4.45% (4.53% annualised) and matures on 16 July 2013.
101. **Goldfields Money Ltd Term Deposit (Unrated):** This investment is a 90 day term deposit paying 4.38% (4.45% annualised), and matures 12 June 2013.
102. **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.
103. **Bendigo Bank Term Deposit (A):** This is a 92 day floating rate term deposit paying 4.53% (4.61% annualised) and matures 30 July 2013.
104. **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.
105. **CBA Term Deposit (AA-):** This investment is a 1 year term deposit paying 4.10% annually and matures 22 May 2014.

**16 COMMUNITY STRATEGIC PLAN - Ryde 2025**

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**Report prepared by:** Coordinator - Change Management Projects  
**File No.:** COR2013/245 - BP13/891

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**REPORT SUMMARY**

This report advises Council that following the exhibition of the Draft Community Strategic Plan from 16 May 2013 to 18 June 2013, no public submissions were received. As a result, the City of Ryde 2025 Community Strategic Plan, is submitted to Council for adoption, with no amendments.

**RECOMMENDATION:**

That Council adopt “Lifestyle and opportunity @ your doorstep: The City of Ryde 2025 Community Strategic Plan” with no amendments.

**ATTACHMENTS**

There are no attachments for this report.

Report Prepared By:

**Juanita Ford**  
**Coordinator - Change Management Projects**

Report Approved By:

**Roy Newsome**  
**Group Manager - Corporate Services**

**ITEM 16 (continued)****Background**

On 5 December 2008 Council resolved to undertake the development of its Community Strategic Plan. The resulting Community Strategic Plan – Lifestyle and opportunity @ your doorstep: The City of Ryde 2021 Community Strategic Plan was developed and adopted by Council on 14 June 2011.

Legislative requirements

It is a requirement of the Local Government Act 1993 that each Council's Community Strategic Plan be reviewed and rolled forward, to cover a minimum timeframe of 10 years, by 30 June in the year following the local government elections.

The Draft Community Strategic Plan must be placed on public exhibition for a minimum period of 28 days.

Council, at its Meeting on 14 May 2013, resolved:

- (a) That the Draft Lifestyle and opportunity @ your doorstep – City of Ryde 2025 Community Strategic Plan be adopted for 28 days public exhibition between 22 May and 18 June 2013.
- (b) That following this period of public exhibition all feedback received will be reported to Council, with any recommended alterations, for final adoption.

**Report**Review Approach

As previously endorsed by Council on the 26 March 2013, the review of The City of Ryde Community Strategic Plan is being conducted in three phases.

On 26 March 2013 Council resolved:

- (a) That Council endorse the recommended three phased approach to review the City of Ryde's Community Strategic Plan noting that in Item 2 Phase 2, Council will be taking the broadest approach in its consultation.*

In accordance with Council's resolution of 26 March 2013, Phase 1 of this approach relates to the interim adoption of the current Community Strategic Plan.

Public Advertising/ Community Consultation

During this exhibition period the following activities and consultation opportunities were provided:

**ITEM 16 (continued)**

- Formal public advertising of Community Strategic Plan commenced on 22 May 2013 with an advertisement being placed in the Northern District Times advising the community of the public exhibition period for submissions being up to 18 June 2013 and that the Draft Plans were available at all Council Libraries, the Civic Centre and on Council's website. Important information on how the community could comment on the Draft Plan was included in the advertisement.
- Council's website provided information and an opportunity for the community become fully informed of Council's Draft Plan with an opportunity to provide feedback on line.
- An advertisement was placed in the City View on 15 May 2013 and in the Mayoral Column on 22 May 2013.
- A number of public community forums, drop-in sessions and presentations to key stakeholder groups were held for both the Community Strategic Plan and the Four Year Delivery Plan seeking community comment and feedback.

**Public Submissions**

Submissions closed on 18 June 2012.

There were no submissions received directly relating to the review of the Community Strategic Plan.

As a result, it is recommended that Council adopt The City of Ryde 2025 Community Strategic Plan with no amendments. This will complete Phase 1 of the Community Strategic Plan review. Phase 2 of the review is underway; where Council will undertake a more comprehensive and broad engagement with its community, in seeking feedback and comments on the community's hopes and aspirations for the City of Ryde. Consultation is planned to begin in July and Councillors will be advised regarding the details of Phase 2 of this review through a CIB item.

**Financial Implications**

Adoption of the recommendation will have no financial impact.

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**17 CUSTOMER SERVICE OPTIONS INCLUDING RYDE PLANNING AND BUSINESS CENTRE**

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**Report prepared by:** Manager - Customer Service and Governance  
**File No.:** CUS/10/3/15 - BP13/695

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**REPORT SUMMARY**

This report is provided in response to two Council resolutions. The first resolution related to Council's capacity to convert the existing Ryde Planning and Business Centre to a Council customer service centre. The second resolution related to utilising existing Council locations as Customer Service Centres.

Also, considered as part of this report is the status of the current trial of opening on Saturdays at the Ryde Planning and Business Centre between the hours of 9.00am – 12.30pm.

This report details the current services and facilities at the Ryde Planning and Business Centre and recommends that there be no change to the service provided or the branding of the centre. It is recommended that Council give consideration to the improvement of some of the facilities at the Ryde Planning and Business Centre to enhance customer experiences.

**RECOMMENDATION:**

- (a) That Council note the report and endorse the continued provision of services at the Ryde Planning and Business Centre without change.
- (b) That Council note the report and the planned projects identified to be undertaken with regard to customer service including eBusiness initiatives and ongoing review of call centre systems and telephony facilities.
- (c) That Council cease Saturday morning opening for the Ryde Planning and Business Centre from 31 August 2013, being the end of the trial period for the reasons detailed in the report.

**ATTACHMENTS**

There are no attachments for this report.

Report Prepared By:

**Shane Sullivan**  
**Manager - Customer Service and Governance**

Report Approved By:

**Roy Newsome**  
**Group Manager - Corporate Services**

**ITEM 17 (continued)****Background**

At its meeting held 12 March 2013, Council resolved as follows:

*That the Acting General Manager prepare a report detailing the logistical and organisational capacity to convert the existing Planning Service Centre at Top Ryde City to a Council Customer Service Centre including:*

1. *Costs associated with such a change with no additional staff employment*
2. *Workspace capacity to move some planning staff back to the Civic Centre*
3. *IT capacity to offer the full range of services offered at the Civic Centre*
4. *The community benefits to such a change*
5. *Any other relevant matter associated with such a change*

Council also resolved:

*That the Acting General Manager prepare a report identifying:*

1. *Existing public interface locations that can be utilised as Customer Service Centres*
2. *Costs associated with converting existing locations to Customer Service Centres*
3. *Organisational impediments to such changes*
4. *Community benefits of such changes*
5. *Any other relevant information associated with such a change*

**A. Ryde Planning and Business Centre***Background*

The Ryde Planning and Business Centre opened its doors on 5 May 2011. The Centre is a dedicated space for planning and development services which includes advisory services for building approvals, preliminary assessment and lodgement of applications.

The Centre also focuses on business and economic initiatives with the City of Ryde's partnership with the Ryde Business Forum. Currently, an office space in the Centre houses Council's Economic Development Officer and the Ryde Business Forum.

While the Centre is promoted as a Planning and Business Centre, the customer service provided at the centre is a full service. No customer is turned away from the Centre or directed to the Civic Centre Customer Service staff.

**ITEM 17 (continued)***Trial of Saturday hours*

There is currently a six-month trial of Saturday hours between the hours of 9.00am – 12.30pm, which commenced in February 2013, at the Centre. The extended hours have been well received by customers although the number of customers per Saturday has averaged only eight. Customers are predominantly using the planning services through an appointment system and there are very few walk ins and general enquiries.

The Saturday service is currently provided at an approximate staff cost of \$100 per customer which is high.

Originally, the trial had one member of the Planning staff and two Customer Service Officers. As a result of customer demand this was adjusted to two Planning staff members and two Customer Service Officers. A further refinement has recently resulted in the staffing levels being two Planning staff and one Customer Service Officer. This adjustment reflects the type of customer enquiries and bookings made on Saturdays.

Without exception response to the Saturday service provided has been positive. This is generally the case for the Ryde Planning and Business Centre, where the service is a very positive experience for customers.

Almost all customers have indicated that their reason for booking on a Saturday is due to commitments during standard office hours, making the weekend option particularly attractive.

As indicated, the extended Saturday service is costly to Council with each customer interaction costing approximately \$100 in staff costs. However, the extended hours emphasise Council's focus in making services as accessible as possible, which has resulted in this service generating positive feedback for Council.

Should Council resolve to continue the service indefinitely it would be necessary to allocate additional funds of \$50,000 per annum. This is not recommended. However, due to the high cost per customer, it is recommended for the Saturday opening of the Centre to cease at the end of the trial period, being 31 August 2013.

As an alternate, it is proposed that a planning advisory service could be provided as required, through an existing Council facility such as Ryde Library on one Saturday monthly using a booking system. This option could be further investigated and would be provided based on demand and therefore, at a lower cost per customer.

**ITEM 17 (continued)**

*Services currently provided at the Ryde Planning and Business Centre and Civic Centre*

Below is a breakdown of the services that were originally planned to be provided at the Ryde Planning and Business Centre and the Civic Centre:

<b>Ryde Planning and Business Centre (Appointment Only)</b>	<b>Customer Service Centre (Civic Centre)</b>
<ul style="list-style-type: none"> <li>▪ Pre DA planning and enquiries (formal meetings and drop in).</li> <li>▪ Application Lodgement – including DA, Complying Developments, Construction Certificates, Subdivision Certificates and all related engineering requirements (e.g. work zone permits, driveway gutter crossings etc).</li> <li>▪ Payment of application lodgement fees and fees required by Conditions of Consent.</li> <li>▪ Point of contact throughout the assessment process – including lodgement of amended and additional plans, discussions with Assessment Officer / Engineers / Building Inspectors.</li> <li>▪ Viewing of notification and exhibition material (electronic and hard copy).</li> <li>▪ Building Compliance – including inspection bookings and results, lodgement and resolution of face to face complaints (unauthorised works, building certificates, notices and orders), lodgement and sign off of final occupation certificates.</li> <li>▪ Information / plan searches of historical applications, plans and files (some electronic but primarily hard copy).</li> <li>▪ Economic Development/Business enquiries and activities.</li> <li>▪ Ryde Business Forum office.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Rates payments and enquiries.</li> <li>▪ Park and hall hire payments.</li> <li>▪ Animal identification and registrations.</li> <li>▪ Property enquiries (e.g. commercial filming applications, kiosk hire).</li> <li>▪ Event and service bookings.</li> <li>▪ Community Information / Events and Festivals.</li> <li>▪ Permit applications (parking, skip bins and temporary placement).</li> <li>▪ Infringement enquiries.</li> <li>▪ Vacation care.</li> <li>▪ Waste services.</li> <li>▪ Maintenance and cleaning of Council infrastructure.</li> <li>▪ Council reports.</li> <li>▪ Complaints / Compliments / Feedback.</li> <li>▪ Traffic enquiries and requests.</li> <li>▪ Tree management applications.</li> <li>▪ Notice of Intent applications.</li> <li>▪ Statutory Certificates.</li> <li>▪ Permits and applications for Council infrastructure (alignment levels, gutter crossings, road opening permits).</li> <li>▪ Building Compliance – including inspection bookings and results, lodgement of complaints regarding unauthorised works, building certificates, enquiries in relation to notices and orders via mail or phone.</li> </ul>



**ITEM 17 (continued)**

As stated previously, the Ryde Planning and Business Centre currently provides the full suite of customer services, however this is not promoted and the focus remains predominantly on planning and development matters and specifically, pre-lodgement meetings. The goal of the Centre was to provide a dedicated service in a professional environment where customers could book appointments with appropriate staff.

Feedback from those people making planning enquiries has been positive with a satisfaction rating of 86% for service at the centre in 2011/12. The dedicated Centre gives customers with planning and development issues the space and comfort to discuss these matters in detail.

*Current customer volumes*

The following table sets out the current approximate number of customer contacts per annum and the method of contact:

Civic Centre	17,000	77% of Counter enquiries	18% of customer enquiries
RP&BC	4,000	23% of Counter enquiries	4% of customer enquiries
Call Centre	70,000		78% of customer enquiries

In 2011/12 there were 3,548 customers served at the Ryde Planning and Business Centre. This number is tracking to be higher in 2012/13 although the total number of face to face customer interactions is expected to remain unchanged. This is due to increased customer awareness that the Centre is in operation and available for the handling of planning enquiries.

As the figures above demonstrate, the bulk of customer enquiries are handled through the call centre with more than 300 calls received most days. It is vital that there be adequate staff to handle these calls as the volume is significant and customer tolerance for wait times is lower than for face to face interactions.

*Current resource levels and services provided*

The industry standard for calculating resource requirements for a call centre is the Erlang C calculator. Based on the City of Ryde's current key performance indicators, number of calls and the spread of calls, a minimum of seven call centre staff are required to meet customer and performance demands.

Based on current staff levels there are 14.4 staff available each week. Including allowances for annual leave and rostered days off there are 12.4 staff available each week. This does not allow for sick leave.

**ITEM 17 (continued)**

Three staff are required to effectively manage the Civic Centre front counter. Three staff are also required to currently manage the Ryde Planning and Business Centre counter. This leaves 6.4 staff to support the call centre, again noting that this does not allow for unplanned leave.

The peak call centre times are between 11.30am and 2.30pm. Due to the current staff hours, this coincides with lunch breaks staff are required to take in accordance with the Award provisions. The reduced staff levels during these times impacts on service and performance levels.

In addition to handling customer service enquiries, Customer Service officers undertake a significant number of administrative functions associated with customer transactions, including but not limited to the processing of Development Applications, the processing of all cheque payments and animal registration documentation.

At the City of Ryde Customer Service Officers aim to deal with at least 85% of phone enquiries at the first point of contact.

In Local Government this is a very high proportion. This capacity means that calls are not escalated unless required and allows customers to make numerous enquiries in one call.

However, to provide this service it takes up to six months to train a new Customer Service Officer. As a result, any vacancy that arises can have a significant impact on service levels while replacement staff are recruited and trained.

It is also the nature of the Customer Service role, and the skills and experience they acquire, that makes them attractive to other parts of the organisation and many staff have been successful in obtaining internal promotions.

For these reasons, any vacancy that arises in Customer Services has significant and immediate impacts upon the service and performance of the Unit, given the current level of resources and the demand on the Unit's services.

Almost 50% of staff costs in customer service are required to handle face to face customer enquiries, which represent 22% of all customer interactions.

*Future considerations for call centre levels*

In order to ensure improved service to call centre customers a number of initiatives are currently being investigated to ensure calls are answered as quickly and efficiently as possible. These include:

- Use of call menu options during peak enquiry periods such as when rates notices are issued;

**ITEM 17 (continued)**

- Use of dedicated numbers for specific events or information;
- Provision of an online input form for standard customer enquiries such as lost bin;
- Continued development of e-commerce solutions and the provision of smart forms; and
- Redirection of calls to a third party provider in instances of significant demand.

It is anticipated that the development and improvement of online avenues for customer interactions will result in reduced customer volumes. It should be noted that there are currently no plans to direct enquiries through web based avenues alone and that the option to make enquiries about Council services person to person will remain.

*Capacity to provide all services at the Ryde Planning and Business Centre*

Assuming the total number of face to face customer service interactions does not increase, there should be the capacity to provide the full suite of customer interactions at the Ryde Planning and Business Centre.(as is currently available)

This would require the continued close monitoring of customer wait times at the Civic Centre, Ryde Planning and Business Centre and the call centre to allow resources to be allocated as required.

However, should promotion of the Ryde Planning and Business Centre result in an increase in the number of face to face customers and no decrease in the number of calls or visitors to the Civic Centre counter, there would be performance and resource implications.

Consideration should also be given to the fact that training in planning matters is the final stage of the induction for new staff as it is the most complex area of their service. Only fully trained staff with relevant experience are rostered to the Ryde Planning and Business Centre.

As a result, it is recommended that should Council pursue this broader focus for the Ryde Planning and Business Centre that the situation and performance levels continue to be closely monitored and reviewed should the number of adequately trained staff drop.

**ITEM 17 (continued)***Capacity to provide all services at the Ryde Civic Centre front counter*

Although the resolution of Council does not raise the issue of providing planning services at the Civic Centre it is felt that this should be considered if it is Council's intention to provide all customer service options at both venues.

Currently, when customers come to the Civic Centre with a development enquiry they are redirected to the Ryde Planning and Business Centre depending on the availability of planning staff to assist. If staff are not available at that specific time, Customer Service Officers will make an appointment for the customer.

The existing appointment system for allocating time for the planners is well received and the inclusion of Saturday hours has added flexibility to this process. Customers have indicated that they appreciate having a dedicated time for their enquiry and prior to the Ryde Planning and Business Centre opening they were required to queue at the Civic Centre and wait for a staff member to assist them. This sometimes resulted in significant queue times if staff were engaged on lengthy planning enquiries.

The time spent handling planning enquiries has reduced significantly since the opening of the Ryde Planning and Business Centre as staff are able to be prepared prior to the appointment, with the relevant background and documentation.

In addition, the co-location of Planning staff and Customer Service Officers at the Ryde Planning and Business Centre allows customers to complete business with regard to planning matters in one transaction. For example, once the documentation is completed the Customer Service Officer is able to process the application and commence any other ancillary services such as arranging for a driveway application or tree removal application.

As stated above, the appointment system for planning enquiries has been well received. This option is also provided for those members of the public wishing to speak to a drainage engineer who has appointment times available at the Ryde Planning and Business Centre two mornings a week. This additional service has also been well received.

Should it be Council's intention to provide all customer service options at both venues it is recommended that a booking system be introduced for the Civic Centre in addition to that provided for the Ryde Planning and Business Centre. However, it is noted that the environment at the Ryde Planning and Business Centre is more conducive to these meetings than the facilities available at the Civic Centre. Also, this option would result in additional resources being required particularly on the impact on the Planning staff availability.

**ITEM 17 (continued)***Workspace capacity (Workspace capacity to move some planning staff back to the Civic Centre)*

Planning staff who currently provide customer service support are located primarily at the Civic Centre and work at the Ryde Planning and Business Centre on a roster basis at the two counter spaces provided. As a result, there is no requirement to relocate them to the Civic Centre.

The exception is Council's Economic Development Officer who shares an office space with the Ryde Business Forum (RBF). On 22 June 2010, Council endorsed providing up to two staff office spaces in the Centre for the RBF.

There is currently a significant shortage of available workspace at the Civic Centre. Council's recent resolution of 14 May 2013 with regard to the maintenance of the Civic Centre will result in further pressure upon the existing limited space while works are undertaken and staff need to be relocated. The foyer and customer service area is not scheduled for maintenance work until 2017/18.

However, as Council continues to develop online customer service transactions it may be that call and customer volumes decrease. Recent studies by customer services strategy organisations such as Fifth Quadrant have also identified social media as a future avenue for customer service provision, although evidence suggests that Australian customers have been slower to take up this option than their overseas counterparts.

Promoting the provision of a full suite of services at the Ryde Planning and Business Centre may result in the need to provide additional Customer Service Officers at the Centre.

Currently, there are five workstations. One is provided for the Greeter (Team Leader Ryde Planning and Business Centre) who is responsible for the flow of customers, the management of appointments and reception duties for the centre and Level 1A. There are two work stations for Customer Service Officers and two workstations for the Planners (or Drainage Engineer).

There is currently no additional space to add Customer Service Officers if they were required.

However, as Councillors would be aware there is a meeting room in the Ryde Planning and Business Centre on the ground floor at the rear of the space. The addition of meetings room at Level 1A has reduced the usage of, and need for, this meeting room in the Ryde Planning and Business Centre.

The service provided by Planning staff to customers can be confidential, or private, at times and the open space of the centre can mean that on occasions, discussions can be heard by other customers.

**ITEM 17 (continued)**

As a result, were the Ryde Planning and Business Centre to be promoted as a full service centre, it is recommended that consideration be given to providing a private customer service space to free up the front counter spaces and provide areas for customers to meet with Planning staff in a more private but still welcoming environment.

It would be appropriate that, were the Ryde Planning and Business Centre to be promoted as a full service centre, then consideration be given to the ongoing accommodation of the Ryde Business Forum, the location of Council's Economic Development Officer, the use of the meeting room at the Centre to investigate the opportunities to utilise space on level 1A.

In addition, it would be necessary to review the workspace with regard to cash handling procedures. The Centre was not established to handle a large number of payments and having staff and customers moving behind the cash handling process may present a risk which will need to be mitigated.

*Customer amenity*

Currently there is limited space for customers waiting at the Ryde Planning and Business Centre. While there is some space in the foyer area customers have been reluctant to make use of them preferring to wait in the Centre.

Should customer numbers at the Centre increase it would be necessary to install a queuing system like that provided at the Civic Centre so that staff can appropriately manage enquiries. There is currently no space available for this system without impacting upon the amenity of the Centre.

As Councillors would be aware, the tone in the Centre is quiet and professional. The environment is welcoming and modern. Unlike the Civic Centre, there are no announcements of queue numbers and customers are personally directed to the relevant staff member by the Greeter.

It is feared that increased customer levels at the Centre may take away from some of the aspects that have made the service so successful and popular with customers. If customer volumes in the Centre increase significantly, there is no solution to accommodate such an increase within the centre. As suggested, a queuing system would need to be installed, however this would require additional seating to be placed in the entry space outside the Ryde Planning and Business Centre, which is not believed to be either an acceptable or sustainable solution

*Branding and focus of the Ryde Planning and Business Centre*

The intention of the Ryde Planning and Business Centre was to provide a professional space for planning and business matters to be handled and advanced.

**ITEM 17 (continued)**

There has been a significant amount of industry interest in this business model with Council hosting many other Councils and also with the service being profiled in the Local Government Managers magazine. Other Councils have indicated that one of the hurdles with implementing a model like that at City of Ryde is that the Customer Service staff do not have the adequate training in planning matters.

Should Council resolve to reposition the Centre as a full Customer Service centre for the City of Ryde, it would be necessary to re-brand the Ryde Planning and Business Centre to reflect this broader focus.

It would also be necessary to undertake a promotion campaign to increase community awareness of the change in role and services to be provided by the Centre.

*IT capacity to offer the full range of services offered at the Civic Centre*

There currently exists the capability for Customer Service Officers to log into the phone system from the Ryde Planning and Business Centre.

One of the areas currently under investigation is the ability to view plans online and to not have to rely on hard copy plans for public exhibitions. Several low cost options are currently being investigated in this area and it is expected that over time there will be increased capacity for the online viewing of documents and plans at the Centre.

As stated previously, it would be necessary to have a queuing system. This system categorises enquiries so that they can be handled in a timely manner and by appropriately trained staff. A kiosk would need to be installed somewhere in the centre to allow customers to take a ticket and screens would need to be installed so they would know when their name was called.

*The community benefits to such a change*

As stated previously, all customers visiting the Ryde Planning and Business Centre are served, with no customer being turned away. As a result, it is difficult to argue that changing the focus and function of the centre would result in a significant community benefit.

What has been shown to be a community benefit is an extension of the service at the Centre. The Saturday hours trial has been very well received by customers and generates significant goodwill for Council.

Providing customers with multiple avenues to access Council services provides a significant community benefit. This extends beyond traditional customer service and call centres to social media and web based interactions. Many companies also provide online interactions where customers engage in live chat

**ITEM 17 (continued)**

with a Customer Service Officer. These options will continue to be investigated for implementation where possible within current resource and technological capacities.

*Costs associated with such a change with no additional staff employment*

As stated previously, there are no additional resources available within Customer Service. At this time, current resource levels mean that it is difficult for the team to meet current performance indicators despite being a full complement of trained staff.

However, should the quantum of customers remain constant, it would be reasonable to expect that the current staff levels would be able to provide the same level of service as is currently provided. This is because it is currently possible to move staff between the Civic Centre and Ryde Planning and Business Centre as required.

An additional kiosk for queuing would be required at the Ryde Planning and Business Centre along with screens and this has been quoted at \$14,000.

Moving the Planning staff to the current meeting room space has been quoted at \$8,000 to \$10,000 although this is not recommended. Instead, it is suggested that consideration be given to the ongoing accommodation of the Ryde Business Forum and Council's Economic Development Officer, to utilise space in level 1A.

Re-branding the Centre would also require funding. This has been estimated at \$15,000 to \$20,000 to promote and re-brand the centre.

*Conclusion and Options*

The service and customer experience at the Ryde Planning and Business Centre is specialised, with its focus being on planning, development and business related matters. It is a modern, professional and quiet environment in which customers can spend quality time with a staff specialist. They are given the dedicated space and time to work through matters of serious concern to them. The booking system allows dedicated time for the customer and allows Council's staff to be fully prepared for the matter being discussed, therefore resulting in a positive customer experience. This has resulted in Council receiving very positive feedback from customers, with customer satisfaction levels being at 86% and higher, since the Centre was opened.

Currently, the Ryde Planning and Business Centre is a full service centre, however that is not how it is promoted.

Promoting the Ryde Planning and Business Centre as a full service centre will detract from many of the elements that make the operation a success.



**ITEM 17 (continued)**

As a result, it is recommended that no change be made to the promotion and focus of the Ryde Planning and Business Centre.

However, should Council so desire, it is recommended that consideration be given to providing additional office/desk areas in the Centre to accommodate the Planning staff. This should be done in the context of the accommodation options regarding the office currently occupied by the Ryde Business Forum and Council's Economic Development Officer, as well as available space on level 1A.

As a result, it is recommended that Council give consideration to one of the following options:

- (a) Note this report and take no further action at this time.
- (b) Note this report and endorse the investigation of additional accommodation options within the Centre and Level 1A.
- (c) Rebrand the Ryde Planning and Business Centre as a full customer service centre noting the issues outlined in this report. In addition, this would require the allocation of approximately \$44,000 being for rebranding and promotion, the provision of a queue management kiosk and the provision of office spaces for customer meetings within the Centre or Level 1A.

It is recommended that Council endorse option (a) above as the service provided at the Ryde Planning and Business Centre is well received. Promoting the Centre as a full service centre will impact on many of the elements customers appreciate with regard to the service provided.

In addition, it is recommended that Council discontinue the Saturday opening of the Ryde Planning and Business Centre at the end of the advertised trial period in August 2013.

While those using the service have found it valuable and appreciated the access to Council services, with an average of 8 customers each Saturday it is not considered a financially viable service and other opportunities for service provision outside of business hours will be explored.

**B. Extension of customer interface locations**

At its meeting held 12 March 2013, Council resolved as follows:

*That the Acting General Manager prepare a report identifying:*

1. Existing public interface locations that can be utilised as Customer Service Centres

**ITEM 17 (continued)**

2. *Costs associated with converting existing locations to Customer Service Centres*
3. *Organisational impediments to such changes*
4. *Community benefits of such changes*
5. *Any other relevant information associated with such a change*

At this time, an initial, high level response is provided to Council in response to this pending further investigation.

Should Council so determine, options are presented for a further more detailed investigation of the elements of this resolution.

*Background*

In February 2006, the City of Ryde engaged UCMS Consulting to undertake a business review to review the existing handling of contacts from customers by the City of Ryde and to make recommendations for improvement.

Some of the key observations were:

- The extent of service provided by the Customer Service Centre compares favourably to that of other Councils in terms of scope and range.
- The majority of customer contact was by telephone and the number of face to face enquiries had been diminishing.
- The key customer service contact points for Council were the Civic Centre, Libraries and the Ryde Aquatic Leisure Centre.
- There was an opportunity to improve the consistency of responses to email and mail requests by moving the handling of these enquiries into Customer Service.
- The Council should undertake regular customer satisfaction surveys.
- That Council should consider moving some customer-facing activities undertaken in service areas closer to the customer's first point of contact.

As a result of these observations work was done to move some additional customer facing activities to the customer's first point of contact. The report stated that in order to effectively make this change it would be necessary to have approximately 55 staff in Customer Services, which was clearly unachievable. As a result, this was implemented as far as practicable within current resources.

**ITEM 17 (continued)**

The report also noted that face to face enquiries and postal payment routes are the most costly to the organisation and the least convenient for the customer. It was recommended that opportunities for online services be investigated.

Currently, email and mail enquiries are not handled by customer service although it may be possible to undertake this change once the volume of requests are known.

Finally, the report recommended that any service change be an iterative process over a period of time rather than going live with all services available at the front line at once.

In April 2007, a report on a trial integration of customer service with library services was completed. This included a report by the AEC Group in February 2007 comparing different models that were in existence.

The report noted that the service provided at West Ryde Library had not resulted in much community interest and customer levels were low. However, some options were presented and considered:

- Placement of PC in each branch to be promoted as a Council kiosk with access to Council on line services
- Library staff to be trained in simple high volume enquiries and to take payments (non-cash only)
- Fit out of new Ryde Library to integrate a customer service area.

As Councillors would be aware, PCs have been placed in branches. While they are not promoted as specific Council kiosks customers are able to use them to access Council services online.

In addition, while a customer service area was not integrated into the Ryde Library, the Ryde Planning and Business Centre was opened and provides a dedicated customer service.

Despite Library staff being fully trained in high volume customer service enquiry areas, this proved unsuccessful following a trial across Council's library service. There are a significant number of Library staff including a lot of casuals and ensuring an appropriate level of training was difficult.

Finally, recent focus groups conducted regarding the Community Strategic Plan and reported in City of Ryde Community Perceptions, Attitudes and Opinions, said that they did not associate Libraries with Council, and accordingly, Council services.

**ITEM 17 (continued)**

1. *Existing public interface locations that can be utilised as Customer Service Centres*

The branch libraries and Ryde Aquatic Leisure Centre are existing public interface locations that can be utilised as Customer Service Centres.

However, as outlined in the previous studies and as a result of previous trials, it is not recommended that Council pursue the use of these locations.

Alternatively, Council may wish to consider the placement of public customer services at town centres or in larger shopping centres, such as Macquarie Centre. This aligns more strongly with customer expectations of where they expect to be able to conduct transactional business. Another option for consideration could be customer kiosk machines.

2. *Costs associated with converting existing locations to Customer Service Centres*

Without an understanding of Council's appetite for the scale of this proposal it is difficult to address costs associated with converting existing locations to Customer Service Centres, however, the following financial impacts have been identified:

(a) *Physical environment:*

As detailed below the physical environment either at the Libraries or through a rented shop front, would need to be changed to ensure safe cash handling procedures.

(b) *Resource/Staffing:*

It will be necessary to provide additional resources. For example, a free standing customer service shop front in a shopping centre requires a minimum of three staff. This is to ensure that there are two staff present at all times and that breaks are covered.

While the quantum of customer enquiries may not increase, the addition of every physical customer service contact point increases the resource requirements.

(c) *Training:*

As detailed above it takes approximately 6 months to train a Customer Service Officer to an appropriate level. It should also be noted that it would be necessary to train the Customer Service staff in some of the fundamentals of Libraries or the RALC were they to be located there. Customer expectations are that any Customer Service Officer is able to address any enquiry.

**ITEM 17 (continued)****3. Organisational impediments to such changes***(a) Industrial issues*

Currently, staff in Customer Service, Libraries and the RALC are employed under different conditions and at different pay rates. Any decision to have these services provided in common location will have industrial implications that would need to be addressed.

*(b) Risk – Cash handling*

The Library counter areas are not currently equipped with appropriate risk measures and equipment for the amount of cash handling that could occur. In addition, there is currently no provision in the Libraries for non-cash payments.

In order to protect customers and staff, the physical area must provide an appropriate level of protection and monitoring.

There will also be minimum staffing requirements to ensure risks associated with transactional processes are mitigated, and as a result, cost implications to Council.

*(c) Spread of hours*

The Libraries and RALC have a different spread of hours to that currently provided through Customer Service. In order to meet customer expectations it would be necessary that service was provided during much of the opening hours. This will have resource and rostering impacts.

*(d) Support*

Further to the spread of hours, it is noted that one of the risks identified through the previous trial was the provision of support to Customer Service staff. At times staff need to escalate matters or refer matters to subject matter experts. This is more difficult with satellite locations and a broader spread of hours.

**4. Community benefits of such changes**

Ideally, the City of Ryde would like to be able to provide customers with 24hour service through a multitude of avenues. The challenge is to focus our resources in the most efficient and effective ways in delivering services to our community.

Physical customer service locations raise the profile of Council and present Council as an accessible and approachable organisation. They can also provide community members with a one-stop-shop relationship with Council and provides opportunities to co-locate many Council services.

**ITEM 17 (continued)**

However, current Customer Service research points towards an increase in the use of social media and on-line options for customer service transactions, in providing convenience to the customer. The focus toward physical customer service points is diminishing while virtual customer service opportunities are being expanded.

As stated above the proportion of face to face customer enquiries is one-quarter of the City of Ryde's customer service interactions.

As a result, it is recommended that Council give consideration to focussing on customer interactions as a whole with face to face transactions representing one facet of this service.

5. *Any other relevant information associated with such a change*

An investigation into the use of existing public interface points as customer service centres should, for the sake of completeness, take into consideration our entire Customer Service operation.

This extends to the customer call centre, customer service contact points, our website, social media opportunities and e-commerce. Generally, it extends to the systems, services, accessibility and behaviours that support our customer service framework

We currently do not have adequate resources at the City of Ryde to undertake this operational review. However, there currently exist many planned projects that will support the development of customer service such as:

- eBusiness initiatives
- Smart forms online
- Web input for customer requests
- Review of telephony services and options for call centre systems
- Ongoing review of call centre spread of hours and staff levels
- Surveys and mystery shopper
- Quality Assurance process for customer requests

*Options*

As a result, it is recommended that Council give consideration to one of the following options:

- (a) Note this report and the planned projects identified to be undertaken including eBusiness initiatives and ongoing review of call centre systems and telephony facilities.

**ITEM 17 (continued)**

- (b) Request that a further investigation be undertaken into existing public interfacing locations that can be utilised as Customer Service Centres, noting that this will require additional external assistance and additional funding of approximately \$20,000 to resource.
- (c) Request that a comprehensive review of Council's customer interface management be undertaken. This review would include consideration of the systems, services, accessibility and behaviours associated with customer service at the City of Ryde and would set out a series of recommendations and actions supported by customer feedback and expectations. It is noted that this would require funding of approximately \$50,000 to resource.

It is recommended that Council adopt option (a) above.

**Financial Implications**

While this report recommends that the trial of Saturday hours cease at the end of the advertised period (August 2013) it should be noted that there is value in giving consideration to extension of customer service in areas of greatest need.

At this time, due to the proportion of customers handled through the call centre, it may be worth giving future consideration to extending the hours of the call centre to 7pm on Mondays to Fridays. This could be funded at an additional cost of approximately \$10,000 per annum.

However, as stated in the report, it is recommended that any extension of service be considered as part of an overarching and holistic review of customer service and its operation.

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**18 SUMMARY OF EXPENSES RELATING TO THE GENERAL MANAGER  
AND SENIOR STAFF - November 2012 to April 2013**

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**Report prepared by:** Councillor Support Coordinator  
**File No.:** CLR/07/8/42 - BP13/866

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**REPORT SUMMARY**

Council adopted the Expenses Relating to the General Manager and Senior Staff Policy on 11 October 2011. Council resolved that a report be provided every six months summarising expenses claimed.

This report provides a summary of expenses claimed by the General Manager and Senior Staff from November 2012 to April 2013. Reimbursements on expenses claimed during this period have been made in accordance with the provisions of the Policy.

**RECOMMENDATION:**

That Council note the summary of expenses claimed by the General Manager and Senior Staff for the period between November 2012 to April 2013.

**ATTACHMENTS**

- 1 Expenses Relating to the General Manager and Senior Staff - Policy and Procedures

Report Prepared By:

**Sheron Chand**  
**Councillor Support Coordinator**

Report Approved By:

**Shane Sullivan**  
**Manager - Customer Service and Governance**

**Roy Newsome**  
**Group Manager - Corporate Services**



**ITEM 18 (continued)**

The Expenses Relating to the General Manager and Senior Staff Policy (**ATTACHED**) sets out the circumstance and process for reimbursement of out-of-pocket expenses incurred by the General Manager and Senior Staff. The Policy ensures there is consistency and transparency in the application of the process.

The Policy aligns with the NSW Government Expenses Policy and the provisions of the Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors Policy.

Claims lodged by the General Manager are authorised by the Mayor and claims lodged by Senior Staff are authorised by the General Manager for reimbursement. At its meeting on 11 October 2011, Council endorsed the Policy with an additional requirement that expenses claimed under the Policy be reported to Council on a six monthly basis. Below is a summary outlining expenses claimed by the General Manager and Senior Staff from November 2012 to April 2013.

Expenses claimed are categorised on the following basis:

1. Performance of Official Duties
2. Recognition of staff performance (e.g. departing staff)
3. Establishing partnerships of importance to Council
4. Professional development and associated costs
5. Employment Contract Provisions

Claimant	Date of Claim	Description	Category	Amount
Roy Newsome	7/11/2012	Parking - LGFS Court Case	1	\$48.00
Roy Newsome	7/11/2012	Parking - OHS Training	4	\$12.00
Dominic Johnson	21/11/2012	Parking - Northern Planners Meeting, Willoughby Council	1	\$10.00
Dominic Johnson	6/12/2012	Parking - Meeting with Minister for Planning and Infrastructure - Macquarie Park Working Group	1	\$28.56
Dominic Johnson	6/12/2012	Parking - Meeting with Minister for Planning and Infrastructure - Quarterly Meeting	1	\$70.38
Dominic Johnson	6/12/2012	Taxi Fare - Hill PDA Meeting	1	\$20.00
Dominic Johnson	20/12/2012	Taxi Fare - Macquarie Park Taskforce Meeting - City	1	\$16.00
Roy Newsome	27/02/2013	Fuel - Paid by personal credit card (awaiting fuel card)	1	\$78.00
Danielle Dickson	28/02/2013	Parking - Visit staff at Royal North Shore Hospital	1	\$5.50
Dominic Johnson	4/04/2013	Parking - Allengrove & Whiteside Streets North Ryde Meeting at Governor Macquarie Tower	1	\$28.56

**ITEM 18 (continued)**

Dominic Johnson	4/04/2013	Parking - Northern Planners Meeting, Willoughby Council	1	\$5.00
Roy Newsome	5/04/2013	Fuel - Paid by personal card	1	\$15.00
Dominic Johnson	19/04/2013	Parking - Herring Road UAP Meeting with Department of Planning and Infrastructure	1	\$66.00
Danielle Dickson	29/04/2013	Coffee for Councillors & Staff during site visits on 2/3/2013	1	\$11.70
Danielle Dickson	29/04/2013	Parking - Meeting on Confidential Matter 21/2/2013	1	\$60.77

The sum of all claims processed from November 2012 to April 2013 is \$475.47.

The sum of all claims processed from May 2012 to October 2012 was \$2,509.27.

**Financial Implications**

Adoption of the recommendation will have no financial impact as all reimbursements made were within the approved budget.

**ITEM 18 (continued)**

**ATTACHMENT 1**



**EXPENSES RELATING TO THE GENERAL  
MANAGER AND SENIOR STAFF**

**Purpose**

This Policy sets out the circumstances, procedures and controls relating to out-of-pocket expenses incurred by the General Manager and designated Senior staff. These out-of-pocket expenses often relate to a form of hospitality during the performance of their duties.

It is acknowledged that in order to effectively undertake their roles that the General Manager and Senior Staff will be required to incur costs relating to entertainment and/or hospitality. It is unreasonable that they bear such costs as individuals. Where these costs are not minor and are incurred in the effective undertaking of their duties it is appropriate that it be reimbursed from Council funds.

The aim of this Policy is to provide transparency, clarity and consistency around the payment of out-of-pocket expenses incurred by the General Manager and designated Senior Staff.

**Scope**

This Policy applies to the position of General Manager and those positions designated as Senior Staff within the Senior Staff Contract of Employment. It also applies to those staff who may from time to time be acting in these positions.

**References**

This Policy relates to the provisions within the Senior Staff Contract of Employment with regard to reimbursement for expenses properly incurred on Council business and constitutes appropriate prior approval where the requirements of the attached guidelines are met.

The provisions for the General Manager and Senior Staff with regard to conference attendance and associated incidental expenses are aligned to the corresponding provisions for Councillors under the Payment of Expenses and Provision of Facilities for the Mayor and other Councillors.

Owner: Service Unit: Governance Unit	Accountability: Governance framework (including registers) development	Issue: Date
Trim Reference: D11/103602		Authority - COUNCIL

**ITEM 18 (continued)**

**ATTACHMENT 1**



**EXPENSES RELATING TO THE GENERAL  
MANAGER AND SENIOR STAFF - Guidelines**

**Guidelines**

In applying these guidelines, approving expenses where there is an actual or perceived personal benefit derived from expenditure is prohibited.

The following guidelines set out the provisions under this policy.

**General**

1. The General Manager and Senior Staff are expected to cover expenditure of a minor nature associated with work and normal representational responsibilities, such as an occasional round of drinks, confectionary etc.
2. The General Manager may approve certain out-of-pocket expenses by Senior Staff which would form a charge against Council's funds. Such expenses must be reasonable and directly related to:
  - the performance of official duties, or
  - recognition of staff performance, or
  - establishing partnerships of importance to Council

Where possible, prior approval must be obtained.

3. In the case of out-of-pocket expenses incurred by the General Manager as per 2 above, approval must be obtained from the Mayor.
4. Examples of appropriate costs include costs incurred when representing Council and major hospitality duties, such as entertaining a group of visitors or representatives from government, business or community organisations or other partnerships of importance to Council.
5. For out-of-pocket expenses incurred by the General Manager or Senior staff to be acceptable as a charge against Council funds, the following apply:
  - The event to which the charge is related must have a direct relationship to the officer's duties.
  - Working meals are not to be regular occurrences and would normally have moderate charges per head and involve participation of persons from outside Council or, occasionally, with Councillors and/or senior staff from across Council.

**ITEM 18 (continued)**

**ATTACHMENT 1**

- The expenditure incurred should not provide a predominantly personal benefit to the staff member, members of their family or friends.
  - Tips will not be permissible.
  - Expenditure on gifts or tokens is acceptable for departing Senior Staff and appropriate condolences. (Gifts to visitors or guests of Council should be sourced from Council's existing standard gifts.)
6. Senior staff will be provided with equipment to facilitate connection to Council's network and systems. All expenses related to supporting this equipment will be at Council's expense. Any additional requirements or costs incurred are to be met by the staff member.
  7. It is acknowledged that on occasion the General Manager and Senior Staff may be required to attend functions or events where it is responsible practice for them to take a taxi. In such instances they may use Council provided vouchers or seek reimbursement for the fare/s.
  8. Generally goods and services should be received before any reimbursement is made. Payment should only be made in advance where it is unavoidable.
  9. Reimbursement of costs and expenses must be made within three months of the cost or expense being incurred.

**Conferences**

The following provisions are aligned to the entitlements to Councillors under the Payment of Expenses and Provision of Facilities for the Mayor and other Councillors Policy.

1. In recognition of the importance of a good work and family balance, spouses, partners or accompanying persons are welcome to join the General Manager or Senior Staff whilst attending events away from home. In such circumstances, Council will not require reimbursement of costs if no additional travel and accommodation expenses are incurred over and above what would have been expended by the individual. For example, if the person/s are able to be accommodated in the same room already provided as standard, it will be considered that no additional cost has been incurred by Council.
2. Council will also meet the reasonable cost of transportation and accommodation associated with attendance at the seminar, conference or training course, including the cost of meals (and reasonable cost of drinks) when they are not otherwise included in the fees. Each staff member is entitled to seek reimbursement up to \$100 per meal for the purpose of this provision up to a limit of 3 meals per day. Official receipts will be required for reimbursement

**ITEM 18 (continued)**

**ATTACHMENT 1**

3. The General Manager and Senior Staff shall be entitled to seek reimbursement for attendance at dinners and other non-Council functions where briefings relevant to the Council's interest are provided by key members of the community, politicians, government departments and business. Each staff member is entitled to seek reimbursement up to \$300 per annum for the purposes of this provision. Official receipts will be required for reimbursement under this clause.
4. Economy class air travel will be provided as standard for travel within Australia although business class air travel will be allowed for longer haul travel to the Northern Territory and Western Australia. The cost of any upgrade shall be the responsibility of the individual. The General Manager and senior staff are not entitled to receive private benefits relating to travel bonuses such as frequent flyer schemes and other loyalty programs.
5. Where trains are used, first class train travel will be provided, including sleeping berths where available.
6. Council shall also meet the cost of any transfers between the General Manager or Senior Staff's residence and a transport interchange (ie: airport) and between the transport interchange and hotel or venue, such costs not to exceed the cost of taxi fares.
7. Council may provide the General Manager or Senior staff with taxi vouchers for travel to a seminar, conference or training course. The officer must ensure that unused vouchers and the receipts of used vouchers are provided to Council within seven days of the event.
8. Any accommodation required by the General Manager or Senior Staff will be provided by Council subject to availability, access to venue and cost. A reasonable standard of accommodation is considered to be 4 – 4.5 star although 5 star accommodation will be provided where no suitable alternative accommodation is available. The cost of any upgrade shall be the responsibility of the individual.
9. Council shall reimburse reasonable out of pocket or incidental expenses associated with attending conferences, seminars or training courses incurred by the General Manager or Senior Staff.
10. Incidental expenses include, but are not limited to, in-house hotel television, telephone or facsimile calls, internet charges, refreshments, laundry and dry cleaning, and newspapers.
11. The General Manager or Senior Staff are entitled to seek reimbursement up to \$20 per day for the purposes of this clause.

**ITEM 18 (continued)**

**ATTACHMENT 1**

**Recording and Reporting**

Claims for expenses in accordance with this policy must be made in writing and will require appropriate approval.

Claims made under this policy will be reported to Council every six months in May and November.

**Context**

The standard Senior Staff Contract of Employment provides as follows:

In addition to any duties or entitlements that may be set out in any relevant policies of Council as adopted by Council from time to time, the employee will:

- 12.1 keep such records of expenses, travel and motor vehicle use as required by the employer from time to time,
- 12.2 be reimbursed for expenses properly incurred on Council business, subject to the employer's prior approval to this expense being incurred,
- 12.3 only use any Council credit card for expenses incurred on Council business, and
- 12.4 return any Council credit card on request from the employer.

This Policy would constitute a relevant policy as set out above.

Owner: Service Unit: Governance Unit	Accountability: Governance framework (including registers) development	Issue: Date
Trim Reference: D11/103602		Authority - COUNCIL

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**19 REPORTS DUE TO COUNCIL**

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**Report prepared by:** Section Manager - Governance**File No.:** CLM/13/1/4/2 - BP13/826

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**REPORT**

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 18 June 2013 (listing **ATTACHED**)

There are currently 50 reports listed. Following consideration of this report there will be five overdue reports due to Council.

**RECOMMENDATION:**

That the report on Outstanding Council Reports be endorsed.

**ATTACHMENTS**

1 Outstanding Council Reports - as at 18 June 2013

Report Prepared By:

**Amanda Janvrin**  
**Section Manager - Governance**

Report Approved By:

**Shane Sullivan**  
**Manager - Customer Service and Governance**

**Roy Newsome**  
**Group Manager - Corporate Services**



## Outstanding Reports

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	<b>FEASIBILITY STUDY ON MULTIPURPOSE SYNTHETIC (ARTIFICIAL) FIELDS</b>	13/08/2013	<i>The Workshop on Synthetic Fields has been scheduled for 8 August 2012.</i>
<b>Meeting Date</b>		<b>Anticipated date</b>	<i>To be reported to the Works and Community Committee on 20 November 2012.</i>
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.	13/08/2013	<i>The Workshop was attended by 50 people including the NSW State Minister for Sport and Recreation.</i>
<b>Group</b>	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.	<b>Officer</b>	<i>Participating in the NSROC project on regional approach for provision of synthetic fields.</i>
Community Life	3. A feasibility study cost be funded through the 2012/13 First Quarter Budget review.	Simon James	<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>

**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>GLADESVILLE VACATION CARE SERVICE- Transfer to Gladesville Public School P&amp;C</b>	19/11/2013	<i>This report will be provided on 19 November 2013, after a duration of 12 months as per the resolution.</i>
<b>Meeting Date</b>	(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.	<b>Anticipated date</b>	
26/06/2012		19/11/2013	
<b>Group</b>		<b>Officer</b>	
Community Life		Baharak Sahebekhtiari	

*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.*

**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>DEFERRED REPORT: WEBCASTING OF COUNCIL MEETINGS</b>	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>
<b>Meeting Date</b> 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.	<b>Anticipated date</b> 22/10/2013	<i>Updates will be provided to Councillors through the Councillor Information Bulletin closer to the go live date.</i>
<b>Group</b> Corporate Services		<b>Officer</b> Shane Sullivan	<i>It is anticipated for the system to go live in June/July 2013.</i>

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**ITEM 19 (continued)**

**ATTACHMENT 1**

<p><b>Meeting Type</b> Works and Community</p>	<p><b>Resolution</b> <b>UPDATE ON WOLFE ROAD RESERVE</b></p>	<p><b>Due Date of Report</b> 6/08/2013</p>	<p><b>Comments/Update</b> <i>Further report may need to be generated if this approach fails by May 2013.</i></p>
<p><b>Meeting Date</b> 6/11/2012</p>	<p>(c)Should this approach fail within 6 months, that Council seek legal advice on the issue of encroachment and report the matter back to the Works and Community Committee.</p>	<p><b>Anticipated date</b> 6/08/2013</p>	<p>* Council staff are maintaining the upper and lower part of the reserve. * Bushland contractor engaged to undertake bush regeneration work. * RFS reviewed the fire breaks around the adjoining properties. * Personal items of encroachment to be removed by the end of April 2013.</p>
<p><b>Group</b> Community Life</p>		<p><b>Officer</b> Simon James</p>	<p><i>Report to Council is not necessary due to current management strategy being successful. Council is to be updated on the issue through a CIB during May 2013.</i></p> <p><i>Advice received, and encroachment has been removed. Further report needed to deal with issues of firebreaks as</i></p>

**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>MATTER OF URGENCY – REFERENCE TO RYDE COUNCIL IN THE SYDNEY MORNING HERALD</b>	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>
<b>Meeting Date</b>	That the General Manager provide a detailed report to Councillors 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.	<b>Anticipated date</b> 27/08/2013	<i>As advised in the report, Council has endorsed completing a full investigation into the two matters by an independent external party.</i>
<b>Group</b>		<b>Officer</b>	<i>A firm has been appointed to conduct the investigation and report back to Council.</i>
General Manager		John Schanz	<i>Investigation is ongoing and is expected to be finalised by mid August with a report back to Council by 27 August 2013.</i>

**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b> Council	<b>Resolution</b> <b>MAYORAL MINUTE 15/12 - REVIEW OF POLICIES REGARDING VISITING OVERSEAS DELEGATIONS AND SISTER CITY RELATIONSHIPS</b>	<b>Due Date of Report</b> 13/08/2013	<b>Comments/Update</b> <i>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 is currently scheduled for 16 July 2013.</i>
<b>Meeting Date</b> 13/11/2012	(b)That the General Manager bring back a report to Council of existing sister city relationships.	<b>Anticipated date</b> 13/08/2013	
<b>Group</b> Corporate Services		<b>Officer</b> Shane Sullivan	

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**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>PLANNING PROPOSAL - 461 - 495 VICTORIA ROAD, GLADESVILLE</b>	27/08/2013	<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>
<b>Meeting Date</b>	(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.	<b>Anticipated date</b>	<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>
<b>Group</b>		<b>Officer</b>	<i>Gateway determination received 1 March 2013. Report to Council on 9 April 2013 recommending commencement of community consultation.</i>
Environment and Planning		Meryl Bishop	<i>Community Consultation, including Community Information Session, planned for June 2013.</i>

**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>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 &amp; basement parking for 155 cars &amp; strata subdivision. LDA 2011/0612.</b>		<i>Amended plans and information to be submitted and then renotified. Not yet received.</i>
<b>Meeting Date</b>			<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.	<b>Anticipated date</b>	<i>Follow-up letter to applicant sent seeking amended plans 3 April 2013.</i>
<b>Group</b>		<b>Officer</b>	<i>Date of Report to be determined upon receipt of amended plans.</i>
Environment and Planning		Liz Coad	



**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>3-5 TRELAWNEY STREET, EASTWOOD, LOTS A and B in DP 401296. Local Development Application for a mixed use development, containing 6 retail /commercial tenancies, 61 units &amp; basement parking for 108 cars &amp; strata subdivision. LDA 2011/0611 - COMPLETED</b>	11/06/2013	<i>Amended plans and information to be submitted and then renotified.</i>
<b>Meeting Date</b>	<b>COMPLETED</b>	<b>Anticipated date</b>	<i>Amended Plans have been received and public exhibition closed on 20 February 2013.</i>
27/11/2012	That Local Development Application No. 2011/0611 at 3-5 Trelawney Street, Eastwood, being LOTS A and B in DP 401296 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.	11/06/2013	<i>Further renotification of amended plans was required and public exhibition closed on 2 April 2013.</i>
<b>Group</b>	<b>Officer</b>	<b>Officer</b>	<i>Report provided to the Planning and Environment Committee Meeting on 4 June 2013.</i>
Environment and Planning	Liz Coad	Liz Coad	<i>COMPLETED (To be removed following Council Meeting to be held on 25 June 2013).</i>

**ITEM 19 (continued)**

**ATTACHMENT 1**

<p><b>Meeting Type</b> Works and Community</p>	<p><b>Resolution</b> <b>WATER BOTTLE REFILL STATIONS - UPDATE - COMPLETED</b></p>	<p><b>Due Date of Report</b> 18/06/2013</p>	<p><b>Comments/Update</b> <i>Refill station to be installed during February 2013 for a three month trial.</i></p>
<p><b>Meeting Date</b> 4/12/2012</p>	<p>(b)That a report be submitted to Council on the outcomes of the trial with consideration of wider installation of water refill station across the City's open spaces.</p>	<p><b>Anticipated date</b> 18/06/2013</p>	<p><i>Matter reported to the Works and Community Committee on 18 June 2013.</i></p>
<p><b>Group</b> Community Life</p>		<p><b>Officer</b> Simon James</p>	<p><i>COMPLETED (To be removed following the Council Meeting on 25 June 2013).</i></p>
<p><b>Meeting Type</b> Council</p>	<p><b>Resolution</b> <b>BOARDING HOUSES POLICY - Draft Enforcement Policy and Draft Development Control Plan</b></p>	<p><b>Due Date of Report</b> 13/08/2013</p>	<p><b>Comments/Update</b> <i>Draft policy to be exhibited in April 2013.</i></p>
<p><b>Meeting Date</b> 11/12/2012</p>	<p>(c)That Council receive a further report on the outcomes of the exhibition of draft Boarding Houses Policy comprising:</p>	<p><b>Anticipated date</b> 13/08/2013</p>	<p><i>Draft Policy on Exhibition, submissions close 20 May 2013.</i></p>
<p><b>Group</b> Environment and Planning</p>	<p>1. Draft Enforcement Policy: Boarding Houses 2. City of Ryde Draft Amending Development Control Plan - Boarding Houses.</p>	<p><b>Officer</b> Scott Cox</p>	<p><i>Exhibition completed.</i></p>
<p>18-Jun-13</p>		<p>Page 10 of 46</p>	

**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>CITY OF RYDE TENNIS COURTS - COMPLETED</b>	25/06/2013	<i>Expression of Interest/Requests for proposal to be advertised in early February 2013. Anticipated closing date April 2013.</i>
<b>Meeting Date</b> 11/12/2012	(f) That a further report be submitted to Council following an Expression of Interest/Requests for Proposals process.	<b>Anticipated date</b> 25/06/2013	<i>Report provided to Council Meeting on 25 June 2013.</i>
<b>Group</b> Community Life		<b>Officer</b> Simon James	<i>COMPLETED (To be removed following Council Meeting on 25 June 2013).</i>

**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>GLADESVILLE RSL DEVELOPMENT PROPOSAL</b>	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>
<b>Meeting Date</b>	(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:	<b>Anticipated date</b>	
11/12/2012		23/07/2013	
<b>Group</b>	(i) Indicative built form and uses; (ii) Parking management (particularly during the construction phase); and (iii) Results of the community consultation process.	<b>Officer</b>	<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>
Environment and Planning		Dominic Johnson	

**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Works and Community	<b>TRAFFIC AND PARKING MATTERS PRESENTED TO RYDE LOCAL TRAFFIC COMMITTEE MEETING held on 22 November 2012 - MIRIAM ROAD, WEST RYDE - No Parking (Kiss and Ride)</b>	16/07/2013	<i>Updated: 14 February 2013 Report will be tabled at Traffic Committee meeting to be held on 23 May 2013. The Traffic Committee's recommendations will be put to the Works and Community Committee on 2 July 2013.</i>
5/02/2013	That Council undertake a six (6) month trial in relation to the provision of a single 'No Parking' space along the side frontage (Miriam Road) of No.52 West Parade and that a follow up report be submitted to the Committee following the completion of the trial period confirming its use and whether the installation should be supported permanently.	<b>Anticipated date</b> 16/07/2013	<i>Updated: 11 April 2013 Due to mid-year recess, Traffic Committee's recommendations will be put to the Works and Community Committee on 16 July 2013.</i>
<b>Group</b>		<b>Officer</b>	
Public Works		Harry Muker	

**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>RYDE CITY BOWLING CLUB UPDATE</b>	26/11/2013	<i>(c) Subject to arbitration regarding fixtures, due improvements to commence shortly. Anticipated completion date late March - early April.</i>
<b>Meeting Date</b> 12/02/2013	(c) That Council proceed with an EOI/Tender process for the site, once the issues outlined in the body of this report are resolved.	<b>Anticipated date</b> 26/11/2013	<i>(d) Later in the year - report to Council October/November.</i>
<b>Group</b> 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.	<b>Officer</b> Baharak Sahebekhtiari	<i>Awaiting the outcome of the arbitration before proceeding to the EOI/Tender process. Matter is with the Golden Goal solicitors.</i>

**ITEM 19 (continued)**

**ATTACHMENT 1**

<p><b>Meeting Type</b> Council</p>	<p><b>Resolution</b> <b>NOTICE OF MOTION - GRAFFITI VANDALISM AND THE CITY OF RYDE</b></p>	<p><b>Due Date of Report</b> 16/07/2013</p>	<p><b>Comments/Update</b> 5 March 2013 <i>NOM directed to Derek McCarthy – Service Unit Manager for Community &amp; Events in Community Life</i></p>
<p><b>Meeting Date</b> 12/02/2013</p>	<p>(b) That a report on this matter, include, but not be limited to: 1. The establishment of key area ‘watch’ programs involving local residents, community groups, police and staff to identify at-risk locations and perpetrators. 2. Methods of communication to assist awareness of measures to reduce graffiti vandalism in key areas. 3. Promotion of anti-graffiti messages and penalties against culprits. 4. Detailing the rising cost of graffiti removal in the City of Ryde. 5. That Council look at further initiatives to engage with the youth including the Ryde Youth Council in order to address this issue.</p>	<p><b>Anticipated date</b> 16/07/2013</p>	<p><i>Gathering information and responsibilities for the report to Council on 21 May 2013.</i></p>
<p><b>Group</b> Community Life</p>	<p>(c) That the report indicate the process and the timeframe to develop the above into a Graffiti Action Plan.</p>	<p><b>Officer</b> Derek McCarthy</p>	<p><i>Working on information required and responsibilities.</i></p> <p><i>Internal working group organised to delivery on aspects of this request and to report back to Council by July 2013.</i></p>

**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b> Council	<b>Resolution</b> <b>SPORTING FACILITIES</b>	<b>Due Date of Report</b> 24/09/2013	<b>Comments/Update</b> <i>Due to the current workload the matter will be reported to Council by the end of September 2013.</i>
<b>Meeting Date</b> 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.	<b>Anticipated date</b> 24/09/2013	
<b>Group</b> 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	<b>Officer</b> Simon James	

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**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Works and Community	<b>FITNESS EQUIPMENT WITHIN THE CITY OF RYDE</b>	23/07/2013	<i>Due to current workload the matter will be reported to the Works and Community Committee Meeting on 6 August 2013.</i>
<b>Meeting Date</b>	That the Acting General Manager reviews the provision of fitness equipment within the City of Ryde and in particular at Kissing Point Foreshore Park Putney and report back to Council on the community needs for this type of equipment in our parks. The review to include any partnerships with private sector organisations or sponsorship opportunities.	<b>Anticipated date</b>	
26/02/2013		6/08/2013	
<b>Group</b>		<b>Officer</b>	
Community Life		Simon James	

**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>NOTICE OF MOTION - CUSTOMER SERVICE CENTRES - COMPLETED</b>	25/06/2013	<i>Report provided to Council on 25 June 2013.</i>
<b>Meeting Date</b>	That the Acting General Manager prepare a report identifying:	<b>Anticipated date</b>	<i>COMPLETED (To be removed following the Council Meeting on 25 June 2013).</i>
12/03/2013		25/06/2013	
<b>Group</b>	<ol style="list-style-type: none"> <li>1.Existing public interface locations that can be utilised as Customer Service Centres</li> <li>2.Costs associated with converting existing locations to Customer Service Centres</li> <li>3.Organisational impediments to such changes</li> <li>4.Community benefits of such changes</li> <li>5.Any other relevant information associated with such a change</li> </ol>	<b>Officer</b>	
Corporate Services		Shane Sullivan	

**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>NOTICE OF MOTION - LOGISTICAL AND ORGANISATIONAL CAPACITY FOR COUNCIL CUSTOMER SERVICE CENTRE AT TOP RYDE CITY - COMPLETED</b>	25/06/2013	<i>Report provided to Council on 25 June 2013.</i>
<b>Meeting Date</b>	That the Acting General Manager prepare a report detailing the logistical and organisational capacity to convert the existing Planning Service Centre at Top Ryde City to a Council Customer Service Centre including:	<b>Anticipated date</b>	<i>COMPLETED (To be removed following the Council Meeting on 25 June 2013).</i>
12/03/2013	<ol style="list-style-type: none"> <li>1.Costs associated with such a change with no additional staff employment</li> <li>2.Workspace capacity to move some planning staff back to the Civic Centre</li> <li>3.IT capacity to offer the full range of services offered at the Civic Centre</li> <li>4.The community benefits to such a change</li> <li>5.Any other relevant matter associated with such a change</li> </ol>	25/06/2013	
<b>Group</b>		<b>Officer</b>	
Corporate Services		Shane Sullivan	

**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b> Council	<b>Resolution</b> <b>DRAFT RYDE LEP 2011- AMENDING PLANNING PROPOSAL</b>	<b>Due Date of Report</b> 27/08/2013	<b>Comments/Update</b> <i>Open Community Workshop anticipated July 2013.</i>
<b>Meeting Date</b> 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.	<b>Anticipated date</b> 27/08/2013	
<b>Group</b> Environment and Planning		<b>Officer</b> Meryl Bishop	

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**ITEM 19 (continued)**

**ATTACHMENT 1**

<p><b>Meeting Type</b> Council</p>	<p><b>Resolution</b> <b>NOTICE OF MOTION - OMBUDSMAN SYSTEM - COMPLETED</b></p>	<p><b>Due Date of Report</b> 25/06/2013</p>	<p><b>Comments/Update</b> <i>Report provided to the Council Meeting on 11 June 2013.</i></p>
<p><b>Meeting Date</b> 12/03/2013</p>	<p>That a report for Council be prepared with options for an Ombudsman system that ensures citizens' complaints are dealt with fairly and impartially, that assists staff to focus on policies, guidelines and controls and which addresses systemic issues relating to poor administration, weak internal controls or unethical conduct within the Council.</p>	<p><b>Anticipated date</b> 25/06/2013</p>	<p><i>COMPLETED (To be removed following the Council Meeting on 25 June 2013).</i></p>
<p><b>Group</b> Corporate Services</p>	<p>The report should include consideration of the effective management of complaints and in particular how an Ombudsman system might be implemented by Ryde Council to:</p> <ul style="list-style-type: none"> <li>• impartially investigate complaints by citizens about poor administration, maladministration or misconduct by council staff or councillors (in an administrative capacity).</li> <li>• reach resolutions that are fair and reasonable.</li> <li>• if a resolution can't be reached, the Ombudsman provides advice to Council to facilitate a final decision.</li> <li>• to provide guidance and education for staff and councillors about ethical decision-making, proper conduct, council policies.</li> </ul>	<p><b>Officer</b> Shane Sullivan</p>	

**ITEM 19 (continued)**

**ATTACHMENT 1**

- ensure learnings from complaints and feedback are utilised for continuous improvement in Council systems and processes.

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>UNAUTHORISED DEVELOPMENT 29 VIMIERA ROAD EASTWOOD - COMPLETED</b>	11/06/2013	<i>Report provided to the Planning and Environment Committee Meeting on 4 June 2013.</i>
<b>Meeting Date</b> 12/03/2013	(c) That a further report be forwarded to Council for consideration on the merits of the building certificate application for the unauthorised work.	<b>Anticipated date</b> 11/06/2013	<i>COMPLETED (To be removed following Council Meeting to be held 25 June 2013).</i>
<b>Group</b> Environment and Planning		<b>Officer</b> Scott Cox	

**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>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</b>	4/06/2013	<i>Application requested preliminary meeting to discuss the issues - held in May 2013.</i>
<b>Meeting Date</b>	(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.	<b>Anticipated date</b>	<i>Awaiting provision of amended plans for option to be discussed at mediation meeting.</i>
12/03/2013		16/07/2013	
<b>Group</b>		<b>Officer</b>	
Environment and Planning		Liz Coad	

**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b> Council	<b>Resolution</b> <b>PUBLIC EXHIBITION OF MACQUARIE PARK PEDESTRIAN ACCESSIBILITY AND MOBILITY PLAN</b>	<b>Due Date of Report</b> 25/06/2013	<b>Comments/Update</b> <i>Exhibition closed on 23 April 2013.</i>
<b>Meeting Date</b> 12/03/2013	(b) That a further report on the Macquarie Park Pedestrian Accessibility and Mobility Plan be presented for Council's consideration and determination after the public exhibition period has finished and all submissions have been considered.	<b>Anticipated date</b> 16/07/2013	<i>Report scheduled to go to the Works and Community Committee Meeting on 16 July 2013.</i>
<b>Group</b> Environment and Planning		<b>Officer</b> Sam Cappelli	

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**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b> Council	<b>Resolution</b> <b>APPOINTMENT OF DELEGATES TO THE RYDE YOUTH COUNCIL ADVISORY COMMITTEE</b>	<b>Due Date of Report</b> 22/10/2013	<b>Comments/Update</b> <i>Report back to Council in October 2013.</i>
<b>Meeting Date</b> 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.	<b>Anticipated date</b> 22/10/2013	
<b>Group</b> Community Life		<b>Officer</b> Paul Graham	
<b>Meeting Type</b> Council	<b>Resolution</b> <b>DEVLIN STREET PEDESTRIAN BRIDGES</b>	<b>Due Date of Report</b> 25/06/2013	<b>Comments/Update</b> <i>Update 12 June 2013: Report now due on 23 July 2013. Community consultation yet to be finalised. Once we have the results of consultation, the report will be completed.</i>
<b>Meeting Date</b> 26/03/2013	(e) That Council receive a full report on the lift's performance including instance duration when they are out of action and a report that also includes passengers trapped, number and duration.	<b>Anticipated date</b> 23/07/2013	
<b>Group</b> Public Works		<b>Officer</b> Austin Morris	

**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>NOTICE OF MOTION - SUPPORTING LOCAL BUSINESS LEASING COUNCIL PROPERTIES</b>	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>
<b>Meeting Date</b>	(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>Anticipated date</b>	
26/03/2013		19/11/2013	
<b>Group</b>	(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.	<b>Officer</b>	
Public Works		Gerald Lore	

**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b> Council	<b>Resolution</b> <b>NOTICE OF MOTION - NATIONAL DISABILITY STRATEGY: NSW IMPLEMENTATION PLAN 2012-2014</b>	<b>Due Date of Report</b> 20/08/2013	<b>Comments/Update</b> <i>Report back to Council by late August 2013.</i>
<b>Meeting Date</b> 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.	<b>Anticipated date</b> 20/08/2013	<i>Internal working group established. Project needs more time to allow external consultation.</i>
<b>Group</b> Community Life	- identifies the anticipated resourcing issues. - outlines the proposed management mechanism/s to plan and coordinate the implementation of the required actions.	<b>Officer</b> Paul Graham	

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**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>MONTHLY REPORTING TO COUNCIL</b>	13/08/2013	
<b>Meeting Date</b>	That a highlights monthly report be developed in conjunction with the Councillors covering key management items including: human resources (sick leave, recreation leave in excess of 20 and 30 days); OH&S; complaints; organisational risk issues; legal actions.	<b>Anticipated date</b>	
26/03/2013		13/08/2013	
<b>Group</b>		<b>Officer</b>	
Corporate Services		Roy Newsome	

**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>DEFERRED REPORT: POLICY ON THE PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR THE MAYOR AND OTHER COUNCILLORS - COMPLETED</b>	11/06/2013	<i>This report will be provided to Council following the end of the exhibition period.</i>
<b>Meeting Date</b>	(d)That after the exhibition period of the draft policy, a further report be provided to Council seeking the adoption of the draft Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors Policy and detailing any submissions received.	<b>Anticipated date</b>	<i>Report provided to Council Meeting on 11 June 2013.</i>
26/03/2013		11/06/2013	<i>COMPLETED (To be removed following the Council Meeting on 25 June 2013).</i>
<b>Group</b>		<b>Officer</b>	
Corporate Services		Shane Sullivan	

**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b> Council	<b>Resolution</b> <b>MATTER OF URGENCY - BUDGET FOR 2013/14</b>	<b>Due Date of Report</b> 10/12/2013	<b>Comments/Update</b> <i>Scoping of strategy development commenced. Budget changes as requested by Council will be incorporated in draft Delivery Plan for 2013/14.</i>
<b>Meeting Date</b> 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.	<b>Anticipated date</b> 10/12/2013	
<b>Group</b> General Manager		<b>Officer</b> Angela Jones-Blayney	
<b>Meeting Type</b> Council	<b>Resolution</b> <b>BEST VALUE REVIEW - SPORTSGROUND ALLOCATION AND MANAGEMENT - COMPLETED</b>	<b>Due Date of Report</b> 25/06/2013	<b>Comments/Update</b> <i>Report to Council on 25 June 2013 regarding the adoption of sportsground allocation, and sportsground pricing and contribution policy.</i>
<b>Meeting Date</b> 2/04/2013	(b) Following the public exhibition process, a further report be submitted to Council on the feedback received during the process and any proposed changes to the draft policies.	<b>Anticipated date</b> 25/06/2013	<i>COMPLETED (To be removed following Council Meeting on 25 June 2013).</i>
<b>Group</b> Community Life		<b>Officer</b> Simon James	

**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b> Council	<b>Resolution</b> <b>MACQUARIE PARK REVIEW OF PLANNING CONTROLS (RYDE LEP AMENDMENT 1)</b>	<b>Due Date of Report</b> 10/09/2013	<b>Comments/Update</b> <i>Council changes are being incorporated into exhibition materials. Public exhibition to follow.</i>
<b>Meeting Date</b> 9/04/2013	(b)That the outcomes of community consultation are reported to Council as soon as practicable after the exhibition period.	<b>Anticipated date</b> 10/09/2013	<i>Public Exhibition expected to commence in June 2013 continuing into July 2013.</i>
<b>Group</b> Environment and Planning		<b>Officer</b> Meryl Bishop	

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**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>COMMUNITY GRANTS PROGRAM- Allocation of Funds 2012-13</b>	27/08/2013	<i>Report being prepared for Council Meeting on 27 August 2013.</i>
<b>Meeting Date</b>		<b>Anticipated date</b>	
9/04/2013	(e) That a Councillors working party of all interested Councillors be established to provide input into the proposed review the Community Grants Policy including providing key parameters for the draft and the matter be reported back with recommendations by August 2013 to allow the new policy to be in place prior to the commencement of the advertising for the 2013 Grants Program.	27/08/2013	
<b>Group</b>		<b>Officer</b>	
Community Life		Baharak Sahebekhtiari	

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**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b> Works and Community	<b>Resolution</b> <b>NOTICE OF MOTION: REHABILITATION/RESURFACING PROGRAM IN THE CAPITAL WORKS PROGRAM - COMPLETED</b>	<b>Due Date of Report</b> 18/06/2013	<b>Comments/Update</b> <i>Report provided to the Works and Community Committee Meeting on 18 June 2013.</i>
<b>Meeting Date</b> 9/04/2013	That the Acting General Manager and Senior Council Officers provide Council a report to a future Council Meeting, on the current actions of the Council towards a Rehabilitation/Resurfacing Program in the Capital Works Program next financial year to formalise and resurface all unformed car park areas in Ryde including any pedestrian links to the sports fields.	<b>Anticipated date</b> 18/06/2013	<i>COMPLETED (To be removed following the Council Meeting on 25 June 2013).</i>
<b>Group</b> Community Life		<b>Officer</b> Simon James	

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**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b> Council	<b>Resolution</b> 22 MONS AVENUE, WEST RYDE. LOT 23, Section C, DP 2322. Local Development Application for demolition, construction of a residential flat building with six (6) apartments and basement car parking for eight (8) cars. LDA2012/0454	<b>Due Date of Report</b> 5/11/2013	<b>Comments/Update</b> <i>Awaiting response from applicant - date of report to be advised pending applicant's response.</i>
<b>Meeting Date</b> 23/04/2013	(b)That a further report be presented to Planning and Environment Committee within six months.	<b>Anticipated date</b>	
<b>Group</b> Environment and Planning		<b>Officer</b> Liz Coad	

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**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>ESTABLISHMENT OF A MOBILE PLAYGROUP SERVICE- Follow up Report</b>	27/08/2013	<i>Meeting requested with the State Minister for Education. Awaiting response from the Minister.</i>
<b>Meeting Date</b>	(d) That subject to the project being commenced, the service be reviewed after three years and a report be provided back to Council for its consideration.	<b>Anticipated date</b>	
23/04/2013		27/08/2013	
<b>Group</b>	(e) That the Acting General Manager be requested to seek proposals from the private sector to offset the costs of establishing a mobile playgroup service as sponsorship with the aim of funding the start up costs of \$121 000 and a report be provided back to Council on the outcomes.	<b>Officer</b>	
Community Life		Baharak Sahebekhtiari	

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**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b> Council	<b>Resolution</b> <b>PEDESTRIAN SAFETY THROUGHOUT THE CITY OF RYDE</b>	<b>Due Date of Report</b> 16/07/2013	<b>Comments/Update</b> <i>Update 18 June 2013: Report expected to be submitted to Works and Community Committee on 16 July 2013.</i>
<b>Meeting Date</b> 23/04/2013	(c)That a report be provided to the Works and Community Committee on the outcome of an audit of the Pedestrian Safety issues in West Ryde in Chatham Road, Betts Street, Anthony Road, affected by the Coles redevelopment.	<b>Anticipated date</b> 16/07/2013	
<b>Group</b> Public Works		<b>Officer</b> Austin Morris	

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**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b> Council	<b>Resolution</b> <b>11 FIRST AVENUE, EASTWOOD - Stormwater Drainage</b>	<b>Due Date of Report</b> 31/12/2013	<b>Comments/Update</b> <i>Update 15 May 2013: Report deferred until legal issues raised are worked out with resident.</i>
<b>Meeting Date</b> 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.	<b>Anticipated date</b> 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>
<b>Group</b> Public Works		<b>Officer</b> Anthony Ogle	

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**ITEM 19 (continued)**

**ATTACHMENT 1**

<p><b>Meeting Type</b> Works and Community</p>	<p><b>Resolution</b> <b>PUBLIC EXHIBITION OF DRAFT LANE COVE RIVER COASTAL ZONE MANAGEMENT PLAN</b></p>	<p><b>Due Date of Report</b> 6/08/2013</p>	<p><b>Comments/Update</b> <i>The Draft Lane Cove River Coastal Zone Management Plan is on exhibition from 13 May 2013 to 21 June 2013.</i></p>
<p><b>Meeting Date</b> 7/05/2013</p>	<p>(b)That a further report on the Lane Cove River Coastal Zone Management Plan be presented for Council’s consideration after the public exhibition period has finished and all submissions have been considered by the Lane Cove River Estuary Management Committee.</p>	<p><b>Anticipated date</b> 6/08/2013</p>	
<p><b>Group</b> Environment and Planning</p>		<p><b>Officer</b> Sam Cappelli</p>	

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**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>TRAFFIC ISSUES RELATED TO ELTHAM STREET, GLADESVILLE - Monash Road (Traffic Management Options Paper)</b>	3/09/2013	<i>Update 20 May 2013: A report will be prepared for consideration by Ryde Traffic Committee at its meeting to be held on 25 July. The RTCs recommendations will be tabled at the Works and Community Committee on 3 September 2013.</i>
<b>Meeting Date</b>	(b)That the traffic management options agreed between Council staff and the residents be referred to Ryde Traffic Committee for approval before being presented to Council in a further report.	<b>Anticipated date</b>	
14/05/2013		3/09/2013	
<b>Group</b>		<b>Officer</b>	
Public Works		Harry Muker	

**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b> Council	<b>Resolution</b> <b>NOTICE OF MOTION - AMENDMENT TO VOLUNTARY PLANNING AGREEMENT (VPA) POLICY</b>	<b>Due Date of Report</b> 24/09/2013	<b>Comments/Update</b> <i>Matter to be reported to Council by September.</i>
<b>Meeting Date</b> 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.	<b>Anticipated date</b> 24/09/2013	
<b>Group</b> Community Life		<b>Officer</b> Simon James	

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**ITEM 19 (continued)**

**ATTACHMENT 1**

<p><b>Meeting Type</b> Council</p>	<p><b>Resolution</b>  <b>305 BLAXLAND ROAD &amp; 5-7 NORTH ROAD, RYDE. LOT 1 DP1069680 &amp; LOT A&amp;B DP 414322. Local Development Application for alterations and additions to San Antonio da Padova Nursing Home. LDA2012/247</b></p>	<p><b>Due Date of Report</b></p>	<p><b>Comments/Update</b> <i>Date of report to be advised pending receipt of amended plans and renotification.</i></p>
<p><b>Meeting Date</b>  14/05/2013</p>	<p>(c)A further report will be prepared to the Planning &amp; Environment Committee after the completion of this process.</p>	<p><b>Anticipated date</b></p>	
<p><b>Group</b> Environment and Planning</p>		<p><b>Officer</b> Liz Coad</p>	

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**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>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</b>		<i>Date to be advised - pending amended plans and renotification.</i>
<b>Meeting Date</b>		<b>Anticipated date</b>	
14/05/2013	(b) That the amended plans are renotified to the community including all persons who made submissions and that following this process a further report be presented to Planning and Environment Committee.		
<b>Group</b>		<b>Officer</b>	
Environment and Planning		Liz Coad	

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**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b> Council	<b>Resolution</b> <b>RYDE 2025 COMMUNITY STRATEGIC PLAN - Draft for Public Exhibition - COMPLETED</b>	<b>Due Date of Report</b> 25/06/2013	<b>Comments/Update</b> <i>Draft Ryde 2025 Community Strategic Plan on public exhibition from 22 May to 18 June 2013.</i>
<b>Meeting Date</b> 14/05/2013	(b) That following this period of public exhibition all feedback received will be reported to Council, with any recommended alterations, for final adoption.	<b>Anticipated date</b> 25/06/2013	<i>Reported to the Council Meeting on 25 June 2013.</i>
<b>Group</b> General Manager		<b>Officer</b> Juanita Ford	<i>COMPLETED (To be removed following the Council Meeting on 25 June 2013).</i>
<b>Meeting Type</b> Council	<b>Resolution</b> <b>CRICKET PRACTICE FACILITES IN THE CITY OF RYDE</b>	<b>Due Date of Report</b> 3/09/2013	<b>Comments/Update</b> <i>To be reported following the Sport &amp; Recreation Advisory Committee Meeting in early August.</i>
<b>Meeting Date</b> 28/05/2013	(a) That this matter be referred to the Sports and Recreation advisory committee to provide comment prior a further report being presented to the Works and Community Committee.	<b>Anticipated date</b> 3/09/2013	
<b>Group</b> Community Life	(b) That this further report provide specific statistical data.	<b>Officer</b> Simon James	

**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b> Council	<b>Resolution</b> <b>DRAFT DCP 2010 PART 4.4 RYDE TOWN CENTRE - CIVIC PRECINCT</b>	<b>Due Date of Report</b>	<b>Comments/Update</b> <i>Gateway determination under consideration of DoPI - exhibition pending DoPI decision.</i>
<b>Meeting Date</b> 28/05/2013	(c) That Council is presented with a further report following the completion of the exhibition period.	<b>Anticipated date</b>	
<b>Group</b> Environment and Planning		<b>Officer</b> Meryl Bishop	

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**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>NOTICE OF MOTION - ADVERTISING ON PUBLIC LAND AND AROUND DOG OFF LEASH PARKS</b>	10/12/2013	<i>Due to current workload the matter will be report to the Council by December 2013.</i>
<b>Meeting Date</b>	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.	<b>Anticipated date</b>	
28/05/2013	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.	10/12/2013	
<b>Group</b>		<b>Officer</b>	
Community Life		Simon James	

**ITEM 19 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>52 DARVALL ROAD, EASTWOOD. LOT 10 DP 13514. Local Development Application for the use of existing building as a secondary dwelling and an outbuilding. LDA2013/0100.</b>	<b>Anticipated date</b>	
<b>Meeting Date</b>	(b) That upon receipt of advice from the Building Professionals Board, the Group Manager Planning and Environment provide a report to the Planning and Environment Committee detailing the nature of the response and suggesting measures to ensure that the outbuilding does not provide for permanent habitation.	<b>Officer</b>	
11/06/2013		Liz Coad	
<b>Group</b>			
Environment and Planning			

**PRECIS OF CORRESPONDENCE****1 DRAFT RYDE LEP 2013 (AMENDMENT No 1) - MACQUARIE PARK CORRIDOR**

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**Report prepared by:** Executive Assistant to Group Manager  
**File No.:** GRP/09/6/5 - BP13/881

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**CORRESPONDENCE:**

Submitting correspondence from the Department of Planning and Infrastructure, dated 11 June 2013, regarding the exhibition of the Draft Ryde LEP 2013 (Amendment 1.) – Macquarie Park Corridor.

The correspondence relates to Council's resolution for the Macquarie Park review of planning controls (Ryde LEP Amendment 1.) from the Council meeting held on 9 April 2013 (ATTACHED).

**RECOMMENDATION:**

That the correspondence be received and noted.

**ATTACHMENTS**

- 1 Draft Ryde LEP 2013 (Amendment 1) - Macquarie Park Corridor - DOPI
- 2 Council - 7/13 - 9 April 2013 - Item 2 - MACQUARIE PARK REVIEW OF PLANNING CONTROLS (RYDE LEP AMENDMENT 1)

Report Prepared By:

**Sandra Warbrick**  
**Executive Assistant to Group Manager**

Report Approved By:

**Dominic Johnson**  
**Group Manager - Environment & Planning**

**Precis of Correspondence 1 (continued)**

**ATTACHMENT 1**



Ms Danielle Dickson  
Acting General Manager  
City of Ryde  
Locked Bag 2069  
NORTH RYDE NSW 1670

Dear Ms Dickson

**Draft Ryde LEP 2013 (Amendment No 1) – Macquarie Park Corridor**

I refer to Council's resolution of 9 April 2013 to endorse public exhibition of the above planning proposal, including controls for the Herring Road Urban Activation Precinct. This matter was discussed at a meeting between officers of the Department of Planning & Infrastructure and Dominic Johnson and Lexie MacDonald, representing the City of Ryde, on 4 June 2013.

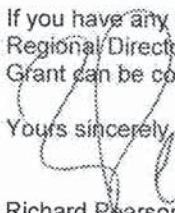
As you are aware, Council nominated Herring Road as an urban activation precinct in July 2012. Since then the Department, in consultation with Council, has dedicated considerable resources toward the coordination of planning studies to inform the outcomes of the Herring Road UAP. It is anticipated that public exhibition of the UAP will commence around mid July 2013.

I understand that exhibition of the planning proposal for LEP Amendment 1 is proposed to occur between 12 June and 19 July 2013 and that it will contain different planning controls to those anticipated to be contained in the Herring Road UAP. This approach is not supported by the Department and could have been avoided by deferring the UAP from the planning proposal.

As you would appreciate, exhibition of conflicting planning controls will create significant confusion for the community and other stakeholders. In order to alleviate this, Council is requested to include a statement with the exhibition material for the Macquarie Park Corridor clarifying its relationship with the Herring Road UAP. 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.

If you have any questions regarding this matter, I have arranged for Ms Juliet Grant, Regional Director of the Department's Sydney Region East branch to assist you. Ms Grant can be contacted on telephone number (02) 9228 6113.

Yours sincerely,

  
Richard Pearson  
Deputy Director-General  
Planning Operations and Regional Delivery

Bridge St Office 23-33 Bridge St Sydney NSW 2000 GPO Box 39 Sydney NSW 2001 DX 22 Sydney  
Telephone: (02) 9228 6111 Facsimile: (02) 9228 6191 Website <http://www.planning.nsw.gov.au/>



**Precis of Correspondence 1 (continued)**

**ATTACHMENT 2**

**EXTRACT FROM MINUTES OF COUNCIL MEETING  
NO. 7/13 AT ITS MEETING HELD ON 9 APRIL 2013.**

**4 MACQUARIE PARK REVIEW OF PLANNING CONTROLS (RYDE LEP AMENDMENT 1)**

Note: Will Dwyer (representing Goodman Group) addressed the meeting in relation to this Item.

**RESOLUTION:** (Moved by Councillors Chung and Yedelian OAM)

- (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.
- (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.

**Record of Voting:**

For the Motion: The Mayor, Councillor Petch and Councillors Chung, Etmekdjian, Laxale, Li, Maggio, Pendleton, Perram, Salvestro-Martin, Simon and Yedelian OAM

Against the Motion: Councillor Pickering

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**NOTICES OF MOTION****1 CONFLICTS OF INTEREST - Councillor Jeff Salvestro-Martin****File Number: CLM/13/1/4/6 - BP13/901**

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**MOTION:**

That, in the light of concerns being expressed by Ryde constituents on possible real, perceived and/or apparent conflicts of interests in relation to Councillors and Council staff, the General Manager, as a matter of reasonable priority:

1. investigate compliance/non-compliance by Councillors and CoR staff with the AGAPSC (Australian Government Australian Public Service Commission) Code of Conduct as per the Bowen Report: specifically the provisions on conflict of interest in relation to public office and professional or work-related duties
2. consult with the DLG/ICAC and other appropriate bodies as deemed necessary, and advise the framework to establish an ethics system with regular monitoring to ensure that all CoR Councillors and staff comply with the national benchmark AGAPSC Code of Conduct for elected representatives and public sector officials, as per the Public Service Act and Bowen Report with respect to conflicts of interest

That the General Manager report these matters to Council as soon as is reasonably practicable.

**2 REMOVAL OF TREES – Councillor Roy Maggio****File Number: CLM/13/1/4/6 - BP13/923**

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**MOTION:**

That Council:

Permit the resident of 3 Ivy Street, North Ryde, to remove the tree at their own expense and the resident to replant three trees of species to be determined by Council which maintain and are in accordance with council's objectives and policies.

review the current tree management policy to consider allowing the property owners to remove trees shown to potentially be causing damage and allow flexibility for the removal of trees initially planted on properties at the initiative of residents

when considering an application to remove a tree from private property, ensure a reasonable balance is maintained between the interests of the land owner in solving a problem, and the interests of the wider community that still ensures the amenity and environment is preserved.

**3 AUSTRALIAN MADE VEHICLES - Councillor George Simon****File Number:** CLM/13/1/4/6 - BP13/927

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**MOTION:**

- (a) That Councils formally state its objective to support Australian made vehicles in its passenger vehicle fleet.
- (b) That Council request the Acting General Manager to review the City of Ryde Motor Vehicle Policy and determine an appropriate mechanism, potentially a discounted rate, to attract City of Ryde staff to select these vehicles over other foreign made vehicles.

## **CONFIDENTIAL ITEMS**

### **20 ADVICE ON COURT ACTIONS**

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#### **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.:** GRP/09/5/6/4 - BP13/902

**Page.:** 339

### **21 GLADESVILLE TOWN CENTRE - POSSIBLE ROAD CLOSURE AND SALE - UPDATE**

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#### **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: (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

**Report prepared by:** General Counsel, Public Officer

**File No.:** GRP/09/5/6/4 - BP13/909

**Page No.:** 344

### **22 PERSONNEL MATTER**

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#### **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: (a) personnel matters concerning particular individuals (other than councillors).

**Report prepared by:** Acting General Manager

**File No.:** GMG/10/1/2/8 - BP13/557

## **FOR COUNCILLORS ONLY - CIRCULATED UNDER SEPARATE COVER**

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