



21 FEBRUARY 2013

NOTICE OF MEETING

You are advised of the following meeting:

TUESDAY 26 FEBRUARY 2013.

Meeting of Council Meeting No. 3/13

Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde - 7.30pm

Meeting Date: Tuesday 26 February 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 12 February 2013

Report prepared by: Section Manager - Governance
File No.: CLM/13/1/4/2 - BP13/56

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 2/13, held on 12 February 2013 be confirmed.

ATTACHMENTS

- 1 Minutes - Ordinary Council Meeting - 12 February 2013 - CIRCULATED UNDER SEPARATE COVER

**2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING
2/13 held on 19 February 2013**

Report prepared by: Section Manager - Governance
File No.: CLM/13/1/4/2 - BP13/66

REPORT SUMMARY

Attached are the Minutes of the Planning and Environment Committee Meeting 2/13 held on 19 February 2013. The Minutes will be listed for confirmation at the next Planning and Environment Committee Meeting.

Items 1, 3 and 4 were dealt with by the Committee within its delegated powers.

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

- 2 12 FARNELL STREET, WEST RYDE. LOT 13 DP 28953. Local Development Application for a multi dwelling housing (attached) development containing 3 villa homes (2 x 3 and 1 x 2 bedroom), Two storey at front and single storey at rear. LDA2012/0049.**

Note: Councillors Maggio and Salvestro-Martin arrived at the meeting at 5.00pm.

Note: Sam Khalil (objector) and Milan Samardzic (applicant) addressed the Committee in relation to this Item.

RECOMMENDATION: (Moved by Councillors Maggio and Chung

- (a) That Council approves Local Development Application No. 2012/49 at 12 Farnell Street West Ryde being Lot 13 in DP 28593, via a Deferred Commencement consent subject to the conditions listed in **Attachment 2** in principle subject to a mediation as specified in part (b).
- (b) That a mediation take place by the Group Manager - Environment and Planning, the applicant and the objector from 10 Farnell Street West Ryde, to amend the height of the proposed development to improve the retention of the objectors view. That if the parties are in agreement the matter can be determined by the Group Manager Environment and Planning. Alternatively, a further report be presented to Planning and Environment Committee within three (3) months.
- (c) That the persons who made submissions be notified of Council's decision.

Record of Voting:

For the Motion: Councillors Chung, Pendleton and Maggio

ITEM 2 (continued)

Against the Motion: Councillor Salvestro-Martin

Note: This matter will be dealt with at the Council Meeting to be held on **26 FEBRUARY 2013** as dissenting votes were recorded and substantive changes were made to the published recommendation

ATTACHMENTS

- 1 Minutes - Planning and Environment Committee - 19 February 2013

ITEM 2 (continued)

ATTACHMENT 1

Planning and Environment Committee
MINUTES OF MEETING NO. 2/13

Meeting Date: Tuesday 19 February 2013

Location: Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde

Time: 4.00pm

Councillors Present: Councillors Pendleton (Chairperson), Chung, Maggio, Salvestro-Martin and The Mayor, Councillor Petch.

Note: The Mayor, Councillor Petch was present for consideration for Items 1 and 4 only.

Note: Councillors Maggio and Salvestro-Martin arrived at the meeting at 5.00pm and were not present for consideration of Item 1.

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

Apologies: Councillor Yedelian OAM.

Leave of Absence: Councillor Simon.

Staff Present: Group Manager – Environment and Planning, Service Unit Manager – Assessment, Service Unit Manager – Environmental Health and Building, Service Unit Manager – Governance, Team Leader – Assessment, Team Leader – Major Development Team, Assessment Officer, Business Support Coordinator – Environment and Planning, and Councillor Support Coordinator.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

1 CONFIRMATION OF MINUTES - Meeting held on 5 February 2013

Note: Councillors Salvestro-Martin and Maggio were not present for consideration of this Item.

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

That the Minutes of the Planning and Environment Committee 1/13, held on Tuesday 5 February 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.

ITEM 2 (continued)

ATTACHMENT 1

2 12 FARNELL STREET, WEST RYDE. LOT 13 DP 28953. Local Development Application for a multi dwelling housing (attached) development containing 3 villa homes (2 x 3 and 1 x 2 bedroom), Two storey at front and single storey at rear. LDA2012/0049.

Note: Councillors Maggio and Salvestro-Martin arrived at the meeting at 5.00pm.

Note: Sam Khalil (objector) and Milan Samardzic (applicant) addressed the Committee in relation to this Item.

RECOMMENDATION: (Moved by Councillors Maggio and Chung

- (a) That Council approves Local Development Application No. 2012/49 at 12 Farnell Street West Ryde being Lot 13 in DP 28593, via a Deferred Commencement consent subject to the conditions listed in **Attachment 2** in principle subject to a mediation as specified in part (b).
- (b) That a mediation take place by the Group Manager - Environment and Planning, the applicant and the objector from 10 Farnell Street West Ryde, to amend the height of the proposed development to improve the retention of the objectors view. That if the parties are in agreement the matter can be determined by the Group Manager Environment and Planning. Alternatively, a further report be presented to Planning and Environment Committee within three (3) months.
- (c) That the persons who made submissions be notified of Council's decision.

Record of Voting:

For the Motion: Councillors Chung, Pendleton and Maggio

Against the Motion: Councillor Salvestro-Martin

Note: This matter will be dealt with at the Council Meeting to be held on **26 FEBRUARY 2013** as dissenting votes were recorded and substantive changes were made to the published recommendation

3 33 RYEDALE ROAD, WEST RYDE. LOT 5 SEC 1 DP 2085. Local Development Application for the change of use for the rear of the existing shop from commercial to residential. LDA2012/0416.

Note: Dan Yu Xie, Chao Ping, Xi Fang Chen (objectors) and Dick Crompton (on behalf of the applicant) addressed the Committee in relation to this Item.

Note: A series of documents from Dan Yu Xie dated 19 February 2013 was tabled in relation to this Item and a copy is ON FILE.

Note: A series of documents from Dick Crompton dated 19 February 2013 was tabled in relation to this Item and a copy is ON FILE.

ITEM 2 (continued)

ATTACHMENT 1

RESOLUTION: (Moved by Councillors Salvestro-Martin and Chung)

- (a) That Local Development Application No. LDA2012/0416 at 33 Ryedale Road being Part LOT 5 DP 2085 SEC 1 be approved subject to the ATTACHED conditions.
- (b) That the persons who made submissions be advised of Council's decision.
- (c) That the matter be referred to Council's Manager Environmental Health & Building to ensure that appropriate enforcement action is taken to ensure compliance with the requirement to obtain an Occupation Certificate in relation to the approved development.

Record of Voting:

For the Motion: Unanimous

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

4 219 BLAXLAND ROAD, RYDE. LOTS 1, 2, 3 and 4 in DP 456020 and LOT 2 in DP548825. Section 96(1A) Application to amend the approved development for a mixed use building containing commercial/retail and residential development. MOD2012/0155.

Note: A request from Mrs Samadi (objector) for this matter to be deferred was been tabled.

Note: Clare Brown (on behalf of the applicant) addressed the Committee in relation to this Item.

Note: The Mayor, Councillor Petch arrived at the meeting at 5.55pm and was present for consideration of this item.

RESOLUTION: (Moved by Councillors Maggio and Salvestro-Martin)

- (a) That the Section 96 application to modify Local Development Application No. 2011/0303 at 219 Blaxland Rd Ryde being Lots 1, 2 3 and 4 in DP456020 and Lot 2 in DP548825 be approved subject to the following:
 - 1. Conditions 1, 7, 33, 34, 40, 42, 57, 60, 138, 149 and 150 be amended to read as follows:
 - 1. Development is to be carried out in accordance with the following plans and support information submitted to Council:

Plan Number	Title	Drawn by	Issue	Date
DA-A-020	Demolition Plan	Quattro Design Pty Ltd	A	07.06.11

ITEM 2 (continued)
ATTACHMENT 1

12020 AP01	Cover	Mosca Pserras Architects	A	6/9/12
12020AP02	Data	Mosca Pserras Architects	A	6/9/12
12020AP03	Site Plan	Mosca Pserras Architects	A	6/9/12
12020AP04	Basement 2	Mosca Pserras Architects	A	6/9/12
12020AP05	Basement 1	Mosca Pserras Architects	A	6/9/12
12020AP06	Ground Floor	Mosca Pserras Architects	B	21/1/13
12020AP07	Level 1	Mosca Pserras Architects	A	6/9/12
12020AP08	Level 2	Mosca Pserras Architects	A	6/9/12
12020AP09	Level 3	Mosca Pserras Architects	A	6/9/12
12020AP10	Level 4	Mosca Pserras Architects	A	6/9/12
12020AP11	Level 5	Mosca Pserras Architects	A	6/9/12
12020AP12	Level 6	Mosca Pserras Architects	A	6/9/12
12020AP13	Roof	Mosca Pserras Architects	A	6/9/12
12020AP14	Elevations	Mosca Pserras Architects	A	6/9/12
12020AP15	Elevations	Mosca Pserras Architects	A	6/9/12
12020AP16	Sections	Mosca Pserras Architects	A	6/9/12
12020AP17	Sections	Mosca Pserras Architects	A	6/9/12
12020AP18	Adaptable Unit Details	Mosca Pserras Architects	A	6/9/12
12347-LCD 01 -2	Landscape Concept Plan	NBRS + Partners		10/10/12
12347-LCD 02-2	Landscape Sections and Plant Species List	MBRS + Partners		10/10/12

ITEM 2 (continued)

ATTACHMENT 1

7. Road Traffic Noise

- a. The proposed development is to include materials that satisfy the requirements for habitable rooms under Clause 102, Subdivision 3 of State Environmental Planning Policy (Infrastructure) 2007.
 - b. The residential units must be designed and constructed so that the road traffic noise levels inside the buildings comply with the satisfactory design sound levels recommended in Australian/New Zealand Standard *AS/NZS 2107:2000 Acoustics – Recommended design sound levels and reverberation times for building interiors*, when the windows and doors are closed. The recommendations outlined in the report from consultant Acoustic Logic, dated 22.03.2011 as amended by the Acoustic Glazing Review, prepared by Vipac Engineers and Scientists Limited and dated 2 October 2012 are to be implemented.
33. **Strata Subdivision Plan** – A strata subdivision plan in accordance with the approved architectural drawings is to be prepared and submitted to Council for approval prior to the issue of a **Occupation Certificate**.
 34. **Section 94 Contribution** – A contribution for the services in Column A and for the amount in Column B shall be made to Council prior to the issue of the **Construction Certificate**.

A	B
Community and cultural Facilities	\$216,406.86
Open Space and Recreation Facilities	\$520,999.65
Civic and Urban Improvements	\$184,791.36
Roads and Traffic Management Facilities	\$25,240.88
Cycleways	\$15,743.70
Stormwater Management Facilities	\$49,468.67
Plan Administration	\$4,245.68
The total contribution is	\$1,016,896.81

This contribution is a contribution under the provisions of Section 94 of the Environmental Planning and Assessment Act, 1979 as specified in the Section 94 Development Contributions Plan 2007 (2010 Amendment) adopted by City of Ryde on 11/12/2007.

The above amount, if not paid within the quarter that the consent is granted, shall be adjusted for inflation by reference to the Consumer Price Index published by the Australian Bureau of Statistics (Catalogue No 5206.0) on the basis of contribution rates that are applicable at the time of payment.

40. **BASIX Commitments** – The development is to incorporate the requirements and commitments provided in BASIX Certificate No 447714M dated 5 October 2012. The **Construction Certificate** plans and specifications are to detail all of the 'CC plan' commitments of the BASIX Certificate.

ITEM 2 (continued)

ATTACHMENT 1

42. **Detailed Landscape Plan** – A detailed Landscape Plan is to be submitted and approved by Council in accordance with the approved Landscape Plan (Plan No 12347-LCD01 and 12347-LCD02, prepared by NBRSPartners dated 10/10/12) prior to the issue of a **Construction Certificate**. The detailed Landscape Plan must also incorporate the following:
- (a) **Street tree planting** – Trees planted along Blaxland Road and Pope Street are to be frangible species.
 - (b) **Soil depth over structures** – Where planting is proposed over a structure, the development is to achieve the minimum standards for soil provision suitable to the proposed planting, as contained within the Residential Flat Design Code. Information verifying that the development complies with these requirements is to be provided on the **Construction Certificate** plans.
 - (c) **Outdoor furniture** – Outdoor furniture and fixtures such as bench seating, tables and bicycle racks (or the like) are to be incorporated into the outdoor court communal open space areas to allow passive recreational use of this space. Such furnishings should be shown on the detailed landscape Plan.
 - (d) **Stormwater and drainage tank screening** – Any underground stormwater tank which projects above the ground floor level at the street frontage is to be screened from view by plantings or other suitable treatment.
57. **Internal Car Parking** – To ensure safe and satisfactory access to the proposed development all internal driveways, vehicle turning areas, garage opening widths, parking spaces dimensions, safe sight distances and gradients etc shall be designed and constructed in accordance with relevant sections of Australian Standards AS 2890. The design shall ensure all vehicles using the site can enter and exit in a forward direction and that safe sight distances are available to all vehicles using the site.
- Amended plans including engineering certification from a traffic engineer indicating compliance with this condition are to be submitted with the **Construction Certificate** application.
60. **Site stormwater 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 Council's existing underground stormwater system located in Blaxland Road via on-site stormwater detention system. Accordingly, the site concept stormwater drainage plans are to be revised by a chartered civil engineer for construction in accordance with City of Ryde, Development Control Plan 2010 – Part 8.2 – Stormwater Management and shall also incorporate but not limited to the following matters:

ITEM 2 (continued)

ATTACHMENT 1

- (a) Clear unobstructed overland flow paths shall be provided where required to convey surcharge flow from the site to the public road.
- (b) Apart from seepage flows and flows generated from the access driveway and loading dock area, under no circumstances shall flows from other areas of the site be piped to the basement car park drainage system.

Detailed engineering plans, including certification prepared by a chartered civil engineer with NPER registration with Engineers Australia, indicating compliance with this condition are to be submitted with the Construction Certificate application.

138. **Drainage Construction** – To ensure satisfactory stormwater disposal, the site stormwater drainage system shall be constructed in accordance with the construction certificate version of the following approved concept drainage plans prepared by Australian Consulting Engineers: 09AH399-D00 Rev A, 11AH019-D01-3 Rev A, 11AH019-D04 Rev E, 11AH019-D05 Rev B, 11AH019-D06 Rev D, 11AH019-D07 Rev A and 11AH019-D08 Rev A.

149. **Bicycle Parking**– A minimum 12 bicycle parking rails or lockers designed and installed in accordance with Australian Standard AS 2890.3, must be provided in a suitable location for the convenience of employees and visitors to the site. Suitable change facilities for cyclists must also be provided within the development.

150. **Car parking spaces** – 113 off-street car parking spaces being in accordance with the submitted plans. Such spaces are to be paved, line marked and made freely available at all times during business hours of the site for staff and visitors. These spaces are to be allocated as follows:

- i. 91 spaces for the residents
- ii. 18 residential visitor spaces
- iii. 4 commercial car parking spaces.

2. That conditions 18 and 21 be retained on the consent.

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

Record of Voting:

For the Motion: Unanimous

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

ITEM 2 (continued)

ATTACHMENT 1

The meeting closed at 5.58pm.

CONFIRMED THIS 5TH DAY OF MARCH 2013.

Chairperson

3 RYDE CIVIC CENTRE - PRIORITY MAINTENANCE

Report prepared by: Project Manager - Development
File No.: GRP/09/7/6 - BP13/192

REPORT SUMMARY

This report will be provided on FRIDAY, 22 FEBRUARY 2013. It will be placed on Council's website and circulated to Councillors. Hard copies will be available at the Council Meeting and the Civic Centre.

4 DEVLIN STREET PEDESTRIAN BRIDGES

Report prepared by: Section Manager - Traffic

File No.: GRP/09/3/10 - BP13/233

REPORT SUMMARY

This report addresses Council's resolution of the 13 November 2012 regarding the two (2) pedestrian bridges and four (4) associated lifts at the Top Ryde Shopping Centre (TRSC) Precinct.

RECOMMENDATION:

- (a) That Council receives and notes the information contained within this report.
- (b) That the Acting General Manager be requested to arrange a meeting with Roads & Maritime Services and Top Ryde Shopping Centre management, with interested Councillors, to discuss pedestrian conditions on Devlin Street.
- (c) That Council, as Lessor, meet with Bevillista Pty Ltd to confirm agreed service levels as provided for in the lease for Devlin Street pedestrian bridges and that these be provided to Council.
- (d) That Council records and reports to Bevillista Pty Ltd all instances of lift stoppage in order to determine if the agreed service levels are being met and escalates the matter as Lessor if service levels are not reasonably met as required by Clause 7 of the Lease.

ATTACHMENTS

- 1 Top Ryde Shopping Centre - Handover Areas (Public) - August 2012
- 2 Top Ryde Shopping Centre Lift (Elevator) Call Report for Lift No.5 2012-2013
- 3 Top Ryde Shopping Centre Lift (Elevator) Call Report for Lift No.6 2012-2013
- 4 Top Ryde Shopping Centre Lift (Elevator) Call Report for Lift No.7 2012-2013
- 5 Top Ryde Shopping Centre Lift (Elevator) Call Report for Lift No.8 2012-2013
- 6 Letter from Victor Dominello MP on behalf of Tony Middleton Acting CEO of RMS regarding request for alternative solution for pedestrians at Devlin Street, Ryde

Report Prepared By:

Harry Muker

Section Manager - Traffic

Report Approved By:

Austin Morris

Manager - Infrastructure Integration

Danielle Dickson

Acting General Manager

ITEM 4 (continued)**Background**

Council and Bevillista Pty Ltd entered into a Public Private Partnership (PPP) for the redevelopment of TRSC. This included a lease whereby Bevillista would have use of Council's land and air space above Devlin Street. Following this a tri-partite agreement was entered into between the Roads & Traffic Authority (now Roads & Maritime Services), Council and Bevillista to facilitate works within the road corridor.

As part of the development assessment process a comprehensive *Integrated Traffic Solution* was prepared which considered the traffic impacts at this intersection, including disability compliance. A critical feature of the *Integrated Traffic Solution* was the removal of the ground level pedestrian crossings on Devlin Street to improve road safety, facilitate pedestrian movements and improve network efficiency. The first pedestrian bridge was commissioned in November 2009 and is owned and maintained by Bevillista. The second bridge, 150 metres north of the first bridge was completed in August 2010.

Whilst Bevillista is responsible for the maintenance and repair of the bridges as detailed in the lease, the frequent breakdown of the lifts has been brought to Council's attention.

As a result on the 13 November 2012 Council resolved as follows:

Council to take immediate action to ensure pedestrians at Top Ryde have a safe, fully accessible and reliable means of crossing Devlin Street.

1. *Council to take immediate action to require the west lift (next to the old library building) to be properly ventilated to ensure pedestrian safety, particularly during instances of lift failure in summer.*
2. *That Council staff provide a report by February 2013 covering:*
 - a. *Clarification of roles, responsibilities, accountabilities and ownership of pedestrian bridges:*
 - *By organisation: Council, RMS and shopping centre management.*
 - *Council management.*
 - b. *The established performance and reliability standards for the pedestrian bridges lifts*
 - c. *Response time for repair crews to attend the lifts if they fail – including the minimum and maximum period of delay*
 - d. *Standard for emergency response time when a lift fails with someone trapped inside – including the minimum and maximum period.*

ITEM 4 (continued)

- e. *Report on the two pedestrian bridges' lift performance:*
- *Instances of lifts stoppage (date) and duration*
 - *Instances of pedestrians trapped inside lifts – number of pedestrians trapped and the duration they were trapped (not average time)*
 - *Number of complaints received by Council on left performance and pedestrian safety concerns.*
 - *Number of complaints investigated and closed by Council staff and actions taken.*
 - *Average response times and maximum delay in response to call out to service lift for reactivation.*
 - *What legal options does Council have if the performance of the infrastructure is considered unacceptable e.g. penalties, licence termination etc?*
 - *Options for Council's process improvements including establishing new design requirements or standards to be applied to any future bridges in the municipality.*
3. *Council to immediately write to the local member for Ryde requesting his intervention with the Minister for Roads to achieve an alternative solution for pedestrians at this major intersection. In particular Council to seek a meeting involving all interested Councillors, Council senior staff, the RMS and the centre management to consider options for improved risk assessment, reprioritisation of the pedestrian in the road sharing equation at Devlin Street, and alternative crossing options, including staged crossings, night time safety and timed crossing or other suitable alternatives.*
4. *Urgent review of Ryde Council's complaint management and risk assessment processes, particularly related to infrastructure and complaints where public safety issues are reported.*

This report addresses the preceding Council resolution.

Discussion

There are four items to be addressed in this report which will follow a similar sequence as listed above. Information provided in this report will be supported with additional information that will be referenced as **ATTACHMENTS (refer to Attachments 1 to 6)**

ITEM 1

Council to take immediate action to require the west lift (next to the old library building) to be properly ventilated to ensure pedestrian safety, particularly during instances of lift failure summer.

ITEM 4 (continued)Response:

Council officers notified TRSC Centre Management of the safety concerns and requested that the lifts be properly ventilated particularly during the 2012/2013 summer period. TRSC advised that patrols of the area were being undertaken at a greater frequency particularly in the Christmas shopping period. It is proposed to meet with TRSC to discuss agreed service levels for the bridges, which will include this matter.

ITEM 2a

Clarification of roles, responsibilities, accountabilities and ownership of pedestrian bridges:

- *By organisation: Council, RMS and shopping centre management.*
- *Council management.*

Response:

The following information is provided that outlines direct responsibility of key elements of the agreement relating to lift operations, repairs, maintenance etc.

Council, as both Road Authority and municipal Council, leased to Bevillista Pty Limited from 8 August 2007 to 7 August 2057 with a renewal option of 49 years (to 7 August 2106), portions of the land under Devlin Street and portions of the air space above Devlin Street for the construction and use of vehicular ramps, ramps, spurs and two (2) pedestrian bridges.

The Lease notes in Recital I that the agreements and arrangement entered into are determined to be a Public Private Partnership (PPP) by the Department of Local Government (DLG).

Note that the term 'bridges' as applied in the responses below also includes the lifts and stairways.

The Lessee's (Bevillista) responsibilities under Lease, inter alia, being:

Clause 5

Subject to obtaining all consents and complying with statutory regulations, construct 2 pedestrian bridges with lifts for disabled access across Devlin Street.

The bridges made available for 24 x 7 public access (subject to any law or statute restricting access) and not unreasonably to prevent pedestrian access.

Not to make any charge on the Lessor (City of Ryde) relating to the use of the bridges. At its own expense obtain and comply with all necessary consents for any use of the bridges.

ITEM 4 (continued)*Clause 6*

At the expiration of the Lease or expiration of the renewal option, ownership of the bridges to transfer from the Lessee (Bevillista) to the Lessor (City of Ryde) for the consideration of \$1.

Clause 7

The Lessee is responsible (to the satisfaction of the Lessor) at its own expense, to maintain and repair the bridges in safe and efficient condition including remedying damage and replacement caused by vandalism, fire, rain, civil disturbance, neglect and omission and Acts of God.

Clause 10

Lessee at its own expense will comply with all lawful regulations and statutes, and any orders and notices served upon the Lessee relating to the bridges.
The Lessee may not make any alterations or additions to the bridges without compliance with all statutory requirements, or which would intensify use of the bridges or adversely impact upon Council land without consent of the Lessor, which must not be unreasonably withheld.

Clause 12

Lessee to keep current a \$20M Public Risk Policy in connection with construction, repair, reconstruction, replacement or use of existence of the bridges.

Clause 13

Lessee to maintain a replacement and reinstatement policy for the bridges.

Clause 14

Lessee, subject to law and any Public Authority requirements, not to do anything that unreasonably obstructs public use of the bridges.
Lessee to keep the bridges clean and tidy and not allow refuse to accumulate in or near the bridges.

Clause 15

Lessee indemnifies the Lessor against any liability to construct, repair and maintain the bridges, or any claim or proceedings related to property real or personal or to personal injury or death related to the bridges: except where any such liability is caused negligence, act of omission of the lessor.

Clause 17

Lessee to be fully responsible for obtaining all permissions and doing all things necessary to design and build the bridges in accordance with all relating planning and design regulations.

ITEM 4 (continued)*Additional Points*

As this was a PPP, a Tri-partite Deed (Consent and Concurrence under Roads Act 1993) was entered into and signed by the RTA, City of Ryde and Bevillista under which an independent certifier was appointed to review all the critical civil engineering design and construction of the PPP Works (i.e. Parsons Brinckerhoff). This did not extend to road signalling (an RTA preserve) and in due course neither did it include the bridge design, where the RTA required the design to be compliant with its performance specifications. The RTA therefore approved all design, construction and installation elements of both bridges, excluding the Council's role in development assessment approval.

Council has prepared a colour coded site plan (**refer to ATTACHMENT 1**) that clearly distinguishes the areas that are looked after by Council (coloured) and those which are managed by TRSC (light grey). The Roads and Maritime Services (RMS) manages the functional classification of all public roads within NSW and in particular the operations of all State Roads (Devlin Street, Church Street, Blaxland Road which adjoin the TRSC) and highways.

In response to serial a in the resolution with the Council organisation the Group Manager, Public Works and the Public Works group (including the sections Property, Traffic and Building) provide a coordinated management service for these pedestrian bridges.

ITEM 2b

The established performance and reliability standards for the pedestrian bridges lifts.

Response:

The lease agreement covers operations, repair, maintenance and statutory compliance. It appears no established performance or reliability standards were specifically requested by Council other than meeting all lawful regulations and statutes. It is recommended that development of this be expedited.

ITEM 2c

Response time for repair crews to attend the lifts if they fail – including the minimum and maximum period of delay.

Response:

The following response time for repair crews to attend lifts that require servicing have been provided by TRSC management as follows:

Business Hours Response Times:

- *Stopped with Persons: 30 minutes*
- *Stopped: 45 minutes*
- *Other (door not closing etc): 60 minutes*

ITEM 4 (continued)*After Hours Response Times:*

- *Stopped with Persons (SWP): 45 minutes*
- *Stopped: 75 minutes*
- *Other (door not closing etc): 90 minutes*

The minimum and maximum period of lift failure would vary according to the failure mechanism.

This item will be covered in the agreed service levels document recommended in Item 2 (b).

ITEM 2d

Standard for emergency response time when a lift fails with someone trapped inside – including the minimum and maximum period

Response:

In reference to the response for 2c, the response times for person trapped as advised by TRSC management as follows:

Business Hours Response Times:

- *Stopped with Persons (SWP): 30 minutes*

After Hours Response Times:

- *Stopped with Persons (SWP): 45 minutes*

With reference to trapped persons, TRSC management have advised that lifts with persons trapped are given the 'highest priority' which means the closest technician is urgently dispatched via their call centre to the emergency location.

ITEM 2e

Report on the two pedestrian bridges' lift performance:

- *Instances of lifts stoppage (date) and duration*
- *Instances of pedestrians trapped inside lifts – number of pedestrians trapped and the duration they were trapped (not average time)*
- *Number of complaints received by Council on lift performance and pedestrian safety concerns*
- *Number of complaints investigated and closed by Council staff and actions taken.*

Response:

TRSC Centre Management has provided service reports for all four (4) lifts for the most recent six (6) month period.

ITEM 4 (continued)

In summary, for the period 1 August 2012 to 14 February 2013 the following lift stoppage statistics were recorded:

*Lift No.5 (located at the southern bridge link (western side – Civic Town Hall)): A total of four (4) stoppages (refer to **ATTACHMENT 2** for details on when they occurred and details of the stoppage type).*

*Lift No.6 (located at the southern bridge link (eastern side – TRSC)): Nil (no stoppages recorded, refer to **ATTACHMENT 3** for details).*

*Lift No.7 (located at the northern bridge link (western side – Civic Town Hall)): A total of four (4) stoppages (refer to **ATTACHMENT 4** for details on when they occurred and details of the stoppage type).*

*Lift No.8 (located at the northern bridge link (eastern side – TRSC)): A total of ten (10) stoppages recorded, refer to **ATTACHMENT 5** for details).*

During the same six-month period, no complaints on lift performance complaints were recorded or investigated by Council staff. All lift enquiries are forwarded to TRSC Centre Management as the bridge and lift operations are wholly managed by the centre (refer to Clause 7 in this report under Item 2a). Council's Customer Services Team have been given instructions to direct all maintenance enquiries to TRSC Centre Management as follows:

Devlin Street Pedestrian Bridge

The maintenance of the bridge (which is open 24 x 7) is the responsibility of Top Ryde City shopping centre. Requests for maintenance are currently forwarded to Top Ryde City Management.

The whole bridge installation has been designed to the RTA's standards and has been certified by Work Cover and accepted by the RTA. There are safety notices outside and inside both lifts and each cabin has an emergency telephone which automatically connects to the lift manufacturer's help desk.

No statistics have been recorded/captured in Council's CRM system as the service log category is 'information only'.

ITEM 2f

What legal options does Council have if the performance of the infrastructure is considered unacceptable e.g. penalties, license termination etc?

Response:

Clause 7 of the agreement between Bevillista and City of Ryde stipulates (as detailed in the response to Item 2(a))

ITEM 4 (continued)

“The Lessee is responsible (to the satisfaction of the Lessor) at its own expense, to maintain and repair the bridges in safe and efficient condition including remedying damage and replacement caused by vandalism, fire, rain, civil disturbance, neglect and omission and Acts of God.”

Based on the wording of this clause, it would be reasonable to interpret that the responsibility to maintain the existing operational performance is borne by Bevillista as opposed to adding additional capacity in the form of improved air-conditioning (as an example) may be borne by Council. However this clause also states that Bevillista must maintain the bridges to the satisfaction of Council. Before legal options are further investigated it would be prudent to notify Bevillista of Council’s position with regard to inadequate service provision of the lifts.

ITEM 3

Council to immediately write to the local member for Ryde requesting his intervention with the Minister for Roads to achieve an alternative solution for pedestrians at this major intersection. In particular Council to seek a meeting involving all interested Councillors, Council senior staff, the RMS and the centre management to consider options for improved risk assessment, reprioritisation of the pedestrian in the road sharing equation at Devlin Street, and alternative crossing options, including staged crossings, night time safety and timed crossing or other suitable alternatives.

Response:

Council wrote to the local member for Ryde on 14 December 2012. A response was received from the Acting Chief Executive of RMS, Mr Tony Middleton via the Hon. Victor Dominello MP on 1 February 2013 (refer to **ATTACHMENT 6**). The RMS letter states “RMS will arrange a meeting with you to discuss the issues raised in council’s letter with council representatives and Top Ryde centre management.”

ITEM 4

Urgent review of Ryde Council’s complaint management and risk assessment processes, particularly related to infrastructure and complaints where public safety issues are reported.

Response

Council’s current complaint management and risk assessment processes are outlined below:

- 1) Incidents that involve members of the public or any infrastructure damaged from the conduct of our work, the relevant supervisor writes an *Incident Report* and this goes through the process below:

ITEM 4 (continued)

- incident reported to supervisor from employee or from our Customer Services section
 - supervisor advises both Coordinator WHS and Risk & Audit Investigator
 - supervisor conducts investigation which includes a risk assessment
 - document is signed off by Service Unit Manager and Group Manager.
 - document is provided to Coordinator WHS and Risk & Audit Investigator (either one shall make sure both have report) .
- 2) Where complaints are received that are not related to Council's work, but where infrastructure is damaged:
- Member of the public contacts customer service
 - Customer service advises the particular section of council that manages the particular infrastructure
 - Risk and Audit are advised of issue and follow-up with the particular section of council involved.

As previously advised it has been Council's practice to forward complaints regarding the Devlin Street pedestrian bridges and associated infrastructure directly to TRSC Centre Management. As a result no records have been kept associated with the pedestrian bridges.

It is proposed to cease this practice and to commence recording complaints related to the Devlin Street bridges before forwarding the customer request to TRSC.

Consultation

This report has been prepared in consultation with staff from Public Works, Corporate Services and the Office of the General Manager. TRSC Centre Management and their lift contractor ThyssenKrupp were also consulted.

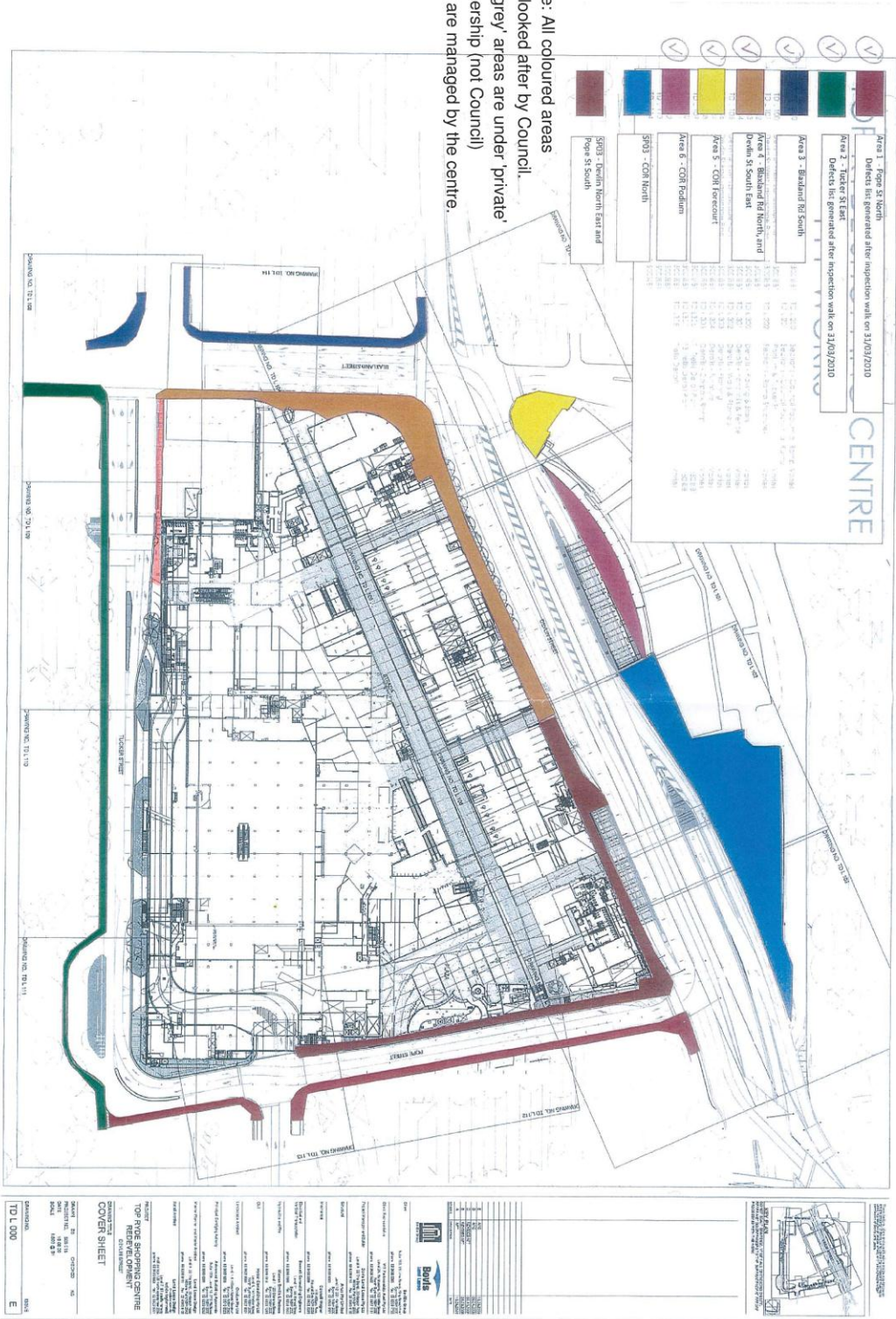
Financial Implications

Adoption of the recommendation will have no financial impact for Council as the infrastructure at present is wholly managed by Bevillista.

ITEM 4 (continued)

ATTACHMENT 1

Note: All coloured areas are looked after by Council. All 'grey' areas are under 'private' ownership (not Council) and are managed by the centre.



ITEM 4 (continued)

ATTACHMENT 2

ThyssenKrupp Elevator Australia



Call Report

Monthly Summary - 1 Aug 2012 to 14 Feb 2013

Report Created: 14/02/13 11:39:41

SELECTED FILTERS

Date Range:	1 Aug 2012 to 14 Feb 2013	Buildings:	Top Ryde Shopping Centre
Country Regions:	Australia Country Region	Banks:	Bridge Lifts
Regions:	All Branches	Units:	05 Passenger
Branches:	NSW	Service Providers:	All non-competitors
Offices:	All accessible offices	Technicians Branches:	NSW

CALL REPORT SUMMARY - MONTHLY SUMMARY - 1 AUG 2012 TO 14 FEB 2013

MONTH	SWP	STOPPED	RUNNING	CANCELLED	NO FAULT/IN TERFERE NCE	REAL CALLS	TOTAL CALLS
Aug 2012	0	0	0	0	0	0	0
Sep 2012	0	1	0	0	0	1	1
Oct 2012	0	1	0	0	0	1	1
Nov 2012	0	0	0	0	0	0	0
Dec 2012	0	2	0	0	0	2	2
Jan 2013	0	0	0	0	0	0	0
Feb 2013	0	0	0	0	0	0	0
TOTAL	0	4	0	0	0	4	4

CALL REPORT - TOP RYDE SHOPPING CENTRE - 1 AUG 2012 TO 14 FEB 2013

ITEM 4 (continued)

ATTACHMENT 2

CALL	LOGGED	ARRIVE	(CALLER) PROBLEM				
DATE	CONFIRM	OUT	(NO.) FAULT		STP	SWP	A/H
DOCKET		SWP REL	(NO.) FAULT CAUSE (NO.) FAULT ACTION		SWP/PR	CHG	NOF
CONTACT	TIME STOPPED	RESPONSE TIME	(TECHNICIAN) ACTION		CCC		

SWP - Stuck With Passengers, SWPOA - Stuck With Passengers On Arrival, A/H - After Hours, CHG - Chargeable, NOF - No Fault, CCC - Customer Cancelled Call, STP - Stopped

Lift No: Bridge Lifts > 05 Passenger

415383	09:46	12:00	(Murray) Lift 5 stopped unknown level	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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07/09/12	10:17	13:37	(D6) Door Panel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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585537 (KN) Out of Adjustment / Alignment
(A1) Adjusted / Repaired

0452213514	3.9 Hours	2.2 Hours	(Michael Morris) D6 : KN : A1 Door Panel Out of Adjustment / Alignment Adjusted / Repaired				
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Right hand side level 2 landing door off track. Rehung door. Checked operations, could not fault. Returned to service.

419537	20:37	22:00	(Adel) Lift 5 no power to lift	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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18/10/12	20:42	23:15	(C7) Main Processor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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585538 (KV) Software Fault / PCB Lock Up
(A7) Reset and Tested

0401 401 501	2.6 Hours	1.4 Hours	(Peter Spoors) C7 : KV : A7 Main Processor Software Fault / PCB Lock Up Reset and Tested				
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Found errors
4800,5700,8412,9400,5500,4800,5700,7d03,5700,9500,5700,5800,7d35,7d04, and
1402. Reset Processor. Checked operations, could not fault. Returned lift back to
service.

425610	07:00	08:00	(Sam) Lift 5 stopped on level 2. Logged 10/12/12 at 0655.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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10/12/12	07:26	09:10	(DC) Hoistway Lock -Arms/Cams/Contacts/Lock Box/Lock Roller/Restrictor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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585541 (KN) Out of Adjustment / Alignment
(A1) Adjusted / Repaired

98088808	2.2 Hours	1 Hour	(Grant Coates) DC : KN : A1 Hoistway Lock -Arms/Cams/Contacts/Lock Box/Lock Roller/Restrictor Out of Adjustment / Alignment Adjusted / Repaired				
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Found lift stopped level 2. Adjusted level 2 door locks and car gate switch. Checked
operations, could not fault. Returned to service.

ITEM 4 (continued)

ATTACHMENT 2

CALL	LOGGED	ARRIVE	(CALLER) PROBLEM	
DATE	CONFIRM	OUT	(NO.) FAULT	STP SWP A/H SWPOR CHG NOF CCC
DOCKET		SWP REL	(NO.) FAULT CAUSE (NO.) FAULT ACTION	
CONTACT	TIME STOPPED	RESPONSE TIME	(TECHNICIAN) ACTION	
SWP - Stuck With Passengers, SWPOA - Stuck With Passengers On Arrival, A/H - After Hours, CHG - Chargeable, NOF - No Fault, CCC - Customer Cancelled Call, STP - Stopped				
427026	14:00	16:00	(Nabernon) Lift 5 stopped	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
21/12/12	14:16	16:30	(MX) Miscellaneous - Other	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
585542			(KQ) Running On Arrival (AA) Tested Operation / No Fault Found	
0401401501	2.5 Hours	2 Hours	(Grant Coates) MX : KQ : AA Miscellaneous - Other Running On Arrival Tested Operation / No Fault Found	
Found lift running on arrival. Checked locks and removed rubbish from door tracks. Checked operations, could not fault. Returned back to service.				

ITEM 4 (continued)

ATTACHMENT 3

ThyssenKrupp Elevator Australia



Call Report

Monthly Summary - 1 Aug 2012 to 14 Feb 2013

Report Created: 14/02/13 11:41:01

SELECTED FILTERS

Date Range:	1 Aug 2012 to 14 Feb 2013	Buildings:	Top Ryde Shopping Centre
Country Regions:	Australia Country Region	Banks:	Bridge Lifts
Regions:	All Branches	Units:	06 Passenger
Branches:	NSW	Service Providers:	All non-competitors
Offices:	All accessible offices	Technicians Branches:	NSW

CALL REPORT SUMMARY - MONTHLY SUMMARY - 1 AUG 2012 TO 14 FEB 2013

MONTH	SWP	STOPPED	RUNNING	CANCELLED	NO FAULT/IN TERFERE NCE	REAL CALLS	TOTAL CALLS
Aug 2012	0	0	0	0	0	0	0
Sep 2012	0	0	0	0	0	0	0
Oct 2012	0	0	0	0	0	0	0
Nov 2012	0	0	0	0	0	0	0
Dec 2012	0	0	0	0	0	0	0
Jan 2013	0	0	0	0	0	0	0
Feb 2013	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0

CALL REPORT - TOP RYDE SHOPPING CENTRE - 1 AUG 2012 TO 14 FEB 2013

No calls recorded (1 Aug 2012 to 14 Feb 2013)

ITEM 4 (continued)

ATTACHMENT 4

ThyssenKrupp Elevator Australia



Call Report

Monthly Summary - 1 Aug 2012 to 14 Feb 2013

Report Created: 14/02/13 14:32:24

SELECTED FILTERS

Date Range:	1 Aug 2012 to 14 Feb 2013	Buildings:	Top Ryde Shopping Centre
Country Regions:	Australia Country Region	Banks:	Bridge Lifts
Regions:	All Branches	Units:	07 Passenger
Branches:	NSW	Service Providers:	All non-competitors
Offices:	All accessible offices	Technicians Branches:	NSW

CALL REPORT SUMMARY - MONTHLY SUMMARY - 1 AUG 2012 TO 14 FEB 2013

MONTH	SWP	STOPPED	RUNNING	CANCELLED	NO FAULT/IN TERFERE NCE	REAL CALLS	TOTAL CALLS
Aug 2012	0	1	0	0	0	1	1
Sep 2012	1	1	0	0	0	1	1
Oct 2012	0	0	0	0	0	0	0
Nov 2012	0	0	0	0	0	0	0
Dec 2012	0	0	1	0	0	1	1
Jan 2013	0	1	0	0	1	0	1
Feb 2013	0	0	0	0	0	0	0
TOTAL	1	3	1	0	1	3	4

CALL REPORT - TOP RYDE SHOPPING CENTRE - 1 AUG 2012 TO 14 FEB 2013

ITEM 4 (continued)

ATTACHMENT 4

CALL	LOGGED	ARRIVE	(CALLER) PROBLEM	STP	SWP	A/H	NOF
DATE	CONFIRM	OUT	(NO.) FAULT	SWPOR	CHG	CCC	
DOCKET		SWP REL	(NO.) FAULT CAUSE (NO.) FAULT ACTION				
CONTACT	TIME STOPPED	RESPONSE TIME	(TECHNICIAN) ACTION				
SWP - Stuck With Passengers, SWPOA - Stuck With Passengers On Arrival, A/H - After Hours, CHG - Chargeable, NOF - No Fault, CCC - Customer Cancelled Call, STP - Stopped							
Lift No. Bridge Lifts > 07 Passenger							
411531	17:05	18:00	(Rocko) Lift 7 stuck on ground. Doors closed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
03/08/12	17:13	19:00	(C4) Controller Wiring	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
730884			(K1) Burnt Out (A1) Adjusted / Repaired				
98088808, 0452213514	1.9 Hours	55 Minutes	(John Barbic) C4 : K1 : A1 Controller Wiring Burnt Out Adjusted / Repaired				
			601 fault. Adjusted door locks. Checked operations, could not fault. Returned to service.				
415046	18:02	18:05	(Security) Lift 7 SWP on ground floor. ETA Requested	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
04/09/12	18:04	18:30	(MX) Miscellaneous - Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
840160			(KQ) Running On Arrival (AA) Tested Operation / No Fault Found				
98088808	28 Minutes	3 Minutes	(Peter Spoors) MX : KQ : AA Miscellaneous - Other Running On Arrival Tested Operation / No Fault Found				
			Found passengers out on arrival and lift running normal. Checked operations, could not fault. Returned lift back to service.				
425753	07:00	11:40	(Ali) Lift 7 stopped on level 2. 11/12 AM service as per caller. Logged @ 0519.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11/12/12	08:00	12:30	(DC) Hoistway Lock -Arms/Cams/Contacts/Lock Box/Lock Roller/Restrictor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
840163			(KN) Out of Adjustment / Alignment (A1) Adjusted / Repaired				
0452213514		4.7 Hours	(Grant Coates) DC : KN : A1 Hoistway Lock -Arms/Cams/Contacts/Lock Box/Lock Roller/Restrictor Out of Adjustment / Alignment Adjusted / Repaired				
			Found lift stopped on top floor. Adjusted locks and car gate switch. Checked operations, could not fault. Returned back to service.				

ITEM 4 (continued)

ATTACHMENT 4

CALL	LOGGED	ARRIVE	(CALLER) PROBLEM	
DATE	CONFIRM	OUT	(NO.) FAULT	STP SWP A/H NOF SWPOR CHG CCC
DOCKET		SWP REL	(NO.) FAULT CAUSE (NO.) FAULT ACTION	
CONTACT	TIME STOPPED	RESPONSE TIME	(TECHNICIAN) ACTION	
SWP - Stuck With Passengers, SWPOA - Stuck With Passengers On Arrival, A/H - After Hours, CHG - Chargeable, NOF - No Fault, CCC - Customer Cancelled Call, STP - Stopped				
427730	09:24	09:56	(Morris) Lift 7 Stopped not responding	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>
01/01/13	09:27	10:45	(E1) C.O.P.- Buttons/Keyswitches/Indicators/Display/PCB	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
840162			(KY) Vandalism or Misuse Causing Damage (A1) Adjusted / Repaired	
0410 401 501	1.4 Hours	32 Minutes	(Hector Blanco) E1 : KY : A1 C.O.P.- Buttons/Keyswitches/Indicators/Display/PCB Vandalism or Misuse Causing Damage Adjusted / Repaired	
Found level 2 car button had been hit by excessive force, causing button insides to dislodge and damage indicator. Repaired both level 2 buttons. New indicator required. Returned to service.				

ITEM 4 (continued)

ATTACHMENT 5

ThyssenKrupp Elevator Australia



Call Report

Monthly Summary - 1 Aug 2012 to 14 Feb 2013

Report Created: 14/02/13 14:36:49

SELECTED FILTERS

Date Range:	1 Aug 2012 to 14 Feb 2013	Buildings:	Top Ryde Shopping Centre
Country Regions:	Australia Country Region	Banks:	Bridge Lifts
Regions:	All Branches	Units:	08 Passenger
Branches:	NSW	Service Providers:	All non-competitors
Offices:	All accessible offices	Technicians Branches:	NSW

CALL REPORT SUMMARY - MONTHLY SUMMARY - 1 AUG 2012 TO 14 FEB 2013

MONTH	SWP	STOPPED	RUNNING	CANCELLED	NO FAULT/IN TERFERE NCE	REAL CALLS	TOTAL CALLS
Aug 2012	1	2	2	0	2	2	4
Sep 2012	1	3	0	0	0	3	3
Oct 2012	0	0	0	0	0	0	0
Nov 2012	0	1	0	0	0	1	1
Dec 2012	0	0	0	0	0	0	0
Jan 2013	0	1	1	0	1	1	2
Feb 2013	0	0	0	0	0	0	0
TOTAL	2	7	3	0	3	7	10

CALL REPORT - TOP RYDE SHOPPING CENTRE - 1 AUG 2012 TO 14 FEB 2013

ITEM 4 (continued)

ATTACHMENT 5

CALL	LOGGED	ARRIVE	(CALLER) PROBLEM	STP	SWP	A/H	NOF
DATE	CONFIRM	OUT	(NO.) FAULT	SWPOR	CHG	CCC	
DOCKET		SWP REL	(NO.) FAULT CAUSE (NO.) FAULT ACTION				
CONTACT	TIME STOPPED	RESPONSE TIME	(TECHNICIAN) ACTION				
SWP - Stuck With Passengers, SWPOA - Stuck With Passengers On Arrival, A/H - After Hours, CHG - Chargeable, NOF - No Fault, CCC - Customer Cancelled Call, STP - Stopped							
Lift No: Bridge Lifts > 08 Passenger							
411575	13:29	15:00	(Sam) Lift 8 not responding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
04/08/12	13:35	16:15	(DX) Door - Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
532945			(KX) Not Specified or No Fault Found (A1) Adjusted / Repaired				
0298088808	2.8 Hours	1.5 Hours	(Mai Wattana-Aporn) DX : KX : A1 Door - Other Not Specified or No Fault Found Adjusted / Repaired				
Found knuckle switch arm off rear car door jamming and not dropping. Adjusted same. Checked operations, could not fault. Returned back to service.							
412100	10:25	11:00	(Murray) Lift 8 not responding to ground call button. *FOR OFFICE USE ONLY* ACK 1035 AM 1037	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
09/08/12	10:52	12:10	(S9) Landing Call - Fixture / Enclosure / Buttons / PCB	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
532947			(KY) Vandalism or Misuse Causing Damage (A1) Adjusted / Repaired				
0452213514		35 Minutes	(Michael Morris) S9 : KY : A1 Landing Call - Fixture / Enclosure / Buttons / PCB Vandalism or Misuse Causing Damage Adjusted / Repaired				
Ground level landing call button vandalised. Repaired button and checked operation. Could not fault. Returned to service.							
413130	13:21	14:10	(?) Lift 8 swp.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18/08/12	13:29	15:30	(B3) Machine or Emergency Brake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
532948			(K9) Component Stretched (A1) Adjusted / Repaired				
0298088808	2.2 Hours	49 Minutes	(Jason Godinho) B3 : K9 : A1 Machine or Emergency Brake Component Stretched Adjusted / Repaired				
Passenger out before arrival. Rectified car door air cord on front side. Checked operations, could not fault. Returned back to service.							

ITEM 4 (continued)

ATTACHMENT 5

CALL	LOGGED	ARRIVE	(CALLER) PROBLEM				
DATE	CONFIRM	OUT	(NO.) FAULT		STP	SIP	A/H
DOCKET		SWP REL	(NO.) FAULT CAUSE (NO.) FAULT ACTION		SWP OR CHG	NOF	CCC
CONTACT	TIME STOPPED	RESPONSE TIME	(TECHNICIAN) ACTION				
SWP - Stuck With Passengers, SWPOA - Stuck With Passengers On Arrival, A/H - After Hours, CHG - Chargeable, NOF - No Fault, CCC - Customer Cancelled Call, STP - Stopped							
416093	10:00	10:00	(Security) Lift 8 doors not operating.		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
22/08/12	10:00	12:00	(C8) Power Supply / Transformer / Rectifier		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
585567 585567			(KK) No Power / Phase Loss (A9) Switched Off for Repairs				
98088808			(Michael Morris, Stuart Clissold) C8 : KK : A9 Power Supply / Transformer / Rectifier No Power / Phase Loss Switched Off for Repairs				
Shutdown due to F9 door operator board supply voltage problem.							
Inservice Date: 23/08/12 14:30			Inservice Notes: Installed auto transformers into lift				
416766	07:29	08:35	(Ali) Lift 8 stopped level 2 doors closed - AM service as per caller, Logged 21/9+/12 @ 0459		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
21/09/12	07:39	09:35	(DC) Hoistway Lock -Arms/Cams/Contacts/Lock Box/Lock Roller/Restrictor		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
743473			(KN) Out of Adjustment / Alignment (A1) Adjusted / Repaired				
98088808	2.1 Hours	1.1 Hours	(Grant Coates) DC : KN : A1 Hoistway Lock -Arms/Cams/Contacts/Lock Box/Lock Roller/Restrictor Out of Adjustment / Alignment Adjusted / Repaired				
Adjusted top floor locks, car gate. Cleaned light ray unit. Checked operations, could not fault. Returned back to service.							
416918	11:06	12:00	(Unable to understand) Lift 8 SWP level 2		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
22/09/12	11:13	13:00	(C7) Main Processor		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
840161			(KX) Not Specified or No Fault Found (A7) Reset and Tested				
0298088838	1.9 Hours	54 Minutes	(Warren Savage) C7 : KX : A7 Main Processor Not Specified or No Fault Found Reset and Tested				
Passenger out on arrival. Stopped at top floor. VPI errors. Reset. Checked operations, could not fault. Returned to service.							

ITEM 4 (continued)

ATTACHMENT 5

CALL	LOGGED	ARRIVE	(CALLER) PROBLEM	
DATE	CONFIRM	OUT	(NO.) FAULT	STP SWP A/H NOF SWPOR CHG CCC
DOCKET		SWP REL	(NO.) FAULT CAUSE (NO.) FAULT ACTION	
CONTACT	TIME STOPPED	RESPONSE TIME	(TECHNICIAN) ACTION	
SWP - Stuck With Passengers, SWPOA - Stuck With Passengers On Arrival, A/H - After Hours, CHG - Chargeable, NOF - No Fault, CCC - Customer Cancelled Call, STP - Stopped				
416970	07:03	07:30	(Rocko) Lift 8 - not working	<input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
23/09/12	07:05	10:00	(DG) Switch/Microswitch/Proximity/Limit Switch/Bi-stable	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
786702			(KX) Not Specified or No Fault Found (A6) Replaced Component	
98088808	3 Hours	27 Minutes	(Stefano Benvenuto) DG : KX : A6 Switch/Microswitch/Proximity/Limit Switch/Bi-stable Not Specified or No Fault Found Replaced Component	
			Checked and cleaned car door switches and top floor locks. Also replaced door zone inductor . Checked operations, could not fault. Returned lift back to service.	
423714	18:27	18:35	(Morris) Lift 8 not working.	<input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
24/11/12	18:30	19:55	(C2) Circuit Protection-Circuit Breaker/Fuse/RCD/Overload	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
786704			(K1) Burnt Out (A1) Adjusted / Repaired	
0401 401 501	1.5 Hours	8 Minutes	(Nicholas Tantalos) C2 : K1 : A1 Circuit Protection-Circuit Breaker/Fuse/RCD/Overload Burnt Out Adjusted / Repaired	
			Found phase failure relay faulty. Bridged contact. Follow up required to replaced phase failure. Checked operations and returned back to service.	
430198	10:09	10:40	(Sam) Lift 8 stopped.	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
23/01/13	10:20	12:30	(DF) Retiring Cam/Door Pick-Up/Spade/Vane/Actuating Arm	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
786706			(K4) Component Damaged / Broken / Stripped (A1) Adjusted / Repaired	
98088808	2.4 Hours	31 Minutes	(Charles Jackson) DF : K4 : A1 Retiring Cam/Door Pick-Up/Spade/Vane/Actuating Arm Component Damaged / Broken / Stripped Adjusted / Repaired	
			Found car door locking device bent out of adjustment, repaired same. Checked operations return to service.	

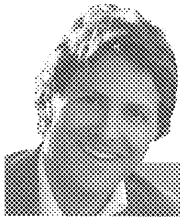
ITEM 4 (continued)

ATTACHMENT 5

CALL	LOGGED	ARRIVE	(CALLER) PROBLEM				
DATE	CONFIRM	OUT	(NO.) FAULT		STP	SIP	A/H
DOCKET		SWP REL	(NO.) FAULT CAUSE (NO.) FAULT ACTION		SWP/CHG	NOF	CCC
CONTACT	TIME STOPPED	RESPONSE TIME	(TECHNICIAN) ACTION				
SWP - Stuck With Passengers, SWPOA - Stuck With Passengers On Arrival, A/H - After Hours, CHG - Chargeable, NOF - No Fault, CCC - Customer Cancelled Call, STP - Stopped							
430852	10:30	11:00	(Abdul) Lift 8 displaying out of service		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
29/01/13	10:39	12:00	(DA) Door Shoe Guides /Sill/Sill Bracket		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
786708			(KC) Fire / Flood / Water / Lightning Damage (A9) Switched Off for Repairs				
1300079577		30 Minutes	(Charles Jackson) DA : KC : A9 Door Shoe Guides /Sill/Sill Bracket Fire / Flood / Water / Lightning Damage Switched Off for Repairs				
			Found top of car covered in water and water in pit. Shutdown for renew to asses damage and quote repairs.				
Inservice Date: 11/02/13 16:45			Inservice Notes: Adjusted levelling sensors. Gave lift a learn run. Checked operations, could not fault. Return to service.				

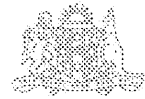
ITEM 4 (continued)

ATTACHMENT 6



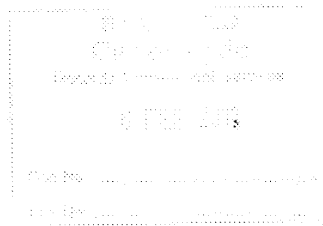
Victor Dominello MP

State Member for Ryde



Friday 1 February 2013

Mr J Neish
General Manager
Ryde City Council
Locked Bag 2069
NORTH RYDE NSW 1670



Dear Mr Neish,

You will recall that I wrote to the Minister for Roads and Ports The Hon Duncan Gay MLC on your behalf on 14 December 2013 in relation to your request for an alternative solution for pedestrians at Devlin Street Ryde.

I have now received a response from Mr Tony Middleton, Acting Chief Executive of the Roads and Maritime Service (RMS) advising that the RMS will arrange a meeting with you to discuss the issues raised in the council's letter. I attach a copy of this response for your records.

If you are not satisfied with this outcome or there are any further matters you would like me to raise with the Minister for Roads and Ports please contact my office.

Again, thank you for bringing this matter to my attention. Please do not hesitate to call on me if I can assist you with this or any other matter, now or in the future.

Yours sincerely

The Hon Victor Dominello MP
Member for Ryde

ITEM 4 (continued)

ATTACHMENT 6



Transport
Roads & Maritime
Services

ML12/12099

Mr John Neish
General Manager
City of Ryde Council
Locked Bag 2069
NORTH RYDE NSW 1670

Dear Mr Neish

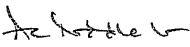
Thank you for the council's letter to the Hon Victor Dominello MP, Member for Ryde, which was referred to the Minister for Roads and Ports, about pedestrian conditions on Devlin Street, Ryde. The Minister has asked me to respond on his behalf.

Roads and Maritime Services (RMS) has investigated the performance of the lifts at the Top Ryde Shopping Centre, and pedestrian and traffic flow on Devlin Street, Ryde.

RMS will arrange a meeting with you to discuss the issues raised in the council's letter, with council representatives and Top Ryde centre management.

I hope this has been of assistance. If you have any further questions, Mr Peter Crosby, Regional Manager, Sydney, at RMS on (02) 8849 2120 would be pleased to take your call.

Yours sincerely

 22.1.13

Tony Middleton
Acting Chief Executive

Roads & Maritime Services

101 Miller Street North Sydney NSW 2060 | Locked Bag 928 North Sydney NSW 2059 DX10516

www.rms.nsw.gov.au | 13 22 13

**5 WEST RYDE URBAN VILLAGE DEVELOPMENT - Progress Report
February 2013**

Report prepared by: Coordinator - Commissioning
File No.: GRP/09/3/10 - BP13/242

REPORT SUMMARY

This report provides an update on the progress of the West Ryde Urban Village Development and details the matters of concern raised by Council. Concerns raised are related to the duration of the development; loss of parking; pedestrian safety and cost liability to Council for development items.

RECOMMENDATION:

- (a) That Council receives and notes the updated information contained within this report.
- (b) The Acting General Manager and Mayor be requested to make representations to Coles Group Property Development Pty Ltd (Coles) seeking resolution of the matters in this report and inform the general public in relation to the facts regarding the issue in this matter and confirming the rejection of any financial claim by Coles as detailed in this report.
- (c) That Council requests the Acting General Manager to continue to make representations to Coles senior management to implement the communications strategy dated September 2010 and to ensure that the agreed 'shop front' is in place prior to the commencement of road works.
- (d) That the Acting General Manager request a project timeframe from Coles detailing the main milestones and sequencing for the project and that this be reported to Council.

ATTACHMENTS

- 1 West Ryde Urban Village Development Communications Strategy Document - Revised 24 September 2010
- 2 West Ryde Urban Village Development – Progress Report February 2013
- 3 West Ryde Urban Village Development – CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL

ITEM 5 (continued)

Report Prepared By:

Paul Yang
Coordinator - Commissioning

Report Approved By:

Peter Nguyen
Service Unit Manger - Project Development

George Dedes
Acting Group Manager - Public Works

Danielle Dickson
Acting General Manager

ITEM 5 (continued)**Background**

The West Ryde Urban Village Development began in November 2006 with the signing of a development deed between the then developer, Remo West Ryde Pty Ltd and Council.

The development includes the construction of a 7 storey building of mixed retail, commercial and residential use with basement car parking. In addition roadworks, stormwater drainage, a village square and a community centre was to be provided to Council as public benefit. The development sites were on Council owned land in the vicinity of the West Ryde Town Centre.

Council and RWRPL entered into a Voluntary Planning Agreement dated 26 July 2007 (the VPA). The VPA defined the parties' obligations and rights relating to developer contributions as they related to the West Ryde Village development and excludes the application of Sections 94 and 94A of the Local Government Act in recognition of the substantial public benefit being offered to Council by the developer

In 2010 RWRPL was unable to continue as the developer due to financial constraints and assigned their rights under the Development Deed and VPA to Coles Group Property Developments Ltd (Coles) on 17 November 2010 under a Deed of Variation of Development Deed (DoV). The DoV includes an amended VPA (the DoVVPA). Coles is now the developer.

The stakeholders in the project are Council, the developer (Coles), the builder (Builtform) and the original developer, (Remo West Ryde Pty Ltd, also known as Veritas).

The development has been delayed due to approvals from the Roads and Maritime Services and incomplete construction documentation. There have also been contractual disputes between the stakeholders over scope of work, variation claims and access to the site.

Pedestrian safety has been a matter of concern for Council throughout this development. To address this Coles has installed temporary lighting around the site on New Market St, New Betts St and Anthony Rd. The condition of the temporary footpath outside the community centre was also of concern and was rectified by Coles in Dec 2012.

The loss of car parking due to the development of Council's street level car parks has been partly addressed by the construction of a 47 space temporary carpark and creation of short term parking spaces by changing parking restrictions. These measures have reduced the parking shortfall from 180 to 30 spaces.

ITEM 5 (continued)

On 29 August 2012 and 3 October 2012 Council facilitated a meeting with the developer (Coles), West Ryde Chamber of Commerce and Meadowbank West Ryde Progress Association to obtain responses to questions about continued delays in the development and to seek clear information about what was transpiring between the project stakeholders.

The Mayor has also made representation to Coles on these matters.

Timeframe

The duration of the development has placed pressure on the business owners and negatively affected their livelihoods. Residents access and safety has also been negatively affected by construction activity. The uncertainty associated with the open ended development has made it impossible for business owners to plan for the future – hence the urgent need for a development timeline.

Completion dates relating to the Development lot have not been formally advised by Coles. In early 2012 Project Control Group (PCG) meetings, an opening date was suggested for the basement car parks in August 2012 together with a December 2012 opening for the Coles supermarket.

Coles have been repeatedly asked for a completion date for the Development Lot and Village Square works in the May 2012 and June 2012 PCG meetings, however they have failed to provide these dates.

To date Coles has been non-committal concerning the timeframe for the anticipated completion of the development, such as road works, access to the car parks, opening of the supermarket and completion of the development. The request for firm dates by Council and West Ryde Chamber of Commerce has not been actioned by Coles.

Coles has offered the following constraints affecting the delivery which are outlined below:

- Slow progress by the builder
- Legal disputes with Adrian Mastronardo (Veritas)
- Design changes directed by Roads and Maritime Services (RMS) to traffic plans
- Incomplete construction documentation for the retail site by the original developer, Veritas. This required additional design work such as mechanical ventilation, lighting and hydraulic services.

Council staff again met with Coles representatives on 4 February 2013 to discuss a number of outstanding issues, the timeframe again was requested but to date has not been provided.

ITEM 5 (continued)**Other Outstanding Items**

The following items are still outstanding:

- Communications strategy
- Update of the West Ryde Urban Village website
- Community Communications
- a shopfront to house the Community Relations Officer on site
- Timeline for outstanding works as required by the development deed.

Communication Strategy

A Communications Strategy was developed and agreed to between the previous developer Remo West Ryde Pty Limited and Council. The final draft is dated 18 February 2008 with revisions made in September 2010.

The purpose of the Communications Strategy was to put into place a set of protocols to manage the expectations of all stakeholders.

As part of the transfer of the development deed Coles accepted responsibility for all items agreed to in the Communication Strategy

Please see **ATTACHMENT 1** Communications Strategy for your reference.

Update of the West Ryde Urban Village website

As per the Communications Strategy, Coles are required to regularly update the West Ryde Urban Village Website. The Communications Strategy notes that “it is essential for the website to be kept up-to-date as it is a major tool in managing the expectations of local stakeholders”.

Prior to December 2012 the website had not been updated since March 2012. The front page of the website has been updated to note roadworks, however a number of the pages are still out of date including the FAQ's.

On 17 December 2012 Council provided information to Coles and 1st avenue Communications (Community Relations Officer for Coles) for the website update. To date the majority of this information has not been added to the site.

Council is still awaiting confirmation from Coles as to when the website will be updated.

Community Communications

As per the Communications Strategy, printed publications should be produced before key milestones and before any major changes or disruptions occur.

ITEM 5 (continued)

Council has concerns that works in the area are due to start at the beginning of March 2013 and that the communication for the road works and traffic diversions are not adequate. Council has provided feedback to Coles and Builtform on their draft communications which were inadequate but as at 18 February 2013, Council have not seen the final version for distribution.

Council also notes that the last newsletter produced by Coles as per the website is dated March 2012. Council requested an updated newsletter prior to Christmas 2012. This did not occur and Coles has not confirmed when the next newsletter will be released.

Community Relations Officer and Strategy

It was noted in the Communications Strategy that “once constructions begins the project will also have a dedicated Community Relations officer” with the communications plan outlining the requirements of this role and the responsibilities of Coles.

Coles made the Communications Officer redundant in November of 2011 however at the insistence of Council, have now appointed 1st Avenue Communications to the role. As yet Council has been unable to get Coles to agree to Council’s requirements for the role including the hours of availability of 1st Avenue Communications, at a dedicated shopfront in West Ryde.

At the PCG Meeting in November 2012, it was agreed that Coles would commit to the shopfront in West Ryde Urban Village, however at the meeting of 23 November 2012 Coles noted that Coles no longer felt the shopfront was necessary. Council's General Counsel has since resolved this issue with Coles however Council is still awaiting signing of the license for the shopfront.

At the meeting of 23 November 2012 with both Coles and 1st Avenue Communications it was noted that Coles would not agree to the shopfront being manned on a daily basis and sited that this was contrary to advice they had received from their consultant, 1st Avenue Communications. Council notes that this is contrary to the agreement outlined by 1st Avenue Communications in their email to Council of 16 August 2012.

Council’s view is that given the extended delays and community angst in relation to this project that Coles must provide representation at the shopfront 5 days per week at a minimum of four hours per day (10am – 2pm). This matter is still outstanding with Coles.

Despite numerous requests Council has been unable to secure Coles for a meeting to resolve the outstanding matters in relation to the Communications Strategy.

ITEM 5 (continued)**Actions since September 2012**

- City of Ryde increased the security bond from Coles by \$1.5 million, now a total of \$2.5 million held by Council.
- Coles has rectified the temporary footpath outside the West Ryde Community Centre which has improved pedestrian safety

Financial Implications

Refer to **ATTACHMENT 2 and 3**.

ITEM 5 (continued)

ATTACHMENT 1

WEST RYDE URBAN VILLAGE REDEVELOPMENT

COMMUNICATIONS STRATEGY

**Version 3.3
18 February 2008
Revised 24 September 2010**

ITEM 5 (continued)

ATTACHMENT 1

Introduction

Although the redevelopment of the West Ryde Urban Village is not a Public Private Partnership (PPP), many aspects of the project are being undertaken using PPP guidelines. The City of Ryde is a major stakeholder and in addition to its regulatory responsibilities has a partnership role with the Coles Group Property Developments (CGPD) in many areas.

It is imperative for the City of Ryde and CGPD to construct a joint Communications Strategy in which the City of Ryde and CGPD work as equal partners.

A Communications Strategy is essential during the construction because:

- the City of Ryde is a key stakeholder on behalf of the community with CGPD as the developer
- residences are very close to the construction sites
- there will be a temporary loss or reduction of existing parking capacity
- access must be maintained to local businesses
- an existing road is to be relocated
- community services are to be rehoused
- there are significant public infrastructure benefits to be delivered.

The purpose of the Communications Strategy is to put in place a set of protocols to manage the expectations of all stakeholders.

There are therefore three streams to the communications:

1. Community

The development represents significant change and adjustment for the community's residents, businesses, shoppers and commuters.

The City of Ryde's vision includes meeting the diverse needs of its communities, ensuring residents are engaged and aware of change, and providing an environment that is vibrant and socially sustainable.

The community should be made aware of the effort the City of Ryde has invested in bringing about the changes in West Ryde and that it has an ongoing commitment to the residents and business groups to ensure those changes are managed and implemented successfully.

The City of Ryde is therefore positioned to partner CGPD in making certain that as the development progresses and the infrastructure benefits are delivered, there is minimal impact upon the community during construction. It is important that local people are kept aware of what is happening and provided with a channel through which to voice any concerns.

ITEM 5 (continued)

ATTACHMENT 1

2. Tenants

The new West Ryde Community Centre provides an excellent opportunity for community support groups to work together for the community. It essential that the new facility meets the operational needs of these groups.

Just as it is crucial that the commercial enterprises succeed in making the Mixed Use building a retail focal point, so the Community Centre tenants must thrive and prosper in their roles to support the community. The tenants are enthusiastic about the new building and CGPD should mirror their enthusiasm by ensuring their needs are met and the new Community Centre is seen as a setting a standard for design.

To this end CGPD and the City of Ryde need to co-ordinate their efforts in meeting this joint target.

3. Partnership with the City of Ryde

The City of Ryde has an equal interest in delivering the correct messages to the community and tenants, and ensuring that the provisions agreed under the Voluntary Planning Agreement are delivered appropriately.

CGPD has the principal responsibility for carrying out this strategy in partnership with the City of Ryde.

ITEM 5 (continued)

ATTACHMENT 1

Background

As part of the Development Deed signed by Remo West Ryde Pty Limited on 7 November 2006, Annexure J, Remo committed to a Community Relations Strategy. This outlines activities in two stages:

Stage 1 – Prior to Development Application

Stage 2 – Post Development Application

Remo's document describes Stage 2 as:

“After lodgement of the DA, Remo will continue to carry out extensive community consultation and implement a wider range of communication activity that may include:

- Local newspaper advertisements in the local paper, The Northern District Times, to communicate progress on and around the site, traffic changes etc;
- Establish a 1800 Freecall hotline to register any complaints or feedback. There will also be an extensive system of logging all calls, actioning complaints and rounding off all issues in a timely and efficient manner.
- Project website to keep the community aware of progress on and around the site, traffic changes etc.
- Newsletter to keep locals abreast of the changes and progress of the project. This can be delivered in the traditional hardcopy paper version via letterbox drops and the more modern, environmentally friendly electronic version via email.
- Focus groups with business owners and other key stakeholders such as the City of Ryde Council, local retailers and immediate residents.
- Meetings and consultation with the Project Advisory Committee.
- Public information (signage) around the site.

Once construction begins the project will also have a dedicated Community Relations Officer....”

Remo's document goes on to outline:

- a communication protocol
- the communication objectives
- key stakeholders
- key messages
- communication material
- community participation
- crisis management

ITEM 5 (continued)

ATTACHMENT 1

- roles and responsibilities
- evaluation.

Remo's document proposes a basic communication strategy.

As the City of Ryde is providing the land for the development, it has a major interest in ensuring that the community is not significantly inconvenienced during the construction process. The City of Ryde is also closely associated with the tenants of the new Community Centre and has negotiated the extensive public benefits.

The City of Ryde is therefore an equal stakeholder to the developer, and as such, requires a more intensive approach to communications.

ITEM 5 (continued)

ATTACHMENT 1

Communications Strategy

1. Community

Good relations with the local community are essential throughout this project if the end results are to be acceptable and the overall objectives of CGPD and the City of Ryde are to be met.

Accepting a mutual interest in managing community expectations, the public should be advised of the intended program for the development and, with sufficient lead time, kept informed of key dates.

The City of Ryde requires all community information to be co-branded. This does not extend to any marketing or promotional material but does include both print and electronic media.

Whenever the City of Ryde's logo is used it reserves the right to approve the material prior to publication and where the City of Ryde has contributed to the material it is not to be made copyright by CGPD.

1.1. Printed Publications

In addition to maintaining an ongoing profile to keep the public aware of the project, printed publications should be produced before key milestones and before any major changes or disruptions occur.

Triggers for publication include:

- Development Application consent
- Demolition of the Anthony Road buildings
- Traffic management changes (Consent Conditions 21 and 76)
- Carpark closures or relocations
- Betts Street closure/New Betts Street relocation
- Road modifications for roundabouts and drainage
- Footpath closures and alternative routes
- Changes in timeframes or unforeseen issues arising during construction
- Opening of the Community Centre
- Excavations for the mixed use building
- Opening of the new carpark
- Opening of the mixed use building.

ITEM 5 (continued)

ATTACHMENT 1

Five channels exist for promoting this information and providing for feedback from the community:

i. Ryde City View

A regular column for progress updates and special announcements (especially useful for residents who do not have an internet connection).

A schedule of publication dates and copy deadlines is attached in Appendix 1.

ii. Advertisements

Local newspapers (the Northern District Times and The Weekly Times) could be used to advertise news of major changes (triggers).

iii. Newsletters

These are ideal as letterbox drops advising residents and businesses adjacent to the development about changes and events that will affect them. This is mandated by Consent Condition 84.

Additional copies of the newsletter should also be made available for tenants of the Community Centre to distribute to their clients, to local business chambers, to community groups and West Ryde Library.

It should also be provided in electronic format on the website and provision should be made for electronic subscription through the website.

iv. Handouts

When pedestrians are impacted by footpath closures is it useful to give handouts to passers-by with a map of alternative routes and to post laminated copies of the handout at relevant points around the site hoardings.

v. Focus Groups

Key groups of local stakeholders should be kept informed, perhaps through meetings, where their specific interests are involved.

A list of stakeholders is attached in Appendix 2. This should be constantly reviewed to ensure that any special interest groups that form are kept informed of developments.

1.2. Website: www.westrydeurbanvillage.com.au

CGPD has developed a website which offers an overview of the development, lists frequently asked questions, provides news updates, and offers an online contact form for requesting further information.

The website is co-branded, with City of Ryde branding required to be on all pages except any pages that may be developed to contain CGPD marketing materials or company information.

ITEM 5 (continued)

ATTACHMENT 1

It is essential for the website to be kept up-to-date as it is a major tool in managing the expectations of local stakeholders.

The website is to include practical information relating to changes and events such as:

- An indicative development program
- Footpath closure and diversion maps
- Traffic and parking changes
- Upcoming events (see previous triggers)
- Electronic copies of hard copy published material
- Calendar of focus group meetings.

The website should also include a link to the City of Ryde's West Ryde Urban Village Development webpage (<http://www.ryde.nsw.gov.au/westrydedevelopment>) where key documents relating to the development are publicly available.

ITEM 5 (continued)

ATTACHMENT 1

Signage

A number of signs concerning demolition and safety are required under the DA (Consent Conditions 24, 31, 58 and 76) and any community information signage requires City of Ryde approval (Consent Condition 167).

The City of Ryde expects the regulatory signs to form the minimum of information for the public and CGPD is encouraged to supplement signage with handouts (eg footpath diversions) and to synchronise signs with advertised material. The construction site sign boards should follow the pattern established with the development advisory billboards and be co-branded and include artists' impressions of the final designs.

1.4 Hotline

A 1800 Freecall line should be established so that queries can be registered on a voice messaging system with an answer being provided as soon as possible.

Calls need to be responded to by the next business day by:

- Builtform for queries and complaints about construction-related issues
- CGPD for queries about the development
- City of Ryde for queries relating to the Development Application process and any town planning issues.

A formal process needs to be established between the City of Ryde's Customer Service Centre and CGPD to ensure that calls are redirected appropriately and dealt with promptly.

1.5 Site Office and Community Relations Officer

The City of Ryde's recent experience (with the Top Ryde City PPP) indicates that the West Ryde Urban Village development would benefit from CGPD engaging a Community Relations Officer. This person would manage the stakeholder database, liaise with Council on community matters, begin identifying focus groups and help add a local community flavour to the website.

The Community Liaison Officer would ensure that:

- relationships with stakeholders are managed in a personal and consistent manner
- stakeholders are regularly updated about the progress of the development and any issues that may impact the community and/or their special interests
- queries and complaints are dealt with in a timely manner and followed up where necessary.

ITEM 5 (continued)

ATTACHMENT 1

Ideally part of the Site Office should have a 'shop-front' and operate as the information centre for the redevelopment.

The Community Relations Officer should be located in the site office to handle calls and manage the 'shop-front' where local residents and business owners can drop in to ask questions and pick up copies of the most recent newsletter, hand-out or public advertisement.

In addition to any marketing initiatives CGPD may wish to utilise in this environment, the City of Ryde sees this facility as a key contact point for the local community.

1.6 Focus Groups

Whilst it is important to understand that the formal period for the community to comment upon the development is closed, it is essential to maintain a good working relationship with groups of local stakeholders and to stay in touch with those who have previously provided feedback or expressed an interest. A database of contacts should be compiled immediately.

The most prominent is the Chamber of Commerce and it is strongly recommended that some presentations be planned for this group. These could be joint CGPD/City of Ryde meetings and should be timed in advance of the major changes which could impact local businesses. It may also be appropriate to organise special mail-outs to this group.

If local residents form an association of any sort CGPD will need to be prepared to give it similar attention.

Clubs in the area such as the Sydney Live Steam Locomotive Society and the Ryde Eastwood Leagues Club no doubt have an interest in the redevelopment and contact with them may be beneficial.

It may be possible to conduct site tours during construction RDOs. This is a simple and effective way of a way of raising and maintaining local interest. The Community Relations Officer should lead this initiative.

2. Tenants

2.1 Design

There will be five tenants of the new Community Centre in Anthony Road:

- West Ryde Neighbourhood Children's Centre
- Christian Community Aid (Family Day Care)
- Ryde Family Support Service
- Early Childhood Health Service
- An office tenant of the City of Ryde
- Retail tenant/s of the City of Ryde.

ITEM 5 (continued)

ATTACHMENT 1

All these groups, under the auspices of City of Ryde's Building and Property unit, have contributed to the interior designs submitted as part of the Development Application.

However Conditions of Consent 156e, 190 and 192 require design changes to the building.

The Project Advisory Committee has been put in place with CGPD's help to co-ordinate the requirements of the tenants. The City of Ryde's Project Manager will liaise between the Project Advisory Committee, the City of Ryde's departments and CGPD to ensure the design meets its desired outcomes.

CGPD is to issue design and program information and requests in a timely fashion to enable appropriate input to be provided by the Project Advisory Committee.

2.2 Communication

Irrespective of their interest in the design of the Community Centre building, all the tenants and the users of their services are stakeholders in the local community and as such are to be kept fully informed and afforded the same services as above in 'Community'.

Tenants should also be asked to provide some positive commentary about how the new Community Centre will improve their services and benefit the community. These comments can be posted on the City of Ryde and West Ryde Urban Village websites and printed in newsletters to help create a sense of excitement and community interest around the project, and to highlight the community benefits resulting from the partnership between the City of Ryde and CGPD.

ITEM 5 (continued)

ATTACHMENT 1

Conclusion

The West Ryde Village Redevelopment is not just about building a residential building, a public open space and offices for local groups. It is about providing a new retail and commercial focus, constructing a public square to provide community interaction and a locale for special events, and establishing a Community Centre to operate as the foundation for enhanced support services.

In seeking to achieve this, CGPD and the City of Ryde need to work closely and in harmony through regular meetings and joint announcements to ensure delivery is trouble-free and not a challenge to the community for whom the development is to be provided.

ITEM 5 (continued)

ATTACHMENT 1

Appendix 1

Publication Dates and Copy Deadlines for the Ryde City View Newsletter

Please liaise with Louise Downe for all queries relating to the Ryde City View newsletter, tel: 9952 8258, email: ldowne@ryde.nsw.gov.au

2010

Copy to Louise Wednesday 27 October
Distribution Wednesday 10 November

Vol 4 No 11

Copy to Louise Wednesday 10 November
Distribution Wednesday 24 November

Vol 4 No 12

Copy to Louise Wednesday 24 November
Distribution Wednesday 8 December

2011

Vol 4 No 13

Copy deadline Wednesday 8 December 2010
Distribution Wednesday 5 January 2011

Vol 4 No 14

Copy deadline Wednesday 5 January
Distribution Wednesday 19 January

Vol 4 No 15

Copy deadline Wednesday 19 January
Distribution Wednesday 2 February

Vol 4 No 16

Copy deadline Wednesday 2 February
Distribution Wednesday 16 February

Vol 4 No 17

Copy deadline Wednesday 16 February
Distribution Wednesday 2 March

ITEM 5 (continued)

ATTACHMENT 1

Vol 4 No 18

Copy deadline Wednesday 2 March
Distribution Wednesday 16 March

Vol 4 No 19

Copy deadline Wednesday 16 March
Distribution Wednesday 30 March

Vol 4 No 20

Copy deadline Wednesday 30 March
Distribution Wednesday 13 April

Vol 4 No 21

Copy deadline Wednesday 13 April
Distribution Wednesday 27 April

Vol 4 No 22

Copy deadline Wednesday 27 April
Distribution Wednesday 11 May

Vol 4 No 23

Copy deadline Wednesday 11 May
Distribution Wednesday 25 May

Vol 4 No 24

Copy deadline Wednesday 25 May
Distribution Wednesday 8 June

Vol 4 No 25

Copy deadline Wednesday 8 June
Distribution Wednesday 22 June

ITEM 5 (continued)

ATTACHMENT 1

Appendix 2

Key Stakeholders

- Businesses in the West Ryde Marketplace
- Businesses along Victoria Road between Station Street and West Parade
- Businesses on West Parade opposite the Railway Station
- Residents in the immediate vicinity of the development such as those on Chatham Road (between Fernvale Avenue and Dickson Avenue) and residents on Anthony Road and Reserve Road
- Chambers of Commerce
 - Primary: West Ryde Chamber of Commerce, Ryde Business Forum
 - Secondary: Gladesville, Eastwood, Ryde and North Ryde Chambers of Commerce
- Project Advisory Committee (tenants of the new Community Centre):
 - West Ryde Neighbourhood Children's Centre
 - Christian Community Aid (Family Day Care)
 - Ryde Family Support Service
 - Early Childhood Health Service
- Resident Groups
 - Meadowbank/West Ryde Progress Association
- Church or other groups in the vicinity or the development
 - Chinese and Australian Baptist Church, West Ryde
- City of Ryde Councillors
- Sydney Live Steam Locomotive Society

ITEM 5 (continued)

ATTACHMENT 2

West Ryde Urban Village Development – Progress report
 14 February 2013, prepared by Project Development Unit




Council report – Progress on West Ryde Urban Village Development
 Date: 14 Feb 2013

Item	Status
Timing and delays	<p>1. The Builder (Builtform) handed over the West Ryde Community Centre building on 31 August 2011. Completion of the public domain, supermarket and underground carparks have been delayed due to approval from the Roads and Maritime Services and contractual disputes between the Developer (Coles) and their builder (Builtform Constructions)</p> <p>The WRCC is part of the DA for the West Ryde Urban Village Development project which has an unofficial completion date of August 2013. The project should have been finalised and the Coles supermarket trading pre-Christmas 2012.</p> <p>Under the current tri-partite agreement there are disputes between the Developer and Builder which affects Council and the community to which Council has little control over; and there are disputes between Council and the Developer in regards to adherence to the DA, various S96, Development Deed and the Communications Strategy terms and conditions.</p>
Cost	<p>2. The lack of detail in this VPA between Council and Coles Group Property Developments resulted in the developer seeking additional financial contributions from Council and under delivering the value of infrastructure as outlined in the VPA as 'Public Benefit offer value' in lieu of S94 contributions. Refer to attachment 1</p> <p>Agreed additional costs to Council due to changes in scope of work is currently at \$98,750 as of Oct 2012 for the Community Centre only</p> <p>Coles Group Property Developments (via their consultant WT Partnership) is seeking compensation from Council for the following works issued by other authorities</p> <p>Provisional Sum – Artwork cost over run \$51,299.66 Road works – High Pedestrian Activity Area works \$340,469 Road works - Reserve Rd Stormwater \$374,808.10 Road works – Road work changes \$152,833.39 Road works – Delay costs \$476,100 Ausgrid costs – Residual value of public lighting assets removed \$9,152.55</p> <p>Council refutes claims made under authority by RMS and Ausgrid and is protected from liability by the Development Deed, Clause 10.9 No liability or obligation on Ryde</p>
Risk	<p>3. The major risk to Council was to receive infrastructure equal to the value of \$21.9 million from the VPA (Community Centre, Village square, underground carpark ect). Refer to attachment 1</p> <p>Council representatives are of the opinion that all future discussions/consultations with other authorities, such as Roads & Maritime Services (ex RTA) and Ausgrid be undertaken by the Developers consultants. Council should not get involved in facilitating these negotiations as the Developer (Coles) is claiming Council is responsible for the time delays and added costs to the project as a result of the other authority approval conditions/directives. Refer to Item 3 Costs.</p>

ITEM 5 (continued)

ATTACHMENT 2

West Ryde Urban Village Development – Progress report
14 February 2013, prepared by Project Development Unit

Item	Status
	<p>Coles (the Developer) claims Council is responsible for the time delay of 20 months in receiving the approved Ultimate Traffic Management Plan for the project from RMS and that Council directed RMS to the final solution which has resulted in an increase in the scope of works and costs. Council refutes these claims</p>
Parking	<p>4. West Ryde Chamber of Commerce has strongly advocated for an increase in on street parking at West Ryde. Loss of 180 spaces in Feb 2011 from the former Council carpark which is now the Developer Lot (Coles supermarket). Subsequent action to address shortage has been the construction of a temporary carpark at 7a Anthony Road = 47 spaces, changing of commuter parking to short term parking to facilitate turnover within walking distance of West Ryde Town Centre = 93 spaces</p> <p>Total lost spaces = 180 (developer lot) New temporary spaces = 47 (7a Anthony Rd carpark) New short term street parking = 93 (various streets) Shortfall = 180-47-93 Shortfall = 30 spaces</p> <p>5. No formal date had been given for the opening of the underground carparks. Carparks are partially complete but Coles have advised that road works and mechanical ventilation must be completed (not yet commenced) before the carparks are opened. Total of 307 car parking spaces for underground carparks. B1 137 spaces and B2 with 170. Of these 200 spaces are to be under the control of COR. Refer to attachment 2, drawing DA304G Section BB.</p>  <p><i>Above: photo of Council owned underground carpark level B2 dated 13 Feb 2013</i></p>
Communications	<p>Compliance with the Communications Strategy: Outstanding items are: Newsletters, last issued March 2012; Publishing of a timeline for the development (roadworks, village square, supermarket and underground carparks); leasing of a shop front to house the community relations officer. Complete items: Positive actions have been update of the West Ryde Urban Village website and employment of the community liason officer – Jennifer Ross from 1st Avenue Communications.</p>

ITEM 5 (continued)

ATTACHMENT 2

West Ryde Urban Village Development – Progress report
14 February 2013, prepared by Project Development Unit

**Attachment 1: Voluntary Planning Agreement offer –
Public Benefit, Schedule 7, table 2**

Table 2 – Voluntary Planning Agreement Offer – Public Benefits

Table 2 identifies the public benefits offered under the Voluntary Planning Agreement between Remo West Ryde Pty Ltd and City of Ryde in lieu of monetary contributions otherwise payable under City of Ryde's Section 94 Contributions Plan and Construction Fees otherwise payable as outlined above.

Public Benefits offered under the Voluntary Planning Agreement	Offer Value (exc GST)
Community Facility Design, Construct and Commissioning to the Council of the stratum lot comprising of a 4-storey Community Facility Building, located on the corner of Anthony Road and reserve Street and a total GFA of approximately 3,100 square metres.	\$18,714,368
Village Square Design, Construct and Commissioning of a 1,519 square metre village square to the Council, which will include an electronic vision board for broadcasts, natural landscaping, streetscaping and community art.	\$1,546,666
Village Square Toilets Maintenance and cleaning of toilets to be done by Retail Stratum Owner for a five year period.	\$100,000
Village Plaza (fronting West Ryde Market Place) Integration Design, Construct and Intergration of the existing Village Plaza (fronting West Ryde Market Place) owned by Council with the Village Square Lot	\$400,000
Taxi Rank and Emergency Vehicle Parking Design, Construct and Commissioning of a Taxi Rank adjacent to Anthony Road	\$195,000
Colonnade Design, Construct and Commissioning to the Council of the Stratum lot comprising the Colonnade around the perimeter of the building and a total GFA of approximately 1,354 square metres and to be owned by Council.	\$3,314,050
Maintenance and cleaning of Colonnade Maintenance and cleaning of Colonnade to be done by Retail Stratum Owner for a five year period.	\$150,000
Council Car Park (Basement) Design, Construct and Commissioning of the stratum lot of an additional 11 underground NRMA Security Compliant Car Parking Spaces	\$386,988
On Grade car parking Design, Construct and Commissioning of an additional 21 on grade parking spaces on New Betts Street.	\$466,200
Construction of a heritage wall along New Betts Street and Darvall Park	\$60,000
Total Public Benefit under Voluntary Planning Agreement (D)	\$25,333,272
VPA Offer in Excess of Developer Obligations (Net Public Benefit of this Development) [E=(D)-(C)]	\$21,966,310

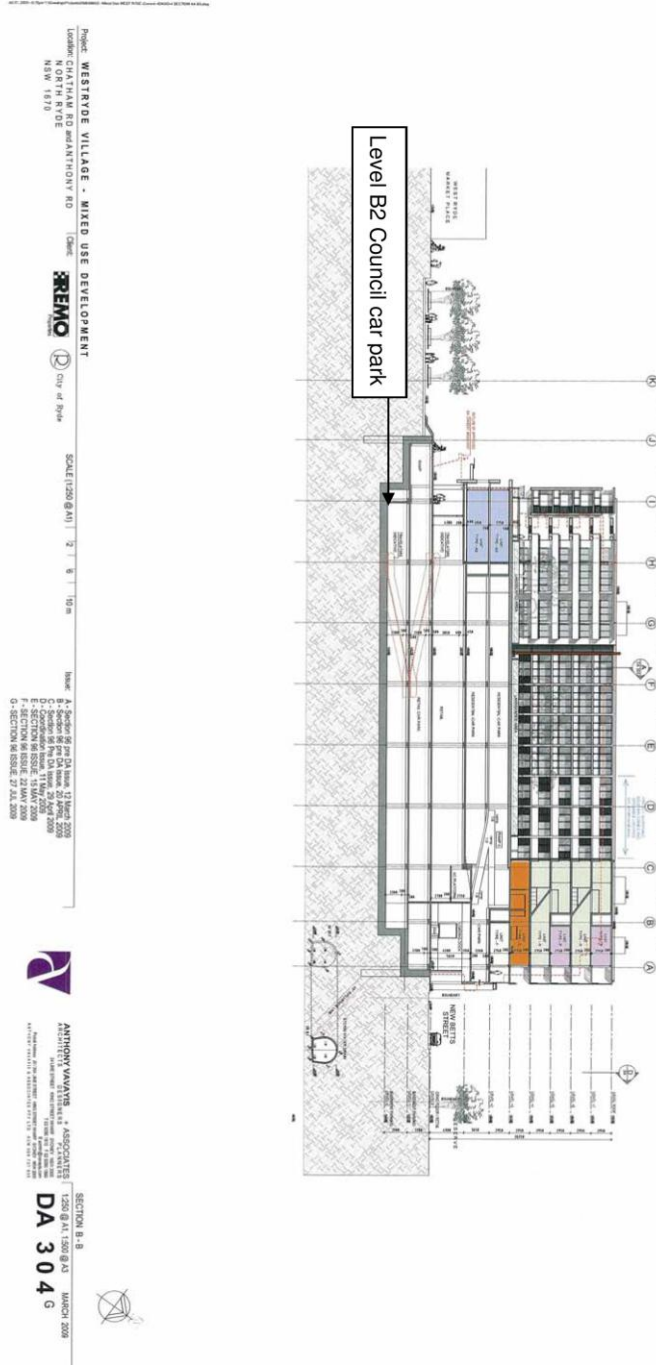
ITEM 5 (continued)

ATTACHMENT 2

West Ryde Urban Village Development – Progress report
14 February 2013, prepared by Project Development Unit



**Attachment 2: Supermarket and Carpark Section
DA304G Section BB**



CITY OF RYDE
LDA No: MWD 2209/180
20 OCT 2009
Approved Plans
Signed: 
Subject to the conditions of the Consent

6 INVESTMENT REPORT - January 2013

Report prepared by: Chief Financial Officer**File No.:** GRP/09/5/6/4 - BP13/236

REPORT SUMMARY

This report details Council's performance of its investment portfolio for the month of January 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 5.14%, which is 1.67% above benchmark. Income from interest on investments and proceeds from sale of investments totals \$2.7M, which is \$680K above budget projections. This result will not initially improve Council's Working Capital result at 30 June 2013, for the following reasons;

- there are projected interest rate cuts likely by the Reserve Bank in 2013,
- \$223k relates to the sale of Oasis Investment and is to be transferred to the Financial Security Reserve and
- the balance of the projected income totalling \$457,000 is required to be transferred to the Section 94 Reserve for interest on Section 94 contributions, due to an expected \$18.85M to be on hand as at 30 June 2013.

Therefore, no adjustment to Council's projected income from Interest on investments is being recommended in the December Quarterly Budget Review, however, a further review will be undertaken in the March Quarterly Budget Review.

This report also includes Council's Investment Policy and Guidelines which has been reviewed and recommended for adoption by Council.

RECOMMENDATION:

- (a) That Council endorse the report of the Chief Financial Officer dated 14 February 2013 on Investment Report – January 2013.
- (b) That Council note the review of its Investment Policy and Guidelines and endorse the Investment Policy and Guidelines as **ATTACHED**.

ATTACHMENTS

- 1 Investment Policy - adopted 28 February 2012
- 2 Investment Guidelines - adopted 28 February 2012

ITEM 6 (continued)

Report Prepared By:

John Todd
Chief Financial Officer

Report Approved By:

Roy Newsome
Group Manager - Corporate Services

ITEM 6 (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.

Council’s investments complied with the Minister for Local Government’s Investment Order dated 12 January 2011 and Council’s Investment Policy when acquired, however the following investments are now outside the Minister’s Order:

Investment	Rating	Maturity	Face Value	Book Value
• Grange IMP - Merimbula CDO	N/R	20/06/2013	\$0.20m	\$0.00m
- Global Bank Note CDO	N/R	20/09/2014	\$0.50m	\$0.00m

(* Council at its meeting of 25 May 2010 wrote down/ impaired the Oasis CDO to a nominal value, this being funded from the Financial Security Reserve.)

Under the Minister’s Order, Council is required to divest itself of these investments as soon as practicable. These investments were purchased with the intention of holding them to maturity, with the exception of the investments in the Grange IMP, which was a managed fund.

Council was able to negotiate the sale of the Oasis CDO on 23 January 2013 at 35.7 cents in the dollar on the remaining principal of \$625k, which has yielded \$223,337 and will be transferred to the Financial Security Reserve. It should be noted that this CDO had already lost \$375k on a previous credit default and therefore that amount was not recoverable through sale. This result exceeded offers prior to the default of 22 cents in the dollar.

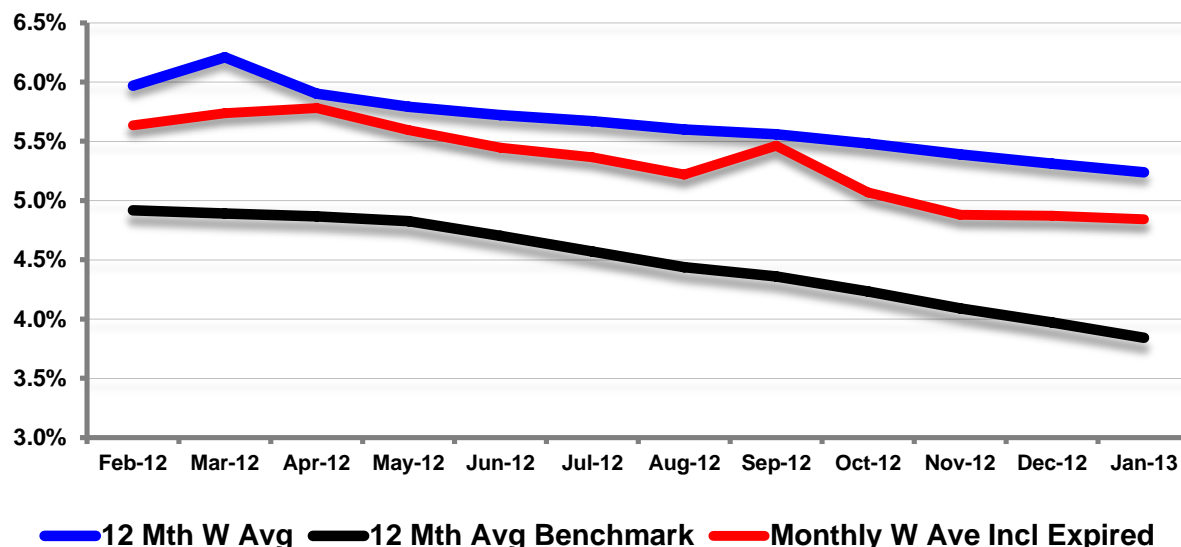
Investment Performance Commentary

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

	Jan 2013	12 Mth	FYTD
Council Return	4.85	5.24	5.14
Benchmark	3.21	3.84	3.47
Variance	1.64	1.40	1.67

ITEM 6 (continued)

Performance - All Investments



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

Cash/Term Deposits	\$62.0M	62.6%
Floating Rate Notes	\$19.9M	20.1%
Fixed Rate Bonds	\$2.0M	2.0%
Total Cash Investments	\$83.9M	
Property	\$15.1M	15.3%
Total Investment Portfolio	\$99.0M	

Whilst the amount of investments appears high, approximately \$18.8M of those funds are 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.

Whilst Council has moved some of its investment portfolio out to longer terms, locking in some of the returns. Should Council consider utilising its internal, 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.

ITEM 6 (continued)

Financial Security Reserve (FSR)

The Financial Security Reserve has a balance of \$2.3M as at January 2013 as detailed below:

Financial Security Reserve	(\$'000)
Balance 1 July 2012	2,064
Interest on Written Down CDO's	16
Proceeds from Sales & Maturities of Written Down CDO's	223
Balance of Financial Security Reserve	2,296

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

Investment Policy

Council reviews its investment policy and guidelines annually. No changes have been made to the Ministerial Order for Investments in the last 12 months. The current investment policy (**ATTACHMENT 1**) and guidelines (**ATTACHMENT 2**), have been reviewed and no changes are proposed.

Economic Commentary

The RBA left the official cash rate at 3% in February whilst acknowledging that downside risks internationally appear to have decreased. In their decision they noted that current inflation levels make further cuts possible if necessary to stimulate the economy. Despite a high level of primarily resource related investment headwinds are still present for the local economy, with job ads placed on the internet and major papers dropping 3.8% in December, the 10th straight monthly drop.

Labour force figures for December showed that, whilst unemployment remained steady at 5.4%, with the participation rate dropping very slightly, and aggregate hours worked dropping 0.2%. Retail sales decreased by 0.2% in December, the third straight monthly decrease, and a sign that interest rate cuts haven't perhaps had the traction anticipated by the RBA.

In the US, the Federal Open Market Committee (FOMC) maintained their monthly purchase of \$85B in bonds as part of its strategy to lower unemployment to 6.5% (from a current level of 7.9%). GDP shrank in Q4 after a pre-election upturn in Q3. Lawmakers are yet to return to the negotiation table to discuss the raising of the debt ceiling, and the passing of an actual budget.

In the Eurozone, whilst markets have been calmed by the announcement by the head of the European Central Bank (ECB) to do "whatever it takes", there's still not a great deal of positive news out of the Eurozone, with GDP shrinking by 0.1%, and unemployment remaining high at 11.7%. Political risks have just recently resurfaced in both Spain and Italy, sending yields on bonds higher for the two countries.

ITEM 6 (continued)

The Chinese economy grew at 7.9%, and the HSBC manufacturing index hit a two year high in January, due to strengthening domestic demand, with the flow on effect for iron ore prices having a beneficial effect on Australia's terms of trade, though this may stall in February as we head into the Chinese New Year. The goal of China's central bank is to increase the income of citizens whilst keeping inflation in check.

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, and was reported in the September Investment Report. Council is still waiting for final orders to be handed down, which are expected in the near future.

Whilst this court action has been proceeding, the related investments of the Lehman / Grange IMP (Merimbula and Global Bank Note) have also progressed, with the counter party responsible for the collateral proceeding with actions to settle any recourse against them. A meeting was held in Sydney on 19 December 2012, where it was voted to accept the offer. The vote achieved approval of the settlement and Council is now awaiting formal notification.

This action should result in Council receiving the majority of funds held in these investments.

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 has vindicated Council's Investment in this product with Justice Jayne Jagot finding against LGFS, ABN AMRO and S&P had collectively been responsible for misleading and deceptive conduct and negligent misrepresentation of this investment to Councils. S&P have stated they will be lodging an appeal and further updates on this matter, will be provided to Council when available.

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.

ITEM 6 (continued)

Whilst Council had written off this investment, the investment had 1 further default until it completely defaults. As detailed in previous investment reports, Council was considering the sale of this investment.

As indicated above, Council has been able to negotiate the sale of the Oasis CDO at 35.7 cents in the dollar on the remaining principal of \$625k, being \$223,337. Should Council be successful in this 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.

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.

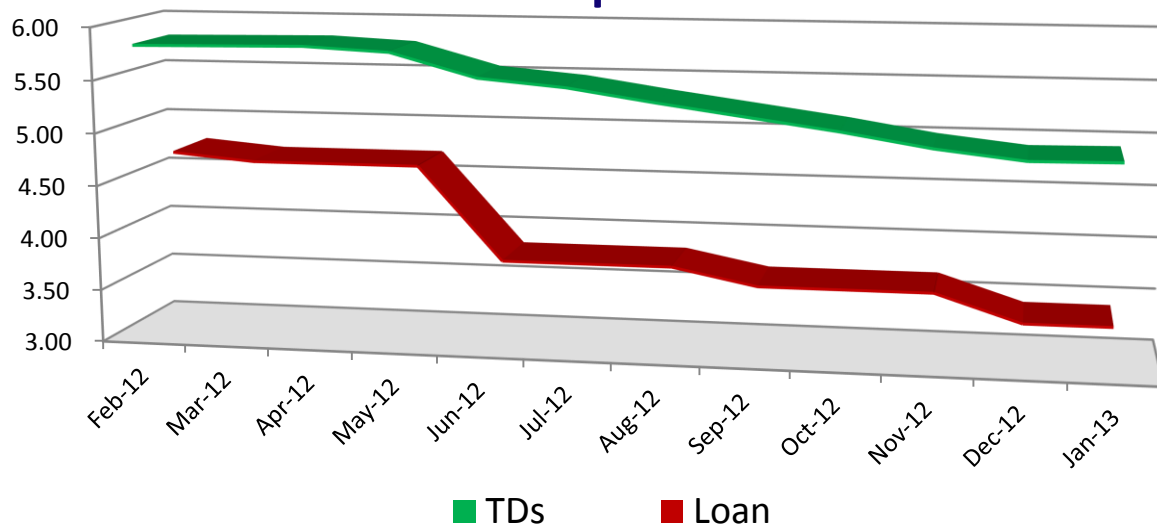
Loan Liability

Council's loan liability as at 31 January 2013 was \$3.7 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 6 (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 or by cutting services.

Debt Service Ratio		
Category 3 Councils	2010/11	2.87%
City of Ryde	2011/12	0.75%

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.

ITEM 6 (continued)

- A **Floating Rate Collateralised Debt Obligation (CDO)** is an investment backed by a diversified pool of one or more classes of debt. These investments are for longer terms and offer a higher rate of interest. Credit ratings are assigned to these investments as detailed in the portfolio.

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
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.

A "p" after the rating is a commonly used shorthand method of indicating that the investment principal is given a rating, but the interest is not. This is most commonly used for capital protected products, where the income stream is derived from a number of factors and/or variables which are unable to be reliably estimated, such as share prices.

ITEM 6 (continued)
INVESTMENT SUMMARY AS AT 31 JANUARY 2013

Issuer	Investment Name	Investment Rating	Invested at 31-Jan-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
Grange	1. Grange IMP	Unrated	0	0.00	0.00	0.00	0.00	0	0.00%
Westpac	2. Westpac At Call	AA-	2,315	2.86	3.68	3.42	2.76	2,315	100.00%
Westpac	3. Westpac Term Deposit 2	AA-	1,000	4.93	4.93	4.93	1.19	1,000	100.00%
Bank of Queensland	4. Bank of Queensland TD	BBB+	750	5.37	5.72	5.46	0.89	750	100.00%
ANZ	5. ANZ Term Deposit	AA-	1,000	5.01	5.14	5.01	1.19	1,000	100.00%
Westpac	6. St George Term Deposit	A+	1,000	4.40	5.21	5.10	1.19	1,000	100.00%
NAB	7. NAB Term Deposit	AA-	1,000	4.60	5.40	5.11	1.19	1,000	100.00%
Westpac	8. Westpac Term Deposit	AA-	1,000	5.15	5.15	5.15	1.19	1,000	100.00%
Westpac	9. Westpac Term Deposit	AA-	500	4.95	4.95	4.95	0.60	500	100.00%
NAB	10. NAB Term Deposit	AA-	1,000	6.60	6.60	6.60	1.19	1,000	100.00%
Westpac	11. Westpac Term Deposit	AA-	500	4.88	4.88	4.88	0.60	500	100.00%
NAB	12. NAB Term Deposit	AA-	1,000	4.70	5.30	5.05	1.19	1,000	100.00%
Police & Nurses Ltd	13. Police & Nurses Ltd	Unrated	500	5.06	5.32	5.04	0.60	500	100.00%
CBA	14. Bankwest TD	AA-	1,000	4.27	5.36	4.88	1.19	1,000	100.00%
CBA	15. Bankwest Term Deposit	AA-	1,000	4.53	5.26	4.98	1.19	1,000	100.00%
NAB	16. NAB Term Deposit	AA-	1,000	4.72	5.44	5.07	1.19	1,000	100.00%
Defence Bank	17. Defence Bank TD	Unrated	500	4.73	5.69	5.42	0.60	500	100.00%
Railways CU	18. Railways CU	Unrated	500	4.52	5.38	4.98	0.60	500	100.00%
New England Credit Union	19. Community Mutual Group TD	Unrated	500	4.27	4.92	4.57	0.60	500	100.00%
Qld Police CU	20. Qld Police CU TD	Unrated	500	4.53	5.15	4.75	0.60	500	100.00%
Community CPS	21. Community CPS TD	Unrated	500	4.63	5.28	4.77	0.60	500	100.00%
Bendigo and Adelaide Bank	22. Bendigo Bank TD	A-	1,000	4.96	5.30	4.96	1.19	1,000	100.00%
Hunter United Credit Union	23. Hunter United Credit Union TD	Unrated	500	4.67	4.97	4.86	0.60	500	100.00%
Coastline CU	24. Coastline Credit Union TD	Unrated	500	4.70	5.19	4.97	0.60	500	100.00%
Peoples Choice CU	25. Peoples Choice CU	BBB+	500	4.44	5.09	4.68	0.60	500	100.00%
Australian Defence Credit Union	26. Australian Defence CU TD	Unrated	500	4.81	5.25	4.98	0.60	500	100.00%
Rural Bank	27. Rural Bank	A-	1,000	6.48	6.48	6.48	1.19	1,000	100.00%
Banana Coast CU	28. Banana Coast CU TD	Unrated	500	4.65	5.38	5.13	0.60	500	100.00%
B&E Ltd	29. B & E Building Soc TD	Unrated	500	4.45	5.08	4.72	0.60	500	100.00%
Victoria Teachers CU	30. Victoria Teachers CU	Unrated	500	4.36	5.23	4.86	0.60	500	100.00%
CBA	31. CBA TD	AA-	2,000	5.76	5.76	5.76	2.38	2,000	100.00%
Me Bank	32. ME Bank TD	BBB	1,000	5.07	5.46	5.22	1.19	1,000	100.00%
Macquarie Bank	33. Macquarie Bank Term Deposit	A	500	4.86	5.31	4.86	0.60	500	100.00%
CBA	34. Bankwest Term Deposit	AA-	1,000	7.00	7.00	7.00	1.19	1,000	100.00%
Summerland CU	35. Summerland CU TD	Unrated	250	5.05	5.49	5.12	0.30	250	100.00%
Wide Bay CU	36. Wide Bay CU TD	BBB	500	4.55	5.39	4.98	0.60	500	100.00%
Northern Beaches CU	37. Northern Beaches CU TD	Unrated	500	4.76	4.88	4.88	0.60	500	100.00%
Queenslanders CU	38. Queenslanders CU TD	Unrated	500	4.70	5.30	5.09	0.60	500	100.00%
Warwick CU	39. Warwick CU TD	Unrated	500	4.42	5.42	5.08	0.60	500	100.00%
Maitland Mutual	40. Maitland Mutual Bldg Soc TD	Unrated	500	4.55	5.30	5.01	0.60	500	100.00%
AMP	41. AMP eASYSaver	A	2,907	3.92	4.42	4.12	3.47	2,907	100.00%
South West CU	42. South West CU TD	Unrated	500	4.47	4.47	4.47	0.60	500	100.00%
CBA	43. CBA Term Deposit	AA-	1,000	4.45	5.11	4.93	1.19	1,000	100.00%
Gateway CU	44. Gateway CU TD	Unrated	500	4.48	5.18	4.83	0.60	500	100.00%
Rabobank	45. Rabobank TD	AA-	500	5.01	5.56	5.31	0.60	500	100.00%
Newcastle Perm Bldg Soc	46. Newcastle Perm Bldg Soc	BBB+	1,000	4.47	5.20	4.89	1.19	1,000	100.00%
QT Mutual Bank	47. QT Mutual Bank	Unrated	500	4.30	5.38	5.05	0.60	500	100.00%

ITEM 6 (continued)

Issuer	Investment Name	Investment Rating	Invested at 31-Jan-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
ING	48. ING TD	A	1,000	6.62	6.62	6.62	1.19	1,000	100.00%
Greater Bldg Soc	49. Greater Bldg Soc TD	BBB	1,000	5.12	5.38	5.15	1.19	1,000	100.00%
The Rock Bldg Soc	50. The Rock Bldg Soc TD	BBB-	500	4.35	5.28	4.53	0.60	500	100.00%
Bank of Queensland	51. BoQ TCD	BBB+	2,000	4.74	5.33	5.03	2.38	2,010	100.50%
Suncorp-Metway	52. Suncorp Metway FRN	A+	1,000	4.26	4.96	4.56	1.19	1,002	100.24%
Intech CU	53. Intech CU TD	Unrated	500	4.32	5.39	4.93	0.60	500	100.00%
AMP	54. AMP TD	A	1,000	7.14	7.14	7.14	1.19	1,000	100.00%
Rabobank	55. Rabobank TD	AA-	500	5.05	5.58	5.29	0.60	500	100.00%
Bendigo and Adelaide Bank	56. Bendigo and Adelaide Bank FRN	A-	1,000	4.57	5.36	4.96	1.19	1,003	100.32%
Community First CU	57. Community First CU TD	Unrated	500	4.40	5.19	4.64	0.60	500	100.00%
Heritage Bank	58. Heritage Bank	BBB-	1,000	4.50	5.30	5.00	1.19	1,000	100.00%
CBA	59. CBA TD	AA-	1,000	5.00	4.94	4.99	1.19	1,000	100.00%
Rabobank	60. Rabodirect At-call	AA	967	3.76	4.37	4.06	1.15	967	100.00%
Me Bank	61. ME Bank At Call Account	BBB	978	3.81	4.45	4.12	1.17	978	100.00%
NAB	62. NAB FRN	AA-	1,001	4.36	5.04	4.62	1.19	1,016	101.61%
NAB	63. NAB FRN	AA-	998	4.46	5.16	4.73	1.19	1,016	101.61%
CBA	64. CBA FRN	AA-	999	4.42	5.02	4.72	1.19	1,014	101.37%
Westpac	65. Westpac FRN	AA-	997	4.55	5.10	4.81	1.19	1,014	101.44%
CBA	66. CBA FRN	AA-	998	4.46	5.08	4.78	1.19	1,014	101.37%
NAB	67. NAB FRN	AA-	993	4.65	5.35	4.92	1.18	1,016	101.61%
Westpac	68. Westpac FRN	AA-	998	4.49	5.03	4.74	1.19	1,014	101.39%
NAB	69. NAB FRN	AA-	993	4.64	5.33	4.90	1.18	1,016	101.61%
CBA	70. CBA FRN	AA-	993	4.64	5.26	4.95	1.18	1,014	101.37%
ANZ	71. ANZ FRN	AA-	992	4.76	5.31	5.02	1.18	1,014	101.44%
Rabobank	72. Rabobank FRN	AA	989	4.72	5.41	5.07	1.18	1,005	100.49%
Police CU (SA)	73. Police CU - SA	Unrated	500	5.70	5.70	5.70	0.60	500	100.00%
Investec	74. Investec TD	BBB-	250	5.24	5.63	5.24	0.30	250	100.00%
NAB	75. NAB Fixed MTN	AA-	994	6.30	6.31	6.31	1.19	1,073	107.28%
Bankstown City CU	76. Bankstown City CU TD	Unrated	250	4.50	5.26	4.90	0.30	250	100.00%
Westpac	77. Westpac Fixed MTN	AA-	996	6.20	6.21	6.22	1.19	1,071	107.07%
ING	78. ING Direct	A	1,000	4.67	5.61	5.33	1.19	1,000	100.00%
Macquarie Bank	79. Macquarie Bank TD	A	500	6.50	6.50	6.50	0.60	500	100.00%
CBA	80. CBA Retail Bond	AA-	956	4.90	5.31	5.15	1.14	965	99.50%
Bank of Cyprus (Aust)	81. Bank of Cyprus TD	Unrated	250	6.05	6.05	6.05	0.30	250	100.00%
Rural Bank	82. Rural Bank TD	A-	1,000	4.81	5.09	5.06	1.19	1,000	100.00%
Me Bank	83. ME Bank TD	BBB	1,000	5.09	5.17	5.15	1.19	1,000	100.00%
CBA	84. CBA Retail Bonds	AA-	490	5.12	5.45	5.37	0.58	498	99.50%
CBA	85. CBA Retail Bonds	AA-	490	5.15	5.45	5.39	0.58	498	99.50%
Bank of Queensland	86. Bank of Queensland TD	BBB+	1,000	4.81	5.09	5.08	1.19	1,000	100.00%
Bank of Queensland	87. Bank of Queensland TD	BBB+	1,000	4.70	4.89	4.89	1.19	1,000	100.00%
Investec	88. Investec TD	BBB-	250	6.15	6.15	6.15	0.30	250	100.00%
IMB	89. IMB TD	BBB	500	4.50	4.79	4.79	0.60	500	100.00%
CBA	90. CBA Retail Bond	AA-	491	5.07	5.20	5.20	0.59	498	99.50%
Westpac	91. St George TD	AA-	1,000	5.04	5.04	5.04	1.19	1,000	100.00%
CBA	92. CBA Retail Bond	AA-	491	5.05	5.16	5.16	0.59	498	99.50%
Rural Bank	93. Rural Bank TD	A-	1,000	5.06	5.06	5.06	1.19	1,000	100.00%
ING	94. ING Floating Rate TD	A	1,000	5.53	5.81	5.81	1.19	1,000	100.00%
IMB	95. IMB TD	BBB	1,000	4.24	4.73	4.73	1.19	1,000	100.00%
Westpac	96. St George TD	AA+	1,000	4.91	4.91	4.91	1.19	1,000	100.00%
Bank of Queensland	97. Bank of Queensland TD	BBB+	1,000	5.13	5.13	5.13	1.19	1,000	100.00%
NAB	98. NAB TD	AA-	1,000	4.80	4.80	4.80	1.19	1,000	100.00%
Westpac	99. St George TD	AA-	600	4.92	4.92	4.92	0.72	600	100.00%
Me Bank	100. ME Bank TD	BBB	1,000	4.88	4.88	4.88	1.19	1,000	100.00%
Bank of Queensland	101. Bank of Queensland FRN	BBB+	2,000	4.79	4.79	4.79	2.38	2,003	100.13%
Beirut Hellenic Bank (Aust)	102. Beirut Hellenic Bank TD	Unrated	250	4.68	4.80	4.80	0.30	250	100.00%
			83,876	4.86	5.25	5.05	100	84,287	

ITEM 6 (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

Weighted Average Return	4.85	5.24	5.14
Benchmark Return: UBSA 1 Year Bank Bill Index (%)	3.21	3.84	3.47
Variance From Benchmark (%)	1.64	1.40	1.67

Investment Income

	\$000's
This Period	567
Financial Year To Date	2,698
Budget Profile	<u>2,018</u>
Variance from Budget - \$	<u>680</u>

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, with the exception of the following investments:

- Grange IMP - Merimbula CDO NR
- Global Bank Note CDO NR



John Todd Date: 14/02/2013

Council's Investment Powers

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

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

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

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

ITEM 6 (continued)

Overview of Investments

An overview of all investments held by the City of Ryde as at 31 January is provided below:

1. **Grange (Lehman Brothers) IMP:** This is a portfolio of FRNs, CDOs and Bank issued securities managed by Grange Securities on Council's behalf. Lehman Brothers have cancelled the management agreement, and this portfolio is currently static. The IMP comprises the following investments:

<i>Investment</i>	<i>Maturing</i>
Merimbula CDO	20/06/2013
AAA (Berryl) Global Bank Note CDO	20/09/2014

2. **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.
3. **Westpac Term Deposit (AA-):** This investment is a 212 day term deposit, paying 5.25% (5.37% annualised), and matures on 1 February 2013.
4. **Bank of Queensland TD (BBB):** This investment is a 183 day term deposit, paying 4.88% (4.93% annualised), and matures on 5 April 2013.
5. **ANZ Term Deposit (AA-):** This investment is a 180 day term deposit, paying 4.95% (5.01% annualised), and matures 20 February 2013.
6. **St George Term Deposit (AA-):** This investment is a 183 day term deposit, paying 4.35% p.a. (4.40% annualised), and matures 7 May 2013.
7. **NAB Term Deposit (AA-):** This investment is a 180 day term deposit, paying 4.55% p.a. (4.60% annualised), and matures 6 May 2013.
8. **Westpac Term Deposit (AA-):** This investment is a one year term deposit, paying 5.15% % (5.15% annualised), and matures 30 May 2013.
9. **Westpac Term Deposit (AA-):** This investment is a three year term deposit, paying 4.95% pa, and matures 21 September 2015.
10. **NAB Term Deposit (AA-):** This investment is a three year term deposit, paying 6.60% p.a., and matures 4 April 2014.
11. **Westpac Term Deposit (AA-):** This investment is a 273 day term deposit, paying 4.85% (4.88 annualised), and matures 28 June 2013.
12. **NAB Term Deposit (AA-):** This investment is a 181 day term deposit, paying 4.65% p.a. (4.70% annualised), and matures 16 May 2013.

ITEM 6 (continued)

- 13. Police & Nurses Credit Union (Unrated):** This investment is a 184 day term deposit, paying 5.00% (5.06% annualised) and matures on 27 February 2013.
- 14. Bankwest Term Deposit (AA-):** This investment is a 71 day term deposit, paying 4.20% p.a. (4.27% annualised), and matures 28 March 2013.
- 15. Bankwest Term Deposit (AA-):** This investment is a 75 day term deposit, paying 4.45% p.a. (4.53% annualised), and matures 5 February 2013.
- 16. 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.
- 17. Defence Bank Term Deposit (Unrated):** This investment is a 91 day term deposit paying 4.65% (4.73% annualised) and matures on 25 February 2013.
- 18. Railways CU Term Deposit (Unrated):** This investment is a 92 day term deposit paying 4.45% (4.52% annualised) and matures on 5 February 2013.
- 19. Community Mutual CU Term Deposit (Unrated):** This investment is a 91 day term deposit paying 4.20% (4.27% annualised) and matures on 22 April 2013.
- 20. Queensland Police CU (Unrated):** This investment is a 150 day term deposit paying 4.47% (4.53% annualised) and matures on 8 March 2013.
- 21. Community CPS Term Deposit (Unrated):** This investment is a 91 day term deposit paying 4.55% (4.63% annualised) and matures on 25 February 2013.
- 22. Bendigo Bank Term Deposit (A-):** This investment is a 181 day term deposit paying 4.90% (4.96% annualised) and matures on 7 March 2013.
- 23. Hunter United Credit Union (Unrated):** This investment is a 120 day term deposit paying 4.60% (4.67% annualised) and matures on 12 February 2013.
- 24. 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.
- 25. Peoples Choice CU Term Deposit (Unrated):** This investment is a 182 day term deposit, paying 4.39% (4.44% annualised), and matures on 6 May 2013.
- 26. Australian Defence Credit Union Term Deposit (Unrated):** This investment is a 180 day term deposit paying 4.75% (4.81% annualised) and matures on 4 March 2013.
- 27. Rural Bank Term Deposit (A-):** This investment is a five year term deposit, paying 6.48% p.a., and matures on 21 March 2017.
- 28. Bananacoast CU Term Deposit (Unrated):** This investment is a 188 day term deposit paying 4.40% (4.45% annualised) and matures on 5 April 2013.

ITEM 6 (continued)

- 29. B & E Ltd Building Society Term Deposit (Unrated):** This investment is a 179 day term deposit paying 4.40% (4.45% annualised) and matures on 5 April 2013.
- 30. Victoria Teachers CU Term Deposit (Unrated):** This investment is a 120 day term deposit paying 4.30% (4.36% annualised) and matures on 11 April 2013.
- 31. CBA Term Deposit (AA-):** This investment is a three year term deposit paying 5.76% p.a. and matures on 8 December 2014.
- 32. ME Bank Term Deposit (BBB):** This investment is a 180 day term deposit paying 5.01% (5.07% annualised) and matures on 4 March 2013.
- 33. Macquarie Bank Term Deposit (A):** This investment is a 181 day term deposit paying 4.80% (4.86% annualised) and matures on 28 March 2013.
- 34. Bankwest TD (AA-):** This investment is a four year term deposit paying 7.00% (7.00% annualised) and matures on 13 February 2015.
- 35. Summerland CU Term Deposit (Unrated):** This investment is a three year term deposit paying 5.05% pa and matures on 21 September 2015.
- 36. 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.
- 37. Northern Beaches CU Term Deposit (Unrated):** This investment is a 180 day term deposit paying 4.70% (4.76% annualised) and matures on 23 April 2013.
- 38. 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.
- 39. Warwick CU Term Deposit (Unrated):** This investment is a 91 day term deposit paying 4.35% (4.42% annualised), and matures 8 April 2013.
- 40. Maitland Mutual Building Society (Unrated):** This investment is a 181 day term deposit paying 4.50% (4.55% annualised) and matures on 29 April 2013.
- 41. 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.
- 42. South West CU Term Deposit (Unrated):** This investment is a 120 day term deposit paying 4.40% (4.47% annualised) and matures on 14 March 2013.
- 43. CBA Term Deposit (AA-):** This investment is a 181 day term deposit paying 4.40% (4.45% annualised) and matures on 29 April 2013.
- 44. Gateway Credit Union Term Deposit (Unrated):** This investment is a 91 day term deposit paying 4.41% (4.48% annualised) and matures on 18 March 2013.

ITEM 6 (continued)

- 45. Rabodirect Term Deposit (AA):** This investment is a 181 day term deposit, paying 4.95% (5.01% annualised), and matures on 11 March 2013.
- 46. Newcastle Permanent Building Society (BBB+):** This investment is a 90 day term deposit, paying 4.40% (4.47% annualised), and matures on 11 March 2013.
- 47. QT Mutual Bank (Unrated):** This investment is a 182 day term deposit paying 4.25% (4.30% annualised) and matures on 15 July 2013.
- 48. ING Term Deposit (A):** This investment is a two year term deposit paying 6.84% (6.62% annualised) and matures on 18 February 2013.
- 49. Greater Building Society Term Deposit (BBB):** This investment is a 157 day term deposit, paying 5.05% (5.12% annualised), and matures on 1 February 2013.
- 50. 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.
- 51. 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.
- 52. 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.
- 53. Intech CU Term Deposit (Unrated):** This investment is a 122 day term deposit, paying 4.25% (4.32% annualised), and matures on 3 April 2013.
- 54. AMP Term Deposit (A):** This investment is a four year term deposit paying 7.14% which matures on 16 February 2015.
- 55. Rabobank Term Deposit (AA):** This investment is a one year term deposit paying 5.05% pa and matures on 3 September 2013.
- 56. 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.
- 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. 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.
- 59. CBA Term Deposit (AA-):** This investment is a 212 day term deposit paying 4.95% (5.00% annualised), and matures on 27 March 2013.
- 60. 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.

ITEM 6 (continued)

- 61. 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.
- 62. 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.
- 63. 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.
- 64. 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.
- 65. 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.
- 66. 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.
- 67. 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.
- 68. 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.
- 69. 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.
- 70. 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.
- 71. 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.
- 72. 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.
- 73. Police CU (SA) Term Deposit (Unrated):** This investment is a two year TD paying 5.70% (5.70% annualised) and matures 18 April 2014.

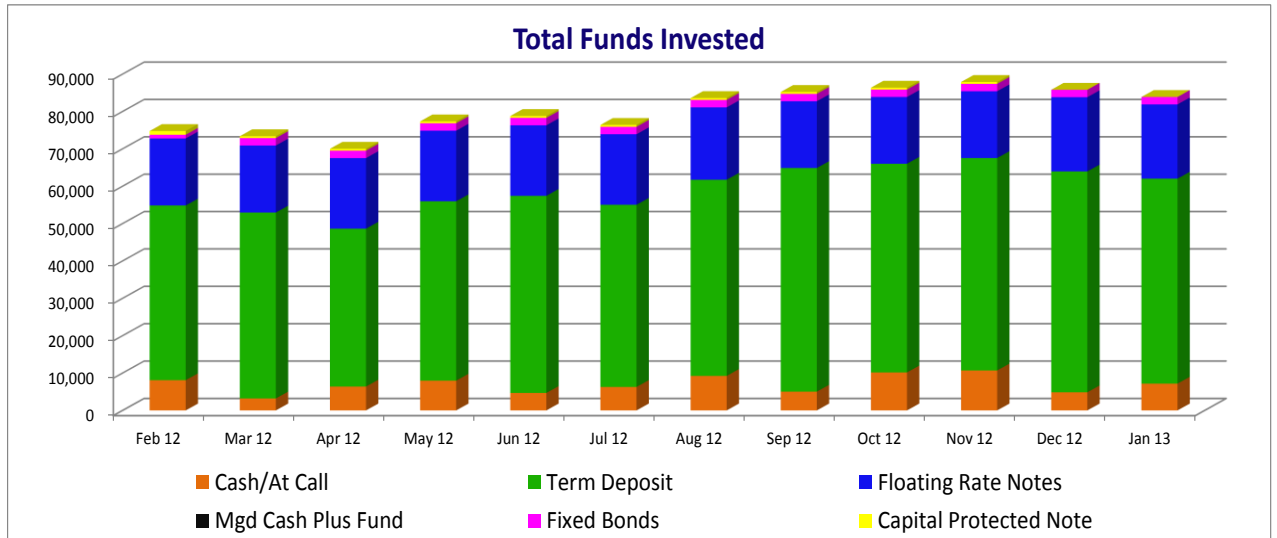
ITEM 6 (continued)

- 74. Investec Term Deposit (BBB-):** This investment is a one year TD paying 5.24% (5.24% annualised) and matures 10 July 2013.
- 75. NAB Fixed MTN (AA-):** This is a fixed rate bond paying 6.18% (6.30% annualised) and matures 15 February 2017.
- 76. Bankstown City CU Term Deposit (Unrated):** This investment is a 182 day term deposit paying 4.45% (4.50% annualised) and matures 20 May 2013.
- 77. Westpac Fixed MTN (AA-):** This is a fixed rate bond paying 6.00% (6.14% annualised) and matures 20 February 2017.
- 78. ING Direct Term Deposit (A):** This is a 182 day term deposit paying 4.62% (4.67% annualised) and matures 22 April 2013.
- 79. Macquarie Bank Term Deposit (A):** This is a five year term deposit paying 6.50% (6.50% annualised) and matures 3 April 2017.
- 80. 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.
- 81. Bank of Cyprus Term Deposit (Unrated):** This investment is a five year term deposit paying 6.05% p.a. and matures on 15 May 2017.
- 82. Rural Bank Term Deposit (A-):** This investment is a 120 day term deposit paying 4.73% p.a. (4.81% annualised) and matures on 27 March 2013.
- 83. ME Bank Term Deposit (BBB):** This investment is a 180 day term deposit paying 5.01% p.a. (5.07% annualised) and matures on 4 March 2012.
- 84. 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.
- 85. 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.
- 86. Bank of Queensland Term Deposit (BBB+):** This investment is a 182 day term deposit paying 4.75% (4.81% annualised) and matures 20 May 2013.
- 87. Bank of Queensland Term Deposit (BBB+):** This investment is a 181 day term deposit paying 4.65% (4.70% annualised) and matures 29 April 2013.
- 88. 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.

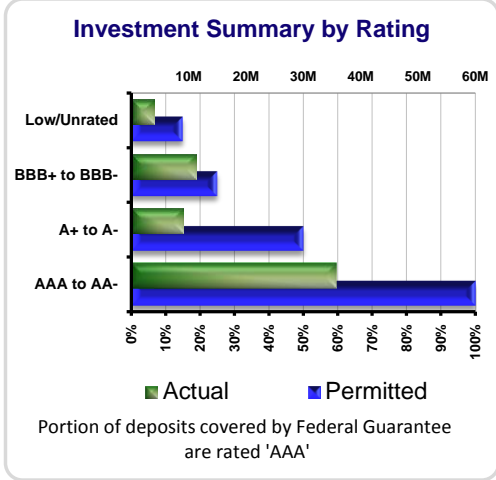
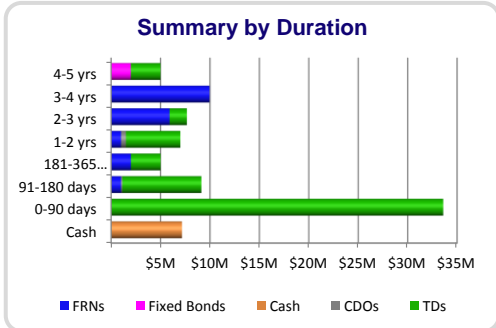
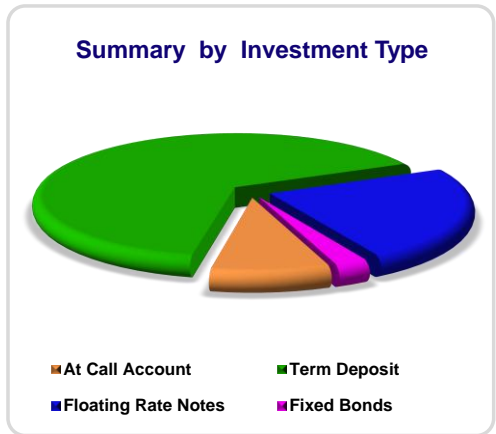
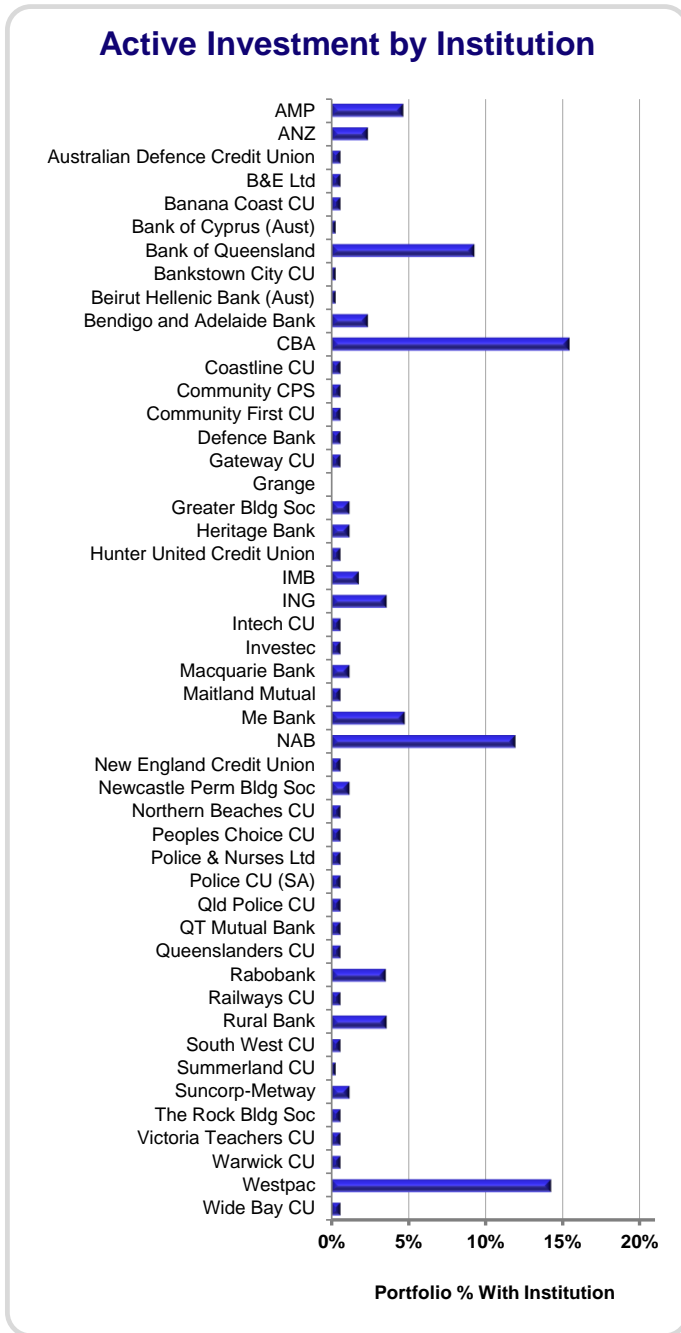
ITEM 6 (continued)

- 89. IMB Term Deposit (BBB):** This investment is a 180 day term deposit paying 4.45% (4.50% annualised), and matures 14 May 2013.
- 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 180 day term deposit paying 4.98% (5.04% annualised and matures on 25 February 2013.
- 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 182 day term deposit, paying 5.00% (5.06% annualised), and matures on 5 March 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. St George Term Deposit (AA-):** This is a 180 day term deposit paying 4.85% (4.91% annualised) and matures 20 March 2013.
- 97. Bank of Queensland Term Deposit (BBB+):** This is a 150 day term deposit paying 5.05% (5.13% annualised) and matures 18 February 2013.
- 98. NAB Term Deposit (AA-):** This is a 2.25 year term deposit paying 4.80% pa and matures 18 December 2014.
- 99. St George Term Deposit (AA-):** This is a 180 day term deposit paying 4.86% (4.92% annualised) and matures 27 March 2013.
- 100. Members Equity Bank Term Deposit (BBB):** This is a 119 day term deposit paying 4.80% (4.88% annualised) and matures 20 February 2013.
- 101. 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.
- 102. Beirut Hellenic Bank Term Deposit (Unrated):** This investment is a 90 day term deposit paying 4.60% (4.68% annualised) and matures on 17 April 2013.

ITEM 6 (continued)



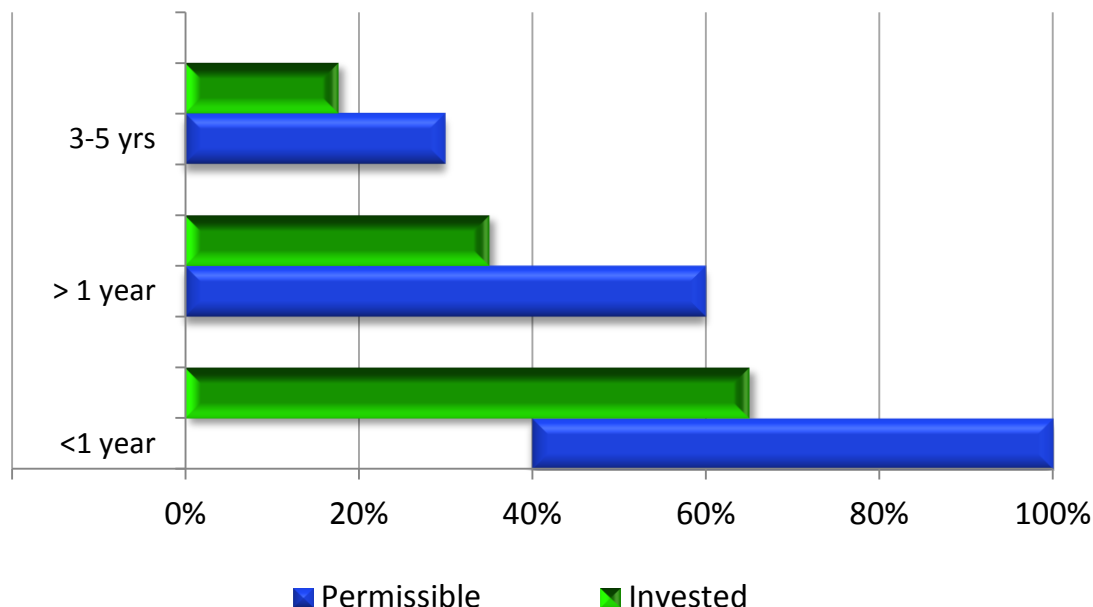
ITEM 6 (continued)



	>365 days	<365 days
Cash/TDs	\$10.3M	\$51.8M
FRNs	\$16.9M	\$3.0M
Fixed Bonds	\$2.0M	\$0.0M
Mgd Funds	\$0.0M	\$0.0M
Other	\$0.0M	\$0.0M
CDO's	\$0.0M	\$0.0M
Total	\$29.1M	\$54.8M

ITEM 6 (continued)

Policy Limits on Maturities



Context

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

Financial Implications

Income from interest on investments and proceeds from sales of investments totals \$2.7M, being \$680K above 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, \$223k from the sale of the Oasis CDO which will be transferred to the Financial Security Reserve, and an increase in interest due to the Section 94 Contributions Reserve due to the projected balance of \$18.85M on hand at 30 June 2013. Interest on these funds are required to be transferred to the Section 94 Reserve and this will be brought to account in the next Quarterly Budget Review.

Adjustments to the budgeted amount of Investment Interest Income for the 2012/13 financial year are not proposed for the December Quarterly Review, but will be further reviewed in the March Quarterly Budget Review.

The Financial Security Reserve has a current balance of \$2.29M.

ITEM 6 (continued)

ATTACHMENT 1

 Investment Policy
--

Scope

The Investment Policy stipulates the mandatory requirements for the investing of Council's funds in complying with all legislative requirements including the Minister for Local Governments Investment Order and requires that all investment activities be exercised with care, diligence and skill of a prudent person and not for speculative purposes.

Purpose

The Investment Policy provides a framework for the investing of Councils funds at the most favourable rate of interest available to it at the time, whilst having due consideration of risk and security for that investment type and ensuring that its liquidity requirements are being met.

While exercising the power to invest, consideration needs to be given to preservation of capital, liquidity, and the return of investment.

Guidelines / Procedures

The attached Investment Policy Guidelines detail how the Investment Policy is to be implemented and incorporates Council's principal objectives for investing, the legislative requirements in investing, who is authorised to make investments, approved investments under the Minister's Order, Council's Investment Advisor, the use of the risk management framework to be adopted when assessing investments to measuring, benchmarking and reporting on the performance of Council's Investment Portfolio.

References - Legislation

All investments are required to comply with the following:

- Local Government Act 1993 - Section 412 & 625;
- Local Government Act 1993 – Order (of the Minister) Circular No: 08/48 gazetted on 15 August 2008, or most current.
- The Trustee Amendment (Discretionary Investments) Act 1997 – Sections 14A(2), 14C(1) & (2);
- Local Government (General) Regulation 2005 – Clause 212.

Review Process and Endorsement

This Policy should be reviewed annually or as required in the event of legislative change by Council. Any amendment to the Investment policy must be by way of Council resolution.

Attachments

Number	Title	Trim Reference
1.	Investment Policy Guidelines	D12/8706

Name - Policy		
Owner: Finance	Accountability:	Policy Number: CSFxxx
Trim Reference: D12/8707	Review date: 28 th Feb 2012	Endorsed: 28 th Feb 2012

ITEM 6 (continued)

ATTACHMENT 2

Investment Policy Guidelines



City of Ryde

Effective Date
29 February 2012

ITEM 6 (continued)

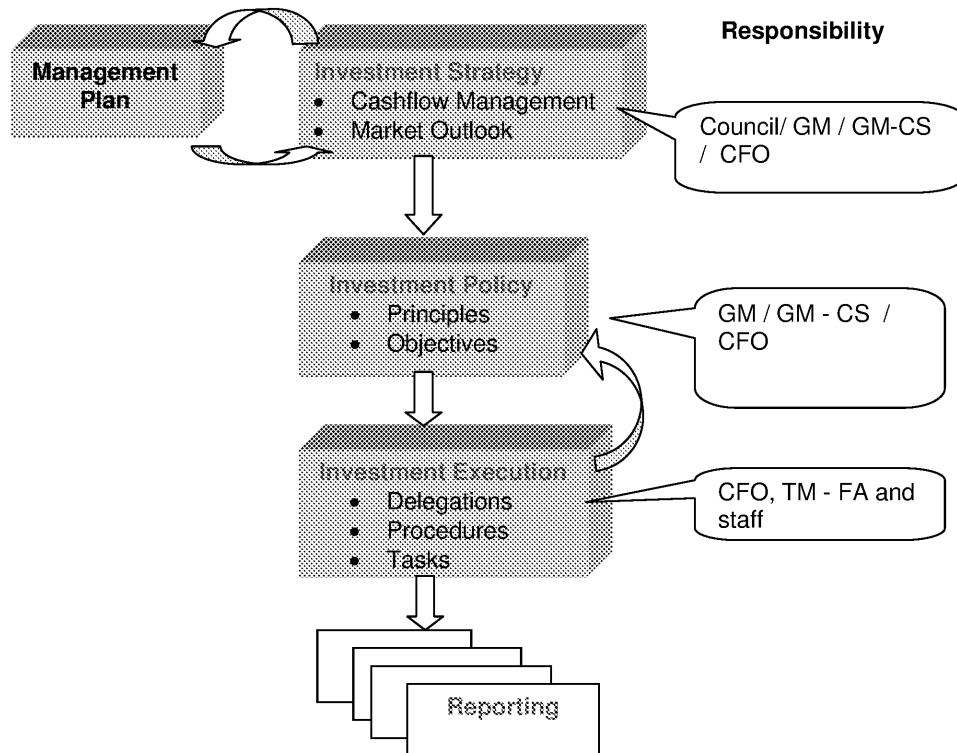
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INVESTMENT POLICY GUIDELINES

1 Relation of Investment Policy within Council

The following diagram shows how the Investment Policy relates to other policies, plans and strategy within Council.



- * GM – General Manager
- * GM – CS Group Manager, Corporate Services
- * CFO – Chief Financial Officer
- * TM - FA – Team Manager Financial Accounting

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2 Objectives

To provide a framework for the investing of Council's funds at the most favourable rate of interest available to it at the time, whilst having due consideration of risk and security for that investment type and ensuring that its liquidity requirements are being met.

While exercising the power to invest, consideration needs to be given to preservation of capital, liquidity, and the return of investment.

- (a) Preservation of capital is the principal objective of the investment portfolio. Investments are to be placed in a manner that seeks to ensure security and safeguarding the investment portfolio. This includes managing credit and interest rate risk within identified thresholds and parameters.
- (b) Investments should be allocated to ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring significant costs due to the unanticipated sale of an investment.
- (c) Investments are expected to achieve a market average rate of return in line with Council's risk tolerance.

3 Legislative Requirements

All investments are to comply with the following:

- Local Government Act 1993 - Section 412 & 625;
- Local Government Act 1993 – Order (of the Minister) Circular No: 08/48 gazetted on 15 August 2008, or most current.
- The Trustee Amendment (Discretionary Investments) Act 1997 – Sections 14A(2), 14C(1) & (2);
- Local Government (General) Regulation 2005 – Clause 212.

Extracts are included in Schedule 1.

4 Delegation of Authority to Invest

Authority for implementation of the Investment Policy is delegated by Council to the General Manager in accordance with the Local Government Act 1993.

The General Manager may in turn delegate the day-to-day management of Council's investments to the Responsible Accounting Officer or senior staff, subject to regular reviews.

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Officers' delegated authority to manage Council's investments shall be recorded and required to acknowledge they have received a copy of this policy and understand their obligations in this role.

The General Manager has delegated to both the Group Manager Corporate Services and the Chief Financial Officer authority to authorise investments up to the value of \$1 million in accordance with Council's Investment Policy subject to prior consultation with the General Manager.

Any proposed investments over \$1 million are reviewed by the Chief Financial Officer and recommended to the Group Manager Corporate Services for endorsement and referral to the General Manager for approval.

5 Prudent Person Standard

The investment portfolio will be managed with the care, diligence and skill that a prudent person would exercise. As trustees of public monies, officers are to manage Council's investment portfolio to safeguard the portfolio in accordance with the spirit of this Investment Policy and not for speculative purposes.

A prudent person is entrusted to act with a duty of care, not as an average person would act but as a wise, cautious and judicious person. Such a person will:

- Have a full understanding of Council's Investment Policy
- Understand the legislative constraints regarding Council's investments
- Actively manage investments by regular market monitoring. Performance of investments is to be reviewed (individually and as a whole portfolio) on a monthly basis. Where necessary, advice and assistance should be sought from professional people with experience in investment markets. Any professional advice obtained must contain a statement by the advisor as to their financial interest in the advice given.
- Review Council's investment strategy, at least annually
- Balance the investment risk/return trade off by not taking an overtly conservative (low risk, low return) stance or overtly risky stance.
- Have a full understanding of Council's investment strategy and its specific requirements for cashflow to meet its obligations and consider this in selecting duration of investments.

6 Ethics and Conflict of Interest

Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio. This

ITEM 6 (continued)

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policy requires officers to disclose any conflict of interest to the General Manager.

Independent advisors are also required to declare that they have no actual or perceived conflicts of interest in fulfilling their role to Council.

7 Approved Investments

Investments are limited to those allowed by the most current Ministerial Investment Order that has been issued by the NSW Minister for Local Government (refer Schedule 1)

All investments must be denominated in Australian Dollars.

Authorised Investments include

- Debentures or securities issued by, or guaranteed by, Local, State and Commonwealth governments.
- Interest bearing deposits with, or any debentures or bonds issued by an authorised deposit-taking institution (as defined by the Banking Act 1959 (Cwth)), but excluding subordinated debt obligations.
- any bill of exchange which has a maturity date of not more than 200 days, and if purchased for value confers on the holder in due course a right of recourse against a bank which has been designated as an authorised deposit-taking institution by the Australian Prudential Regulation Authority.
- Investments with the NSW Treasury Corporation or investments in an Hour-Glass investment facility of the New South Wales Treasury Corporation.
- Investments grandfathered under the previous Ministerial Order.

8 Prohibited Investments

In accordance with the Ministerial Investment Order, this investment policy prohibits but is not limited to any investment carried out for speculative purposes, including;

- Derivative based instruments;
- Principal only investments or securities that provide potentially nil or negative cash flow; and
- Stand alone securities issued that have underlying futures, options, forward contracts and swaps of any kind.

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This policy also prohibits the use of leveraging (borrowing to invest) of an investment.

9 Risk Management Guidelines

Investments are expected to achieve a market average rate of return in line with the Council’s risk tolerance and are to be considered in light of the following key criteria:

- Preservation of Capital – the requirement for preventing losses in an investment portfolio’s total value (considering the time value of money);
- Diversification – setting limits to the amounts invested with a particular financial institution or government authority to reduce credit risk;
- Credit risk – the risk that a borrowing institution fails to pay the interest and/or repay the principal lent (invested);
- Market risk – the risk that the fair value of future cash flows of an investment will fluctuate due to changes in market prices;
- Liquidity risk – the risk that an investor is unable to redeem the investment at fair price within a timely period;
- Maturity risk – the risk relating to the length of term to maturity of the investment. The longer the term, the greater the length of exposure and risk to market volatilities.

10 Risk Management Framework

Investments obtained are to comply with three key criteria relating to:

- (a) Portfolio Credit Framework: limit overall credit exposure of the portfolio
- (b) Counterparty/Institution Credit Framework: limit exposure to individual counterparties/institutions
- (c) Term to Maturity Framework: limits based upon maturity of securities.

(a) Overall Portfolio Limits

To control the credit quality on the entire portfolio, the following credit framework limits the percentage of the portfolio exposed to any particular credit rating category.

S&P Long Term Rating	S&P Short Term Rating	Maximum %
AAA/AA	A-1+	100%
A	A-1	50%
BBB	A-2	25%
Unrated ADIs	Unrated ADIs	15%

* or Moody’s / Fitch equivalents

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Amounts placed with institutions that are covered by the government guarantee of \$250K will be considered to have the sovereign credit rating of the Australian Government.

(b) Counterparty Credit Framework

Exposure to an individual counterparty/institution will be restricted by their credit rating so that single entity exposure is limited, as detailed in the table below:

S&P Long Term Rating	S&P Short Term Rating	Maximum %
AAA/AA	A-1+	30%
A	A-1	20%
BBB	A-2	15%
Unrated ADIs	Unrated ADIs	10%

* or Moody's / Fitch equivalents

If any of the Council's investments are downgraded such that they no longer fall within the investment policy, they should be divested as soon as practicable.

(c) Term to Maturity Framework

The investment portfolio is to be invested within the following maturity constraints:

Overall Portfolio Return to Maturity		
Portfolio % <1 year	Min 40%	Max 100%
Portfolio % >1 year	Min 0%	Max 60%
Portfolio % >3 year	Min 0%	Max 30%
Portfolio % >5 <7year	Min 0%	Max 15%

The maximum allowable term to maturity for any investment is 5 years.

11 Divestment

If the characteristics of any of Council's investments change with market conditions such that they no-longer fall within these investment policy guidelines, they should be divested as soon as is practical.

12 Investment Advisor

Council's investment advisor must be licensed by the Australian Securities and Investment Commission. The advisor must be an independent person who has no actual or potential conflict of interest in relation to investment products being recommended and is free to recommend the most appropriate product within the terms and conditions of the investment policy.

The independent advisor is required to provide written confirmation that they do not have any or potential conflicts in relation to the investments

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they are recommending or reviewing, including that they are not receiving any commissions or benefits in relation to the investments being recommended or reviewed.

13 Measurement

The investment return for the portfolio is to be regularly reviewed by the investment advisor by assessing the market value of the portfolio. The market value is to be assessed at least monthly to coincide with monthly reporting.

The investment advisor should meet with the responsible staff and review Council's investment portfolio no less than every six months.

14 Benchmarking

The performance of the investment portfolio shall be measured against the UBS Warburg 90 Day Bank Bill Index.

15 Reporting and Review

Documentary evidence must be held for each investment and details thereof maintained in an Investment Register.

The documentary evidence must provide Council legal title to the investment.

Certificates must be obtained from the financial institutions confirming the amounts of investments held on the Council's behalf as at 30 June each year and reconciled to the Investment Register.

All investments are to be appropriately recorded in Council's financial records and reconciled at least on a monthly basis.

A monthly report will be provided to Council in support of the monthly statement of activity. The report will detail the investment portfolio in terms of performance, percentage exposure of total portfolio, maturity date, changes in market value where applicable and investment income versus budget year to date

If a breach of this Investment Policy occurs, Council will be notified at its next ordinary meeting.

16 Review and Variation to Policy

The Investment Policy will be reviewed at least once a year or as required in the event of legislative changes. The Investment Policy may also be changed as a result of other amendments that are to the advantage of the

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Council and in the spirit of this policy. Any amendment to the Investment policy must be way of Council resolution.

**SCHEDULE 1:
Extracts of Legislative Requirements**

LOCAL GOVERNMENT ACT 1993 - SECT 412 & 625

Section 412 Accounting Records

- (1) A council must keep such accounting records as are necessary to correctly record and explain its financial transactions and its financial position.
- (2) In particular, a council must keep its accounting records in a manner and form that facilitate:
 - (a) the preparation of financial reports that present fairly its financial position and the results of its operations, and
 - (b) the convenient and proper auditing of those reports.

Section 625 How May Councils Invest?

- (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 is not an investment for the purposes of this section.

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Circular No. 11-01
Date 17 February 2011
Doc ID. A232163

Contact Finance Policy Section
02 4428 4100
dlg@dlg.nsw.gov.au

REVISED MINISTERIAL INVESTMENT ORDER

A revised Investment Order pursuant to section 625 of the *Local Government Act 1993* has been issued. The Minister for Local Government signed the revised Order on 12 January 2011 and it was published in the NSW Government Gazette on 11 February 2011. It replaces the Order dated 31 July 2008. The revised Order is attached to this circular.

Changes to the Investment Order include:

- the removal of the ability to invest in the mortgage of land (part (c) of the Investment Order dated 31 July 2008)
- the removal of the ability to make a deposit with the Local Government Financial Services Pty Ltd (part (f) of the order dated 31 July 2008)
- the addition of "Key Considerations" in the revised Investment Order, which includes a comment that a council's General Manager, or any other staff, with delegated authority by a council to invest in funds on behalf of the council must do so in accordance with the council's adopted investment policy.

Councils are reminded that on 25 May 2010 the Division of Local Government issued Investment Policy Guidelines (Circular to Councils 10-11 refers). It is expected that all councils will by now have adopted an Investment Policy in accordance with the Guidelines.



Ross Woodward
Chief Executive, Local Government
A Division of the Department of Premier and Cabinet

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When considering selling current investments that fall below the requirements of the revised Ministerial Investment Order (see Circular 06-70), councils should exercise due care and diligence. Councils should not solely rely on advice from the issuer of the investment and should seek independent financial advice. An investment adviser or dealer acting on behalf of a council should be licensed by the Australian Securities and Investment Commission (ASIC) (www.asic.gov.au).



Garry Payne AM
Director General

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LOCAL GOVERNMENT ACT 1993 – INVESTMENT ORDER
(Relating to investments by councils)

I, the Hon. Barbara Perry MP, Minister for Local Government, in pursuance of section 625(2) of the *Local Government Act 1993* and with the approval of the Treasurer, do, by this my Order, notify for the purposes of section 625 of that Act that a council or county council may only invest money (on the basis that all investments must be denominated in Australian Dollars) in the following forms of investment:

- (a) any public funds or securities issued by or guaranteed by, the Commonwealth, any State of the Commonwealth or a Territory;
- (b) any debentures or securities issued by a council (within the meaning of the *Local Government Act 1993* (NSW));
- (c) interest bearing deposits with, or any debentures or bonds issued by, an authorised deposit-taking institution (as defined in the *Banking Act 1959* (Cwth)), but excluding subordinated debt obligations;
- (d) any bill of exchange which has a maturity date of not more than 200 days; and if purchased for value confers on the holder in due course a right of recourse against a bank which has been designated as an authorised deposit-taking institution by the Australian Prudential Regulation Authority;
- (e) a deposit with the New South Wales Treasury Corporation or investments in an Hour-Glass investment facility of the New South Wales Treasury Corporation;

All investment instruments (excluding short term discount instruments) referred to above include both principal and investment income.

Transitional Arrangements

- (i) Subject to paragraph (ii) nothing in this Order affects any investment made before the date of this Order which was made in compliance with the previous Ministerial Orders, and such investments are taken to be in compliance with this Order.
- (ii) Paragraph (i) only applies to those investments made before the date of this Order and does not apply to any restructuring or switching of investments or any re-investment of proceeds received on disposal or maturity of such investments, which for the avoidance of doubt must comply with this Order.

Key Considerations

An investment is not in a form of investment notified by this order unless it also complies with an investment policy of council adopted by a resolution of council.


All councils should by resolution adopt an investment policy that is consistent with this Order and any guidelines issued by the Chief Executive (Local Government), Department of Premier and Cabinet, from time to time.

The General Manager, or any other staff member, with delegated authority by a council to invest funds on behalf of a council must do so in accordance with the council's adopted investment policy.

Councils have a fiduciary responsibility when investing. Councils should exercise the care, diligence and skill that a prudent person would exercise in managing the affairs of other persons.

When exercising the power of investment councils should consider, but not be limited by, the risk of capital or income loss or depreciation, the likely income return and the timing of income return, the length of the term of the proposed investment, the liquidity and marketability of the proposed investment, the likelihood of inflation affecting the value of the proposed investment and the costs (including commissions, fees, charges and duties payable) of making the proposed investment.

Dated this 12th day of January 2011


Hon BARBARA PERRY MP
Minister for Local Government

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THE TRUSTEE AMENDMENT (DISCRETIONARY INVESTMENTS) ACT 1997 – SECTIONS 14A(2), 14C (1) & (2)

14A (2) Duties of trustee in respect of power of investment

A trustee must, in exercising a power of investment:

- (a) if the trustee’s profession, business or employment is or includes acting as a trustee or investing money on behalf of other persons, exercise the care, diligence and skill that a prudent person engaged in that profession, business or employment would exercise in managing the affairs of other persons, or
- (b) if the trustee is not engaged in such a profession, business or employment, exercise the care, diligence and skill that a prudent person would exercise in managing the affairs of other persons.

14C Matters to which trustee is to have regard when exercising power of investment

(1) Without limiting the matters that a trustee may take into account when exercising a power of investment, a trustee must, so far as they are appropriate to the circumstances of the trust, if any, have regard to the following matters:

- (a) the purposes of the trust and the needs and circumstances of the beneficiaries,
- (b) the desirability of diversifying trust investments,
- (c) the nature of, and the risk associated with, existing trust investments and other trust property,
- (d) the need to maintain the real value of the capital or income of the trust,
- (e) the risk of capital or income loss or depreciation,
- (f) the potential for capital appreciation,
- (g) the likely income return and the timing of income return,
- (h) the length of the term of the proposed investment,
- (i) the probable duration of the trust,
- (j) the liquidity and marketability of the proposed investment during, and on the determination of, the term of the proposed investment,
- (k) the aggregate value of the trust estate,
- (l) the effect of the proposed investment in relation to the tax liability of the trust,

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(m) the likelihood of inflation affecting the value of the proposed investment or other trust property,

(n) the costs (including commissions, fees, charges and duties payable) of making the proposed investment,

(o) the results of a review of existing trust investments in accordance with section 14A (4).

(2) A trustee may, having regard to the size and nature of the trust, do either or both of the following:

(a) obtain and consider independent and impartial advice reasonably required for the investment of trust funds or the management of the investment from a person whom the trustee reasonably believes to be competent to give the advice,

(b) pay out of trust funds the reasonable costs of obtaining the advice.

ITEM 6 (continued)

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LOCAL GOVERNMENT (GENERAL) REGULATION 2005 - CLAUSE 212

212 Reports on council investments

(1) The responsible accounting officer of a council:

(a) must provide the council with a written report (setting out details of all money that the council has invested under section 625 of the Act) to be presented:

i) if only one ordinary meeting of the council is held in a month, at that meeting, or

ii) if more than one such meeting is held in a month, at whichever of those meetings the council by resolution determines, and

(b) must include in the report a certificate as to whether or not the investment has been made in accordance with the Act, the regulations and the council's investment policies.

(2) The report must be made up to the last day of the month immediately preceding the meeting.

Note. Section 625 of the Act says how a council may invest its surplus funds.

**7 DECEMBER 2012 QUARTERLY REVIEW REPORT - DELIVERY PLAN
2012-2016 AND 2012/2013 OPERATIONAL PLAN**

Report prepared by: Chief Financial Officer
File No.: FIM/07/6/2/2/6 - BP12/1523

REPORT SUMMARY

Council's Four Year Delivery Plan 2012-2016 and One Year Operational Plan 2012/2013 set out the strategic and financial objectives for the year. They also detail the goals and various performance measures for Council's seven key outcome areas, the services and projects that Council plans to deliver in 2012/2013.

The Quarterly Report includes details for each of the seven Outcome areas and the 21 Program areas, detailing the targets adopted by Council and the performance to date in achieving those targets to 31 December 2012. Also shown is a financial performance summary for each key outcome area and a status report on all Capital and Non-Capital Projects by Program Area that are to be undertaken in 2012/2013 with information on how each Project is progressing.

As a result of the December Quarterly Review, Council has achieved a net improvement in the 2012/2013 Working Capital of \$0.07 million. This result has been achieved through extensive budget reviews with all Managers reviewing their projects and also reviewing all vacant positions to determine if the positions are to be advertised. This action has been taken to ensure Council's budget is kept within the approved parameters due to the significant increases projected for legal costs and utility services in this review. Due to tight controls of Council's operating costs, this has resulted in net savings of employee costs (\$0.32 million). This Review also brings to account additional capital grants and contributions of \$7.99 million, and additional depreciation of \$0.97 million for plant and fleet. This Review recommends that Council cancel the Transport / Parking Technology project that will transfer \$0.295 million to Council's Working Capital.

This review also includes the removal of the unspent funds in relation to the Civic Precinct Redevelopment project and the reallocation of those funds to the Civic Centre Refurbishment project, which will be subject to further review by Council by way of a separate report. It also includes a consolidation of the funds and budget for Livvi's Place project at Yamble Reserve.

The majority of corporate indicators are on track or have exceeded target, with an improvement being shown in relation to completion of project milestones. Any projects that are proposed to be deferred or cancelled are listed in this report for Council's consideration.

ITEM 7 (continued)**RECOMMENDATION:**

- (a) That the report of the Chief Financial Officer, dated 15 February 2013 on DECEMBER 2012 QUARTERLY REVIEW REPORT – 2012/2016 DELIVERY PLAN AND 2012/2013 OPERATIONAL PLAN be received and endorsed.
- (b) That the proposed budget adjustments included in this report resulting in a net increase of \$0.07 million in Council's Working Capital, to a projected balance as at 30 June 2013 of \$3.43 million, be endorsed and included in the 2012/2013 Budget.
- (c) That the proposed transfers to and from Reserves as detailed in the report, and included as budget adjustments, totalling a net decrease in Transfers from Reserves of \$4.58 million be endorsed.
- (d) That the Certificate of the Responsible Accounting Officer attached to the report of the Chief Financial Officer dated 15 February 2013 be endorsed.
- (e) That Council note the Projects recommended for cancellation, deferral, being placed on hold or proposed to be carried over as detailed in the Report.

ATTACHMENTS

- 1 Responsible Accounting Officer's Certificate 31 December 2012
- 2 2012-2013 - Quarterly Report on 4 Year Delivery Plan 2012-2016 and 1 Year Operational Plan 2012-2013 - Quarter 2 - October to December 2012 - CIRCULATED UNDER SEPARATE COVER

Report Prepared By:

John Todd
Chief Financial Officer

Report Approved By:

Roy Newsome
Group Manager - Corporate Services

ITEM 7 (continued)

Discussion

Background

As required under section 407 of the Local Government Act, 1993 the quarterly review of the One Year Operational Plan 2012/2013 as at 31 December 2012 is presented to Council.

This Quarterly Review reports on the performance of Council in undertaking its Principal Activities in terms of its stated objectives and financial position. The following sections are included in the document, *Quarterly Review Report Four Year Delivery Plan 2012/2016 and One Year Operational Plan 2012/2013, Quarter One* that has been **CIRCULATED UNDER SEPARATE COVER – ATTACHMENT 2;**

- General Manager's Overview, Financial Management and Corporate Performance Overview - provides a 'snapshot' of Council's performance in the quarter relative to several high profile activities.
- Outcome Area Reports – including overview, operational indicators, financial outcome and graphical representation of performance measures.
- Capital and Non Capital Projects Quarterly Status Report – provides comments regarding the status of all of Council's Capital and Non Capital Expenditure projects.
- Base Budget Quarterly Status Report.
- Reserves Listing Report – outlines the opening balance, approved budgeted transfers to/from reserves and proposed additional transfers to/from reserves, with a projected balance as at 30 June 2013. **Appendix A**
- Quarterly Changes Report – provides comments and details of those budget items that are proposed to be increased or decreased in the 2012/2013 budget. **Appendix B**
- Consolidated Income and Expenditure Estimates 2012/2013 – summary of the budget in two pages, showing original budget and quarterly changes. **Appendix C**

Report

The December 2012 Quarterly Review has been completed and is submitted to Council for endorsement.

The key points to note that are included in this Review are:

- Removal of the unspent funds for the Civic Centre Redevelopment project
- \$6.86 million in Sec 94 contributions received, which will be transferred to the Section 94 Reserve for future works
- \$0.14 million contribution from developer for Public Domain in Rowe St, transfer to reserve
- \$0.29 million additional expenditure required for legal costs
- \$0.25 million additional expenditure required for Meadowbank/ Gladesville Traffic Study project, funded by additional grant and Section 94 Reserve

ITEM 7 (continued)

- \$0.25 million additional expenditure required for Open Space, Sport & Recreation program, due to higher utilities charges and maintenance costs across most areas
- \$0.18 million additional expenditure required for repair of blocked stormwater drain Devlin Street, offset by additional grant from RMS
- \$2.83 million for Macquarie Park TfNSW Epping Chatswood Rail Link (ECRL) Station Access Works project, funded by grant and Macquarie Park Reserve
- \$0.66 million reduction from proposed cancellation of the Transport/Parking Technology (pods) project, funds that were carried over, noting \$0.29 million being transferred to Working Capital

Working Capital Summary

In the adopted 4 Year Delivery Plan and One Year Operational Plan 2012/2013 Council's forecasted available Working Capital position was to be \$2.40 million at 30 June 2013 from an Opening Working Capital of \$4.05 million for 2011/2012.

Following completion of the Financial Statements for 2011/2012, the final Working Capital figure was determined at \$5.36 million, an increase of \$1.31 million over the original forecast result included in the Operational Plan. The Operational Plan was developed on utilising \$1.66 million of Working Capital and Council's Working Capital, following finalisation of the financial statements, it was projected to be \$3.71 million at 30 June 2013. In the September Quarterly Review, Council endorsed a \$0.34 million reduction in Working Capital, resulting in a projected \$3.37 million Working Capital for the 2012 / 2013 year.

In the December Quarterly Review, the proposed budget adjustments will result in an increase of \$0.07 million to Council's Working Capital as at 30 June 2013 to \$3.43 million.

Opening Working Capital	4,052
End of Year Changes	1,308
Opening Working Capital	5,360
Delivery Plan	(1,655)
September Adjustments	(338)
December Adjustments	67
March Adjustments	
Carryover Adjustments	
June Adjustments	
Closing Working Capital	3,433

Overview of December Review

Council's projected available Working Capital of \$3.43 million is a result of the December Quarterly Review. The following are the major changes to be made, with a complete listing provided in the circulated document, and more detailed explanations in each Outcome area of that document.

ITEM 7 (continued)Operating Budget

- The budget is projected to increase operating income by \$8.30 million (8.73%) with the main areas being as follows:
 - \$6.86 million in Sec 94 contributions received, which will be transferred to the Sec 94 reserves for future works
 - \$2.43 million additional grant for Macquarie Park TfNSW ECRL Station Access Works from Transport for NSW
 - \$0.18 million additional RMS grant for recovery of costs for repair of blocked stormwater drain Devlin Street, which was affecting the Civic Centre
 - \$0.14 million contribution from developer for Public Domain in Rowe St, transfer to reserve
 - \$0.11 million increase in Parking Fees and Charges
 - \$0.10 million additional RMS Grant for Meadowbank/Gladesville Traffic Study
 - \$0.07 million ERNA contribution towards the Meadowbank netball courts project
 - \$0.05 million additional DA fees and charges received
 - \$0.05 million additional grant for Vacation Care program, transfer to reserve
 - \$0.04 million additional grant for Volunteer Referral program from ADHC
 - \$1.50 million reduction for Capital Contributions for Civic Centre Redevelopment project
 - \$0.11 million reduction in fees and grant for Vacation Care program
 - \$0.09 million reduction of Fuel Tax Rebate
 - \$0.07 million reduction in rent income for Ryde Community & Sports Centre

- The budget is projected to increase operating expenses over budget by \$0.75 million (0.93%) with the main areas being as follows:
 - \$0.29 million additional expenditure required for legal costs. This increase is to address increased legal costs in the areas of Planning Appeals (\$72k), Planning and Environment, General Advice (\$45k), Governance, relating to the General Manager's contract (\$98k), Property (\$50k), Assets (\$30k) and Community Life (\$20k).
 - \$0.25 million additional expenditure required for Meadowbank/Gladesville Traffic Study project, funded by additional grant and Sec 94 Reserve
 - \$0.25 million additional expenditure required for Open Space, Sport & Recreation program, due higher utilities charges and maintenance costs across most areas

ITEM 7 (continued)

- \$0.18 million additional expenditure required for repair of blocked stormwater drain Devlin Street, offset by additional grant from RMS
- \$0.10 million additional expenditure required for Town Centre & Public Domain program, due to higher maintenance and cleaning costs
- \$0.08 million additional expenditure required for Urban Design Review Panel for assessment of urban design for major development, offset by savings in Assessment Unit
- \$0.06 million additional expenditure required due to higher utilities charges and cleaning costs for various Council buildings
- \$0.05 million additional expenditure required for Para Legal position to assist the increase of efficiency of the provision of legal services through support to the General Counsel in reducing the amount of legal work outsourced
- \$0.14 million reduction for Vacation Care program, which has been outsourced to a community group
- \$0.15 million savings in salaries and wages across Council
- \$0.10 million reduction for CRM Workflow Update project, as part of the project has been undertaken by internal staff at no additional cost to Council
- \$0.08 million reduction for Cultural Spaces stage 3 project. Council has approved a feasibility study for a hub in Eastwood to be initiated this year. Given the need for completing the long term asset plan for community & cultural buildings, a Social & Cultural Infrastructure Plan is currently under development. All further feasibility studies will be on hold pending the finalisation of the Social & Cultural Infrastructure Plan

In summary, a projected increase in Council's Operating Surplus (excluding depreciation) of \$7.55 million is projected, most of which is being utilised for Capital projects or transferred to reserves.

Capital Budget

- The capital budget is projected to increase its capital expenses over budget by \$2.90 million (8.37%), with the main areas being as follows:
 - \$2.83 million for MQ Park TfNSW ECRL Station Access Works project, funded by grant and Macquarie Park Reserve
 - \$0.83 million for Livvi's Place at Yamble Reserve, funded by unexpended grant and reserve. This is consolidating all of the budgets into one area, and bringing funding to account
 - \$0.67 million unspent funding of the Civic Centre Redevelopment project has been transferred to the Civic Centre Refurbishment project, with Council to determine the final scope.
 - \$0.66 million reduction from proposed cancellation of the Transport/Parking Technology (pods) project, funds that were carried over will now go to Working Capital

ITEM 7 (continued)

- \$0.07 million for Meadowbank netball courts project, funded by additional contribution

Reserve Movements

- It is projected to increase its transfers from reserves over budget by \$1.65 million (3.63%) the main areas being as follows:
 - \$0.40 million increase from Macquarie Park Corridor Special Rate Reserve to partly fund the MQ Park TfNSW ECRL Station Access Works project
 - \$0.38 million increase from Asset Replacement Reserve to fund Yamble Reserve - All Abilities Playground. These funds were transferred in the September Review, as a grant was brought to account, but the expenditure missed.
 - \$0.34 million from Civic Precinct Reserve to fund Civic Centre Refurbishment project. This is the offset by the transfer back to the reserve from the cancellation of the Civic Centre Redevelopment project, this is offset by the reduction in the transfer from the Investment Property Reserve, which was funding the redevelopment project
 - \$0.30 million from Unspent Grant for the Yamble Reserve - All Abilities Playground (Livvi's Place)
 - \$0.15 million from Section 94 Reserve to fund Meadowbank/ Gladesville Traffic Study project
- It is projected to increase its transfers to reserves over budget by \$6.22 million (21.79%), the main areas being as follows:
 - \$6.86 million increase for Section 94 contributions received, transferred to reserve
 - \$0.34 million increase for adjustments of plant depreciation, transferred to plant reserve
 - \$0.14 million increase for developer contribution received for Public Domain in Rowe Street, transferred to reserve
 - \$0.05 million increase for Vacation Care Program Grant, transferred to Unspent Grant Reserve, this may need to be repaid at the end of the year
 - \$1.14 million reduction for Civic Centre Redevelopment project

The complete details are contained within the document circulated separately.

Projects recommended to be cancelled, deferred, put on hold or to carryover

The following projects are listed in the December Quarterly Review and are recommended to be cancelled, deferred for the reasons indicated, with budget adjustments included.

ITEM 7 (continued)

- \$0.66 million for Transport/Parking Technology (pods) project. Council deferred the project at its meeting on 24 July 2012, and it is now recommended to cancel this project (Note: \$0.29 million to Working Capital).
- \$0.08 million for Cultural Space Stage 3: Feasibility. This will need to wait until other studies and plans are completed to get value.
- \$0.02 million for Council's Corporate Plan to be reallocated to the Service Level Agreement project.
- \$0.01 million for the Ryde Youth Music Project. This was approved by Council to put on hold, and now is not required.
- Civic Centre Redevelopment project, following the decision of Council on 25 September 2012 for the project to cease.

The following projects were cancelled, deferred and approved by Council in previous Quarterly Budget Reviews.

- Town Centres Wayfinding Plan
- Illegal Dumping Surveillance Program

The following projects have been put on hold pending further reports to Council to confirm scope

- Power Generator at Civic Centre

The following projects are currently earmarked as projects that will need to be carried over to the 2013/2014 financial year. Budget adjustments for these will be done as part of the carryover report in June 2013.

- EziJob – Online Recruitment Module
- Internal Communication (incl InfoNet)

Progress against indicators**Progress Against Indicators**

Our performance indicators help to provide a snap shot of the organisation's health. Corporate indicators focus on major areas across the whole organisation. Program indicators track how we are delivering on specific elements within each of the 21 programs outlined in our 2012-2016 Delivery Plan including One year Operational Plan 2012-2013.

Corporate Indicators

As identified in pages 38-39 of the Quarterly Review Report **ATTACHMENT 2 as CIRCULATED UNDER SEPARATE COVER**, the majority of corporate indicators are on track.

Of particular note the following areas demonstrate improvements in Council's performance against previous trends or targets:-

ITEM 7 (continued)

- We have continued to maintain our high customer service standards in responding to our customer requests with 93% of all requests responded to within the agreed time frame of ten days against our target of 90%. I am pleased to see the continuation of our high performance in this area.
- Our lost time injuries (LTI's) are the lowest in three years this quarter (41 lost time days). This is also a reduction of 59 days from the quarter one total of 100 days.
- In the first quarter there has been continued improvement in the handling of complaints, with 100% of tier 1 and 2 complaints responded to within the agreed number of working days. This indicator showed improvements over the past year and has been maintained between 95-100% for the last three quarters.
- The sound management of our Budget over the past year has continued into the first half of this year. This indicator has consistently been on track for the past six quarters.

Those corporate indicators which have not met target this quarter and where we will look for an improvement on next quarter are:-

- 83% of inward correspondence was completed within 10 working days against our target of 90%.
- 70% of project milestones completed on time within the quarter against our target of 90%.

Program Indicators

Of all 43 indicators across our 21 program areas, we achieved 30 (70%) of our performance indicators in our programs in quarter two.

Of particular note the following areas of performance improved against previous trends or targets:-

- The RALC recorded 213,554 visitors this quarter which is a 8.8% increase from the same quarter last year.
- The Library also continues to see improvements from last year with 221,009 visits in the last quarter which is a 3.3% increase from the same quarter last year.
- The Top Ryder Bus service continues to show increase patronage with 3,086 more passengers than the quarter two last year, which is an increase of 23%.
- In the current quarter we continue to focus on our call centre performance, our engagement with the community on their satisfaction with our services and progressing the draft Local Environmental Plan to completion.

ITEM 7 (continued)

- As a council we remain committed to prudent financial management of the communities resources and it is pleasing to see so many projects and initiatives on track for completion in the coming months.

Staff turnover

Turnover for Quarter 2 2012/2013 was 1.98%. This represents an decrease from last quarter where turnover was at 2.71%.

On a 12 month rolling basis overall turnover is 8.5%, which is a decrease of 0.86% from Quarter 1. This is the lowest percentage of turnover since monitoring this measure began in Quarter 4 of 2006/2007.

Consultation

Internal Council business units consulted included:

- All Service Units in relation to budget changes.
- Executive Team.

Critical Dates

The following deadlines are required to be met:

- In accordance with Section 407 of the Local Government Act 1993, the General Manager must report to the Council within 2 months after the end of each quarter as to the extent to which the performance targets set by the Council's current Management Plan have been achieved during that quarter.

The Chief Financial Officer as Council's Responsible Accounting Officer, in accordance with the Part 2 Clause 7 of the Local Government (Financial Management) Regulation 1999 is required to certify whether the Council's financial position is satisfactory having regard to the original estimates of income and expenditure.

Financial Implications

Council's available Working Capital is projected to increase by \$0.07 million to approximately \$3.43 million as at 30 June 2013.

Council's Operating Result before depreciation is projected to increase by \$7.55 million to \$21.68 million.

Council's Capital Works Program is projected to increase by \$2.90 million as a result of additional funding from Transport NSW for access works around the train stations in the Macquarie Park area. However, this will be off set by the projects detailed in the report that are recommended to be cancelled or deferred, that includes the Transport / Parking Technology Project (\$0.66 million)

ITEM 7 (continued)

ATTACHMENT 1

Certificate

In accordance with the Local Government (Financial Management) Regulation 1999, Part 2, Clause 7, I report that the financial position of the Council was satisfactory as at 31 December 2012, having regard to the original estimates of income and expenditure. Variations in total income, operating and capital expenditure as at 31 December 2012 are of a quantum and nature that overall end of year financial targets will be achieved.



John Todd
Chief Financial Officer
Responsible Accounting Officer

15 February 2012

8 COUNCIL'S CORPORATE NAME

Report prepared by: Chief Financial Officer**File No.:** FIM/07/6/7 - BP13/211

REPORT SUMMARY

In 2002, Council's corporate name was changed against its Australian Business Number (ABN) to City of Ryde. Since 2010 staff have been getting all suppliers to issue invoices in the name recorded against Council's ABN, to ensure compliance with the GST legislation.

What has come to light is that the change in corporate name does not comply with the Local Government Act 1993, as amended.

This report is to have Council endorse the corporate name that it wishes to use, in accordance with the Local Government Act, and to update the ABN registration to reflect this.

RECOMMENDATION:

- (a) That Council adopt the corporate name of "Council of the City of Ryde" in accordance with Section 221 (2) of the Local Government Act, 1993, as amended.
- (b) That Council's ABN registration be updated to reflect this entity name and reflect a trading name of "City of Ryde".

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

John Todd
Chief Financial Officer

Report Approved By:

Roy Newsome
Group Manager - Corporate Services

ITEM 8 (continued)**Discussion**

The Governor of New South Wales proclaimed the local government area of the Municipality of Ryde as the City of Ryde by the publication of a Proclamation to that effect in the NSW Government Gazette of 11 September 1991.

This Proclamation established the name of Council's local government area as the City of Ryde. However, the name of its local government area is not Council's corporate name or entity name for the purpose of its Australian Business Number registration. Currently Council is known by the Division of Local Government as "Ryde City Council".

In this regard, section 221(2) of the Local Government Act 1993, as amended, (the Act) requires Council's corporate name to be either the "Council of the City of Ryde" or "Ryde City Council".

Section 221(2) of the Act states:

The name of a council of a city is the "Council of the City of X" or the "X City Council", X being the name of the city.

Council is required to nominate a preference by resolution.

On 13 December 2002, Council's corporate/entity name was changed against its Australian Business Number (ABN) registration from "Ryde City Council" to "City of Ryde". A search of Council's document management system was unable to find any report where this change was agreed to by Council.

In 2010, the Chief Financial Officer undertook a GST compliance review, which included reviewing invoices that Council pays, which showed that the invoices received, were not in accordance with the GST legislation and had the potential to require Council to repay Input Tax Credits claimed from the ATO. It also included reviewing the entity name shown against Council's ABN.

Measures were taken to ensure that all future invoices were in accordance with Council's ABN registration. What has come to light recently is that the entity name change on Council's ABN was not in accordance with the Act and there is a need to fix the registration details. What is not known is the corporate name by which the Council wishes to be known.

Council can also nominate trading names under its ABN registration, and has done so in relation to the Ryde Aquatic Leisure Centre (RALC) and City of Ryde. A change in entity name will not affect these trading names. This allows for separate accounts to be created with Suppliers for the RALC and Council, so as to limit confusion, and increase the branding of the RALC or other parts of Council.

ITEM 8 (continued)

The General Counsel has made enquiries of the Division of Local Government, Department of Premier and Cabinet as to the impact of the nomination on Council's branding as the "City of Ryde" on Council's letterhead, the Mayoral letterhead, publications, etc.

The Division advises that there is no impact on Council's branding and therefore no need to change letterheads etc. There is however, a requirement to utilise Council's corporate name, as resolved by Council, on invoices, contracts and other legal and accounting documents.

Council's ABN will be updated to reflect the entity name that Council resolves to use.

Financial Implications

There are no financial implications with Council adopting the recommendations contained in this report.

Options

Council has the option to choose one of two different corporate names.

9 REPORTS DUE TO COUNCIL

Report prepared by: Section Manager - Governance**File No.:** GRP/12/5/5/5 - BP12/1301

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 19 February 2013 (listing **ATTACHED**).

There are currently 64 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 19 February 2013

Report Prepared By:

Amanda Janvrin
Section Manager - Governance

Report Approved By:

Shane Sullivan
Manager - Governance

Roy Newsome
Group Manager - Corporate Services

ITEM 9 (continued)

ATTACHMENT 1

Outstanding Reports

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	POTENTIAL DEVELOPMENT PARTNERSHIP ARRANGEMENT FOR COULTER STREET CAR PARK - COMPLETED	26/06/2012	<i>Negotiations with the Gladesville RSL have been extended due to their need to remodel a proposal which complies with our DCP and LEP.</i>
Meeting Date	(b)On completion of the highest and best use study a full report be brought to Council for its consideration.	Anticipated date	
22/11/2011		27/11/2012	<i>Draft proposal is ready to present to Council. A meeting has been scheduled to discuss the way forward on 14 November 2012.</i>
Group		Officer	
General Manager		Danielle Dickson	<i>Report to Council Meeting on 11 December 2012.</i>
			<i>COMPLETED (To be removed following Council Meeting on 26 February 2013).</i>

ITEM 9 (continued)

ATTACHMENT 1

<p>Meeting Type Council</p>	<p>Resolution MAYORAL MINUTE 15/11 - CUDAL RESERVE PUTNEY AND SMALLS ROAD RYDE</p>	<p>Due Date of Report 23/10/2012</p>	<p>Comments/Update <i>Consultation with Department of Planning and Infrastructure and Relevant State Ministers undertaken.</i></p>
<p>Meeting Date 22/11/2011</p>	<p>(a) That the Mayor and General Manager pursue meetings with the relevant State Government Ministers with the purpose of:</p>	<p>Anticipated date 19/03/2013</p>	<p><i>Still awaiting response from the relevant State Ministers.</i></p>
<p>Group Community Life</p>	<p>(1) ensuring that both sites remain in public ownership;</p> <p>(2) ensuring that the zoning of both sites reflects public ownership;</p> <p>(3) obtaining the dedication of Cudal Reserve as a park under the care, control and management of the City of Ryde in perpetuity at no cost to Council;</p> <p>(4) obtaining the dedication of the ovals within the former school site at Smalls Road as a park under the care, control and management of the City of Ryde in perpetuity at no cost to Council.</p> <p>(b) That this matter be reported back to Council.</p>	<p>Officer Simon James</p>	

ITEM 9 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	SKATEBOARD CLINICS FOR ALL AGES AND ABILITIES IN THE CITY OF RYDE	5/03/2013	<i>Skateboard Clinics were held in July 2012. Further skate clinics were provided in October school holidays with 66 young people in attendance.</i>
Meeting Date	(e) That a further report be presented to Council in February 2013 at the conclusion of the series of skate clinics.	Anticipated date	<i>Report to be provided in 2013.</i>
13/12/2011		5/03/2013	
Group		Officer	
Community Life		Simon James	

ITEM 9 (continued)

ATTACHMENT 1

Meeting Type Works and Community	Resolution DEEBLE STREET - Submissions on Public Notification of Proposed Lease	Due Date of Report 1/05/2012	Comments/Update <i>Council staff are negotiating with the property owner. The report will not be finalised until if or when satisfactory agreement is reached. If Council is unable to reach a satisfactory agreement the report maybe delayed.</i>
Meeting Date 27/03/2012	That this matter be deferred for one month to allow staff to liaise with the legal representative of the property owners and for a further report for the Committee's consideration.	Anticipated date 26/03/2013	<i>Remains on-going - no updated information yet available.</i>
Group Public Works		Officer Russell Nash	<i>Updated 25/6/12: Anticipated date of report amended now to 23 October 2012.</i>
			<i>Updated 8/10/12: Deferred until 27 November 2012 - awaiting communication from resident's Solicitor.</i>
			<i>Updated 13/11/12: Deferred until 4 December 2012 - letter sent to property owner requesting urgent response to previous requests, by 19 November 2012.</i>
			<i>Updated 26/11/12:</i>

ITEM 9 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	BEST VALUE REVIEW - SPORTSGROUND ALLOCATION AND MANAGEMENT	23/10/2012	<i>To be reported on 23 October 2012 following review and consultation.</i>
Meeting Date	That Council fund and support the recommendations for the implementation of the Best Value Review, subject to a comprehensive review of the season charges being undertaken in consultation with the sport clubs and associations with costed options for consideration and that all results of the review be brought back to Council. The options to include:-	Anticipated date	<i>Matter to be reported to the Works and Community Committee following consultation with the Sport and Recreation Advisory Committee (March 2013).</i>
27/03/2012	(i) No increase; (ii) 7% increase for 3 years; (iii) Any other options.	19/03/2013	
Group		Officer	
Community Life		Simon James	

Deferred until 26 March 2013 - further investigation relating to Legal situation.

ITEM 9 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Works and Community	FEASIBILITY STUDY ON MULTIPURPOSE SYNTHETIC (ARTIFICIAL) FIELDS	20/11/2012	<i>The Workshop on Synthetic Fields has been scheduled for 8 August 2012.</i>
Meeting Date		Anticipated date	<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.	21/05/2013	<i>The Workshop was attended by 50 people including the NSW State Minister for Sport and Recreation.</i>
Group	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.	Officer	<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>
			<i>Funds allocated on 4 December at Council meeting.</i>

ITEM 9 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	COX'S ROAD MASTERPLAN	14/05/2013	<i>The exhibition period has been completed and the submission to the Cox's Rd Master Plan are currently being considered. A report will be put to Council when the verification and assessment of submissions is complete.</i>
Meeting Date	(b)That a further report be provided to Council following the public exhibition period.	Anticipated date	
24/04/2012		14/05/2013	
Group		Officer	
Environment and Planning		Meryl Bishop	<i>The verification of submissions is complete and assessment of the issues raised is underway.</i>

ITEM 9 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	FLOODING AT FIRST AVENUE, EASTWOOD - COMPLETED	24/07/2012	<i>Report anticipated on 24 July 2012.</i>
Meeting Date 24/04/2012	That the General Manager investigate the issue of flooding on the southern side of First Avenue, Eastwood and provide a report to Council within three months outlining options for consideration.	Anticipated date 2/10/2012	<i>Update: 9 July 2012. Report is currently being prepared for the Works & Community Committee at its meeting to be held on 7 August 2012.</i>
Group Public Works		Officer Anthony Ogle	<i>Update: 30 July 2012. It has been necessary to postpone this Report until 16 October 2012 for further research and investigation.</i>
			<i>Update: 8 October 2012. Research and investigation continues - Report presented to Works & Community Committee at its meeting on 6 November 2012.</i>
			<i>COMPLETED (To be removed following Council Meeting on 26 February 2013).</i>

ITEM 9 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution WATER BOTTLE REFILL STATIONS IN OPEN SPACE - COMPLETED	Due Date of Report 16/10/2012	Comments/Update <i>Reported to Works and Community Committee Meeting on 4 December 2012.</i>
Meeting Date 12/06/2012	That this matter be deferred pending a further report on alternate systems including those that are not chilled.	Anticipated date 16/10/2012	<i>COMPLETED (To be removed following Council Meeting on 26 February 2013).</i>
Group Community Life		Officer Simon James	

ITEM 9 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Works and Community	TRAFFIC & PARKING MATTERS PRESENTED TO RYDE LOCAL TRAFFIC COMMITTEE MEETING held on 24 May 2012 - (g) NELSON ROAD, GLADESVILLE - Request for 2P Restrictions	20/11/2012	<i>Report to Council anticipated 20 November 2012.</i>
Meeting Date	iii. A further report be brought back to this committee in three (3) months time to advise on the “effectiveness” of the parking changes.	Anticipated date	<i>Update 12 November 2012: Consultation with affected residents scheduled for November 2012 has been delayed and it is anticipated this will be completed by end-November 2012 when a report will be prepared and scheduled for February 2013.</i>
19/06/2012		19/03/2013	
Group		Officer	<i>Update 14 February 2013: Tabled at Traffic Committee held 31 January 2013. Traffic Committee report to be presented to Works and Community Committee on 19 March 2013.</i>
Public Works		Ramesh Desai	

ITEM 9 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution GLADESVILLE VACATION CARE SERVICE- Transfer to Gladesville Public School P&C	Due Date of Report 19/11/2013	Comments/Update <i>This report will be provided on the 19th of November 2013, after a duration of 12 months as per the resolution.</i>
Meeting Date 26/06/2012	(c)That Council staff review and report to Council on the above arrangements (to ensure service continues to meet the needs of families) after 12 months.	Anticipated date 19/11/2013	
Group Community Life		Officer Baharak Sahebekhtiari	

ITEM 9 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	DEFERRED REPORT: WEBCASTING OF COUNCIL MEETINGS	13/08/2013	<i>Software and hardware currently being sourced. Despite best efforts there have been some technical issues which are currently being investigated. Updates will be provided to Councillors through the Councillor Information Bulletin.</i>
Meeting Date	(c)That a report be provided to Council following the conduct of the 2012 Local Government Election outlining the outcomes of the trial and recommending appropriate changes to Council's Code of Meeting Practice.	Anticipated date	
17/07/2012		13/08/2013	
Group		Officer	
Corporate Services		Shane Sullivan	<i>The provisions for webcasting have already be included in the draft Code of Meeting practice.</i>

ITEM 9 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution WOLFE ROAD NEIGHBOURHOOD FORUM UPDATE - COMPLETED	Due Date of Report 18/09/2012	Comments/Update <i>Reported to the Works and Community Committee on 6 November 2012.</i>
Meeting Date 24/07/2012	(d) That Council request a further report be submitted to Councils Works and Community Committee on the outcome of the 7-part test for the changes to the Reserve, the proposed location of the delineation fence and Council's management plan for the Wolfe Road Reserve.	Anticipated date 6/11/2012	<i>COMPLETED (To be removed following Council Meeting on 26 February 2013).</i>
Group Community Life		Officer Tatjana Domazet	

ITEM 9 (continued)

ATTACHMENT 1

<p>Meeting Type Council</p>	<p>Resolution HERITAGE ADVISORY COMMITTEE - RYDE WHARF - COMPLETED</p>	<p>Due Date of Report 19/02/2013</p>	<p>Comments/Update <i>A report will be put to the Works and Community Committee when a response has been received. The date of this report will be determined by the date a response is received.</i></p>
<p>Meeting Date 24/07/2012</p>	<p>(b) That Council write to the appropriate Minister and the Roads and Maritime Services seeking them to undertake the works to upgrade Ryde Wharf at Shepherds Bay and that the response be reported back to the Works and Community Committee Meeting.</p>	<p>Anticipated date 19/02/2013</p>	<p><i>The response from RMS was followed up in August with an invitation to present to the Works and Community Committee. RMS is yet to respond.</i></p>
<p>Group Environment and Planning</p>		<p>Officer Meryl Bishop</p>	<p><i>RMS response received 7 November 2012. A report will be put to the Works Committee at its meeting of 19 February 2013.</i></p> <p><i>COMPLETED (To be removed following the meeting of 26 February 2013)</i></p>

ITEM 9 (continued)

ATTACHMENT 1

<p>Meeting Type Council</p>	<p>Resolution DEFERRED NOTICE OF MOTION: EASTWOOD FEASIBILITY STUDIES - SCOPE OF WORK - COMPLETED</p>	<p>Due Date of Report 11/12/2012</p>	<p>Comments/Update <i>Councillor workshop was held on 6th of November 2012 and proposed approach to the feasibility projects in Eastwood were reported as part of the quarter 1 review report on 27 November.</i></p>
<p>Meeting Date 21/08/2012</p>	<p>That before any expenditure is made on the following approved projects in the 2012-2016 Management Plan:</p>	<p>Anticipated date 27/11/2012</p>	<p><i>COMPLETED (To be removed following Council meeting 26 February 2013).</i></p>
<p>Group Community Life</p>	<p>- Feasibility study for a community hub in Eastwood</p> <p>- Feasibility study for expanding the library service in Eastwood</p> <p>Council staff first report back to Council to obtain Councillors' feedback on the intended scope of the studies and how the studies will be carried out.</p>	<p>Officer Baharak Sahebekhtiari</p>	

ITEM 9 (continued)

ATTACHMENT 1

<p>Meeting Type Council</p>	<p>Resolution DEFERRED NOTICE OF MOTION: MORRISON BAY PARK - COMPLETED</p>	<p>Due Date of Report 4/12/2012</p>	<p>Comments/Update <i>Reported to Works & Community Committee Meeting held on 4 December 2012.</i></p>
<p>Meeting Date 21/08/2012</p>	<p>That Council consider the possibility of lighting the section of the pathway along Morrison Bay Park as part of the 2012/13 budget. That a report be prepared to Council with an implementation plan, including consideration of all lighting options including LED and solar with a full cost comparison and in accordance with all objectives underlined in the Morrison Bay Park Plan of Management.</p>	<p>Anticipated date 4/12/2012</p>	<p><i>COMPLETED (To be removed following Council Meeting on 26 February 2013).</i></p>
<p>Group Public Works</p>		<p>Officer Russell Nash</p>	

ITEM 9 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	ADVISORY COMMITTEE STRUCTURE - COMPLETED	27/11/2012	<i>Report provided to Council on 27 November 2012.</i>
Meeting Date	(a)That the following Advisory Committees be convened for a term of 12 months, subject to a report back to Council:-	Anticipated date	<i>COMPLETED (To be removed following Council Meeting on 26 February 2013).</i>
16/10/2012	<ul style="list-style-type: none"> • Access. • Audit. • Bicycle. • Community Harmony Reference Group. • Country Council Partnership. • Eastwood Events and Promotions. • Economic Development (including Macquarie Park). • Heritage. • Ryde Hunters Hill Joint Library Services. • Ryde Youth Council. • Sport and Recreation (including Wheeled Sports). • Status of Women. 	27/11/2012	
Group		Officer	
Corporate Services		Shane Sullivan	
	(d)That following the closure of the Expression of Interest period a report be provided to Council at its meeting on 27 November 2012, to determine the representatives on all Advisory Committees,		

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including Councillor nominations for each
Committee.

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Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	MATTER OF URGENCY – FORMATION OF FREE MOBILE PLAYGROUP SERVICES IN THE RYDE AREA - COMPLETED	11/12/2012	<i>Report is being prepared for the Council Meeting on 11 December 2012 with options for Council's consideration.</i>
Meeting Date	That Ryde Council undertake an investigation into opportunities for the formation of free mobile playgroup services in the Ryde area. The investigation will result in a report to Council and will include the following:	Anticipated date	<i>COMPLETED (To be removed following Council Meeting on 26 February 2013).</i>
23/10/2012	<ol style="list-style-type: none"> 1. Sources of funding or partner for the provision of the service. 2. Options for how the service is to be provided including the parts of Ryde where the service will best be utilised. 3. Any regulatory or legislative obligations that need to be met for the provision of the service. 	11/12/2012	
Group	The report to be presented to Council by no later than December 2012 with a target start date for the provision of the service of July 2013.	Officer	
Community Life		Baharak Sahebekhtiari	

ITEM 9 (continued)

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<p>Meeting Type Council</p> <p>Meeting Date 23/10/2012</p> <p>Group Environment and Planning</p>	<p>Resolution 958 VICTORIA ROAD, WEST RYDE. LOT 8 DP 819902. Local Development Application for alterations and additions to existing dwelling. LDA2012/0047</p> <p>That Local Development Application No. 2012/47 at 958 Victoria Road, West Ryde being LOT 8 DP 819902 be deferred to enable a mediation to occur between the applicant and the Group Manager – Environment and Planning with an outcome in a timeframe that does not unduly delay the development application for the applicant and that the matter be returned to the Planning and Environment Committee for further determination within three months.</p>	<p>Due Date of Report 7/05/2013</p> <p>Anticipated date 7/05/2013</p> <p>Officer Liz Coad</p>	<p>Comments/Update <i>Mediation meeting held 14 November 2012. Amended plans to be submitted and then renotified. Not yet received.</i></p> <p><i>Amended Plans have still not been received as at 19 February 2013.</i></p>
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ITEM 9 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	62 DARVALL ROAD, EASTWOOD. LOT 11 DP 6247. Local Development Application for demolition of existing dwelling and erection of a attached dual occupancy. LDA2011/380	19/03/2013	<i>Mediation meeting held 21 November 2012. Amended plans to be submitted and then re notified. Not yet received.</i>
Meeting Date		Anticipated date	<i>Amended Plans received 24 January 2013. Renotification closed 12 February 2013. One submission was received.</i>
23/10/2012	That Local Development Application No. 2011/380 at 62 Darvall Road, Eastwood being LOT 11 DP 6247 be deferred for a mediation to be undertaken between the applicant, objectors and the Group Manager – Environment and Planning with an outcome in a timeframe that does not unduly delay the development application for the applicant and that the matter be returned to the Planning and Environment Committee for further determination within three months.	19/03/2013	
Group		Officer	
Environment and Planning		Liz Coad	

ITEM 9 (continued)

ATTACHMENT 1

<p>Meeting Type Council</p>	<p>Resolution COUNCIL WORKSHOPS AND INDUCTION SESSIONS - COMPLETED</p>	<p>Due Date of Report 11/12/2012</p>	<p>Comments/Update <i>Report provided to Council on 11 December 2012.</i></p>
<p>Meeting Date 23/10/2012</p>	<p>(c)That a full program of workshops for 2013 be provided to Council for endorsement.</p>	<p>Anticipated date 11/12/2012</p>	<p><i>COMPLETED (To be removed following Council Meeting on 26 February 2013).</i></p>
<p>Group Corporate Services</p>		<p>Officer Shane Sullivan</p>	

ITEM 9 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution PLANNING PROPOSAL - 108 HERRING ROAD MARSFIELD	Due Date of Report 28/05/2013	Comments/Update <i>As per the Council resolution Council has sent a letter to the Department of Planning and Infrastructure requesting a gateway determination.</i>
Meeting Date 23/10/2012	(c)That in the event of a gateway determination being issued pursuant to section 56 of the Environmental Planning and Assessment Act 1979, the proposal be placed on public exhibition and a further report be presented to Council as soon as practicable after the close of the community consultation period advising of the outcomes.	Anticipated date 28/05/2013	<i>The exhibition of the proposal will be from 20 February 2013 to 8 March 2013.</i>
Group Environment and Planning		Officer Meryl Bishop	

ITEM 9 (continued)

ATTACHMENT 1

Meeting Type Works and Community	Resolution CHILDREN'S PLAY IMPLEMENTATION PLAN FOR THE CITY OF RYDE	Due Date of Report 26/04/2013	Comments/Update <i>On public exhibition until the 1st of March 2013.</i>
Meeting Date 6/11/2012	(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 Children's Play Implementation Plan.	Anticipated date 26/04/2013	<i>Community engagement plan to commence December 2012 through to March 2013.</i>
Group Community Life		Officer Tatjana Domazet	

ITEM 9 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Works and Community	TRAFFIC AND PARKING MATTERS PRESENTED TO RYDE LOCAL TRAFFIC COMMITTEE MEETING held on 27 September 2012 - "GANNET STREET, GLADESVILLE" - Request traffic flow and parking - COMPLETED	5/02/2013	<i>A further report was prepared for the Ryde Traffic Committee at its meeting held on 22 November 2012. A recommendation will be included in the Minutes of that meeting which will be tabled in a report to Council on 5 February 2013.</i>
Meeting Date	iii.A further report to be submitted to this committee with the results of the investigation.	Anticipated date	
6/11/2012		5/02/2013	
Group		Officer	<i>Update 14 February 2013: Traffic Committee report tabled at Works and Community Committee on 5 February 2013.</i>
Public Works		Harry Muker	<i>COMPLETED (To be removed following Council Meeting on 26 February 2013).</i>

ITEM 9 (continued)

ATTACHMENT 1

<p>Meeting Type Works and Community</p>	<p>Resolution FLOODING AT FIRST AVENUE, EASTWOOD</p>	<p>Due Date of Report 19/03/2013</p>	<p>Comments/Update <i>Following Council's above resolution at its meeting held on 6 November 2012, a report will be prepared for the Works & Community Committee at its meeting to be held on 19 March 2013.</i></p>
<p>Meeting Date 6/11/2012</p>	<p>(b)That a further report be brought to Council on the results of the consultation with the residents of 11 First Avenue to take into account their preferences.</p>	<p>Anticipated date 19/03/2013</p>	
<p>Group Public Works</p>		<p>Officer Anthony Ogle</p>	
<p>Meeting Type Works and Community</p>	<p>Resolution UPDATE ON WOLFE ROAD RESERVE</p>	<p>Due Date of Report 10/12/2012</p>	<p>Comments/Update <i>Further report may need to be generated if this approach fails by May 2013.</i></p>
<p>Meeting Date 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>Anticipated date 31/05/2013</p>	
<p>Group Community Life</p>		<p>Officer Simon James</p>	
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Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	NOTICE OF MOTION - FEEDBACK FROM COUNCILLORS FOR IMPROVEMENTS TO THE LOCAL GOVERNMENT ELECTION PROCESS - COMPLETED	12/02/2013	<i>Report provided to Council on 11 December 2012.</i>
Meeting Date	That the General Manager seeks feedback from the Councillors for improvements to the Local Government Election process. That this feedback then be collated, presented to Council for consideration of those elements which are to be included in a formal submission to the State Electorate Commission.	Anticipated date	<i>COMPLETED (To be removed following Council Meeting on 26 February 2013).</i>
13/11/2012		11/12/2012	
Group		Officer	
Corporate Services		Shane Sullivan	

ITEM 9 (continued)

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Meeting Type Council	Resolution MATTER OF URGENCY – REFERENCE TO RYDE COUNCIL IN THE SYDNEY MORNING HERALD	Due Date of Report 25/06/2013	Comments/Update <i>This matter was reported to Council as an attachment to a Mayoral Minute at Council's Meeting on 12 February 2013. As advised in the report, Council has endorsed completing a full investigation into the two matters by an independent external party. This investigation and report back to Council is anticipated to be completed by 30 June 2013.</i>
Meeting Date 13/11/2012	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.	Anticipated date 25/06/2013	
Group Corporate Services		Officer John Schanz	

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Meeting Type Council	Resolution MAYORAL MINUTE 15/12 - REVIEW OF POLICIES REGARDING VISITING OVERSEAS DELEGATIONS AND SISTER CITY RELATIONSHIPS	Due Date of Report 25/06/2013	Comments/Update <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 May 2013.</i>
Meeting Date 13/11/2012	(b)That the General Manager bring back a report to Council of existing sister city relationships.	Anticipated date 25/06/2013	
Group Corporate Services		Officer Shane Sullivan	

ITEM 9 (continued)

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<p>Meeting Type Council</p>	<p>Resolution MAYORAL MINUTE 16/12 - RYDE CIVIC CENTRE - COMPLETED</p>	<p>Due Date of Report 26/02/2013</p>	<p>Comments/Update <i>Report to Council Meeting on 26 February 2013.</i></p>
<p>Meeting Date 13/11/2012</p>	<p>That:</p> <p>(a)Council staff immediately develop a project plan to expedite the rezoning of the Civic Centre site back to RL91 with a density of 60,000sq metres and to be zoned SP2 community use through a planning proposal.</p> <p>(b)Council staff prepare a list of priority maintenance required at the Civic Centre – using the existing building condition reports. This priority list is to be based on Workplace Health and Safety issues. This list is to be considered in the context of the 4 Year Delivery Plan.</p> <p>(c)Council staff prepare an outline of the communications program which will be associated with items (a) and (b).</p> <p>(d)Items (a) and (b) be developed using in-house expertise. Any involvement of consultants is to be subject to appropriate tendering processes for those services and only undertaken after</p>	<p>Anticipated date 26/02/2013</p>	<p><i>COMPLETED (To be removed following Council Meeting on 26 February 2013).</i></p>
<p>Group General Manager</p>		<p>Officer Danielle Dickson</p>	

ITEM 9 (continued)

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consideration and direction from Council on the priority action areas.

(e) That a further report be provided back to Council to update Council on all actions detailed in parts (a) to (d).

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	16 PUNT ROAD, GLADESVILLE. LOT 502 DP 732745. Local Development Application for alterations and additions to seniors housing (residential care facility): additional facilities including new office, meeting room, change room, and laundry. LDA2012/0015	2/04/2013	<i>Mediation meeting scheduled for 11/12/2012. Outcome of meeting will determine the future actions and timeframes.</i>
Meeting Date			<i>COMPLETED (To be removed following Council Meeting to be held 26 February 2013)</i>
13/11/2012	That Local Development Application No. 2012/0015 for 16 Punt Road be deferred for mediation with the Group Manager – Environment & Planning, applicant and objectors in regard to reducing the overshadowing impacts on the adjoining residents to achieve closer compliance with Council’s Development Control Plan 2010. That a further report be provided to the Planning & Environment committee within three months.	Anticipated date 2/04/2013	
Group		Officer	
Environment and Planning		Liz Coad	

ITEM 9 (continued)

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Meeting Type Council	Resolution NOTICE OF MOTION - FEES AND CHARGES AT WESTMINSTER OVAL, GLADESVILLE - COMPLETED	Due Date of Report 20/11/2012	Comments/Update <i>Reported to Works and Community Committee Meeting on 20 November 2012.</i>
Meeting Date 13/11/2012	That a report be prepared on the condition of Westminster Oval and referred to the next Works and Community Committee meeting to be held on 20 November 2012 for its consideration.	Anticipated date 20/11/2012	<i>COMPLETED (To be removed following Council Meeting on 26 February 2013).</i>
Group Community Life		Officer Tatjana Domazet	

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Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	NOTICE OF MOTION - DEVLIN STREET PEDESTRIAN BRIDGES	26/02/2013	<i>Draft letter of request to the Member for Ryde has been prepared. A subsequent Report will be prepared for Council and is expected to be tabled on 26 February 2013.</i>
	2. That Council staff provide a report by February 2013 covering:	Anticipated date	
	a. Clarification of roles, responsibilities, accountabilities and ownership of the pedestrian bridges:	Officer	
Group Public Works	i. By organisation: Council, RMS and shopping centre management ii. Council management. b. The established performance and reliability standards for the pedestrian bridges lifts. c. Response time for repair crews to attend the lifts if they fail – including the minimum and maximum period of delay. d. Standard for emergency response time when a lift fails with someone trapped inside – including the minimum and maximum period. e. Report on the two pedestrian bridges' lift	Austin Morris	

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performance:

- Instances of lifts stoppage (date) and duration
- Instances of pedestrians trapped inside lifts – number of pedestrians trapped and the duration they were trapped (not average time)
- Number of complaints received by Council on lift performance and pedestrian safety concerns.
- Number of complaints investigated and closed by Council staff and actions taken.
- Average response times and maximum delay in response to call out to service lift for reactivation.

f.What legal options does Council have if the performance of the infrastructure is considered unacceptable e.g. penalties, licence termination etc?

g.Options for Council's process improvements including establishing new design requirements or standards to be applied to any future pedestrian bridges in the municipality.

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Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	NOTICE OF MOTION - PEDESTRIAN SAFETY THROUGHOUT THE CITY OF RYDE	9/04/2013	
Meeting Date	<p>That the General Manager conduct an audit of Pedestrian Safety throughout the City of Ryde. That the report include examination of the adequacy of existing pedestrian crossings, refuges and footpaths including the adequacy of disabled and pram access and the inclusion of 40km zones where appropriate. Specific focus should be given to areas where there are:</p>	Anticipated date	
13/11/2012		9/04/2013	
Group	<ol style="list-style-type: none"> 1.Schools or Early Childhood Centres 2.Community Facilities 3.Public Transport Nodes 4.Commercial Enterprise 5.High Pedestrian Flows 6.An unusual incidence of pedestrian misadventure <p>The report should inform Council of recent changes to traffic legislation and the obligations and responsibilities of Council to ensure it meets its obligations under the relevant Acts and should include consultation with relevant authorities, City of Ryde Advisory Committees and the Ratepayers of Ryde. The report should specifically detail the</p>	Officer	
Public Works		Harry Muker	

ITEM 9 (continued)

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estimated costs and solicit input from residents about specific concerns they have with respect to their safety as pedestrians within the City of Ryde.

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	NOTICE OF MOTION - COMMUNITY COUNCIL MEETINGS - COMPLETED	12/02/2013	<i>Report provided to Council on 11 December 2012.</i>
Meeting Date 13/11/2012	That the General Manager:	Anticipated date 11/12/2012	<i>COMPLETED (To be removed following Council Meeting on 26 February 2013).</i>
Group Corporate Services	1. Investigate and report on the costs associated with conducting 3 Community Council Meetings in 2013 at community facilities within each of the three wards. 2. Make recommendations for 3 dates and locations for Community Council Meetings to be held in 2013.	Officer Shane Sullivan	

ITEM 9 (continued)

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Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO THE MAYOR AND OTHER COUNCILLORS - COMPLETED	12/02/2013	<i>Report provided to Council following period for submissions on 12 February 2013</i>
Meeting Date	1.(b)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.	Anticipated date	<i>COMPLETED (To be removed following Council Meeting on 26 February 2013).</i>
13/11/2012	2.That Council staff bring a further report to Council detailing options on how Councillors' reimbursement of expenses can be streamlined.	12/02/2013	
Group		Officer	
Corporate Services		Shane Sullivan	

ITEM 9 (continued)

ATTACHMENT 1

<p>Meeting Type Council</p>	<p>Resolution PLANNING PROPOSAL - 461 - 495 VICTORIA ROAD, GLADESVILLE</p>	<p>Due Date of Report 27/08/2013</p>	<p>Comments/Update <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></p>
<p>Meeting Date 13/11/2012</p>	<p>(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.</p>	<p>Anticipated date 27/08/2013</p>	<p><i>As the Department of Planning and Infrastructure shuts down for 2-3 weeks in December / January it is anticipated that the Gateway Determination will not be processed until late February. Subject to receipt of the Gateway determination; 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></p>
<p>Group Environment and Planning</p>		<p>Officer Meryl Bishop</p>	

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Meeting Type	Resolution	Due Date of Report	Comments/Update
Works and Community	PUBLIC EXHIBITION OF DRAFT PARRAMATTA RIVER ESTUARY COASTAL ZONE MANAGEMENT PLAN	28/05/2013	<i>Currently on exhibition until 29 March 2013.</i>
Meeting Date	(b)That a further report on the Parramatta River Estuary 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 Parramatta River Estuary Management Committee.	Anticipated date	
20/11/2012		28/05/2013	
Group		Officer	
Environment and Planning		Sam Cappelli	

ITEM 9 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution GENERAL MANAGER'S PERFORMANCE OBJECTIVES 2012/13	Due Date of Report 12/02/2013	Comments/Update <i>On hold pending recruitment of new General Manager.</i>
Meeting Date 27/11/2012	That a sub-committee comprising all Councillors work with the General Manager to prepare the performance objectives for 2012/2013 and report back to the first Council meeting in 2013.	Anticipated date	
Group General Manager		Officer Not required	
<hr/>			
Meeting Type Council	Resolution NOTICE OF MOTION - EFFECTIVENESS OF THE RYDE CITY VIEW	Due Date of Report 16/07/2013	Comments/Update <i>A business case has been submitted seeking funding in the 2013/2014 budget to review our existing methods of communication (including the Ryde CityView). Information derived from this review will assist the Communications and Media Unit communicate more effectively with our target audiences in the future.</i>
Meeting Date 27/11/2012	That the General Manager review the effectiveness of the Ryde City View as a means of communicating with ratepayers and presents a report to Council which examines options for wider and more effective communication with the Ryde community.	Anticipated date 16/07/2013	
Group General Manager		Officer Angela Jones- Blayney	
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Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	SEPTEMBER 2012 QUARTERLY REVIEW REPORT - DELIVERY PLAN 2012-2016 AND 2012/2013 OPERATIONAL PLAN - COMPLETED	26/02/2013	(a) Completed Reported by Council's meeting on 12 February 2013.
Meeting Date		Anticipated date	(b) Separate report provided to the Works and Committee on 5 February 2013 on adjustment to Capital Works Program.
27/11/2012	(f)That Councillors receive a detailed report on the performance review system as identified in the September 2012 Quarterly Review Report (page 77 of the attachment).	26/02/2013	(c) Details of all items abandoned or scaled down will be provided in December Quarterly Budget Review report to Council on 26 February 2013.
Group		Officer	
Corporate Services	(g)That a separate report be provided drawing Council's attention to any and all items relating to community benefit in the One Year Operational Plan that have been abandoned or down-scaled as a result of the Quarterly Review and that this information be included in all future Quarterly Reports.	John Todd	<i>COMPLETED (To be removed following Council Meeting on 26 February 2013).</i>

ITEM 9 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution ADVISORY COMMITTEES - APPOINTMENT OF REPRESENTATIVES	Due Date of Report 25/06/2013	Comments/Update <i>Advisory Committee Meetings are currently being scheduled and changes to Terms of Reference will be reported to Council as required.</i>
Meeting Date 27/11/2012	(c)That following Council’s endorsement of the above recommendations, each Advisory Committee be requested to review their Terms of Reference at their first meeting and report back to Council for confirmation on this matter.	Anticipated date 25/06/2013	
Group Corporate Services		Officer Shane Sullivan	
Meeting Type Council	Resolution ADVISORY COMMITTEES - APPOINTMENT OF REPRESENTATIVES - COMPLETED	Due Date of Report 12/02/2013	Comments/Update <i>COMPLETED (To be removed following Council Meeting on 26 February 2013).</i>
Meeting Date 27/11/2012	That a further report be provided to the Council Meeting of Tuesday, 11 December 2012 presenting nominations for both the Economic Development Advisory Committee and the Macquarie Park Forum.	Anticipated date 12/02/2013	
Group Corporate Services		Officer Shane Sullivan	

ITEM 9 (continued)

ATTACHMENT 1

<p>Meeting Type Council</p>	<p>Resolution 66A PELLISIER ROAD, PUTNEY. LOT B DP 419543. Local Development Application for new dual occupancy. LDA2012/0106.</p>	<p>Due Date of Report 16/04/2013</p>	<p>Comments/Update <i>Mediation meeting being arranged. Attempting to arrange a date prior to Christmas 2012 but this may not be able to be achieved until after the Christmas and school holiday period due to the availability of various parties.</i></p>
<p>Meeting Date 27/11/2012</p>	<p>That Local Development Application No. 2012/106 at No. 66A Pellisier Road, Putney, being LOT B DP 419543, be deferred for the Group Manager Environment and Planning to undertake a mediation with the applicant and objectors to bring the dual occupancy into closer compliance with DCP 2010 and a further report be presented to the Planning and Environment Committee within three (3) months.</p>	<p>Anticipated date 16/04/2013</p>	<p><i>Mediation meeting held on 30 January 2013. A report will be forwarded to the Planning and Environment Committee following the receipt, renotification and assessment of amended plans addressing the outcomes of the mediation meeting. Amended plans have not yet been received.</i></p>
<p>Group Environment and Planning</p>		<p>Officer Liz Coad</p>	

ITEM 9 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	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 & basement parking for 108 cars & strata subdivision. LDA 2011/0611.	11/06/2013	<i>Amended plans and information to be submitted and then renotified.</i>
Meeting Date	27/11/2012	Anticipated date	<i>Amended Plans have been received and public exhibition closed on 20 February 2013.</i>
Group	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	
Environment and Planning		Officer	
		Liz Coad	

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ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	7-9 RUTLEDGE STREET, EASTWOOD, LOT 23 DP 4231 and LOT 24 DP 653568. Local Development	11/06/2013	<i>Amended plans and information to be submitted and then renotified. Not yet received.</i>
Meeting Date	Application for a mixed use development, containing 6 retail/commercial tenancies, 79 units & basement parking for 155 cars & strata subdivision. LDA 2011/0612.	Anticipated date	
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.	11/06/2013	
Group		Officer	
Environment and Planning		Liz Coad	

ITEM 9 (continued)

ATTACHMENT 1

<p>Meeting Type Council</p>	<p>Resolution MATTER OF URGENCY – GOLDEN GOAL AND RYDE CITY BOWLING CLUB - COMPLETED</p>	<p>Due Date of Report 11/12/2012</p>	<p>Comments/Update <i>Reported back to Council on 11 December 2012 and 12 February 2013.</i></p>
<p>Meeting Date 27/11/2012</p>	<p>(a)That the General Manager provide an immediate detailed report and recommendations to Council on the continuation of sporting activities currently being conducted by the existing provider (Golden Goal) for local community sporting organisations at the Ryde City Bowling Club.</p>	<p>Anticipated date 11/12/2012</p>	<p><i>COMPLETED (To be removed following Council Meeting on 26 February 2013).</i></p>
<p>Group Community Life</p>	<p>(b)This report also is to include immediate actions that would allow Golden Goal under agreement with the City of Ryde Council, to restart the co-ordination and conduct of sporting activities at the earliest possible opportunity to release Council from interim management responsibilities.</p> <p>(c)That the circumstances surrounding the displacement of Golden Goal, and where possible, this organisation’s financial commitment to physical improvements at the Ryde City Bowling Club and support to the local community, be detailed for Councillors.</p>	<p>Officer Tatjana Domazet</p>	

ITEM 9 (continued)

ATTACHMENT 1

<p>Meeting Type Works and Community</p> <p>Meeting Date 4/12/2012</p> <p>Group Community Life</p>	<p>Resolution DRAFT URBAN FOREST AND STREET TREE MASTERPLAN</p> <p>(b)That a report be submitted to Council on the results of the exhibition period.</p>	<p>Due Date of Report 16/04/2013</p> <p>Anticipated date 16/04/2013</p> <p>Officer Simon James</p>	<p>Comments/Update <i>Exhibition period closes on 1st March 2013. Report to be submitted to the Works and Community Committee in April 2013.</i></p>
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<p>Meeting Type Works and Community</p> <p>Meeting Date 4/12/2012</p> <p>Group Community Life</p>	<p>Resolution WATER BOTTLE REFILL STATIONS - UPDATE</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>Due Date of Report 4/06/2013</p> <p>Anticipated date 4/06/2013</p> <p>Officer Tatjana Domazet</p>	<p>Comments/Update <i>Refill station to be installed during February 2013 for a 3 month trial. Matter to be reported to the Works and Community Committee in June 2013.</i></p>
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ITEM 9 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	RYDE HUNTERS HILL SYMPHONY ORCHESTRA	12/03/2013	<i>Report to be submitted at the Council meeting on 12th of March 2013 after a meeting with the RHHS Orchestra, General Manager, and the Group Manager of Community Life, to discuss their needs.</i>
Meeting Date	(d) In principle agree to provide logistical and administrative support to the orchestra and further that the General Manager meet with the Chair of the Board to determine the scope of services requested. A further report to then be provided to Council nominating the budget and resourcing implications for inclusion in the budget. The scope is expected to include the advertising of upcoming concerts and events, provision of space in the Mayoral Column, Cityview and on Council's website to encourage community sponsorship and assistance with seeking the orchestra to apply for appropriate grant funding.	Anticipated date	
11/12/2012		12/03/2013	
Group		Officer	
Community Life		Derek McCarthy	

ITEM 9 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution UPDATE RYDE BOWLING CLUB – IMPLEMENTATION OF COUNCIL RESOLUTION, PROGRESS REPORT - COMPLETED	Due Date of Report 12/02/2013	Comments/Update <i>Update reported to Council on 12 February 2013.</i>
Meeting Date 11/12/2012	(e) That the General Manager report back to Council with an update at the first Council meeting in 2013 on the implementation of this resolution and provide advice to Council on the potential utilisation of the site to maximum community benefit.	Anticipated date 12/02/2013	<i>COMPLETED (To be removed following Council Meeting on 26 February 2013).</i>
Group Community Life		Officer Tatjana Domazet	

ITEM 9 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	ECONOMIC DEVELOPMENT ADVISORY COMMITTEE AND MACQUARIE PARK FORUM – APPOINTMENT OF REPRESENTATIVES - COMPLETED	12/02/2013	<i>Report provided for Council meeting on 12 February 2012</i>
Meeting Date	(c) That Council call for further Expressions of Interest for the Macquarie Park Forum from 20 December 2012 to 31 January 2013 with a report to be provided to Council at its meeting on 12 February 2013.	Anticipated date	<i>COMPLETED (To be removed following Council Meeting on 26 February 2013).</i>
11/12/2012		12/02/2013	
Group		Officer	
Corporate Services		Shane Sullivan	

ITEM 9 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution CITY OF RYDE TENNIS COURTS	Due Date of Report 21/05/2013	Comments/Update <i>Expression of Interest/Requests for proposal to be advertised in early February 2013. Anticipated closing date April 2013. To be reported to the Works and Community Committee early May 2013.</i>
Meeting Date 11/12/2012	(f) That a further report be submitted to Council following an Expression of Interest/Requests for Proposals process.	Anticipated date 21/05/2013	
Group Community Life		Officer Simon James	
Meeting Type Council	Resolution CODE OF MEETING PRACTICE	Due Date of Report 12/03/2013	Comments/Update <i>Report to be provided to Council following the close of the exhibition period.</i>
Meeting Date 11/12/2012	(d)That a further report be provided to Council in March 2013 to consider adoption of the draft Code of Meeting Practice.	Anticipated date 12/03/2013	
Group Corporate Services		Officer Shane Sullivan	

ITEM 9 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution BOARDING HOUSES POLICY - Draft Enforcement Policy and Draft Development Control Plan	Due Date of Report 13/08/2013	Comments/Update <i>Draft policy to be exhibited in March/April 2013.</i>
Meeting Date 11/12/2012	(c)That Council receive a further report on the outcomes of the exhibition of draft Boarding Houses Policy comprising:	Anticipated date 13/08/2013	
Group Environment and Planning	1. Draft Enforcement Policy: Boarding Houses 2. City of Ryde Draft Amending Development Control Plan - Boarding Houses.	Officer Scott Cox	

ITEM 9 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution RYDE RIVER WALK - PUBLIC EXHIBITION OF DESIGN AND STATEMENT OF ENVIRONMENTAL EFFECTS	Due Date of Report 21/05/2013	Comments/Update <i>Update 14 February 2013: Public Exhibition period commenced Friday 18 January 2013 and closes on Friday 19 April 2013.</i>
Meeting Date 11/12/2012	(b) That a further report be submitted to Council following the Public Exhibition period.	Anticipated date 21/05/2013	
Group Public Works		Officer Gordon Malesevic	

ITEM 9 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	GLADESVILLE RSL DEVELOPMENT PROPOSAL	Anticipated date	<i>Council has met with proponents to view draft community consultation plan. Date for report to be determined as a result of outcomes.</i>
Meeting Date	(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:	Officer	
11/12/2012	(i) Indicative built form and uses; (ii) Parking management (particularly during the construction phase); and (iii) Results of the community consultation process.	Dominic Johnson	
Group			
Environment and Planning			

ITEM 9 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution CHANGES TO FEES & CHARGES - TREES AND PLAQUES	Due Date of Report 26/03/2013	Comments/Update <i>Public exhibition process closes on the 8th of March 2013. Report to be submitted to Council late March - early April 2013.</i>
Meeting Date 11/12/2012	(b) That a further report be presented to Council for consideration after the public exhibition period addressing any submissions made.	Anticipated date 26/03/2013	
Group Community Life		Officer Simon James	
Meeting Type Council	Resolution MACQUARIE SHOPPING CENTRE - COMPLETED	Due Date of Report 12/02/2013	Comments/Update <i>COMPLETED (To be removed following Council Meeting 26 February 2013)</i>
Meeting Date 22/01/2013	(c) That a report be provided to Council regarding the requirements and reasons for night works at Macquarie Shopping Centre for Council's consideration of approval or refusal of a special night works permit.	Anticipated date 12/02/2013	
Group Environment and Planning		Officer Scott Cox	
19-Feb-13		Page 55 of 59	

ITEM 9 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Works and Community	RIGHT OF CARRIAGEWAY OVER 36A STATION STREET WEST RYDE- NEWQUEST PROJECTS PTY LTD ON BEHALF OWNERS OF 29-31 GAZA ROAD WEST RYDE	18/06/2013	
Meeting Date	(c) That a further report be provided following the finalisation of negotiations in respect of the level of compensation payable to Council in granting the right of carriageway over 36A Station Street West Ryde to the owners of 29-31 Gaza Road West Ryde.	Anticipated date	
5/02/2013		18/06/2013	
Group		Officer	
Public Works		Rod Drummond	

ITEM 9 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Works and Community	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)	2/07/2013	<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>
Meeting Date	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.	Anticipated date	
5/02/2013		2/07/2013	
Group		Officer	
Public Works		Harry Muker	

ITEM 9 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution NOTICE OF MOTION - FOOTPATHS ON RAYMOND STREET	Due Date of Report 21/05/2013	Comments/Update
Meeting Date 12/02/2013	That Council requests the Works and Community Committee to re-prioritise scheduled works in West Ward so that footpaths on both sides of Raymond Street are completed in the 2013/2014 financial year.	Anticipated date 21/05/2013	
Group Public Works		Officer Anthony Ogle	
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Meeting Type Council	Resolution NIGHT WORKS PERMIT - Macquarie Shopping Centre Development	Due Date of Report 26/03/2013	Comments/Update <i>Monitoring of night works underway.</i>
Meeting Date 12/02/2013	11. That a review of these arrangements be undertaken within a month and be brought to Council.	Anticipated date 26/03/2013	
Group Environment and Planning		Officer Scott Cox	
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ITEM 9 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	NOTICE OF MOTION - ACKNOWLEDGEMENT OF VOLUNTARY CONTRIBUTION OF KAREN WAUD	5/03/2013	<i>Report to be provided to the Works and Community Committee Meeting on 5 March 2013.</i>
Meeting Date	That the Acting General Manager prepare a report to be brought back to Council at its next meeting including details on the process to be followed in nominating members of the community for Community Service Awards.	Anticipated date	
12/02/2013		5/03/2013	
Group		Officer	
Community Life		Derek McCarthy	

PRECIS OF CORRESPONDENCE**1 TENNIS WORLD SITE DEVELOPMENT NORTH RYDE**

Report prepared by: Executive Assistant to Group Manager
File No.: GRP/09/6/5 - BP13/235

CORRESPONDENCE:

Submitting correspondence from Barry O'Farrell MP – Premier of New South Wales, dated 21 January 2013, regarding the potential development of the Tennis World site, North Ryde. The correspondence in relation to Council's resolution of 13 November 2012 (ATTACHED).

RECOMMENDATION:

That the correspondence be received and noted.

ATTACHMENTS

- 1 Acknowledgment to letter dated 5th December 2012 concerning Tennis World site development, North Ryde, Barry O'Farrell
- 2 Council - 21/12 - 13 November 2012 - Mayoral Minute MM17/12 - POTENTIAL DEVELOPMENT OF TENNIS WORLD SITE, NORTH RYDE

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



2012-165946 - BCU

21 JAN 2013

Mr John Neish
General Manager
City of Ryde Council
Locked Bag 2069
NORTH RYDE NSW 1670

Dear Mr Neish

Thank you for your letter of 5 December 2012 concerning of the Tennis World site development, North Ryde.

I have read your comments and note the issues which have prompted you to write.

I note that you have also written to the Hon Bradley Hazzard, MP, Minister for Planning and Infrastructure. This matter falls within the administration of my colleague and you may be assured that your letter will receive his full attention.

Thank you for taking the time to write to me.

Yours sincerely



Barry O'Farrell MP
Premier



Precis of Correspondence 1 (continued)

ATTACHMENT 2

EXTRACT FROM MINUTES OF COUNCIL MEETING
NO. 21/12 AT ITS MEETING HELD ON 13 NOVEMBER 2012.

MAYORAL MINUTE

MM17/12 POTENTIAL DEVELOPMENT OF TENNIS WORLD SITE, NORTH RYDE

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

1. That a delegation of interested councillors led by the Mayor seek an urgent meeting with the local state member, Mr Victor Dominello MP and the Minister of Planning, Mr Brad Hazzard MP to ensure that the Tennis World site is not redeveloped as part of the North Ryde Station Precinct redevelopment; and
2. That the City of Ryde write to the Minister for Planning, the local state member and the Premier stating that it is the wishes of both Council and the community that the site remain in public ownership for public recreational purposes in perpetuity.

Record of Voting:

For the Motion: Unanimous

**2 ALLENGROVE MAJOR PROJECT APPEAL - Environmental Defenders
Office (EDO) NSW**

Report prepared by: Executive Assistant to Group Manager
File No.: GRP/09/6/5 - BP13/239

CORRESPONDENCE:

Submitting correspondence from EDO from Kirsty Ruddock - Principal Solicitor, dated 4 February 2013, regarding EDO's response to our request for assistance with the Allengrove Major Project appeal.

RECOMMENDATION:

That the correspondence be received and noted.

ATTACHMENTS

- 1 Allengrove Development, advice unable to pursue the matter and thanks to Council for their support, Kirsty Ruddock
- 2 Allengrove Major Project Appeal - Request for Assistance - Environmental Defenders Office, Kirsty Ruddock

Report Prepared By:

Sandra Warbrick
Executive Assistant to Group Manager

Report Approved By:

Dominic Johnson
Group Manager - Environment & Planning

Precis of Correspondence 2 (continued)

ATTACHMENT 1



EDO NSW
ABN 72 002 880 884
Level 6, 263 Clarence Street
Sydney NSW 2000 AUSTRALIA
E: edonsw@edonsw.org.au
W: www.edonsw.org.au
T + 61 2 9262 0889
F + 61 2 9264 2412

4th February 2013

Mr Dominic Johnson
Group Manager
Environment and Planning
City of Ryde
1 Devlin St
Ryde NSW 1670

Via email: djohnson@ryde.nsw.gov.au

Dear Dominic

Allengrove development

We refer to the above matter and to your letter dated 11th December 2012.

We have now received advice from Senior Counsel and are no longer in a situation to pursue a claim in the Court of Appeal against the approval by the Court of the Allengrove development. While we are unable to pursue this matter, we thank Council for their support of the residents in offering to assist them with the costs of the litigation. As you would appreciate, it is possible that a similar situation may arise with the Whiteside Crescent development in future, where we will also be working closely with the community group. We will therefore keep in touch about that matter.

We have written the attached letter to the Minister for Planning and Infrastructure to ensure that the conciliation process is improved to ensure such problems do not continue. It also requests that the residents and other objectors, including the Council, are involved in the development of the project approval applications. This could help to ensure that any ongoing concerns of the residents are taken into account in the final design of the development.

Please do not hesitate to contact me should have you have any further questions on 9262 6989.

Yours sincerely,
EDO NSW

Kirsty Ruddock
Principal Solicitor

Our Ref: 1218512



Precis of Correspondence 2 (continued)

ATTACHMENT 2



Lifestyle and opportunity @ your doorstep

Environmental Defenders Office
Level 5, 263 Clarence Street
SYDNEY NSW 2000

Attention: Ms Kirsty Ruddock

11 December 2012

D12/97204

Dear Ms Ruddock

Allengrove Major Project Appeal -Request for Assistance

I refer to recent dealings between your office, the Council of the City of Ryde and the local community regarding issues surrounding the approval of Major Project (MP10_0037) the NSW Planning and Assessment Commission (PAC) following a successful appeal to the Land and Environment Court (LEC) by the proponents. I also refer to the community meeting held at the Civic Centre on 27 November 2012 to address this issue and thank you for your contribution to that meeting.

Arising from the community meeting, Council resolved to write to the Environmental Defenders Office (EDO) seeking that it take this matter on board. Council considers that it is a matter of public interest to ensure that procedures are put in place to ensure that the community is provided with the opportunity to provided input to decisions that directly affect their well-being and their local community. It is considered that this has not been the case with the negotiations between the development proponents and the PAC that led to the development being approved. In general terms, it is considered that the refusal of the amended proposal was warranted for the same reasons set out by the PAC in it original determination of 3 May 2012, being

- It is not in the public interest to approve the proposed development because it would be inconsistent with the provisions of the Ryde Local Environmental Plan 2010 and would adversely impact on the orderly development of land in the City of Ryde.
- The proposed development would be incompatible with the Ryde Local Environmental Plan 2010 R2 low density residential zone objectives and out of character with the surrounding residential area.
- The proposed development would give rise to traffic generation and access constraints that would detrimentally impact on existing and future residents, and the local road network.
- The proposed development would adversely impact on the amenities of residents by way of noise and disturbance, traffic, overlooking and visual intrusion.

Civic Centre 1 Devlin Street, Ryde NSW
Ryde Planning and Business Centre
1 Pope Street, Ryde (Below Ryde Library)Post Locked Bag 2069, North Ryde NSW 1670
Email cityofryde@ryde.nsw.gov.au
www.ryde.nsw.gov.auCustomer Service (02) 9952 8222
TTY (02) 9952 8470 fax (02) 9952 8070
Translating and interpreting Service 131 450

Precis of Correspondence 2 (continued)

ATTACHMENT 2

Council also resolved to make representations to the NSW Attorney General, The Hon. Greg Smith MP to support funding of the EDO by the State Government beyond March 2013.

I look forward to your consideration of Council's request. Should you wish to discuss the matter further, please contact me on 9952 8190.

Yours sincerely



Dominic Johnson
Group Manager
Environment and Planning

NOTICES OF MOTION**1 REVIEW OF COUNCIL'S EXISTING PREFERRED SUPPLIER LIST -
Councillor Jeff Salvestro-Martin****File Number:** CLM/13/1/4/6 - BP13/231

MOTION:

That the General Manager prepare a report that provides Council with sufficient detail necessary to conduct a review of Council's existing Preferred Supplier List.

2 SPORTING FACILITIES - Councillor Roy Maggio**File Number:** CLM/13/1/4/6 - BP13/245

MOTION:

That Council receive a report that lists all works Council officers have planned or are proposed for future works within the City.

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 year, and if this cannot be achieved, Councillors to be advised in the CIB of a future reporting date.

3 ILLEGAL DUMPING - Councillor Roy Maggio**File Number:** CLM/13/1/4/6 - BP13/246

MOTION:

That Council note with concern the continue illegal dumping and its effects on the social and economic status of the City of Ryde request the Acting General Manager to formally write to the NSW Minister for the Environment to review its waste levy. That the Acting General Manager write to NSROC and the LGA to continue to strongly lobby the State Government against any further increases in the solid waste levy.

That the Acting General Manager prepare a report outlining:

- the extent of illegally dumped rubbish in the City of Ryde;
- the current approach to managing and responding to the issue;
- strategies for better managing and responding to illegally dumped rubbish in the City of Ryde.

The report be presented to the Works Community Committee – May meeting if possible.

Notices of Motion (continued)**4 FITNESS EQUIPMENT WITHIN THE CITY OF RYDE - Councillor Roy Maggio****File Number:** CLM/13/1/4/6 - BP13/244

MOTION:

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.

That, should there be a community need for this type of equipment in our parks and as part of this review, Council staff survey the community and any recreational stakeholders to determine any suitable locations for any proposed fitness equipment.

That, as part of this report, the 2013/2014 budget shows funds are allocated to the Exercise Equipment as well as the ongoing cost of the equipment maintenance.

5 COMMERCIAL RECREATIONAL VENTURES WITHIN THE PORTERS CREEK SITE - Councillor Roy Maggio**File Number:** CLM/13/1/4/6 - BP13/266

MOTION:

That the Acting General Manager conducts a feasibility study on any future opportunities for commercial recreational ventures within the Porters Creek site. Should these opportunities exist, Council to proceed to an EOI process for this part of the site and the future of this EOI process is reported back to Council for consideration.

6 ACTIVE TRANSPORT ROUTE BETWEEN EASTWOOD STATION AND MACQUARIE PARK - Councillor Terry Perram**File Number:** CLM/13/1/4/6 - BP13/277

MOTION:

That Council approach the RMS (as land owner) and Transport for NSW (as advocate) seeking their in-principle approval and support to develop an active transport route between Eastwood Station and Macquarie Park, primarily utilising the County Road reserve. The active transport route would comprise a shared user path within the reserve with associated access improvements on connecting public roads.