



21 NOVEMBER 2013

NOTICE OF MEETING

You are advised of the following meeting:

TUESDAY 26 NOVEMBER 2013.

Meeting of Council Meeting No. 24/13

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

Meeting Date: Tuesday 26 November 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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NOTICE OF BUSINESS (continued)

NOTICES OF MOTION

- 1 FEASIBILITY STUDY - ROWE STREET, EASTWOOD CAR PARK -
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MM33/13 NIGHT FOOD MARKETS IN EASTWOOD - The Mayor, Councillor Roy Maggio**File Number:** GRP/09/3/10 - BP13/1690

The Eastwood Town Centre has become a vibrant area with a focus on international food from local retailers and an area capable of hosting community events.

Given the growth of Eastwood on both sides of the rail line I am proposing that Council investigate the option of conducting regular Night Markets in the area, similar to that of other night markets around Sydney, with a focus on food and entertainment. This would assist in making Eastwood a destination for food whilst highlighting the culinary delights of the area.

I seek Council's endorsement to refer the investigation and initiation of Night Markets to the Eastwood Events and Promotions Committee. The Committee has built a strong knowledge and experience base of the local area and has run successful events in partnership with local businesses.

I propose that staff, in conjunction with the Committee, develop objectives, operating parameters, terms and conditions for the Night Markets, to form the basis of a Request for Proposal process to test the market for potential operators. I also propose that the two business chambers operating in Eastwood be consulted as part of the investigation.

The terms and conditions for the Markets should be developed in a way that would ensure that:

- The markets would be operated at no cost to Council
- Local retailers are given priority to participate in the markets before expressions of interest are accepted from a wider catchment

Night Markets in Eastwood would enhance the vibrancy of the town centre and the resultant increase in patronage will benefit the local businesses. I commend this proposal to you.

RECOMMENDATION:

- (a) That Council in conjunction with Eastwood Events and Promotions Committee investigate the operation of Night Food Markets including development of objectives, operating parameters and terms and conditions for a potential Market.
- (b) That at the completion of the investigation as outlined in part (a) a report be presented to the Works and Community Committee.

MM33/13 (continued)

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Councillor Roy Maggio
Mayor

1 CONFIRMATION OF MINUTES - Council Meeting held on 12 November 2013

Report prepared by: Meeting Support Coordinator
File No.: CLM/13/1/4/2 - BP13/1568

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 23/13, held on 12 November 2013 be confirmed.

ATTACHMENTS

- 1 Minutes - Ordinary Council Meeting - 12 November 2013 - CIRCULATED UNDER SEPARATE COVER**
- 2 Confidential Minutes – CIRCULATED TO COUNCILLORS VIA BOARDVANTAGE - CONFIDENTIAL**

**2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE
MEETING 17/13 held on 19 November 2013**

Report prepared by: Meeting Support Coordinator
File No.: CLM/13/1/4/2 - BP13/1688

REPORT SUMMARY

Attached are the Minutes of the Planning and Environment Committee Meeting 17/13 held on 19 November 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:

- 2 684 - 686 VICTORIA ROAD, RYDE. LOT 71 and 72 DP 633178. Local development application for the construction of a 3 storey residential flat building containing 18 apartments, basement parking for 22 vehicles and subdivision. LDA2013/0179.**

RECOMMENDATION: (Moved by Councillors Pickering and Salvestro-Martin)

- (a) That Local Development Application No. 2013/0179 at 684 to 686 Victoria Road, Ryde being LOTS 71 and 72 DP633178 be approved with the following amendments to:
- Condition 1 – Deferred Commencement Condition deleted; and
 - Condition 16 – Construction of Boundary Fencing, the condition is to specify the necessary retaining wall is to be fully constructed within the boundary of the subject property, 684 to 686 Victoria Road, Ryde; and
- (b) That the persons who made submissions be advised of Council's decision.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **26 NOVEMBER 2013** as substantive changes were made to the published recommendation and Councillor Pendleton requested that the matter be referred to the next Council Meeting.

ATTACHMENTS

- 1 Minutes - Planning and Environment Committee - 19 November 2013**

ITEM 2 (continued)

ATTACHMENT 1

Planning and Environment Committee
MINUTES OF MEETING NO. 17/13

Meeting Date: Tuesday 19 November 2013
Location: Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde
Time: 5.05pm

Councillors Present: Councillors Etmekdjian (Chairperson), Chung, Laxale, Pickering, Salvestro-Martin and Yedelian OAM.

Apologies: Nil.

Staff Present: Group Manager – Environment and Planning, Service Unit Manager – Assessment, Acting Service Unit Manager – Environmental Health and Building, Senior Development Engineer, Team Leader – Major Development Team, Team Leader – Assessment, Team Leader – Fast Track Team, Business Support Coordinator – Environment and Planning and Meeting Support Coordinator.

DISCLOSURES OF INTEREST

Councillor Laxale disclosed a Less than Significant Non-Pecuniary Interest in Item 3 – 47 Gaza Road, West Ryde – LDA2012/0352 for the reason that he knows a family that attends the school.

Councillor Pickering disclosed a Less than Significant Non-Pecuniary Interest in Item 3 – 47 Gaza Road, West Ryde – LDA2012/0352 for the reason that both his children attended St. Michaels School 10 years ago.

1 CONFIRMATION OF MINUTES - Meeting held on 5 November 2013

RESOLUTION: (Moved by Councillors Pickering and Laxale)

That the Minutes of the Planning and Environment Committee 16/13, held on Tuesday 5 November 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

ADDITIONAL SPEAKERS

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

That the following speaker who submitted a late request to address the Committee regarding Item 2 be allowed to address the meeting, the time being 5.28pm.

Record of Voting:

For the Motion: Unanimous

Name	Topic
Matt Groves (on behalf of Body Corporate – 29 Gladstone Avenue, Ryde)	Item 2 – 684-686 Victoria Road, Ryde. LDA2013/0179

2 684 - 686 VICTORIA ROAD, RYDE. LOT 71 and 72 DP 633178. Local development application for the construction of a 3 storey residential flat building containing 18 apartments, basement parking for 22 vehicles and subdivision. LDA2013/0179.

Note: Deanne Hinton and Amanda White (objectors), Dan Hinton (objector), Stacey Ireland (objector), Matt Groves (objector on behalf Body Corporate – 29 Gladstone Avenue, Ryde) and Andrew Martin (on behalf of the applicant) addressed the Committee in relation to this Item.

RECOMMENDATION: (Moved by Councillors Pickering and Salvestro-Martin)

(a) That Local Development Application No. 2013/0179 at 684 to 686 Victoria Road, Ryde being LOTS 71 and 72 DP633178 be approved with the following amendments to:

- Condition 1 – Deferred Commencement Condition deleted; and
- Condition 16 – Construction of Boundary Fencing, the condition is to specify the necessary retaining wall is to be fully constructed within the boundary of the subject property, 684 to 686 Victoria Road, Ryde; and

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

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **26 NOVEMBER 2013** as substantive changes were made to the published recommendation and Councillor Pendleton requested that the matter be referred to the next Council Meeting.

ITEM 2 (continued)

ATTACHMENT 1

ADDITIONAL SPEAKERS

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

That the following speakers who submitted late requests to address the Committee on Item 3 be allowed to address the meeting, the time being 6.07pm.

Record of Voting:

For the Motion: Unanimous

Name	Topic
Stephen Tople (on behalf of St. Michael's Parish, Meadowbank)	Item 3 – 47 Gaza Road, West Ryde. LDA2012/0352
Brian Story	Item 3 – 47 Gaza Road, West Ryde. LDA2012/0352

**3 47 GAZA ROAD, WEST RYDE - LOT 13 SECTION 5 DP 3646
Development Application for construction of a car park and associated drainage works for St Michael's Catholic Church and School.
LDA2012/0352.**

Note: Councillor Laxale disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that he knows a family that attends the school.

Note: Councillor Pickering disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that both his children attended St. Michaels School 10 years ago.

Note: Frank Krstic (objector), Stephen Tople (on behalf of St. Michael's Parish, Meadowbank) and Brian Story (on behalf of the applicant) addressed the Committee in relation to this Item.

Note: A document provided by Stephen Tople was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Laxale and Pickering)

(a) That LDA2012/0352 at 47 Gaza Road, West Ryde being LOT 13 Section 5 DP 3646 be approved subject to the conditions in **Attachment 1** with the deletion of Condition 48 – Footpath Paving Construction so that no new footpaths are required.

(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

4 2 BLUE GUM DRIVE, EAST RYDE. LOT 51 DP 810946. Section 96(2) application to amend the approved alterations and additions to dwelling and new inground swimming pool (LDA2011/0424 / MOD2013/0125)

Note: Jennie Minifie (objector) and Tony Saba (applicant) addressed the Committee in relation to this Item.

Note: Correspondence dated 19 November 2013 from Ms Minifie was tabled in relation to this Item and a copy is ON FILE.

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

(a) That the application for modification of Local Development Application No. LDA2009/0129 be modified as follows:

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

Document Description	Reference / Job No.	Sheet / Drawing No.	Issue / Revision	Dated
Architectural Plans:				
▪ Basix Sheet	109	1	F	30.09.2013
▪ Basix Sheet	109	2	F	30.09.2013
▪ Site Plan	109	A100	F	30.09.2013
▪ Lower Ground Floor Plan	109	A101	F	30.09.2013
▪ Ground Floor Plan	109	A102	F	30.09.2013
▪ Ground Floor Plan	109	A103	F	30.09.2013
▪ Ground Floor Plan	109	A104	F	30.09.2013
▪ First Floor Plan	109	A200	F	30.09.2013
▪ Roof Plan	109	A201	F	30.09.2013
▪ South-West Elevations	109	A202	F	30.09.2013
▪ South-East Elevations	109	A203	F	30.09.2013
▪ South-East Elevations	109	A300	F	30.09.2013
▪ South-East Elevations	109	A301	F	30.09.2013
▪ North-East Elevation	2BG/LP	2BG/LP/01/	B	30.09.2013
▪ North-West Elevation		B		
▪ Section A-A				
▪ Pool Section & Plan				
Landscape Plans:				

- b) **Lighting.** Lighting of the rear terraces and deck areas are to be designed and constructed to reduce light spill into the public domain and adjoining private properties so that there will be no offensive glare onto adjoining residents.

ITEM 2 (continued)

ATTACHMENT 1

3. Compliance with all commitments listed in BASIX Certificate No. A113718_02 dated 24 July 2013.

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

Record of Voting:

For the Motion: Unanimous

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

The meeting closed at 6.51pm

CONFIRMED THIS 3RD DAY OF DECEMBER 2013.

Chairperson

**3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING
17/13 held on 19 November 2013**

Report prepared by: Meeting Support Coordinator
File No.: CLM/13/1/4/2 - BP13/1689

REPORT SUMMARY

Attached are the Minutes of the Works and Community Committee Meeting 17/13 held on 19 November 2013. The Minutes will be listed for confirmation at the next Works and Community Committee Meeting.

Items 1, 2, 5 and 6 were dealt with by the Committee within its delegated powers.

The following Committee recommendations for Items 3 and 4 are submitted to Council for determination in accordance with the delegations set out in Council's Code of Meeting Practice relating to Charters, functions and powers of Committees:

**3 NEIGHBOURHOOD CENTRES RENEWAL PROGRAM - UPGRADE OF
SAGER PLACE SHOPPING CENTRE - CONCEPT PLAN**

RECOMMENDATION: (Moved by Councillors Petch and Simon)

That Council approve the Sager Place Neighbourhood Centre Landscape Concept Plan subject to further investigation with regard to the provision of a public toilet at the site.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **26 NOVEMBER 2013** as substantive changes were made to the published recommendation.

**4 RESTORATION OF BEACH ACCESS FOR NON MOTORIZED CRAFT AT
KISSING POINT PARK**

Note: Chris Gildersleeve (representing Concord & Ryde Sailing Club) addressed the Committee in relation to this Item.

RECOMMENDATION: (Moved by Councillors Petch and Perram)

- (a) That Council consider funding in the 2014/15 to 2012/2018 Delivery Plan for the balance of the cost of a study as to suitable measures or works to restore and protect beach access at the beach at Kissing Point Park.
- (b) That Council assist the Concord & Ryde Sailing Club Inc. to extend their grant under the Sharing Sydney Harbour Access Program to enable it to contribute to the study.

ITEM 3 (continued)

- (c) That Council assist in the interim by providing sand to the location to restore the beach.
- (d) That Council seek a meeting with the Minister for Roads and Maritime Services to resolve:
 - (i) the restoration of beaches eroded by Rivercat ferries
 - (ii) the speed of vessels on the Parramatta River west of the Gladesville Bridge.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **26 NOVEMBER 2013** as substantive changes were made to the published recommendation and it is outside the Committee's delegations.

ATTACHMENTS

- 1 Minutes - Works and Community Committee - 19 November 2013

ITEM 3 (continued)

ATTACHMENT 1

**Works and Community Committee
MINUTES OF MEETING NO. 17/13**

Meeting Date: Tuesday 19 November 2013

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

Time: 5.00pm

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

Apologies: Councillor Li.

Staff Present: Acting Group Manager – Community Life, Group Manager - Public Works, Section Manager – Traffic, Transport and Development, Manager – Project Development, Manager – Asset Systems, Manager –Open Space, Section Manager – Sport and Recreation, Team Leader – Design and Development and Executive Assistant to Mayor and Councillors.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

1 CONFIRMATION OF MINUTES - Meeting held on 5 November 2013

Note: This Item was considered later in the meeting as set out in these Minutes.

2 SYNTHETIC SPORTS SURFACES STUDY

Note: This Item was considered later in the meeting as set out in these Minutes.

**3 NEIGHBOURHOOD CENTRES RENEWAL PROGRAM - UPGRADE OF
SAGER PLACE SHOPPING CENTRE - CONCEPT PLAN**

Note: This Item was considered later in the meeting as set out in these Minutes.

**4 RESTORATION OF BEACH ACCESS FOR NON MOTORIZED CRAFT AT
KISSING POINT PARK**

Note: Chris Gildersleeve (representing Concord & Ryde Sailing Club) addressed the Committee in relation to this Item.

ITEM 3 (continued)

ATTACHMENT 1

RECOMMENDATION: (Moved by Councillors Petch and Perram)

- (a) That Council consider funding in the 2014/15 to 2012/2018 Delivery Plan for the balance of the cost of a study as to suitable measures or works to restore and protect beach access at the beach at Kissing Point Park.
- (b) That Council assist the Concord & Ryde Sailing Club Inc. to extend their grant under the Sharing Sydney Harbour Access Program to enable it to contribute to the study.
- (c) That Council assist in the interim by providing sand to the location to restore the beach.
- (d) That Council seek a meeting with the Minister for Roads and Maritime Services to resolve:
 - (i) the restoration of beaches eroded by Rivercat ferries
 - (ii) the speed of vessels on the Parramatta River west of the Gladesville Bridge.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **26 NOVEMBER 2013** as substantive changes were made to the published recommendation and it is outside the Committee's delegations.

1 CONFIRMATION OF MINUTES - Meeting held on 5 November 2013

RESOLUTION: (Moved by Councillors Petch and Pendleton)

That the Minutes of the Works and Community Committee 16/13, held on Tuesday 5 November 2013, be confirmed.

Record of Voting:

For the Motion: Unanimous

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

2 SYNTHETIC SPORTS SURFACES STUDY

Note: Council's Manager – Open Space provided a brief presentation to the meeting.

RESOLUTION: (Moved by Councillors Simon and Petch)

- (a) That the Committee suspend standing orders to receive a brief presentation on the Synthetic Sports Surfaces Study.

ITEM 3 (continued)

ATTACHMENT 1

- (b) That Council endorse the provision of synthetic sports surfaces as recommended in the Synthetic Sports Surfaces Study (2013).
- (c) That any future consideration of the use of synthetic sports surfaces be assessed for suitability against the Strategic Principles contained within the Synthetic Sports Surfaces Study report (2013).
- (d) That Council endorse installation of a multi-sports synthetic surface at ELS Hall Park Field 1 and test the market by undertaking a Request for Proposal process.
- (e) That Council investigate commercial opportunities for the installation of synthetic sports surfaces at Christie Park, subject to consultation with the GHFA and Crown Lands.
- (f) That a further report be submitted to Council on the cost and timing associated with both options.
- (g) That Council thank the members of the PRG for their efforts and contribution to the Study.

Record of Voting:

For the Motion: Unanimous

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

3 NEIGHBOURHOOD CENTRES RENEWAL PROGRAM - UPGRADE OF SAGER PLACE SHOPPING CENTRE - CONCEPT PLAN

RECOMMENDATION: (Moved by Councillors Petch and Simon)

That Council approve the Sager Place Neighbourhood Centre Landscape Concept Plan subject to further investigation with regard to the provision of a public toilet at the site.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **26 NOVEMBER 2013** as substantive changes were made to the published recommendation.

4 RESTORATION OF BEACH ACCESS FOR NON MOTORIZED CRAFT AT KISSING POINT PARK

Note: This Item was considered earlier in the meeting as set out in these Minutes.

ITEM 3 (continued)

ATTACHMENT 1

5 BICYCLE ADVISORY COMMITTEE- TERMS OF REFERENCE

RESOLUTION: (Moved by Councillors Perram and Petch)

That Council confirms the **ATTACHED** Draft Terms of Reference for the Bicycle Advisory Committee, noting the following changes:

- Membership, Chairperson and Voting: *Substitute delegates may attend the Bicycle Advisory Meeting on behalf of a representative organisation.*

Record of Voting:

For the Motion: Unanimous

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

6 VOLUME AND SPEED OF VEHICLES USING ALL THE RESIDENTIAL STREETS BOUNDED BY VICTORIA ROAD, BOWDEN STREET, CHURCH STREET AND CONSTITUTION ROAD

RESOLUTION: (Moved by Councillors Simon and Pendleton)

- (a) That Council note the information contained within the report titled "Volume and Speed of Vehicles using all the residential streets bounded by Victoria Road, Bowden Street, Church Street and Constitution Road."
- (b) That Council write to the Transport for New South Wales (TfNSW), requesting that consideration be given to "promote" the availability of Real Time Travel Information to assist the motoring public with regards to the preferred "route" choice of travel.

Record of Voting:

For the Motion: Unanimous

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

The meeting closed at 6.20pm.

CONFIRMED THIS 3RD DAY OF DECEMBER 2013.

Chairperson

4 461-495 VICTORIA ROAD PLANNING PROPOSAL - Traffic and Parking Study

Report prepared by: Team Leader - Strategic Planning
File No.: LEP2012/5/003 - BP13/1557

REPORT SUMMARY

In March 2012 Bunning's Group Ltd submitted a Planning Proposal to amend the planning controls (Land use zoning and height) applicable to 461-495 Victoria Road Gladesville to enable a Bunning's retail outlet and bulky goods store.

In November 2012 Council resolved to submit the Planning Proposal to the NSW Department of Planning and Infrastructure for a Gateway Determination, which was subsequently issued in March 2013.

The Planning Proposal, that was placed on exhibition sought to amend existing planning controls as follows:

- Change the land use zone from IN2 Light Industrial to B5 Business Development
- Change the permissible height from 10m across the site between 10m and 16m (with the lowest heights being adjacent the residential boundary on College Street and the highest being on Victoria Road).
- Create new Development Control Plan design guidelines for the site

It should be noted that the permissible Floor Space Ratio of 1:1 is not proposed to be altered by the planning proposal and also that bulky goods will be permitted on the site under the provisions of Schedule 1, Ryde Local Environmental Plan 2013 (which is shortly to come into effect).

The Planning Proposal was exhibited from 11 June to 11 July 2013 and a total of 83 submissions were received by the closing date. 93% of these submissions were from businesses and residents located within 2km of the site. A petition was also tabled at the council meeting of 23 July 2013. Most submissions (and the petition) raised issues about traffic impacts and queried the validity of the Traffic Impact Assessment submitted by the proponent. Many submissions requested a road closure in College Street to segregate business and residential traffic and other mitigations measures

A community meeting about traffic issues was held on 29 August 2013 which aimed to understand the substance of the issues raised. At this meeting it was found that residents are concerned that existing traffic issues (such as rat-running and on street parking demand) will be exacerbated by the proposal and that new traffic impacts will be experienced (such as increased traffic on the weekends).

At its meeting of 8 October 2013 Council considered all submissions and resolved to defer consideration of the planning proposal until a traffic and parking study could be completed. In summary, Council resolved that:

ITEM 4 (continued)

- the study area should be bounded by Pittwater Road, Morrison Road, Lane Cove Road and Coxs Road
- investigate the options of the closure of College Street
- that the study should be wholly funded by Bunnings
- that the study must be independent and managed by Council staff
- that the outcomes of the study are presented to the community prior to the Planning Proposal being considered by Council.

On 21 October 2013 Council's Acting General Manager, Group Manager Public Works and Acting Group Manager Environment and Planning met with Bunning's to discuss the Council's resolutions of 8 October 2013. In response Bunning's have accepted the management arrangements and offered to fund the traffic and parking study subject to it being capped at \$100,000. Bunning's have requested that these arrangements are formalised in an agreement between themselves and Council.

Traffic advice has indicated that the Parking and Traffic Impact Study area set by Council on 8 October 2013 should be revised as the boundaries encompass areas where the traffic impact cannot be credibly modelled. This is because:

- Traffic movements from the Bunning's site will be distributed in various directions and the traffic impact diluted as the distance from the site increases.
- Existing traffic volumes in streets will influence any modelling results e.g. high volumes of traffic on Lane Cove Road.
- Due to the large number of streets north and west of Buffalo Road and Pidding Road, the effects of the development beyond these points could not be discerned by any modelling.

As a result, it is considered that the study area defined by Council on 8 October should be revised as the boundaries encompass areas where the effect of the Bunnings development would not be credibly discernible by a traffic model. The advice is that Higginbotham Road and Cressy Road should form the west and north boundaries of the study and model area, Pittwater Road and Morrison Road the eastern and southern boundaries respectively.

RECOMMENDATION:

- (a) That the Acting General Manager enter into an agreement between Council and the Bunning's Group committing the Bunning's Group Ltd to fund a traffic and parking impact study - bounded by Morrison Rd, Pittwater Road, Higginbotham Road and Cressy Road
- (b) That the Traffic and Parking Impact Study for 461-495 Victoria Road Gladesville, managed by Council, is presented to a community workshop in draft format as early as practicable in 2014. This community workshop is to be held in the same format as the community workshop of 29 August 2013.

ITEM 4 (continued)

- (c) That consideration of the Planning Proposal for 461-495 Victoria Road Gladesville be deferred until the Traffic and Parking Impact Study is complete.
- (d) That the NSW Department of Planning and Infrastructure be informed of Council's decision and an extension to the timeframe for consideration by Ryde Council of the Planning Proposal be requested.

ATTACHMENTS

- 1 Letter from Bunnings Group Ltd committing to funding a traffic and parking impact study

Report Prepared By:

Lexie Macdonald
Team Leader - Strategic Planning

Report Approved By:

Meryl Bishop
Manager - Urban Planning

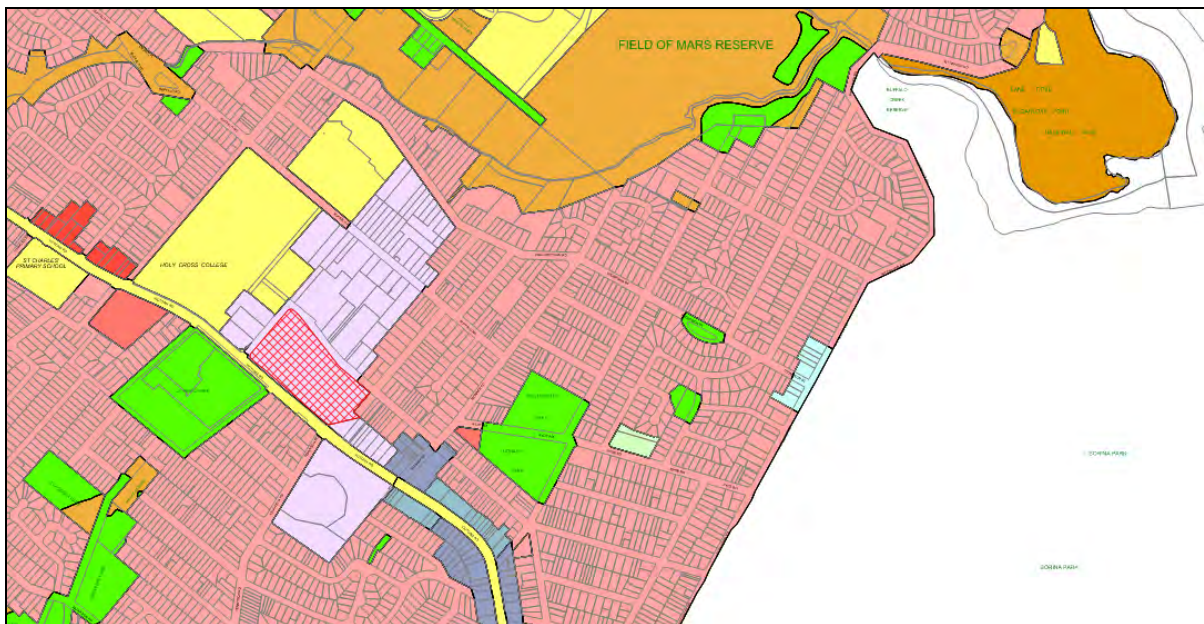
Dominic Johnson
Group Manager - Environment & Planning

ITEM 4 (continued)

History of Planning Proposal and Development Application for 461-495 Victoria Road

A Planning Proposal was submitted by Bunnings Group Ltd to Council in March 2012. The Proposal aims to include additional land uses (bulky goods premises) on the site via *Schedule 1 Ryde Local Environmental Plan 2010* (LEP 2010) and to amend the Height of Buildings Map in LEP 2010. Council at its meeting on 13 November 2012 resolved:

- That Council forward the planning proposal to 461-495 Victoria Road, Gladesville to receive a gateway determination
- That following the gateway determination the Planning Proposal 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.
- That a site specific addition to the Ryde Development Control Plan 2010 be prepared for 461-495 Victoria Road, Gladesville and public exhibited together with the planning proposal.



The map above shows the existing land use zones under Ryde LEP 2010 and Draft Ryde LEP 2013. Bunning's site is cross hatched in red. The land zoned IN2 Light Industrial (Gladesville Industrial Area) is shown light purple. The low density residential land use is shown pink and the Gladesville mixed use commercial zones blue and bluish purple.

On 1 March 2013, the Department of Planning and Infrastructure (DoPI) issued a gateway determination. The full details of the gateway determination were reported to Council on 9 April, 2013. The gateway determination requested that Council:

- Amend the zoning of the land from IN2 Light Industrial to B5 Business Development or another appropriate business zone to permit the proposed land uses.

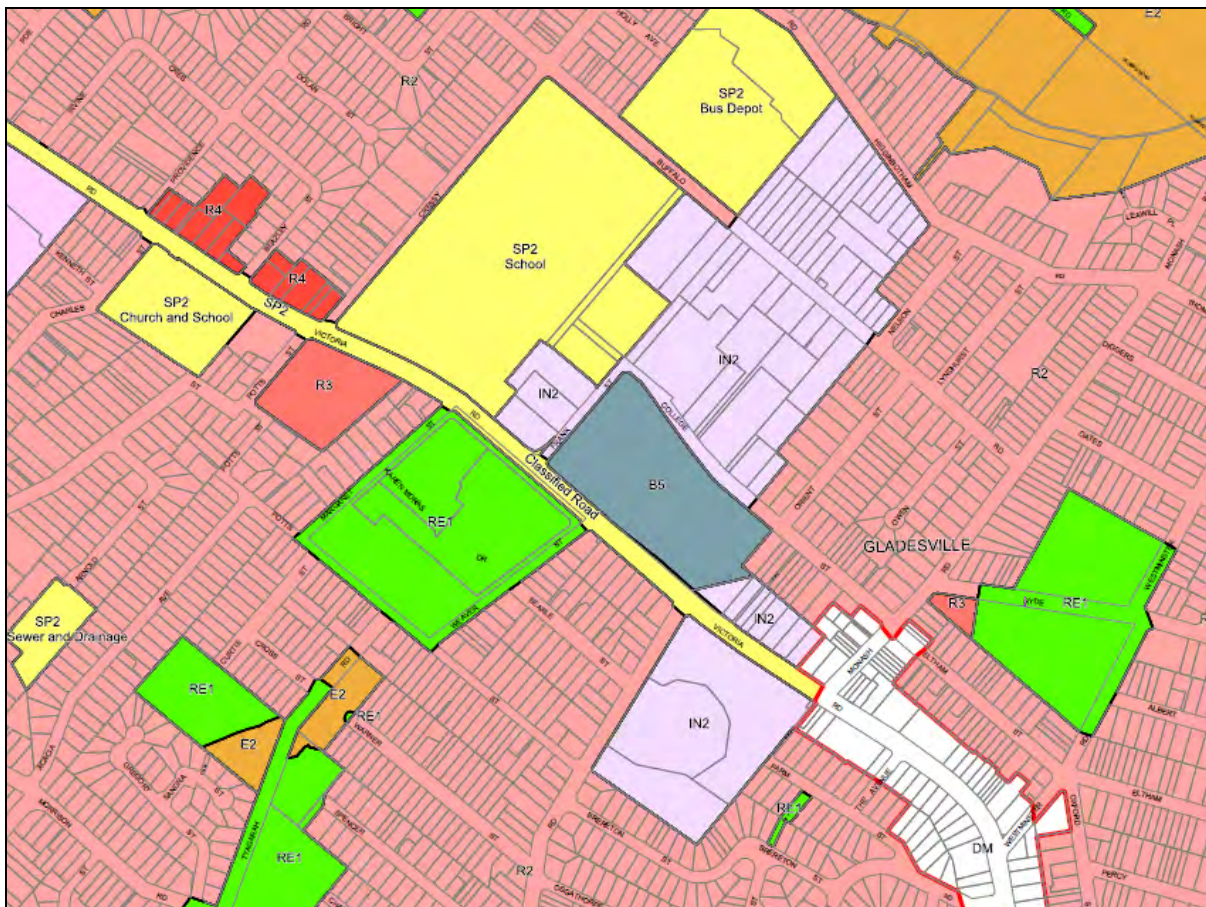
ITEM 4 (continued)

- Amend the 'explanation of provisions' within the planning proposal prior to exhibition
- Consult Transport for NSW - Roads and Maritime Services, and that
- The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination i.e. by 1 November 2013.

On 9 April 2013, in response to the above-mentioned Gateway Determination, Council resolved:

- To endorse amendments to the planning proposal to change the zone of the land from IN2 Light Industrial to B5 Business Development and to delete Ryde LEP 2010 Clause 4 Schedule 1 Additional Permitted Uses relating to the use of Building H (now demolished) for business and office premises
- To proceed to community consultation.

Accordingly, the planning proposal, draft site specific DCP and associated documentation was publicly exhibited from 11 June to 11 July 2013.



Map showing the land use zones as exhibited. Note B5 land use zone across the Bunning's site.

ITEM 4 (continued)

Concurrently but separately to the planning proposal, Bunnings Properties Pty Ltd lodged a Development Application with Council, for the demolition of a building (corner Victoria Road and Frank Street), construction of vehicle ramp and subdivision. This included road works to allow for the provision of a deceleration and bus lane along Victoria Road.

On 16 July 2013, Council's Planning and Environment Committee resolved to approve Local Development Application No. 2012/0412 at 461-495 Victoria Road, Gladesville subject to conditions. As a result, development consent was issued for construction of a new vehicle crossing at the intersection of Victoria Road and Tennyson Road, demolition of an existing industrial building and construction of a new vehicle ramp down to the ground level of the subject site and associated landscaping works (LDA2012/0412). The consent included information regarding the subdivision, as follows:

As part of the development application, it is proposed to include a boundary re-alignment to suit the intersection upgrade. This will include the dedication of the intersection to Council.... The intent of the dedication is to ensure that the intersection is located wholly on public land and the internal access ramp will be located wholly within the subject site. The development has also identified land that is to be acquired by RMS.

It should be noted that this work has already commenced on the site. To date the building at the corner of Frank St and Victoria Rd has been demolished, that construction works to widen the road are underway and that subdivision matters are being implemented by the applicant and the RMS.

At its meeting on 23 July 2013, Council considered a Notice of Motion that raised concerns with the planning proposal, with reference to traffic. A petition containing 220 signatures and accompanied by 3 signed submissions (the submissions were duplicates of submissions received during the exhibition period) was tabled together with the Notice of Motion on 23 July 2013. At this meeting, Council resolved:

"[H]aving regard to community concerns expressed at the two Community consultation sessions held on 12 June at the Next Generation and on 27 June at Gladesville Library ... that Council hold a further Community Consultation meeting specifically to address traffic concerns prior to the report of the exhibition coming to Council....The outcome of the consultation session is to provide a range of options addressing community concerns relating to the issue of traffic generation which will be considered when the planning proposal is determined by Council."

A community workshop was held on 29 August 2013. A summary of the outcomes of the workshop are discussed later in this report.

ITEM 4 (continued)**Outcomes of Community Consultation**

Consultation with the community regarding the Planning Proposal and Draft DCP was carried out in accordance with legislative requirements, Council resolutions and the communication plan endorsed by Council at its meeting on 9 April 2013. Key dates and events of the community consultation are as follows:

- Public exhibition for a period of 31 days between 11 June and 11 July (inclusive) 2013.
- A copy of Planning Proposal, draft DCP and all supporting material was available for public viewing at Gladesville and Ryde Libraries, Customer Service Centre, and Ryde Planning and Business Centre. The documents were also made available on Council's website.
- Two community information sessions attended by 45 people were held as follows:
 - 12 June 2013, 5.30pm – 8.30pm at "Next Generation", Gladesville, and
 - 27 June 2013, 3.00pm – 6.00pm at Gladesville Library.
- Community Workshop held at Ryde Civic Hall on 29 August 2013.

Written Submissions

A total of 83 submissions were received in response to community consultations:

- 87% from residents located within 2km of the site
- 6% from surrounding businesses and the school
- 7% from areas located more than 2km from the site.

As noted above, a petition was also tabled together with a Notice of Motion at the Council meeting on 23 July 2013.

Issues raised by the community in the submissions related to the following key matters:

Traffic, parking and access

- Impacts on traffic and road network (local and arterial),
- Validity of the traffic and parking study exhibited with Planning Proposal,
- Safety of school children (because the sports grounds for Holy Cross are nearby),
- Existing traffic issues (e.g. rat running), potentially increased
- Increased demand for on-street parking and provision of parking for Bunning's staff,
- Cumulative impacts of other development in the area, and
- Suggestions for Local Area Traffic Management measures such as road closure in College Street segregating business and resident access, one-way roads, etc.
- Access points to the site – on Frank Street/College Street

ITEM 4 (continued)Appearance and Character

- Visual impact on nearby heritage item, Holycross School and when viewed by residents in the vicinity (including on the other side of Victoria Road)
- Scale and size of proposal
- Change of character of the area as a result of the change from industrial to commercial uses in particular the extension of business hours to include weekends.

Amenity and Environment

- Noise and privacy impacts, in particular due to weekend operating hours
- Impacts on amenity and the environment during construction period
- Overshadowing
- Stormwater (particularly as it impacts on downstream sites)

Economic and Social

- Impact on existing retail centres and business
- Impact on property values
- Social Issues, potential for increase in crime

Community Workshop held 29 August

The community workshop held on 29 August 2013 was attended by approximately 70 residents. The facilitated discussion sought the identification of:

1. Traffic Issues – Current Experience
 - a. What is the traffic/parking/access issue CURRENTLY being experienced?
 - b. Where is the CURRENT traffic/parking/access issue being experienced?
 - c. When is this CURRENT issue being experienced?
2. Traffic Issues – Anticipated Experience
 - a. What is the traffic/parking/access issue ANTICIPATED to be experienced?
 - b. Where is this traffic/parking/access issue ANTICIPATED to be experienced?
 - c. When is this issue ANTICIPATED to be experienced?

In this respect the traffic issues currently being experienced by the community were identified as:

- Congestion and speeding on local roads as a result of ‘rat-runs’,
- The area is quiet on the weekends and evenings when existing businesses are closed,
- Existing on street parking problems are experienced due to commuter parking and patrons and staff of existing industrial / commercial businesses in the area,
- Unreasonable traffic queues at intersections to get onto Victoria Road in the peak hours.

ITEM 4 (continued)

Following on from this, the anticipated traffic issues - should the planning proposal proceed were identified as:

- Traffic and congestion to be worsened given additional vehicular movements,
- Quiet weekends and evenings will be lost, due to increased traffic movements and on street parking
- Existing parking problems will be worsened, and
- Worsening traffic queues in local streets
- The function of the intersection in the area would worsen in particular College Street/Eltham Street/Monash Road/Victoria Road and Buffalo Road/Orient Street.

Report to Council on 8 October regarding Outcomes of Consultation

The outcome of the community workshop and a recommendation to undertake a traffic study was reported to Council on 8 October 2013. The report recommended that consideration of the planning proposal (including amenity, social economic and other matters) be deferred until a traffic and parking study was completed.

A consultant brief for the preparation of a localised Parking and Traffic Impact Study was attached to that report. This study brief aimed to determine:

- The impacts of the Planning Proposal,
- The appropriate traffic study area and necessary data,
- Whether potential impacts resulting from the proposal are within acceptable limits,
- Potential mitigation measures that could be implemented and their benefits, including testing mitigation measures identified through the community consultation process, and
- Examine and evaluate the concerns raised by the community regarding traffic generated by the proposed development, and
- Impacts of parking / appropriate parking rates to be applied.

The deliverables of the consultancy are a Parking and Traffic Impact Study that:

- Identifies the study area utilised by the model and includes every street within this area,
- Includes a comprehensive set of data that will establish the base case including current traffic demands, travel times and queues for both weekdays and weekend peak and off-peak periods,
- Includes consideration of the changing nature of Gladesville Town Centre and the Victoria Road Corridor,
- Is capable of testing traffic mitigation measures,
- Is capable of testing 15 scenarios for mitigation measures and the impacts on the surrounding road network (including community suggestions for road closures in College St, Orient St, and Eltham St),
- Is capable of allocating impact and mitigation responsibilities to specific developments in the area,

ITEM 4 (continued)

- Identifies the traffic generation rates for the proposed uses under the planning proposal,
- Includes a traffic model capable of being extended should associated issues arise.

On consideration of the abovementioned impacts of the Bunning's Planning Proposal, Council resolved:

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

Future Community Consultation

Council's consideration of the Planning Proposal to date has relied heavily on the involvement of the community. In response to community concerns, a new traffic and parking impact study is required to understand the possible impacts of traffic from the proposed development and approved and potential development in the area in order to fully consider the Planning Proposal.

ITEM 4 (continued)

In response to significant community interest it is proposed that the draft traffic and parking impact study is presented to the community (prior to finalisation) in a community workshop as early as practicable in 2014. This workshop would be held in the same format as the community workshop of 29 August 2013.

Following the workshop the draft traffic and parking impact study may be amended based on community comments. The study will then be presented to council.

Discussion

On 21 October 2013 Council's Acting General Manager, Group Manager Public Works and Acting Group Manager Environment and Planning met with Bunning's to discuss the Council's resolutions of 8 October 2013. At this meeting the following matters were discussed

- The study area – defined by the Council resolution
- Funding the study
- Bunning's "involvement" in the development of the study

As a result Bunning's wrote to Council on 1 November 2013 to outline their agreement to:

- Fund a traffic study managed by council officers of the streets and intersections in the locality of the site
- Consultant procurement being subject to appropriate discipline and an upper cap being set at \$100,000
- Bunning's and council entering into an agreement that stipulates that the purpose of the study is to:
 - Identify local traffic issues
 - Identify the likely impact of additional traffic generated by the Bunning's proposal
 - Consider mitigation measures and clearly distinguish between mitigation measures warranted as a result of the Bunning's development and what are remedial measures to address existing or current issues.
- The recommendations of the study are the consultant's recommendations and Bunning's are not bound to adopt/implement any of these recommendations.

Bunnings letter of 1 November 2013 is **ATTACHED**.

Proposed Study Area

The details for the traffic study as defined by Council on 8 October were referred to Council's Section Manager Traffic for comment.

The report provided with the Bunning's development application identified a maximum traffic generation of 650 vehicles/hour for the week-end peak which is about 400 vehicles/hour more than is currently generated by the site.

ITEM 4 (continued)

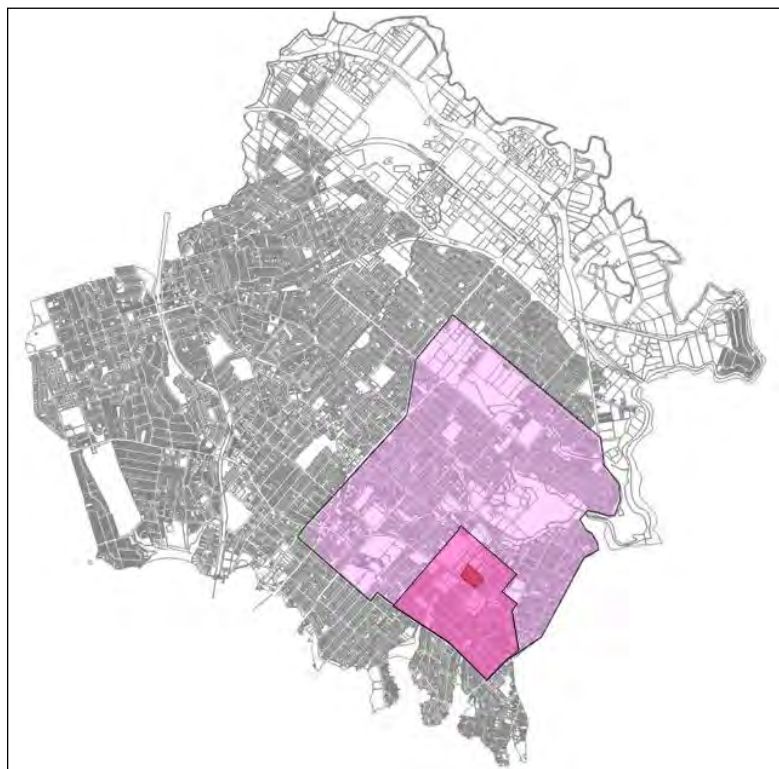
A rule of thumb for coverage of impacts (additional traffic increase compared to base traffic) would suggest that the Bunning's development traffic would be quickly be dissolved into the high volumes on Victoria Road and that the incremental impact would be relatively small beyond Cressy Road and beyond Pittwater Road. Ordinarily these roads would logically form the boundary of an impact assessment area for a development of the size of Bunning's in this type of traffic environment. However, the presence of a number of "background" rat running issues in Morrison Road; the potential to exacerbate these issues would suggest that the study area include Morrison Road as well.

In summary; traffic movements will be distributed from the Bunning's site and the traffic impact diluted as the distance from the site increased. In addition, existing traffic volumes in streets such as Lane Cove Road will influence any modelling results. Council's traffic consultant has advised that given 1) the already high volumes of traffic on arterial roads and, 2) the large number of streets beyond Buffalo Road and Pidding Road, the effects of the development beyond these points could not be credibly be discerned by any modelling.

As a result, it is considered that the study area defined by Council on 8 October should be revised as the boundaries encompassed areas where the effect of the Bunnings development would not be credibly discernible by a traffic model. The advice is that Higginbotham Road and Cressy Road should form the west and north boundaries of the study and model area, Pittwater Road and Morrison Road the eastern and southern boundaries respectively.

The following map:

- Indicates the area for the Bunning's traffic study as per Council resolution of 8 October 2013 in light pink.
- The darker pink area is the recommended study - as proposed by Council's traffic planner.
- Bunnings site is shown in red.



ITEM 4 (continued)**Financial Implications**

Should Council resolve to undertake the preparation of a traffic study as described above, it will result in the following financial impact

Bunning's Group has agreed to fund the Traffic and Parking Impact Study capped at \$100,000.

This report recommends that Council enter into a formal agreement with Bunning's regarding the fee, the management arrangements, and scope prior to commencing the Traffic and Parking Study.

Options

Planning Proposals are managed under the gateway plan-making process which has five main steps:

1. Planning proposal
2. Gateway
3. Community Consultation
4. Assessment
5. Decision (final plan-making by the Minister)

Council is yet to complete the third stage, Community Consultation. This will be complete only when Council has considered all of the submissions. At this stage Council has deferred consideration of all submissions until a Traffic and Parking Impact Study has been completed.

Council may, at any time, vary the planning proposal under section 58(1) of the *Environmental Planning and Assessment Act 1979*, as a consequence of its consideration of any submission or report during consultation, or for any other reason. Council can also decide not to proceed with the proposal at any stage of the plan-making process after a gateway determination is made.

The following options are relevant to the subject planning proposal.

Option 1: Council decides not to proceed with the planning proposal and draft DCP

Council has considered the expansion of uses on the site on four occasions:

1. Adoption of the Local Planning Study in December 2010;
2. Supporting the planning proposal for gateway determination on 13 November 2012;
3. Endorsing the DLEP 2011 to be forwarded to the Minister with an expanded uses to the subject site under Schedule 1 on 12 March 2013; and
4. Supporting the Planning Proposal for community consultation on 9 April 2013.

ITEM 4 (continued)

Deciding not to proceed at this stage of the process is not preferred as it is considered Council should consider the outcomes of a traffic and parking impact study before it makes a decision.

Option 2: That Council decides to proceed with a traffic and parking impact study (as per resolutions of 8 October 2013).

On 8 October 2013 Council resolved to undertake a traffic and parking impact study prior to making a decision about the Bunning's planning proposal. Council resolved that this traffic and parking impact study should be bounded by Lane Cove Road, Cox's Road, Pittwater Rand and Morrison Road.

In relation to the study area identified above, council's traffic consultant has advised that traffic movements will be distributed in all directions from the Bunning's site and the traffic impact diluted as the distance from the site increased. In addition, the already high volumes of traffic on arterial roads within the study area and, the large number of streets beyond Buffalo Road and Pidding Road will mean that that traffic impacts cannot credibly be modelled. As a result this option is not preferred.

Option 3: That Council defers making a decision on the planning proposal at this time and proceeds to enter into an agreement with Bunning's to prepare a traffic and parking impact study as discussed in this report and in Bunning's letter of 1 November 2013.

It is considered that there is insufficient information with respect to traffic issues for Council to make an informed decision on the planning proposal and draft DCP.

This option proposes to undertake the traffic and parking impact study based on a study area recommended by Council's traffic consultant and discussed in the body of this report.

Accordingly, this report recommends that a Parking and Traffic Impact Study and be undertaken to further consider the potential impacts of the development on the surrounding area. The outcomes of the Parking and Traffic Impact Study will form the basis of a further report to Council. In addition, matters raised in submissions other than traffic are also to be reported at this time. When considering these matters Council may choose to vary the planning proposal, proceed or refuse the planning proposal.

The option to defer making a decision on the planning proposal and draft DCP is the preferred option, and forms the basis for the recommendations attached to this report.

ITEM 4 (continued)
Critical Dates and Timeframes

Key Stages	Anticipated date
Execute agreement with Bunning's to carry out Traffic study	End November 2013
Issue traffic study brief	End January 2014
Appoint traffic study consultant	End February 2014
Draft traffic study	End May 2014
Consideration by council staff of submissions in relation height, overlooking etc with a view to making recommendations to council	End May 2014
Present traffic study outcomes to both a council workshop and a community workshop	June 2014
Report to Council on the outcomes of the traffic study and responses to submissions on other issues	July 2014
Anticipated date RPA will forward to Parliamentary Counsel's Office for Opinion (if delegated)	August 2014
Anticipated date RPA will make the plan and forward to the department for notification (if delegated)	December 2014

ITEM 4 (continued)

ATTACHMENT 1



1 November 2013

Acting General Manager
Ryde City Council
Civic Centre
1 Devlin Street
RYDE NSW 2112

**UPDATED OFFER TO FUND LOCAL AREA TRAFFIC STUDY
GLADESVILLE WEST IN THE VICINITY OF MONASH, COLLEGE, ORIENT, & FRANK
STREETS AND VICTORIA ROAD**

Dear Mr Newsome,

I refer to the Planning Proposal submitted by Bunnings Group Ltd ("Bunnings") seek to amend the Ryde LEP 2010 as it applies to 461-495 Victoria Road, Gladesville, the adopted Notice of Motion of Ryde City Council ("Council") on 23 July 2013; discussions with Councillors Maggio and Chung, and Council officers, and the resolution of Council on 8 October 2013, and hereby provide the undertaking of Bunnings to co-operatively fund a traffic study and traffic impact assessment which will be undertaken and managed by Council officers, of the streets and intersections in the locality of the subject site.

Bunnings' undertaking is made on the basis of a reasonable scope for the study being established in consultation with Bunnings; the study being undertaken in a professional and timely manner; the procurement of consultants by Council being subject to appropriate discipline, and a upper limit (cap) on contributions to be paid by Bunnings at \$100,000. Bunnings will however not commit to appointment, nor liability for payment, of the successful consultant until it has executed an agreement with Council as outlined below. Bunnings acknowledges that the management of the study will be undertaken under the direction of officers of Ryde City Council.

The purpose of the study is agreed to be identification of existing local traffic issues, the likely impacts of additional traffic generated by the Bunnings proposal, and the consideration of measures (if any) to address traffic concerns. We anticipate that the study will identify and clearly distinguish between what measures are warranted as a result of the Bunnings development and what are remedial measures to address existing or current issues. Bunnings will not be bound to necessarily adopt/implement any of the recommendations of the study as it is acknowledged that those recommendations are the opinions of the consultant only.

We look forward to assisting wherever possible with input data, and being kept informed of progress with the study by a Council project manager. Bunnings would insist on obtaining access to the draft and final reports prior to them being released to the public.

This offer is made in good faith and with an expectation that both Bunnings and Ryde City Council will act reasonably at all times.

Bunnings Group Limited
ABN 26 008 672 179
A member of the Wesfarmers Limited
Group of Companies

11 Shirley Street
Rosehill NSW 2142
Locked Bag 30
Granville NSW 2142

Telephone +(61 2) 9846 7100
Facsimile +(61 2) 9846 7900
Website www.bunnings.com.au

ITEM 4 (continued)

ATTACHMENT 1

This offer is made conditionally that a cost agreement be executed between the Council and Bunnings to reflect the terms and spirit of this offer. Bunnings will prepare the initial draft of this agreement and submit it to Council for consideration and their response.

If there are any queries regarding the above, please do not hesitate to contact the undersigned on 02 9846 7334 or 0413 098 609, or email pdrew@bunnings.com.au.

Yours sincerely,



Philip Drew
Development Approvals Manager
Bunnings Group Ltd

5 CODE OF CONDUCT ANNUAL REPORT

Report prepared by: Governance Support Coordinator; Manager - Risk and Audit
File No.: CLR/07/8/9/8 - BP13/1449

REPORT SUMMARY

This report provides details of Code of Conduct complaints received in the 12 months prior to 30 September 2013, in accordance with Part 12 of the City of Ryde Code of Conduct. Part 12 also requires that these Code of Conduct statistics be provided to the Division of Local Government by 31 December 2013.

RECOMMENDATION:

- (a) That Council receive this report, and note the **ATTACHED** table of Code of Conduct complaints for October 2012 to September 2013; and
- (b) That Council provide this report, including the **ATTACHMENT**, to the Division of Local Government.

ATTACHMENTS

- 1 Code of Conduct Complaints October 2012 - September 2013

Report Prepared By:

Lorie Parkinson
Governance Support Coordinator

John Schanz
Manager - Risk and Audit

Report Approved By:

Shane Sullivan
Acting Group Manager - Corporate Services

Roy Newsome
Acting General Manager

ITEM 5 (continued)**Background**

On 19 February 2013, the City of Ryde adopted a revised Code of Conduct to commence on 1 March 2013. This Code reflected the Model Code of Conduct as prepared by the Division of Local Government, with additions of Council specific policy content and references. Further minor changes have since been made, with the current City of Ryde Code of Conduct being adopted by Council on 8 October 2013.

Discussion

This report addresses the requirements of Part 12 of the City of Ryde Code of Conduct as given below.

Part 12: Reporting on Complaints Statistics

- 12.1 The complaints coordinator must arrange for the following statistics to be reported to the council within 3 months of the end of September of each year:
- a) the total number of code of conduct complaints made about councillors and the general manager under the code of conduct in the year to September,
 - b) the number of code of conduct complaints referred to a conduct reviewer,
 - c) the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage and the outcome of those complaints,
 - d) the number of code of conduct complaints investigated by a conduct reviewer,
 - e) the number of code of conduct complaints investigated by a conduct review committee,
 - f) without identifying particular matters, the outcome of code of conduct complaints investigated by a conduct reviewer or conduct review committee under these procedures,
 - g) the number of matter reviewed by the Division and, without identifying particular matters, the outcome of the reviews, and
 - h) the total cost of dealing with code of conduct complaints made about councillors and the general manager in the year to September, including staff costs.
- 12.2 The council is to provide the Division with a report containing the statistics referred to in clause 12.1 within 3 months of the end of September of each year.

ITEM 5 (continued)

It is important to note that this report only contains information relating to the year ended 30 September 2013.

Financial Implications

The total costs associated with undertaking Code of Conduct investigations in the year ending 30 September 2013, as detailed in this report, were \$40,220. This includes \$22,720 for external fees.

Critical Dates

These statistics on Code of Conduct complaints, including the investigation and resolution process and outcomes, are required to be presented to Council within 3 months of the end of September each year. Part 12 of the Code of Conduct also requires that these statistics are to be reported to the Division of Local Government by the same date.

Should Council not consider this report at the meeting of 26 November 2013, it is possible that the statutory deadline of 31 December 2013 may be missed.

ITEM 5 (continued)
ATTACHMENT 1
Code of Conduct Complaints October 2012-September 2013

Clause	Requirement	Number	Comments/Outcomes as appropriate
12.1 (a)	the total number of code of conduct complaints made about councillors and the general manager under the code of conduct in the year to September	4 complaints in total	
12.1 (b)	the number of code of conduct complaints referred to a conduct reviewer	1 (12/13) year	Note: A matter was referred in the 2011/12 year and was not finalised until this year
12.1 (c)	the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage and the outcome of those complaints	0	
12.1 (d)	the number of code of conduct complaints investigated by a conduct reviewer	4	Note: A matter was referred in the 2011/12 year and was not finalised until this year
12.1 (e))	the number of code of conduct complaints investigated by a conduct review committee	0	
12.1 (f)	without identifying particular matters, the outcome of code of conduct complaints investigated by a conduct reviewer or conduct review committee under these procedures		<p>In relation to the matter raised in the 2012/13 year, the report has been received from the Conduct Reviewer and is yet to be formally adopted by Council</p> <p>In relation to the matter raised in the 2011/12 year that was not finalised until this year, both recommendations arising from the review were adopted by Council. The Acting General Manager followed up on the resolutions of Council to ensure that they were complied with.</p>
12.1 (g)	the number of matters reviewed by the Division and, without identifying particular matters, the outcome of the reviews	0	
12.1 (h)	the total cost of dealing with code of conduct complaints made about councillors and the general manager in the year to September, including staff costs	\$40,220	

6 CODE OF MEETING PRACTICE

Report prepared by: Section Manager - Governance**File No.:** CLM/13/1/4/2 - BP13/1536

REPORT SUMMARY

This report presents a draft Code of Meeting Practice for Council's consideration. In accordance with Council's resolution of 13 August 2013, with regard to INTERIM ACTION PLAN – How Council Can Address Risks Raised in the ICAC Hearing, the Code of Meeting Practice has been reviewed to reflect City of Ryde practices and to incorporate the handling and distribution of confidential information.

Changes are now proposed to ensure the Code of Meeting Practice is consistent with other City of Ryde policies, including Code of Conduct, the Mayor's Roles and Responsibilities and the Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor. The draft Code aligns with the Division of Local Government's Meeting Practice Note.

It is recommended that Council adopt the **ATTACHED (Under Separate Cover)** draft Code of Meeting Practice and that it be placed on public exhibition inviting submissions to be received. In addition, it is recommended that the draft be forwarded to the Division of Local Government for comment.

RECOMMENDATION:

- (a) That Council adopt the draft Code of Meeting Practice as **attached** to this report, for public exhibition for a period of not less than 28 days.
- (b) That a copy of the draft Code of Meeting Practice be provided to the Division of Local Government for comment.
- (c) That public submissions be invited on the draft Code of Meeting Practice from 4 December 2013 to 3 February 2014.
- (d) That a further report be provided to Council in late February 2014 to consider adoption of the draft Code of Meeting Practice.

ATTACHMENTS

- 1 Draft Code of Meeting Practice - November 2013 - CIRCULATED UNDER SEPARATE COVER

Report Prepared By:

Amanda Janvrin
Section Manager - Governance

Report Approved By:

Shane Sullivan
Acting Group Manager - Corporate Services

ITEM 6 (continued)

Background

At its meeting held on 13 August 2013, Council considered a report regarding an INTERIM ACTION PLAN – How Council Can Address Risks Raised in the ICAC Hearing and endorsed a review of the Code of Meeting Practice.

Accordingly, the Code of Meeting Practice has been reviewed to reflect City of Ryde practices and in particular the handling and distribution of confidential information.

Changes are now proposed to ensure the Code of Meeting Practice is consistent with other City of Ryde policies, including Code of Conduct, the Mayor's Roles and Responsibilities and the Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor.

Discussion

The Code of Meeting Practice governs the manner in which Council and Committee Meetings are conducted and sets out the structure of those meetings.

The **ATTACHED (Under Separate Cover)** draft Code of Meeting Practice shows recommended additions in ***bold italics*** and any deletions in ~~strikethrough~~.

Proposed Changes to the Code of Meeting Practice

Councillors obligations in accordance with Code of Conduct

In response to Councillor feedback and in order to strengthen the role of the Code of Conduct, Part 1.1 – Acknowledgement of Country of Section 1.4 of the Code of Meeting Practice - Order of Business has been expanded to include a statement at the commencement of a Council Meeting reminding Councillors of their obligations under Code of Conduct. The statement is as follows:-

Council's Code of Conduct provides standards for appropriate behaviour and sanctions for misbehaviour at meetings. Councillors should be aware of the provisions of the Code of Conduct in regard to these matters.

Webcasting

Council at its meeting on 17 July 2012 resolved to undertake webcasting of Council Meetings on a trial basis for six months which was expected to commence by 2013. In addition, webcasting of General Purpose Committee Meetings was to commence as soon as practicable.

After the resolution of a number of technical issues with equipment and software, staff have been testing the webcasting over the past few months.

ITEM 6 (continued)

Councillors were provided with a webcasting update via the Councillor Information Bulletin on 10 October 2013 and were also emailed the web address and password so that they could logon and view the test webcast.

It is proposed to continue testing the system and to go live with webcasting from February 2014. Therefore, it is recommended that the reference to webcasting being undertaken on a trial basis (as set out in Section 2.10.2) be removed from the Code of Meeting Practice.

It is not recommended that, at this time, Council pursue webcasting of General Purposes Committees. Since this resolution of Council, three General Purposes Committee Meetings have been held, all in venues other than the Council Chambers. As a result, the cost of providing webcasting in remote venues will be substantially more than originally budgeted and is not recommended at this time.

Addition of Confidential Reason for Code of Conduct Complaints

In order to reflect recent changes to the Local Government Act, Section 7.1 of the Code of Meeting Practice – Closure of Meetings to the Public has been updated to include the following provision under Section 10A (2):

- (i) alleged contraventions of any Code of Conduct requirements applicable under Section 440 – Code of Conduct.

Handling and Circulation of Confidential Information

The report to the Council Meeting of 13 August 2013 regarding an INTERIM ACTION PLAN – How Council Can Address Risks Raised in the ICAC Hearing outlined the need for further improvements to Council's practices, particularly with regards to the management of confidential information.

With the introduction of BoardVantage, there are opportunities to better manage the provision and distribution of information, specifically with regards to confidential information.

In order for Council to improve its governance and risk management in areas for which it has responsibility and control and also to protect both Councillors and staff, it is proposed to include an additional section to the Code of Meeting Practice specifically dealing with the handling and circulation of confidential information for Council and Committee Meetings as set out below:-

Section 7.9 - Handling and Circulation of Confidential Information

Councillors shall primarily have access to confidential information through BoardVantage (Council's online document system), noting that at times hard copies may be distributed to Councillors at the meeting.

ITEM 6 (continued)

It is also noted that feedback from Councillors has indicated that Councillors find it difficult to read confidential information provided to them on pink paper. It is therefore recommended that if hard copies of confidential documentation are distributed to Councillors at meetings, these documents should be provided on white paper with the inclusion of a confidential watermark.

Public Address at Meetings

Section 2.9 of the Code of Meeting Practice – Public Addresses refers to the City of Ryde rules for public addresses being contained in Appendix G. This is a clerical error and has been corrected to reflect Appendix D.

There have been a number of instances where members of the public have requested to address a meeting after the midday deadline. Any members of the public who telephone to register after the midday deadline are referred to the Governance staff who ensure that those speakers are listed on the Mayor and Councillor running sheets to allow Council to determine whether to allow them to address Council.

Order at Meetings

At the Council Meeting of 8 October 2013, there was some discussion regarding the Code of Meeting Practice incorporating information regarding Acts of Disorder, Expulsion from Meetings and Conduct at Meetings. Councillors are directed to Part 8 of the Code of Meeting Practice – Order at Meetings for these provisions.

Exhibition of the draft Code of Meeting Practice

In accordance with Section 362 of the Local Government Act, after considering all submissions received, Council may decide to amend the Code or adopt the draft Code as its Code of Meeting Practice.

If Council resolves to amend the draft Code it may publicly exhibit the amended draft in accordance with the Act, or, if Council is of the opinion that the amendments are not substantial, it may adopt the amended draft Code without public exhibition as its Code of Meeting Practice.

Following adoption of the Code of Meeting Practice, a copy will be forwarded to the Division of Local Government, the Code will be placed on Council's website and copies will be available at meetings for reference.

In order to support a transparent process, it is recommended that Council place the draft Code on Public Exhibition.

ITEM 6 (continued)**Critical Dates**

There are no critical dates or deadlines to be met.

It is noted that Council is required to give public notice of the draft code. The public exhibition period must not be less than 28 days. As the proposed exhibition period will be over the Christmas break, it is proposed to place the draft Code on an extended public exhibition from Wednesday, 4 December 2013 and closing on Monday, 3 February 2014 (61 days).

Council is also required to specify a period of not less than 42 days during which submissions may be made to Council. As a result, it is anticipated that a further report will be presented to Council at its meeting to be held on 25 February 2014.

Despite the public exhibition requirements, it is appropriate for Council to operate under the draft Code.

It should be noted that should Council resolve to amend its draft Code as placed on public exhibition, it may publicly exhibit the amended draft again. Alternatively, if Council is of the opinion that the amendments are not substantial, it may adopt the amended draft code without further public exhibition.

Financial Implications

Adoption of these recommendations will have no financial impact.

7 TOP RYDER COMMUNITY BUS SERVICE

Report prepared by: Manager The Environment**File No.:** PM13/30238 - BP13/1556

REPORT SUMMARY

This report updates the Council on the current funding position regarding the Top Ryder Community Bus Service and considers whether or not to continue the current level of service or to downsize the service.

The service uses 2 Council owned 25 seat buses and currently operates 6 days per week Monday to Saturday between the hours of 9.30am and 3.00pm. It is a free service for the local users, connects the business centres of Top Ryde, Gladesville, Meadowbank, West Ryde and Eastwood and costs Council approx. \$232k p/a to run. Over 65,000 passengers are transported between these centres annually.

The service has Council approval to 30/6/17 (CM 23/4/13) subject to a significant portion of external funding being available to maintain the Council's capped annual contribution of 100k p/a indexed towards the total cost of running the service. At the time, there were sufficient external contracts and sponsorship arrangements in place to justify this decision.

However, the circumstances have since changed and a substantive proportion of external funding to balance the costs of running the service, namely a business contract with Optus to run an after-hours bus shuttle for their staff, effectively ended on 30 August 2013, after a strong 3 year association. Economic pressures prompted this decision by Optus.

Despite extensive attempts to find a replacement for this contract, a new business arrangement could not be found.

In the circumstances and given Council's financial position, it is considered appropriate to downsize the service to 4 days per week starting from 1 Feb 2014, with the necessary funding and contributions to enable continuation of the service at this reduced level.

A further review of the service will be undertaken during the formation of 2014/15 Operational Plan. Should additional external funding become available in the future, consideration would again be given to returning to the original level of service; this would be the subject of a future report to Council.

RECOMMENDATION:

- (a) That the report on the current funding status of the Top Ryder be received and noted.

ITEM 7 (continued)

- (b) That the current Top Ryder Community Bus Service be downsized from a 6 day per week service to a 4 day per week service with the change in service delivery starting from week commencing 1 Feb 2014 and that this change be promoted in the local media and on the buses at the earliest possible time.
- (c) That, subject to b), Council's financial contribution for the operation of the Top Ryder Community Bus Service for a 4 day per week service be capped at \$150k p/a indexed from 1 July 2014 to 30 June 2017.
- (d) That, subject to b) an adjustment to the December review of the 2013/14 budget for the sum of \$47k be made to cover Council costs of running the Top Ryder Community Bus Service for the remainder of 2013/14
- (e) That \$50k p/a contribution from the Domestic Waste Management Reserve be approved from 1 July 2014 for advertising and promotion of the appropriate waste minimisation message on both buses.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Sam Cappelli
Manager The Environment

Report Approved By:

Dominic Johnson
Group Manager - Environment & Planning

ITEM 7 (continued)**History**

Council at its meeting held 23 April 2013 resolved:

- (a) *That Council approve the extension of the Top Ryder Community Bus Service under current operating conditions for a further four year period to 30 June 2017 for the total cost of \$297,000 indexed p/a (cost based on service including the Optus service which has now been discontinued)*
- (b) *That Council's financial contribution for the operation of the Top Ryder Community Bus Service remains capped at \$100,000 indexed p/a for four years with the shortfall each year required to run the service being made up from revenue from other sponsorship, advertising and business contracts*
- (c) *That Council tender for the services of a suitable bus operation and management organisation to operate the Top Ryder Community Bus Service and deliver related service contracts for four years or term of any contract, whichever is the lesser*
- (d) *That any variation to Council's capped contribution of \$100,000 indexed p/a that may result in an increase to Council above the capped amount be the subject of a further report to Council before any additional costs are incurred.*

Following advice received that a major source of external funding would not be continued beyond 31 August 2013, a further report was considered by Council on 27 August 2013 and Council resolved:

- (a) *That Council notes the update report on the Top Ryder Community Bus Service and issues raised concerning ongoing funding of the Service*
- (b) *That a further report be submitted to Council in October 2013 on deliberations undertaken to fund a continuation of the Top Ryder Community Bus Service and for decision based on results of the deliberations on whether or not the service should be continued, discontinued or downsized.*

Discussion

The current Top Ryder Community Bus Service is a free service that operates 6 day per week service Monday to Saturday between the hours of 9.30am and 3.00pm and transports over 65,000 passengers annually. The service costs Council approx. \$232k p/a indexed and this equates to approx. \$3.50 per passenger trip.

ITEM 7 (continued)

The service uses 2 Council owned 25 seat buses and serves to improve transport connections between 5 key centres of Ryde namely Top Ryde, Gladesville, Meadowbank, West Ryde and Eastwood. The service began on 22 July 2008 and on 23/4/13 Council approved an extension of the service to 30/6/17.

The approval to extend the service to 30/6/17 was conditional on a sufficient level of external funding being available to help support Council's annual capped contribution of 100k p/a indexed towards the total annual running costs of service. At the time of this approval, there were sufficient contracts and sponsorship arrangements in place that provided the necessary external funds to support this decision.

However, the circumstances have changed and a substantive proportion of external funding required supporting the running the service came from a business partnership with Optus which ended on 30 August 2013, after a strong 3 year association. Under that business arrangement, the Council provided an after-hours shuttle service for Optus staff 5 days per week.

Despite extensive attempts to find a replacement for this contract, a new business arrangement could not be found. Two other smaller sponsorships to the value of \$14k p/a have been negotiated but still a substantial shortfall exists.

Every corporate business in Macquarie Park has been approached and approaches were also made to Top Ryde City Shopping Centre and Optus without success. Other potential partnerships were also considered such as with Ryde Hunters Hill Community Transport (RHHCT) however any partnership with the RHHCT is dependent on a considerable amount of external funding that Council would need to guarantee, and Council is unable to do this.

For Council to maintain the current 6 day per week level of service, which costs \$232k p/a indexed to run, Councils contribution would need to be lifted to \$218k p/a indexed allowing for current sponsorship arrangements the Council has in place.

Alternatively, the Council may wish to discontinue the service from 1 February 2014, sell the buses (combined residual value of buses of approx. \$80k) and save any further contributions to the service or consider downsizing the level of service to say a 5 day service which would lower the operating cost to approx. \$190k p/a indexed or to a 4 day service which would lower costs to approx. \$150k p/a indexed.

It should also be noted that any decision to keep the service running in any capacity beyond 1 Feb 2014 to will result in a shortfall in funding to 30 June 2014 estimated to be in the order of \$100k to keep the current 6 day service or \$77k for a reduced 5 day service or \$47k for a reduced 4 day service. The shortfall will need to be funded from the current 2013/14 budget during the December Quarterly Review.

ITEM 7 (continued)

In addition, should Council decide to keep the service running beyond 30 June 2014, it is possible for part of the Council's required contribution up to amount of \$50k p/a to be sourced from the Domestic Waste Management Reserve to allow for both buses to be fully wrapped for promotion with appropriate waste advertising messages

This advertising initiative is seen as an important way of promoting waste diversion education and the Council's waste management service as waste statistics from the 2012/13 financial year showed waste diversion has not increased to meet EPA requirements. The Top Ryder is considered a suitable medium to promote this message due to its high exposure to the community.

In the circumstances, it is considered an appropriate compromise to downsize the service to 4 days and to vote the necessary additional funding and contribution to enable continuation of the service, albeit at a reduced level of service. This will cause a reduction in the annual passenger rate to about 45,000 passengers transported per year.

Should additional external funding be found in the future, consideration would be given to returning to the original level of service subject to a separate report to Council.

Financial Implications

Option	Current Budget p/a indexed	Expenditure p/a indexed	Income p/a	Subsidy p/a indexed	Shortfall 2013/14	Sale of Stock	Additional funding Sought p/a indexed from 1 July 2014	Additional funding to fund 2013/14 shortfall
1 – Discontinue service	\$100k	\$100k	-	\$100k	Nil	\$80k	Nil	Nil
2 – Keep 6 day service	\$100k	\$232k	\$14k	\$218k	\$100k	0	\$118k *\$68k from General Revenue *\$50k from Domestic Waste Management Reserve	\$100k from General Revenue - adjustment at Dec Quarter review
3 – Downsize to 5 day service	\$100k	\$190k	0	\$190k	\$77k	0	\$90k *\$40k from General Revenue *\$50k from Domestic Waste Management Reserve	\$77k from General Revenue - adjustment at Dec Quarter review
4- Downsize to 4 day service	\$100k	\$150k	0	\$150	\$47k	0	\$50k *\$50k from Domestic Waste Management Reserve	\$47k from General Revenue - adjustment at Dec Quarter review

Options

That Council resolve to:

Option 1 – Discontinue the service from 1 Feb 2014 issue relevant community notices and sell both buses resulting in no additional cost to Council.

Option 2 – Maintain the current 6 day per week level of service and vote additional funds to fund total cost of \$232k p/a indexed to operate the service to 30 June 2017 and to fund the shortfall of \$100k in 2013/14 through the December Quarterly Review.

Option 3 – Downsize level of service to 5 days per week from week commencing 1 Feb 2014 and vote additional funds to fund total cost of \$190k p/a indexed to operate the service to 30 June 2017 and to fund the shortfall of \$77k in 2013/14 through the December Quarterly Review

Option 4 (the preferred option) – Downsize level of service to 4 days per week from week commencing 1 Feb 2014 and vote additional funds to fund total cost of \$150k p/a indexed to operate the service to 30 June 2017 and to fund the shortfall of \$47k in 2013/14 through the December Quarterly Review

8 KOTARA PARK TENNIS CENTRE - REPORT ON THE REQUEST FOR PROPOSALS

Report prepared by: Section Manager - Sport and Recreation
File No.: GRP/09/4/8 - BP13/1615

REPORT SUMMARY

Following the initial unsuccessful Request for Proposal for community based, not for profit organisations to manage Kotara Park Tennis Centre, Council, at its meeting on 25 June 2013, resolved to invite Expressions of Interest /Requests for Proposals from the market for the future management of the Kotara Park Tennis Centre (Abuklea Road, Marsfield). A Request for Proposal (RFP) to lease the Centre was advertised for a period of three weeks closing on Monday 16 September 2013. At the closing date, three (3) conforming submissions were received with one of those submissions providing two options (Option A and an Option B) for the rent offered and capital works to be undertaken.

An Evaluation Panel undertook a two stage review process with the first stage comprising of submissions assessment followed by an interview of two preferred applicants. The outcome of this review is detailed in the 'Formal Request for Proposal Report'. This report contains a brief summary of all submissions assessed together with details of the assessment process and the Panel's review of the information provided by the applicants.

Following the evaluation process, the Rod Fahey Tennis School Pty Ltd was identified as the preferred applicant. The Evaluation Panel determined that this submission best met all the requirements set out in the RFP document. The Panel's recommendation is that the Rod Fahey Tennis School Pty Ltd submission be accepted and that a five year lease be offered to the organisation.

Should Council resolve to enter into a lease agreement with the preferred applicant, Council staff will commence the statutory advertising process for this lease, as required under Section 47 of the *Local Government Act, 1993*.

RECOMMENDATION:

- (a) That Council enter into a five year lease agreement with Rod Fahey Tennis School Pty Ltd for the Kotara Park Tennis Centre, subject to no submissions being received by Council following the statutory advertising of the lease in accordance with Section 47 of the *Local Government Act, 1993* under the terms and conditions outlined in the Requests for Proposal.
- (b) That the Acting General Manager be delegated authority to execute all relevant documents for the Kotara Park Tennis Centre lease agreement.

ITEM 8 (continued)

ATTACHMENTS

- 1 RFP Kotara Park Tennis Centre - Scoring Matrix – CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL
- 2 RFP Kotara Park Tennis Centre - Evaluation Report – CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL

Report Prepared By:

Simon James
Section Manager - Sport and Recreation

Report Approved By:

Tatjana Domazet
Service Unit Manager - Open Space

Baharak Sahebekhtiari
Acting Group Manager - Community Life

ITEM 8 (continued)**Background**

Council at its meeting of 25 June 2013, considered a report regarding the future management and lease of the Kotara Park, Marsfield and Olympic Park, Ryde Tennis Centres and resolved, in part, the following:

- (c) *That Council advertise an expression of Interest/Request for Proposals seeking submissions from the market for the management and operation of the Kotara Park Tennis Centre.*
- (d) *That Council extend the existing agreement with the Eastwood Thornleigh District Tennis Association for the management of the Kotara Park Tennis Centre on a month-by-month arrangement under the same terms and conditions of the original agreement. This is to continue until such time as the outcome of the Expression of Interest/Request for Proposals has been considered by Council.*
- (e) *That a further report be submitted to Council following an Expression of Interest/Requests for Proposal process.*

Council advertised a Request for Proposal for the Kotara Park (Abuklea Road, Marsfield) from 14 August 2013 with a closing date of 16 September 2013. The notification for RFP's was advertised in the Northern District Times and on the Tenderlink portal. At the closing date, three (3) conforming submissions were received with one of those submissions providing two options (Option A and an Option B) for the rent offered and capital works to be undertaken.

Council received the submissions from the following organisations (in alphabetical order):

- ATP School of Tennis
- John Eldridge Tennis School (Option A and Option B)
- Rod Fahey Tennis School Pty Ltd.

Conditions of the Request for Proposal (RFP)

The RFP sought to maximise use of the facility by ensuring that organisations making a submission offered a wide range of tennis programs and services so that the use of the facilities offered the maximum benefit to the community.

Details on the types of programs and services that would be offered and the inclusion of a business and marketing plans were required as part of the submission.

ITEM 8 (continued)

The intent of the process was to ensure a financially sustainable outcome for Council in the management of the facilities and a community benefit through an increase in the range of tennis related programs and services on offer. The terms and conditions outlined in the RFP are summarised below:

- *Period of Lease:* Five (5) years with an option to obtain a further five (5) year lease, subject to the proposed level of capital contribution to be made by the respondent.
- *Rental Payable:* The payment to Council of an annual base rental of no less than \$20,000 p.a. The base rental amount to be indexed in line with CPI or 3%, whichever is greater.
- *Maintenance/Repairs/Capital Improvements:* Successful respondent is to be responsible for all maintenance/repairs (other than structural repairs) and capital improvement works during the term of the lease.
- *Outgoings and Operational Costs:* Successful respondent is to be responsible for the cost of all outgoings, services and other operating costs.

General objectives:

- Operate and manage the Tennis Centre to optimise the use;
- Ensure community access to a diverse and innovative range of quality tennis services and programs; and
- Encourage participation and involvement of diverse age groups and demographics in the sport of tennis.

Applicant organisations had the option of submitting an alternate proposal which would be considered, subject to that organisation also submitting a conforming proposal.

Discussion

Following review of all three submissions by the Assessment Panel against the specified weighted evaluation criteria, the proposals submitted by Rod Fahey Tennis School and John Eldridge Tennis School were ranked 1 and 2 respectively and taken to the next stage of the assessment process.

The submission from the ATP School of Tennis was not considered by the Assessment Panel as a strong submission due to the lack of adequate capability, experience or the necessary past performance in managing tennis facilities as well as some concerns being expressed on the future approach for the facility being away from the provision of tennis programs and services. As a result, this submission was not considered further.

ITEM 8 (continued)

The scoring matrix for all three submissions is provided **UNDER SEPARATE COVER – CONFIDENTIAL**.

The Assessment Panel decided to undertake a further evaluation and invited two preferred applicants to an interview to discuss their submission in more details. Both applicants were asked the same predetermined questions with all panel members recording a score for the response to each question. A brief summary of the interview evaluation is outlined in the attached Request for Proposal Report (**UNDER SEPARATE COVER – CONFIDENTIAL**).

Following this evaluation process, Rod Fahey Tennis School Pty Ltd was identified as the preferred applicant. The Evaluation Panel determined that this submission best met all the requirements set out in the Request for Proposal document. The submission made by Rod Fahey was extremely professional and comprehensively addressed all aspects of the RFP documentation. The submission scored particularly highly when compared to other applicants in the areas of achieving the core objectives and principles intended for the facility, the range of programs and services to be offered to the community and the proposed approach to be undertaken. The financial capability of the organisation also scored highly with a detailed projected budget and business and marketing plan provided as part of the submission. The Panel agreed that this submission best met the intent of the RFP process, and would result in a positive outcome for Council and the community. The Panel unanimously agreed, after assessing the submission and undertaking the interview process that it would recommend to Council to offer a lease to Rod Fahey Tennis School Pty Ltd. Reference checks have been completed with positive feedback obtained from the nominated contacts at Tennis NSW and Belgravia Leisure.

The Rod Fahey Tennis School Pty Ltd has a proven track record in operating tennis programs and activities at Council owned tennis centres. The organisation operates in tennis facilities in the Hills and Blacktown districts. The Rod Fahey Tennis School also conducts tennis coaching services under an agreement for Belgravia Leisure at the Bernie Mullane Sports Complex in Kellyville and it has almost 10 years of experience operating tennis programs and activities in similar facilities to Kotara Park.

Internal Audit have reviewed the tender process and noted that it is in compliance with the current Council procurement framework.

Planning considerations

The Centre is located on 'Community Land' and as a result, granting of any lease for the land must be in line with the provisions of the *Local Government Act, 1993*. This requires Council to publicly notify the lease proposal for a period of twenty eight (28) days and considered any submissions received objecting to the proposed lease.

ITEM 8 (continued)**Financial Implications**

Should Council resolve to accept the recommendation, it will result in an increase to the annual lease rental being received for the Kotara Park Tennis Centre by approximately \$22,000 per annum, plus a percentage of profits as outlined in the proponents submission to Council. In addition, the annual capital investment made to the facility for the duration of the lease will add up to \$140,000.

Options

Council may terminate the existing lease and directly manage the site - This is not a preferred option.

This option would require Council to budget for and manage staff and ongoing maintenance and capital improvements for the facility. The funds are not available in the existing budget to do so and Council does not have the staff resources or experience to manage facilities of this nature in house.

**9 SEPTEMBER 2013 QUARTERLY REVIEW REPORT - DELIVERY PLAN
2013-2017 AND 2013/2014 OPERATION PLAN**

Report prepared by: Chief Financial Officer
File No.: FIM/07/6/2/2/6 - BP13/1643

REPORT SUMMARY

Council's Four Year Delivery Plan 2013-2017 and One Year Operational Plan 2013/2014 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 2013/2014.

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 30 June 2014. 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 2013/2014 with information on how each Project is progressing.

As a result of the September Quarterly Review, the proposed budget adjustments will reduce Council's Working Capital by \$0.37million to \$3.56 million as at 30 June 2014. Most of this is due to the transfer of investment income related to unspent Section 94 contributions to the Section 94 reserve. This review also brings to account additional income from Section 94 contributions received and additional grant funding from the State Government.

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.

RECOMMENDATION:

- (a) That the report of the Chief Financial Officer, dated 11 November 2013 on September 2013 QUARTERLY REVIEW REPORT – 2013-2017 DELIVERY PLAN AND 2013/2014 OPERATIONAL PLAN be received and endorsed.
- (b) That the proposed budget adjustments included in this report resulting in a net reduction of \$0.37million in Council's Working Capital, to a projected balance as at 30 June 2014 of \$3.56 million, be endorsed and included in the 2013/2014 Budget.
- (c) That the proposed transfers to and from Reserves as detailed in the report, and included as budget adjustments, totalling a net increase in Transfers to Reserves of \$1.29 million be endorsed.

ITEM 9 (continued)

- (d) That the Certificate of the Responsible Accounting Officer ATTACHED to the report of the Chief Financial Officer dated 11 November 2013 be endorsed.
- (e) That Council endorse the Projects recommended for cancellation, deferral, being placed on hold or proposed to be carried over as detailed in the Report.
- (f) That Council approve the creation of a new Internally Restricted Reserve for the restriction of unspent funds paid as part of the Macquarie University Voluntary Planning Agreement.

ATTACHMENTS

- 1** Responsible Accounting Officer's Certificate 30 September 2013
- 2** QUARTER 1 - 2013-2014 - Quarterly Report on 4 Year Delivery Plan 2013-2017 and One Year Operational Plan 2013-2014 - July to September 2013 - CIRCULATED UNDER SEPARATE COVER

Report Prepared By:

John Todd
Chief Financial Officer

Report Approved By:

Shane Sullivan
Acting Group Manager - Corporate Services

ITEM 9 (continued)

Discussion

Background

As required under section 407 of the Local Government Act, 1993 the quarterly review of the One Year Operational Plan 2013/2014 as at 31 June 2014 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 2013/2014 and One Year Operational Plan 2013/2014, Quarter One July – September 2013* 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 2014. **Appendix A**
- Quarterly Changes Report – provides comments and details of those budget items that are proposed to be increased or decreased in the 2013/2014 budget. **Appendix B**
- Consolidated Income and Expenditure Estimates 2013/2014, summary of the budget in two pages, showing the original budget and quarterly changes. **Appendix C**

Report

The September 2013 Quarterly Review has been completed and is submitted to Council for endorsement.

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

- \$3.13 million in additional Section 94 contributions received, which will be transferred to the Section 94 reserves for future works
- \$0.57 million additional investment income in relation to unspent Section 94 contributions, which will be transferred to reserves.
- \$0.42 million Roads to Recovery Grant received, offset by its expenditure
- \$0.30 million additional Restoration income, offset by its expenditure

ITEM 9 (continued)

- \$0.30 million additional expenditure for restoration program, offset by additional income received
- \$0.26 million additional expenditure required for Domestic Waste (DW) Collection costs, to be funded by the Domestic Waste (DW) reserve

Working Capital Summary

In the adopted 4 Year Delivery Plan 2013-2017 and 1 Year Operational Plan 2013/2014, Council's forecasted available Working Capital position was \$3.43 million at 30th June 2013. The 2013/2014 Operational Plan was developed utilising \$0.34 million of Working Capital, therefore the forecasted Working Capital at 30 June 2014 was forecast at \$3.09 million.

The audited Financial Statements have been completed and Council had a Working Capital of \$4.26 million, as at 30 June 2013. With this change in Working Capital, following completion of the Financial Statements, the revised Working Capital as at 30 June 2014, is now \$3.93 million.

In the September Quarterly Review, the proposed budget adjustments will result in a reduction of Council's Working Capital by \$0.37million to \$3.56 million as at 30 June 2014.

	\$'000
Opening Working Capital (Forecast 2013)	3,433
Delivery Plan	(338)
Closing Working Capital (Forecast 2014)	3,095
End of Year Changes	831
Closing Working Capital (Revised 2014)	3,926
September Adjustments	(368)
December Adjustments	
March Adjustments	
Carryover Adjustments	
June Adjustments	
Closing Working Capital (Revised 2014)	3,558

Overview of September Review

Council's projected available Working Capital of \$3.56 million is a result of the September 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 9 (continued)Operating Budget

The Operating Income budget is projected to increase by \$3.59 million (3.76%) with the main areas being as follows:

Increases

- \$3.13 million in additional Section 94 contributions received, which will be transferred to the Section 94 reserve for future works
- \$0.57 million additional investment income in relation to unspent Sect94 funding; this is offset by an additional transfer to the Section 94 reserve for interest earned on those unspent reserves.
- \$0.42 million additional income for a Roads to Recovery Grant received, offset by a decrease in transfer from the Asset Replacement Reserve
- \$0.30 million additional income in Restoration contributions, offset by additional expenditure
- \$0.16 million additional contribution received from the AFL NSW User Group, offset by additional expenditure
- \$0.15 million additional income received from RMS for Agincourt and Balaclava Rd TCS project, offset by additional expenditure
- \$0.10 million additional income received from RMS for Black Spot Funding for Traffic Calming Devices, offset by additional expenditure
- \$0.09 million additional income received from the ADI site and the Harvey Norman site for rezoning fees , offset by additional expenditure
- \$0.07 million additional income from an RMS grant for Cycleways Construction Renewal Program, offset by additional expenditure.

Reductions

- \$1.37 million income reduction due to the prepayment of the Financial Assistance Grants in June 2013, this is offset by an increase in transfer from reserves
- \$0.06 million income reduction for a contribution from user groups in relation to Sportsfield Floodlighting Renewal program, offset by a reduction in expenditure
- \$0.03 million income reduction for the M2 Upgrade Consent Public Infrastructure grant that was received in June

The Operating Expenditure budget is projected to increase by \$1.36 million (1.64%) with the main areas being as follows:

Increases

- \$0.30 million additional expenditure for restoration program, offset by additional income received
- \$0.26 million additional expenditure required for Domestic Waste (DW) Collection costs, to be funded by the Domestic Waste (DW) reserve

ITEM 9 (continued)

- \$0.14 million additional expenditure required for Living on the Block project as per recommendation from the Works and Community Committee dated on 16 July 2013, funded from the unexpended WASIP grant reserve
- \$0.14 million additional expenditure required for consultants fees for the BDO, DHS review and the Procurement review by Ernst and Young, funded from the Insurance Fluctuation reserve
- \$0.13 million additional expenditure required for Section 94 Contribution Plan project as per Council's resolution on 24 September 2013, funded from the Section 94 reserve
- \$0.09 million additional expenditure required for Planning Proposal program, offset by additional income received
- \$0.09 million recommended transfer of budget for expenditure from the Macquarie Park Parking Scheme project for parking meter maintenance costs
- \$0.05 million additional expenditure on the Branding & Marketing Plan - City of Ryde project, the project was completed in 2012/2013 and the unspent funds were not carried over to 2013/2014
- \$0.05 million additional expenditure for the M2 Upgrade Consent Public Infrastructure project, the unspent grant was not transferred to the unexpended grant reserve at 30 June 2013
- \$0.04 million additional expenditure for the Independent Review Panel Recommendation project is required as per the Council resolution on 25 June 2013
- \$0.03 million additional expenditure for Pensioner entry costs to the RALC in accordance with the resolution of Council on 14 June 2011
- \$0.03 million additional expenditure for Regional Roads program, funded by an additional grant

Reductions

- \$0.04 million expenditure reduction for a Consultant for the North Ryde Station Precinct project, as the project was cancelled by Council's resolution on 24 September 2013

In total, a projected increase in Operating Surplus of \$2.23 million, most of which is being utilised for Capital or transferred to reserves.

Capital Budget

The Net Capital budget is projected to increase by \$1.31 million (3.97%), with the main areas being as follows:

Increases

- \$0.30 million additional expenditure for the Fourth Avenue and Champion Road project, funded by the Stormwater Management Reserve as per Council Resolution dated on 22 October 2013

ITEM 9 (continued)

- \$0.22 million additional expenditure for Public Domain Upgrade - Waterloo Road project. Council resolved on 13 August 2013 to allocate an additional \$174K for the completion of the public domain upgrade works. An additional \$49,362 is also required to meet utilities requirements and to comply with Federal Legislation.
- \$0.18 million additional expenditure for Construction Waste Screening & Recovery project, funded by the unexpended WASIP grant reserve
- \$0.16 million additional expenditure for the Asbestos Remediation in Holt Park project, funded by the unexpended WASIP grant reserve as per recommendation from the Works and Community Committee dated on 16 July 2013
- \$0.15 million additional expenditure for the Agincourt and Balaclava Rd TCS projects, funded by an additional RMS grant
- \$0.14 million additional expenditure for Traffic Calming Devices project, funded by and an RMS Black Spot grant and Section 94 reserve as per Council's Resolution dated on 24 September 2013
- \$0.14 million additional funding for Shared User Path (SUP) - Blaxland Road, Ryde project, funded by an additional RMS grant and Section 94 reserve
- \$0.12 million additional expenditure for the Sportsground Amenities Upgrades Renewal Program, funded by and additional contribution from the AFL NSW User Group
- \$0.08 million additional expenditure for Sportsfield Floodlighting Expansion program, funded from savings in the Playing Field Lighting Upgrade project
- \$0.05 million additional expenditure for the Neighbourhood Centre Renewal program, funded from savings from the Town Centre Upgrade Implementation Renewal program
- \$0.04 million additional expenditure required for the Sportsground Amenities Upgrades Expansion program, funded by an additional contribution from the AFL NSW User Group

Reductions

- \$0.09 million expenditure reduction for Macquarie Park Parking Scheme project, recommending that it be transferred to fund the additional parking meter maintenance costs
- \$0.06 million expenditure reduction for the Sportsfield Floodlighting Renewal program, as a user group contribution has not been forthcoming and separate report will be provided to Council, in the future, to reduce the scope

ITEM 9 (continued)Reserve Movements

The Transfer from Reserve budget is projected to increase by \$2.82 million (6.29%) the main areas being as follows:

Increases

- \$1.54 million increase from the prepayment of the Financial Assistance Grant paid in June and transferred to reserve
- \$0.30 million increase from the Stormwater Management Reserve to fund an increase in the Stormwater Asset Replacement Renewal program
- \$0.22 million increase from the Macquarie Park Corridor Special Rate Reserve to fund the Public Domain Upgrade - Waterloo Rd
- \$0.21 million increase from the Domestic Waste (DW) Reserve to fund the additional costs for Domestic Waste (DW) Collection
- \$0.18 million increase from the unspent WASIP grant reserve to fund the Construction Waste Screening & Recovery project
- \$0.16 million increase from the unspent WASIP grant reserve to fund the Asbestos Remediation in Holt Park project
- \$0.14 million increase from the unspent WASIP grant reserve to fund the Living on the Block project
- \$0.14 million increase from the Insurance Fluctuation Reserve to fund the Consultants fees for BDO, DHS review and the Procurement review
- \$0.13 million increase from the Section 94 Reserve to fund the Section 94 Contribution Plan review project
- \$0.07 million increase from the Section 94 Reserve to fund Shared User Path (SUP) - Blaxland Rd, Ryde project
- \$0.04 million increase from the Section 94 Reserve to fund the Traffic Calming Devices program

Reductions

- \$0.27 million reduction from the Asset Replacement Reserve for the Road Resurfacing Renewal program, offset by an Road Recovery Grant
- \$0.04 million reduction from the Carryover Work Reserve for cancellation of the Consultant for North Ryde Station Precinct project approved by Council resolution on 24 September 2013

The Transfer to Reserve budget is projected to increase by \$4.11 million (14.55%), the main areas being as follows:

Increases

- \$3.13 million increase for Section 94 contributions received, transferred to reserve
- \$1.01 million increase for Section 94 interest earned, transferred to reserve

ITEM 9 (continued)

Reductions

- \$0.03 million reduction for M2 Upgrade Consent Public Infrastructure unspent grant reserve

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 September Quarterly Review and are recommended to be cancelled, deferred, put on hold or to carryover for the reasons indicated, with budget adjustments included.

- \$0.04 million reduction from the Carryover Work Reserve for cancellation of the Consultant for North Ryde Station Precinct project approved by Council resolution on 24 September 2013
- \$0.01 million for Kiosk Online Timesheets project. The project is recommended to be cancelled, due to inability of the software provider to be able to deliver the required result within funds allocated.
- \$0.05 million for Rowe Street Detailed Design project. The project is deferred and recommended funding to be transferred to Sager Place and Quarry Road design project

Progress against indicators

Our performance indicators help to provide a snap shot of the organisations health. Corporate indicators focus on major areas across the whole organisation and program indicators track how we are delivering on specific elements within each of the 21 programs outlined in our 2013-2017 Delivery Plan including One year Operational Plan 2013/2014.

Corporate indicators

As identified in pages 7-9, 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:

- A significant improvement in our project management. In the first quarter we completed 85% of project milestones on time which is within a 5% tolerance against our target of 90%. This is a great result and shows that we are improving our skills in project management across council.
- We have improved on last quarter's CRM responses, moving from 84% to 93% of requests actioned within agreed timeframes. This improvement highlights our commitment to excellent customer service as our response times have increased despite the increasing volume seen over the past year and last quarter in particular

ITEM 9 (continued)

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

- Our responsiveness to inward correspondence has decreased from the past two quarters, with a further 3% decrease to 84% which is below the reasonable limit from our target of 90%. This could be due to the increase in volume this quarter, but will remain an area of focus across the organisation.
- In Q1 there was a slight fall in our handling of complaints, with 88% of tier 1 and 2 complaints responded to within the agreed number of working days. Complaints have been identified and corrective action will be taken to ensure that in Q2 we return to 100%. Pleasingly however, the number of compliments received by council continues to be double that the number of complaints.

Program Indicators

Particular attention is drawn to the following areas of Council where performance has improved against previous trends or targets:

- The RALC recorded 151,085 visitors this quarter which is an increase on the previous quarter (142,711) but a slight decline on the number of visitors in Q1 2012/13. Numbers are still trending well towards the annual target of 680,000.
- The Library visits also continue to see improvements from last year with 271,079 visits in this quarter which is a 9% increase from the same quarter in the previous year and this measure is trending well to meet the annual target of 900,000.
- Council's investments still continue to exceed the investment benchmark, despite Australia experiencing a declining interest rate environment.

Staff turnover

Our turnover rate continues to be within the accepted range despite increases in the previous two quarters. On a 12 month rolling basis turnover increased from 9.66% to 10.65%. Our position vacancy rate has slightly decreased, with 93% of positions now filled (compared with 92.3% last quarter).

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.

ITEM 9 (continued)

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.

Additional Resourcing Consideration – Internal Audit

At the recent Audit and Risk Committee meeting on 11 November 2013, the Committee expressed concern regarding potential impacts on the progress of the endorsed Internal Audit plan due to a number of identified issues that have and are likely to continue to affect the current level of available resourcing within Council's Internal Audit function. Such impacts are likely to include the outcomes of the Ernst and Young Procurement review (for which Council will receive a briefing planned for 3 December 2013). This is being flagged in this report for the information of Council only and further analysis will have to be conducted to determine the level and nature of any additional resourcing required following the reporting of the outcomes of this review and any additional impacts on Internal Audit function resourcing.

New Macquarie University Voluntary Planning Agreement Reserve

As Councillors would be aware an agreement has just been reached with Macquarie University in relation to a Voluntary Planning Agreement, including payments that are to be made in relation to that agreement.

To be able to better track those payments and how they are used in the future it is recommended that a new Internally Restricted Reserve be created, by resolution, titled "Macquarie Uni VPA reserve". A suitable recommendation has been included with this report as part (f).

Financial Implications

Council's available Working Capital is projected to reduce by \$0.37 million to approximately \$3.56 million as at 30 June 2014.

Council's Operating Result before depreciation is projected to increase by \$2.23 million to \$15.02 million.

Council's Capital Works Program is projected to increase by \$1.31 million as a result of \$0.30 million additional costs for funding works on Fourth Avenue and Champion Road, \$0.22 million additional funding required for Public Domain Upgrade Waterloo Road project, \$0.18 million additional for Construction Waste Screening & Recovery project, \$0.16 million additional for Asbestos Remediation Holt Park project, \$0.14 million additional funding for Traffic Calming Devices project, as well as additional funding for Sportsground Amenities Upgrades Renewal Program.

ITEM 9 (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 September 2013, having regard to the original estimates of income and expenditure. Variations in total income, operating and capital expenditure as at 30 September 2013 are of a quantum and nature that overall end of year financial targets will be achieved.



John Todd
Chief Financial Officer
Responsible Accounting Officer

11 November 2013

10 INVESTMENT REPORT - October 2013

Report prepared by: Chief Financial Officer**File No.:** GRP/09/3/10 - BP13/1642

REPORT SUMMARY

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

Council's financial year to date return is 4.22%, which is 1.49% above benchmark. Income from interest on investments and proceeds from sale of investments totals \$1.35 million, \$107K above proposed revised budget projections; the additional funds belong to Section 94 Reserve funds on hand, and do not improve Council's Working Capital.

Proposed revised budget projections have been included in the September Quarterly Budget Review that recommends an increase in interest income of \$571K, resulting in a total of \$3.73 million. \$1,010k will be allocated to the Section 94 reserve which will result in a net decrease in Working Capital of \$439k.

RECOMMENDATION:

That Council endorse the report of the Chief Financial Officer dated 11 November 2013 on Investment Report – October 2013.

ATTACHMENTS

- 1 Investment Report October 2013 Attachment

Report Prepared By:

John Todd
Chief Financial Officer

Report Approved By:

Shane Sullivan
Acting Group Manager - Corporate Services

ITEM 10 (continued)

Discussion

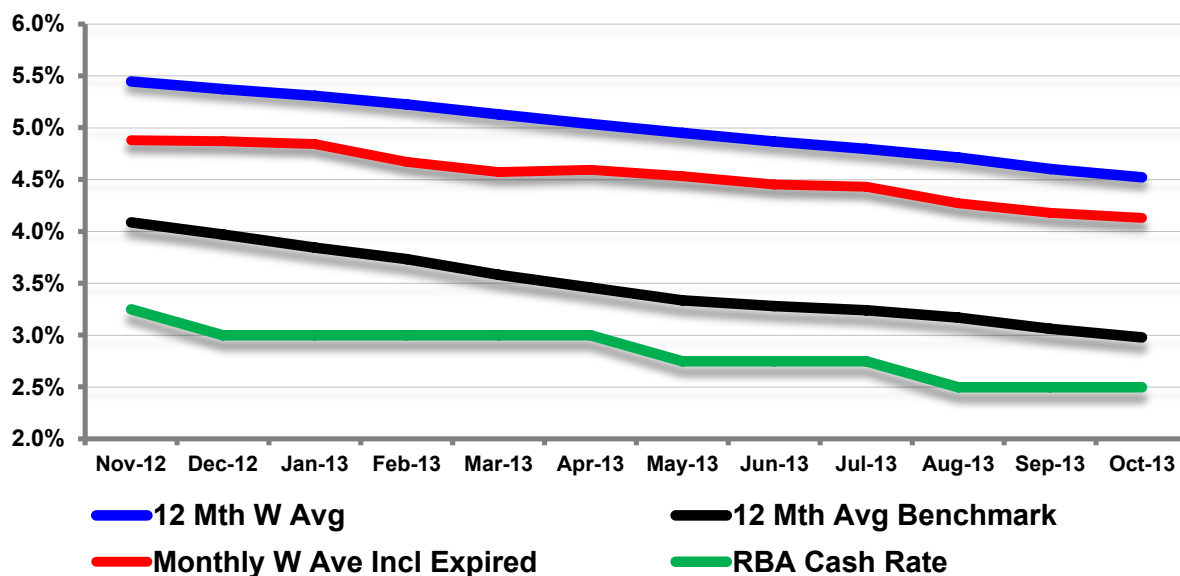
Council’s Responsible Accounting Officer, is required to report monthly on Council’s Investment Portfolio and certify that the Investments are held in accordance with Council’s Investment Policy and Section 625 of the Local Government Act.

Investment Performance Commentary

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

	Oct 2013	12 Mth	FYTD
Council Return	4.13	4.46	4.22
Benchmark	2.62	2.98	2.73
Variance	1.51	1.48	1.49

Performance - All Investments



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

Cash/Term Deposits	\$76.5M	67.4%
Floating Rate Notes	\$19.9M	17.5%
Fixed Rate Bonds	\$2.0M	1.8%
Total Cash Investments	\$98.4M	
Property ⁽¹⁾	\$15.1M	13.3%
Total Investment Portfolio	\$113.5M	

(1) A separate report on the Property Investment Portfolio is included in this meeting.

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

ITEM 10 (continued)

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

Council's income from investments is being revised upward, due to Council having more funds on hand, which belong to Section 94 contributions. Therefore there will be a decrease in investment income for General Revenue, due to decreasing interest rates.

Council revised its Investment Policy, changing delegations, which has allowed Council staff to parcel investments up to \$2 million. There are now 11 investments of this amount within the Council's Investment Portfolio.

Financial Security Reserve (FSR)

The Financial Security Reserve has a balance of \$3.44 million as at 31 October with no movements this year. A detailed transaction history is included in the attachment to this report.

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

Economic Commentary

The RBA left the official cash rate unchanged at their November meeting, and whilst the tone was a little more optimistic than previous statements, they stated there was "considerable uncertainty" surrounding the current outlook. Market expectations are for the RBA to keep cash rates stable for the next year, with a hike in the cash rate fully priced in for early 2015.

Stocks are making record highs on the back of Federal quantitative easing and aversion to a US default and the re-opening of government service after the recent shutdown. A rise in the October non-farm payroll figures increase the chances of a tapering in quantitative easing by Quarter 2, 2014.

The ECB cut rates to 0.25%, as the Eurozone stuttered (again), with the President of the ECB warning that the outlook could deteriorate over the coming months.

Legal Issues

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

ITEM 10 (continued)

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

Lehman / Grange IMP

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

On 25 September 2013 the Federal Court approved the calling of a meeting of Scheme Creditors of Lehman Australia to consider the proposed Insurance Only Scheme. The applicants and group members in the Lehman Australia class action are Scheme Creditors.

The Scheme is now subject to Court approval. The application was listed for hearing on 31 October 2013. If the Scheme is approved by the Court, then all Scheme Creditors will be bound by the Scheme irrespective of whether they have voted for it or even if they voted against it. We have not had an update as at the date of writing this report.

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

LGFS – Rembrandt

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

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

An appeal has been lodged in relation to this matter, and listed for hearing in 2014, but a settlement may be reached prior. A teleconference was held on 4 November with the other Councils involved to discuss GST issues, should a settlement be reached.

ITEM 10 (continued)

CBA – Oasis and Palladin

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

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

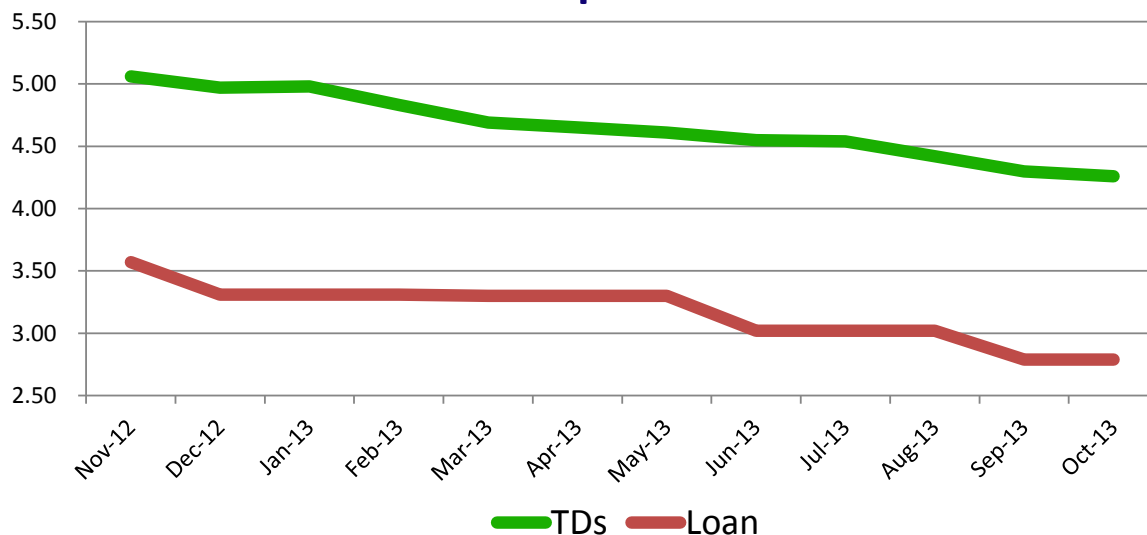
As part of this action, Council is also a party to action against CBA for its investment in the Palladin CDO, of which Council held \$2 million. This investment defaulted in October 2008.

Loan Liability

Council’s loan liability as at 31 October 2013 was \$3.3 million which represents the balance of one loan taken out in 2004 for the Civic Centre Redevelopment and refinancing the West Ryde Tunnel. This loan was for 15 years and was negotiated at a very attractive rate for Council at 90 Day BBSW + 20 basis points and is reset every quarter.

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

Term Deposits/Loan Interest Rate Comparison



ITEM 10 (continued)

Debt Service Ratio

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

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

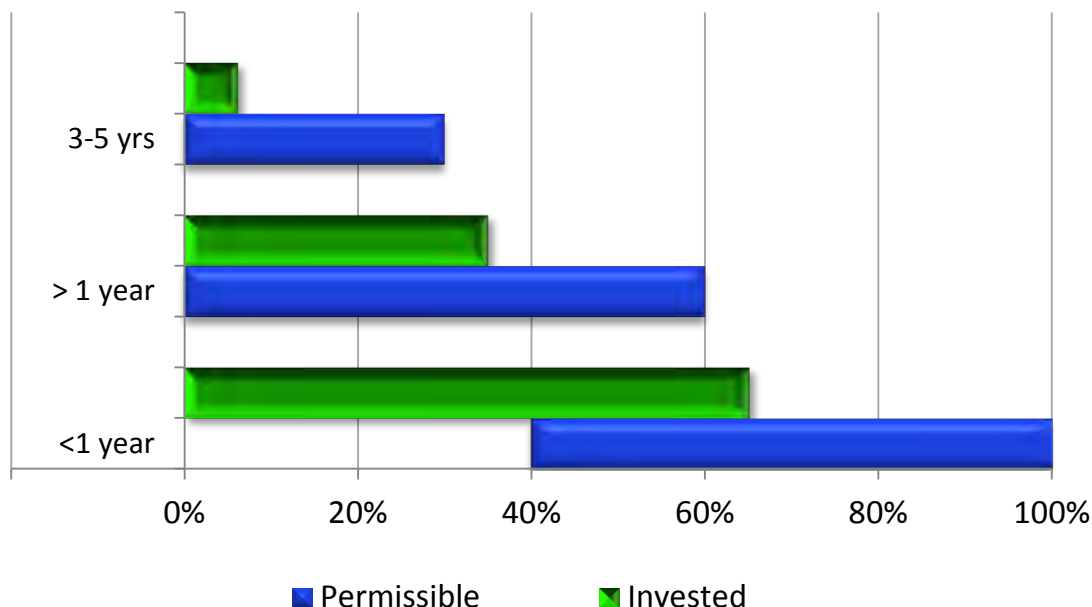
(1) Comparative data for 2011/12 was released by the Division of Local Government (DLG) in October 2013, but it did not include Debt Service Ratio.

Policy Limits

The following graph shows the limits, as a percentage of total cash investments, of the amounts by period, as allowed under Council's policy, and comparing them to the amounts actually invested, as a percentage of total cash investments.

It shows that the funds invested are within the limits set in the policy.

Policy Limits on Maturities



ITEM 10 (continued)
INVESTMENT SUMMARY AS AT 31 OCTOBER 2013

Issuer	Investment Name	Investment Rating	Invested at 31-Oct-13 \$000's	Annualised Period Return (%)	12 Month Average Return on Current Investments	Return since 01 July 2013	% of Total Invested	Indicative Market Value ** \$000's	% Market Value
Westpac	1. Westpac At Call	AA-	5,062	2.56	2.87	2.58	5.14	5,062	100.00%
Bank of Queensland	2. Bank of Queensland TD	A-	750	4.12	4.58	4.12	0.76	750	100.00%
CBA	3. Bankwest Term Deposit	AA-	2,000	3.50	3.80	3.47	2.03	2,000	100.00%
Westpac	4. St George Term Deposit	A+	1,000	4.24	4.32	4.24	1.02	1,000	100.00%
NAB	5. NAB Term Deposit	AA-	1,000	3.80	4.38	4.13	1.02	1,000	100.00%
Westpac	6. Westpac Term Deposit	AA-	1,000	4.35	4.75	4.35	1.02	1,000	100.00%
Westpac	7. Westpac Term Deposit	AA-	500	4.95	4.95	4.95	0.51	500	100.00%
NAB	8. NAB Term Deposit	AA-	1,000	6.60	6.60	6.60	1.02	1,000	100.00%
AMP	9. AMP TD	A	1,000	4.00	4.11	4.05	1.02	1,000	100.00%
Westpac	10. Westpac Term Deposit	AA-	500	4.00	4.51	4.00	0.51	500	100.00%
NAB	11. NAB Term Deposit	AA-	1,000	3.84	4.40	3.96	1.02	1,000	100.00%
P&N Bank	12. P&N Bank	Unrated	500	4.24	4.45	4.24	0.51	500	100.00%
CBA	13. Bankwest Term Deposit	AA-	2,000	3.55	3.55	3.55	2.03	2,000	100.00%
CBA	14. Bankwest TD	AA-	2,000	3.50	3.80	3.58	2.03	2,000	100.00%
CBA	15. Bankwest TD	AA-	2,000	3.50	4.03	3.52	2.03	2,000	100.00%
NAB	16. NAB Term Deposit	AA-	1,000	4.72	4.72	4.72	1.02	1,000	100.00%
Railways CU	17. Railways CU	Unrated	500	3.85	4.29	3.99	0.51	500	100.00%
Qld Country CU	18. Qld Country Credit Union	Unrated	500	4.16	4.32	4.16	0.51	500	100.00%
Beyond Bank	19. Beyond Bank TD	BBB+	500	3.81	4.34	4.03	0.51	500	100.00%
Bendigo and Adelaide Bank	20. Bendigo Bank TD	A-	1,000	4.10	4.40	4.10	1.02	1,000	100.00%
Hunter United Credit Union	21. Hunter United Credit Union TD	Unrated	500	3.90	4.29	4.00	0.51	500	100.00%
CUA	22. Credit Union Australia TD	BBB+	500	4.35	4.47	4.35	0.51	500	100.00%
Peoples Choice CU	23. Peoples Choice CU	BBB+	500	3.79	4.25	3.92	0.51	500	100.00%
Rural Bank	24. Rural Bank	A-	1,000	6.48	6.48	6.48	1.02	1,000	100.00%
Banana Coast CU	25. Bananacoast CU TD	Unrated	500	4.25	4.61	4.25	0.51	500	100.00%
B&E Ltd	26. B & E Building Soc TD	Unrated	500	3.90	4.24	4.00	0.51	500	100.00%
CBA	27. CBA TD	AA-	2,000	5.76	5.76	5.76	2.03	2,000	100.00%
Me Bank	28. ME Bank TD	BBB+	1,000	4.33	4.58	4.33	1.02	1,000	100.00%
Macquarie Bank	29. Macquarie Bank Term Deposit	A	500	4.15	4.52	4.20	0.51	500	100.00%
CBA	30. Bankwest Term Deposit	AA-	1,000	7.00	7.00	7.00	1.02	1,000	100.00%
Summerland CU	31. Summerland CU TD	Unrated	250	5.05	5.05	5.05	0.25	250	100.00%
Wide Bay CU	32. Wide Bay CU TD	BBB	500	4.19	4.51	4.19	0.51	500	100.00%
Northern Beaches CU	33. Northern Beaches CU TD	Unrated	500	4.14	4.48	4.14	0.51	500	100.00%
Queenslanders CU	34. Queenslanders CU TD	Unrated	500	4.24	4.62	4.24	0.51	500	100.00%
AMP	35. AMP Business Saver	A	977	3.41	3.78	3.52	0.99	977	100.00%
South West CU	36. South West CU TD	Unrated	500	4.20	4.27	4.20	0.51	500	100.00%
CBA	37. CBA Term Deposit	AA-	1,000	4.55	4.50	4.55	1.02	1,000	100.00%
Gateway CU	38. Gateway CU TD	Unrated	500	4.10	4.34	4.10	0.51	500	100.00%
Rabobank	39. Rabobank TD	AA-	500	4.17	4.50	4.17	0.51	500	100.00%
Newcastle Perm Bldg Soc	40. Newcastle Perm Bldg Soc	BBB+	1,000	3.75	4.26	3.96	1.02	1,000	100.00%
ING	41. ING TD	A	1,000	4.02	4.84	4.11	1.02	1,000	100.00%
Greater Bldg Soc	42. Greater Bldg Soc TD	BBB	1,000	4.33	4.55	4.33	1.02	1,000	100.00%
Holidaycoast CU	43. Holidaycoast CU TD	Unrated	500	4.30	4.43	4.30	0.51	500	100.00%
Bank of Queensland	44. BoQ TCD	A-	2,000	4.06	4.41	4.14	2.03	2,000	100.02%
AMP	45. AMP TD	A	1,000	7.14	7.14	7.14	1.02	1,000	100.00%
Bendigo and Adelaide Bank	46. Bendigo and Adelaide Bank FRN	A-	1,000	4.04	4.49	4.16	1.02	1,004	100.40%
WaW CU	47. WAW CU Coop	Unrated	500	3.91	4.12	3.97	0.51	500	100.00%
Heritage Bank	48. Heritage Bank	A-	1,000	4.50	4.51	4.50	1.02	1,000	100.00%
Rabobank	49. Rabodirect At-call	AA-	1,003	3.04	3.46	3.10	1.02	1,003	100.00%
Me Bank	50. ME Bank At Call Account	BBB	2,735	3.14	3.48	3.23	2.78	2,735	100.00%

ITEM 10 (continued)

Issuer	Investment Name	Investment Rating	Invested at 31-Oct-13 \$000's	Annualised Period Return (%)	12 Month Average Return on Current Investments	Return since 01 July 2013	% of Total Invested	Indicative Market Value ** \$000's	% Market Value
NAB	51. NAB FRN	AA-	1,001	3.77	4.22	3.95	1.02	1,017	101.69%
NAB	52. NAB FRN	AA-	998	3.88	4.33	4.06	1.01	1,017	101.69%
CBA	53. CBA FRN	AA-	999	3.88	4.17	3.95	1.02	1,018	101.76%
Westpac	54. Westpac FRN	AA-	998	3.88	4.21	3.95	1.01	1,017	101.69%
CBA	55. CBA FRN	AA-	998	3.93	4.22	4.00	1.01	1,018	101.76%
NAB	56. NAB FRN	AA-	994	4.06	4.51	4.24	1.01	1,017	101.69%
Westpac	57. Westpac FRN	AA-	999	3.82	4.15	3.88	1.02	1,014	101.39%
NAB	58. NAB FRN	AA-	995	4.05	4.49	4.22	1.01	1,017	101.69%
CBA	59. CBA FRN	AA-	995	4.10	4.39	4.17	1.01	1,018	101.76%
ING	60. ING TD	A+	1,000	4.33	4.33	4.33	1.02	1,000	100.00%
ANZ	61. ANZ FRN	AA-	994	4.09	4.42	4.15	1.01	1,017	101.69%
Rabobank	62. Rabobank FRN	AA-	992	4.28	4.53	4.34	1.01	1,011	101.07%
Police CU (SA)	63. Police CU - SA	Unrated	500	5.70	5.70	5.70	0.51	500	100.00%
NAB	64. NAB Fixed MTN	AA-	995	6.30	6.30	6.38	1.01	1,065	106.48%
Bankstown City CU	65. Bankstown City CU TD	Unrated	250	4.16	4.39	4.16	0.25	250	100.00%
Westpac	66. Westpac Fixed MTN	AA-	997	6.20	6.20	6.28	1.01	1,063	106.35%
Macquarie Bank	67. Macquarie Bank TD	A	500	6.50	6.50	6.50	0.51	500	100.00%
CBA	68. CBA Retail Bond	AA-	959	4.42	4.72	4.49	0.97	969	99.92%
Bendigo and Adelaide Bank	69. Delphi Bank TD	Unrated	250	6.05	6.05	6.05	0.25	250	100.00%
Rural Bank	70. Rural Bank TD	A-	1,000	4.06	4.36	4.06	1.02	1,000	100.00%
Me Bank	71. ME Bank TD	BBB+	1,000	3.82	4.52	4.10	1.02	1,000	100.00%
CBA	72. CBA Retail Bonds	AA-	493	4.64	4.93	4.70	0.50	500	99.92%
CBA	73. CBA Retail Bonds	AA-	492	4.66	4.96	4.73	0.50	500	99.92%
Bank of Queensland	74. Bank of Queensland TD	A-	2,000	3.79	4.45	4.21	2.03	2,000	100.00%
Investec	75. Investec TD	BBB-	250	6.15	6.15	6.15	0.25	250	100.00%
CBA	76. CBA Retail Bond	AA-	493	4.57	4.89	4.69	0.50	500	99.92%
Westpac	77. St George TD	AA-	1,000	4.05	4.39	4.10	1.02	1,000	100.00%
CBA	78. CBA Retail Bond	AA-	493	4.56	4.86	4.63	0.50	500	99.92%
Rural Bank	79. Rural Bank TD	A-	1,000	3.74	4.43	3.89	1.02	1,000	100.00%
ING	80. ING Floating Rate TD	A	1,000	4.96	5.35	5.08	1.02	1,000	100.00%
Westpac	81. St George TD	AA+	1,000	4.05	4.59	4.05	1.02	1,000	100.00%
Bank of Queensland	82. Bank of Queensland TD	A-	1,000	4.04	4.52	4.14	1.02	1,000	100.00%
NAB	83. NAB TD	AA-	1,000	4.80	4.80	4.80	1.02	1,000	100.00%
Westpac	84. St George TD	AA-	1,000	3.77	4.40	3.77	1.02	1,000	100.00%
Me Bank	85. ME Bank TD	BBB+	1,000	4.35	4.48	4.35	1.02	1,000	100.00%
Bank of Queensland	86. Bank of Queensland FRN	A-	2,000	4.25	4.58	4.38	2.03	2,028	101.41%
Goldfields Money Ltd	87. Goldfields Money Ltd TD	Unrated	250	4.20	4.29	4.20	0.25	250	100.00%
Westpac	88. Westpac Flexi TD	AA-	1,000	4.05	4.05	3.97	1.02	1,000	100.00%
Bendigo and Adelaide Bank	89. Bendigo Bank TD	A-	1,000	3.85	4.11	3.85	1.02	1,000	100.00%
Bendigo and Adelaide Bank	90. Bendigo & Adelaide Bank FRN	A-	1,000	3.83	3.95	3.92	1.02	1,005	100.50%
CBA	91. CBA TD	AA-	1,000	4.10	4.10	4.10	1.02	1,000	100.00%
CBA	92. CBA TD	AA-	1,000	3.75	3.79	3.78	1.02	1,000	100.00%
NAB	93. NAB TD	AA-	1,000	4.06	4.06	4.06	1.02	1,000	100.00%
NAB	94. NAB Term Deposit	AA-	1,000	4.15	4.15	4.15	1.02	1,000	100.00%
NAB	95. NAB Term Deposit	AA-	1,000	4.27	4.27	4.27	1.02	1,000	100.00%
Macquarie Bank	96. Macquarie Bank TD	A	750	3.80	3.80	3.80	0.76	750	100.00%
AMP	97. AMP Term Deposit	A+	2,000	3.85	3.85	3.85	2.03	2,000	100.00%
Bank of Queensland	98. Bank of Queensland TD	A-	2,000	3.84	3.84	3.84	2.03	2,000	100.00%
NAB	99. NAB TD	AA-	2,000	3.83	3.83	3.83	2.03	2,000	100.00%
			98,412	4.13	4.45	4.22	100	98,840	

*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	4.13	4.46	4.22
Benchmark Return: UBSA 1 Year Bank Bill Index (%)	2.62	2.98	2.73
Variance From Benchmark (%)	1.51	1.48	1.49

ITEM 10 (continued)

Investment Income

	\$000's
This Period	345
Financial Year To Date	1,350
Budget Profile	1,243
Variance from Budget - \$	<u>107</u>

Certificate of the Chief Financial Officer

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



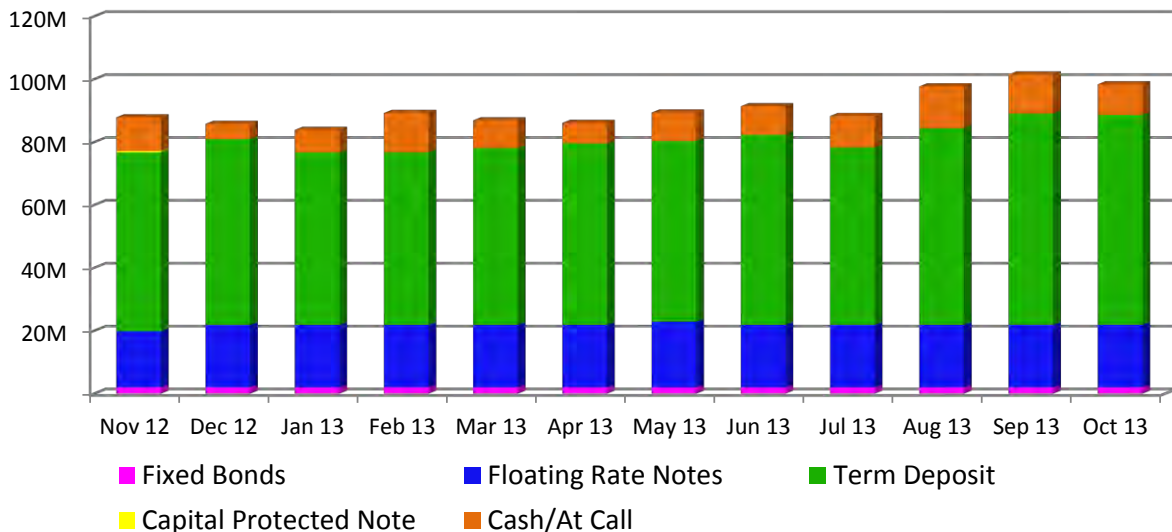
John Todd Date: 11/11/2013

Analysis of investments

The following graphs show analysis of the total cash investments by:

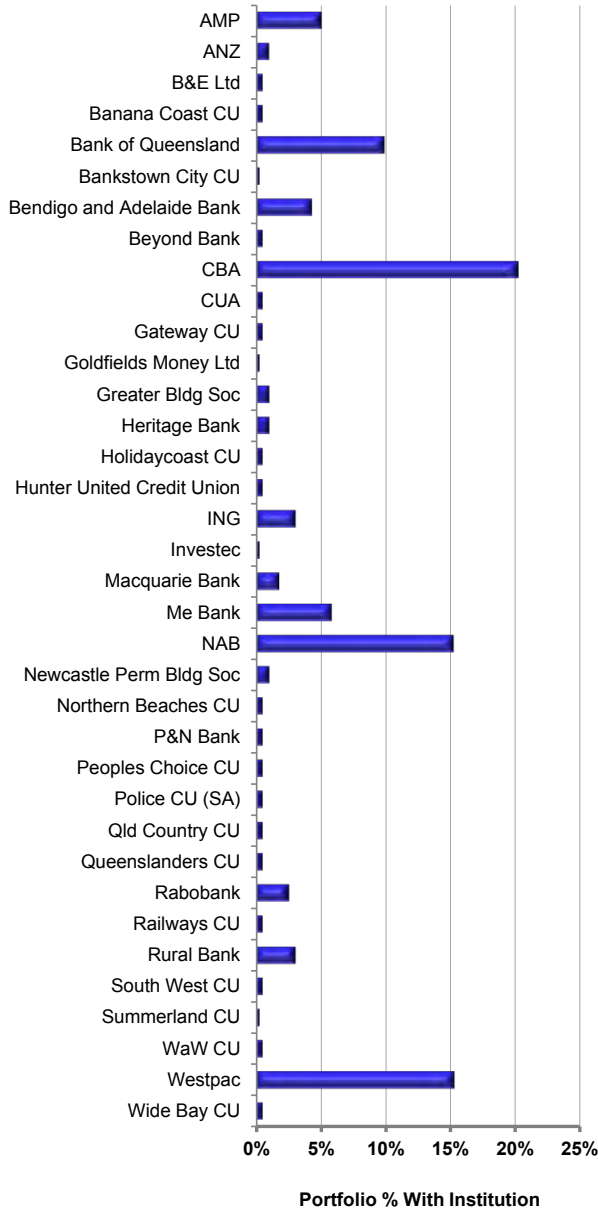
- Type of investment
- Institution
- Duration
- Rating

Total Funds Invested

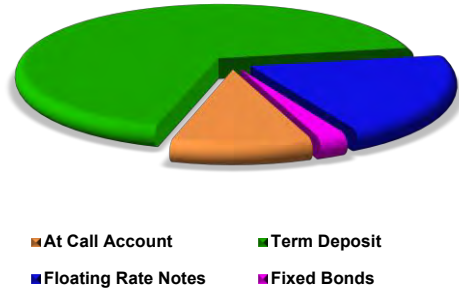


ITEM 10 (continued)

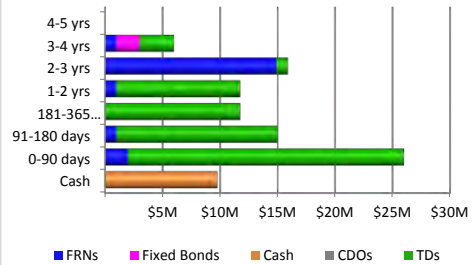
Active Investment by Institution



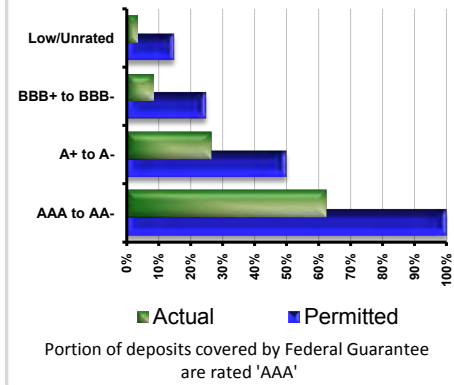
Summary by Investment Type



Summary by Duration



Investment Summary by Rating



	>365 days	<365 days
Cash/TDs	\$14.8M	\$61.8M
FRNs	\$16.9M	\$3.0M
Fixed Bonds	\$2.0M	\$0.0M
	\$33.6M	\$64.8M

ITEM 10 (continued)**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 \$1.35 million, being \$107K above proposed revised budget projections. The additional funds belong to Section 94 Reserve funds on hand and do not improve Council's Working Capital.

Proposed revised budget projections have been included in the September Quarterly Budget Review, an increase in interest income of \$571K, resulting in a total of \$3.73 million. \$1,010k to be allocated to the Section 94 reserve, which will result in a net decrease in Working Capital of \$439k.

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

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Council's Property Investment Portfolio

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

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

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

Benchmark

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

Types of Investments

The following are the types of investments held by Council:

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

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

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

Credit Rating Information

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

ITEM 10 (continued)

ATTACHMENT 1

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

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

Council's Investment Powers

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

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

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

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

ITEM 10 (continued)

ATTACHMENT 1

Financial Security Reserve Transactional History

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

ITEM 10 (continued)

ATTACHMENT 1

Overview of Investments

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

1. **Westpac at Call Account (AA-):** This investment is an at call account, paying the short term money market rate. These funds are used for operational purposes.
2. **Bank of Queensland TD (BBB):** This investment is a 181 day term deposit, paying 4.05% (4.12% annualised), and matures on 28 January 2014.
3. **Bankwest Term Deposit (AA-):** This investment is a 62 day term deposit paying 3.45% (3.50% annualised), and matures 18 December 2013
4. **St George Term Deposit (AA-):** This investment is a 182 day term deposit, paying 4.20% p.a. (4.24% annualised), and matures 5 Nov 2013.
5. **NAB Term Deposit (AA-):** This investment is a one year term deposit, paying 3.80% p.a. (3.80% annualised), and matures 3 Oct 2014.
6. **Westpac Term Deposit (AA-):** This investment is a two year term deposit, paying 4.35% % (4.35% annualised, and matures 29 May 2015.
7. **Westpac Term Deposit (AA-):** This investment is a three year term deposit, paying 4.95% pa, and matures 21 September 2015.
8. **NAB Term Deposit (AA-):** This investment is a three year term deposit, paying 6.60% p.a., and matures 4 April 2014.
9. **AMP Term Deposit (A):** This investment is a 365 day term deposit, paying 4.00% p.a. (4.00% annualised), and matures 1 August 2014.
10. **Westpac Term Deposit (AA-):** This investment is a 364 day term deposit, paying 4.00% (4.00% annualised), and matures 27 June 2014.
11. **NAB Term Deposit (AA-):** This investment is a 182 day term deposit, paying 3.80% p.a., and matures 11 March 2014.
12. **P&N Bank (Unrated):** This investment is a one year term deposit, paying 4.24% (4.24% annualised) and matures on 25 February 2014.
13. **Bankwest Term Deposit (AA-):** This investment is a 79 day term deposit, paying 3.50% p.a. (3.55% annualised), and matures 21 November 2013.
14. **Bankwest Term Deposit (AA-):** This investment is a 63 day term deposit, paying 3.45% p.a. (3.50% annualised), and matures 14 November 2013.
15. **Bankwest Term Deposit (AA-):** This investment is a 63 day term deposit, paying 3.45% p.a. (3.50% annualised), and matures 12 December 2013.

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- 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. Railways CU Term Deposit (Unrated):** This investment is a 106 day term deposit paying 3.80% (3.85% annualised) and matures on 19 November 2013.
- 18. Queensland Country CU (Unrated):** This investment is a 153 day term deposit paying 4.11% (4.16% annualised) and matures on 28 November 2013.
- 19. Beyond Bank Term Deposit (BBB+):** This investment is a 370 day term deposit paying 3.81% (3.81% annualised) and matures on 16 October 2014.
- 20. Bendigo Bank Term Deposit (A-):** This investment is a 364 day term deposit paying 4.10% (4.10% annualised) and matures on 12 June 2014.
- 21. Hunter United Credit Union (Unrated):** This investment is a 365 day term deposit paying 3.90% (3.90% annualised) and matures on 12 August 2014.
- 22. Credit Union Australia Term Deposit (BBB+):** This investment is a one year term deposit, paying 4.35% (4.35% annualised), and matures on 7 May 2014.
- 23. Peoples Choice CU Term Deposit (Unrated):** This investment is a 182 day term deposit, paying 3.75% (3.79% annualised), and matures on 6 February 2014.
- 24. Rural Bank Term Deposit (A-):** This investment is a five year term deposit, paying 6.48% p.a., and matures on 21 March 2017.
- 25. Bananacoast CU Term Deposit (Unrated):** This investment is a one year term deposit paying 4.25% (4.25% annualised) and matures on 1 July 2014.
- 26. B & E Ltd Building Society Term Deposit (Unrated):** This investment is a 365 day term deposit paying 3.90% (3.90% annualised) and matures on 5 August 2014.
- 27. CBA Term Deposit (AA-):** This investment is a three year term deposit paying 5.76% p.a. and matures on 8 December 2014.
- 28. ME Bank Term Deposit (BBB):** This investment is a 366 day term deposit paying 4.33% (4.33% annualised) and matures on 5 March 2014.
- 29. Macquarie Bank Term Deposit (A):** This investment is a 365 day term deposit paying 4.15% (4.15% annualised) and matures on 1 August 2014.
- 30. Bankwest TD (AA-):** This investment is a four year term deposit paying 7.00% (7.00% annualised) and matures on 13 February 2015.
- 31. Summerland CU Term Deposit (Unrated):** This investment is a three year term deposit paying 5.05% pa and matures on 21 September 2015.

ITEM 10 (continued)

ATTACHMENT 1

- 32. Wide Bay CU Term Deposit (BBB):** This investment is a 191 day term deposit paying 4.15% (4.19% annualised) and matures on 9 January 2014.
- 33. Northern Beaches CU Term Deposit (Unrated):** This investment is a 178 day term deposit paying 4.10% (4.14% annualised) and matures on 16 January 2014.
- 34. Queenslanders Credit Union Term Deposit (Unrated):** This investment is a 187 day term deposit paying 4.20% (4.24% annualised) and matures on 28 January 2014.
- 35. AMP Business Saver at call account (A):** This investment is an at-call account earning 3.35%. No fees are payable by Council on this investment.
- 36. South West CU Term Deposit (Unrated):** This investment is a 368 day term deposit paying 4.20% (4.20% annualised) and matures on 17 June 2014.
- 37. CBA Term Deposit (AA-):** This investment is a three year term deposit paying 4.55% annually and matures on 16 May 2016.
- 38. Gateway Credit Union Term Deposit (Unrated):** This investment is a 367 day term deposit paying 4.10% (4.10% annualised) and matures on 19 June 2014.
- 39. Rabodirect Term Deposit (AA):** This investment is a 273 day term deposit, paying 4.15% (4.17% annualised), and matures on 10 April 2014.
- 40. Newcastle Permanent Building Society (BBB+):** This investment is a 91 day term deposit, paying 3.70% (3.75% annualised), and matures on 12 December 2013.
- 41. ING Term Deposit (A):** This investment is a 181 day term deposit paying 3.98% (4.02% annualised) and matures on 13 February 2013.
- 42. Greater Building Society Term Deposit (BBB):** This investment is a 247 day term deposit, paying 4.30% (4.33% annualised), and matures on 6 February 2014.
- 43. Holidaycoast CU Term Deposit (Unrated):** This investment is a 173 day term deposit, paying 4.25% (4.30% annualised), and matures 17 December 2013.
- 44. 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.
- 45. AMP Term Deposit (A):** This investment is a four year term deposit paying 7.14% which matures on 16 February 2015.
- 46. 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.

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ATTACHMENT 1

- 47. WAW CU TD (Unrated):** This investment is a 299 day term deposit paying 3.90% (3.91% annualised) and matures on 17 June 2014
- 48. 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.
- 49. 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.
- 50. 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.
- 51. 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.
- 52. 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.
- 53. 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.
- 54. 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.
- 55. 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.
- 56. 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.
- 57. 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.
- 58. 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.
- 59. 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.

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- 60. ING Term Deposit (A+):** This investment is a 202 day term deposit, paying 4.29% (4.33% annualised), and matures on 17 December 2013.
- 61. 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.
- 62. 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.
- 63. Police CU (SA) Term Deposit (Unrated):** This investment is a two year TD paying 5.70% (5.70% annualised) and matures 18 April 2014.
- 64. NAB Fixed MTN (AA-):** This is a fixed rate bond paying 6.18% (6.30% annualised) and matures 15 February 2017.
- 65. Bankstown City Credit Union Term Deposit (Unrated):** This investment is a 106 day term deposit paying 4.10% (4.16% annualised) and matures on 5 November 2013.
- 66. Westpac Fixed MTN (AA-):** This is a fixed rate bond paying 6.00% (6.14% annualised) and matures 20 February 2017.
- 67. Macquarie Bank Term Deposit (A):** This is a five year term deposit paying 6.50% (6.50% annualised) and matures 3 April 2017.
- 68. 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.
- 69. Delphi Bank Term Deposit (Unrated):** This investment is a five year term deposit paying 6.05% p.a. and matures on 15 May 2017.
- 70. Rural Bank Term Deposit (A-):** This investment is a 105 day term deposit paying 4.00% p.a. (4.06% annualised) and matures on 7 November 2013.
- 71. ME Bank Term Deposit (BBB):** This investment is a 366 day term deposit paying 4.33% p.a. (4.33% annualised) and matures on 5 March 2014.
- 72. 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.
- 73. 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.
- 74. Bank of Queensland Term Deposit (A-):** This investment is a 133 day term deposit paying 3.75% (3.79% annualised) and matures 27 February 2014.

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- 75. 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.
- 76. 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.
- 77. St George Term Deposit (AA-):** This investment is a two year term deposit paying 4.05% (4.05% annualised and matures on 27 August 2015).
- 78. 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.
- 79. Rural Bank Term Deposit (A-):** This investment is a 154 day term deposit, paying 3.70% (3.74% annualised), and matures on 30 January 2014.
- 80. 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.
- 81. St George Term Deposit (AA-):** This is a two year term deposit paying 4.05% (4.05% annualised), and matures 13 August 2015.
- 82. Bank of Queensland Term Deposit (BBB+):** This is a 179 day term deposit paying 4.00% (4.04% annualised) and matures 11 February 2014.
- 83. NAB Term Deposit (AA-):** This is a 2.25 year term deposit paying 4.80% pa and matures 18 December 2014.
- 84. St George Term Deposit (AA-):** This is a 274 day term deposit paying 3.75% (3.77% annualised), and matures 20 May 2014.
- 85. Members Equity Bank Term Deposit (BBB):** This is a one year term deposit paying 4.35% (4.35% annualised) and matures 20 February 2014.
- 86. 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.
- 87. Goldfields Money Ltd Term Deposit (Unrated):** This investment is a 363 day term deposit paying 4.20% (4.20% annualised), and matures 12 June 2014
- 88. Westpac Floating Rate Term Deposit (A):** This is a one year floating rate term deposit paying 1.24% above the official cash rate and matures 7 April 2014.
- 89. Bendigo Bank Term Deposit (A):** This is a 126 day floating rate term deposit paying 3.80% (3.85% annualised) and matures 3 December 2013.

ITEM 10 (continued)

ATTACHMENT 1

- 90. Bendigo Bank FRN (A-):** This is a senior, unsecured floating rate note purchased at a yield of 120 above BBSW. This investment matures 17 May 2017.
- 91. CBA Term Deposit (AA-):** This investment is a one year term deposit paying 4.10% annually and matures 22 May 2014.
- 92. CBA Term Deposit (AA-):** This investment is a 98 day term deposit paying 3.70% (3.75% annualised) and matures 19 November 2013.
- 93. NAB Term Deposit (AA-):** This investment is a 100 day term deposit paying 4.00% (4.06% annualised) and matures 7 November 2013.
- 94. NAB Term Deposit (AA-):** This investment is a two year term deposit paying 4.15% (4.15% annualised) and matures 13 August 2015.
- 95. NAB Term Deposit (AA-):** This investment is a two year term deposit paying 4.27% (4.27% annualised) and matures 25 August 2015.
- 96. Macquarie Bank Term Deposit (A):** This investment is a 112 day term deposit paying 3.75% (3.80% annualised) and matures 17 December 2013.
- 97. AMP Term Deposit (A):** This investment is a 93 day term deposit paying 3.80 (3.85% annualised), and matures 5 December 2013).
- 98. Bank of Queensland TD (A-):** This is a 152 day term deposit paying 3.80 (3.85% annualised), and matures 11 February 2014).
- 99. NAB Term Deposit (AA-):** This investment is a one year term deposit paying 3.83% and matures 9 October 2014.

11 INDEPENDENT HEARING AND ASSESSMENT PANEL WORKSHOP

Report prepared by: Business Support Co-ordinator
File No.: GRP/09/6/5 - BP13/1607

REPORT SUMMARY

At its workshop of Tuesday 15 October 2013 Council reviewed different models of Independent Hearing and Assessment Panels (IHAPs) currently used by other Councils. The clear consensus of the Councillors attending the workshop was that an IHAP should not be pursued at this time. However, the staff view remains that adoption of an IHAP is a best-practice measure in keeping with the Planning reforms being introduced by the State Government, a growing practice of Local Governments in the State generally, and a response to the recent ICAC investigations into Ryde Council.

RECOMMENDATION:

That Council further investigate the establishment of an IHAP with a view to its introduction in the near future.

ATTACHMENTS

- 1 Workshop Summary - IHAP - 15 October 2013

Report Prepared By:

Dyalan Govender
Business Support Co-ordinator

Report Approved By:

Dominic Johnson
Group Manager - Environment & Planning

ITEM 11 (continued)

Context

At its meeting of 13 August 2013 Council considered a report proposing measures to address the risks raised during the Independent Commission Against Corruption's Operation Cavill hearings. The report noted that:

Council's reputation with the public and business community is at risk in the areas of its management of confidential information relating to Development Applications and tenders, as well as in its ability to deal effectively and confidently with complaints.

The implementation of an IHAP is considered to be the most effective measure at Council's disposal to maintain a reputation for transparent, merit-based, best-practice decision making in relation to Development Applications, Planning Proposals, and Re-zonings. The Department of Planning has consistently recommended the adoption of IHAPs and over a quarter of Sydney Councils have already adopted and maintain IHAPs to ensure the quality of their Development Assessment outcomes.

It was therefore recommended that Council endorse the intention to establish an IHAP and that a briefing workshop be scheduled to discuss the various models, policies, and procedural frameworks available. Council resolved to hold a workshop to provide a briefing on the various models of IHAP.

Discussion

At its workshop of Tuesday 15 October 2013 an overview of the current Planning and Environment Committee was provided. Council also reviewed the structure and operation of various Independent Hearing and Assessment Panels (IHAPs) currently used by other Councils.

IHAP options for consideration included:

- Delegation
 - A fully delegated IHAP with the authority to determine matters
 - A undelegated IHAP providing recommendations to Council for determination
- Panel Selection
 - Council appointed panel members
 - General Manager appointed panel members
 - The legislative requirement for panel members to have some relevant expertise.

ITEM 11 (continued)

Councillors were asked to consider whether further investigation of an IHAP should be undertaken and if so, which of the options should be explored further. It was clearly communicated to staff that the consensus view of the Councillors was not to pursue and IHAP at this time. However, given the reduction in the risk to Council that an IHAP offers, with particular reference to the recent ICAC investigation into Ryde Council which included a number of developers and development issues, it remains the recommendation of staff that Council endorse the intention to move to an IHAP.

Other Options

That Council takes no further action in relation to setting up an IHAP at this time.

ITEM 11 (continued)

ATTACHMENT 1

RECORD OF ATTENDANCE:

Councillor Workshop
Independent Hearing Assessment Panel



15 October 2013
7.30pm to 9.00pm
Civic Centre, Level 5, Room 2

Attendance:

Present	The Mayor, Councillor Maggio
Present	Councillor Petch
Present	Councillor Laxale
Apology	Councillor Etmekdjian
Present	Councillor Chung
Present	Councillor Li
Present	Councillor Simon
Present	Councillor Yedelian OAM
Present	Councillor Pendleton
Present	Councillor Pickering
Present	Councillor Salvestro-Martin
Present	Councillor Perram

Staff in attendance:

Acting General Manager, Acting Group Manager – Corporate Services, Acting Group Manager – Environment and Planning, Acting Group Manager – Community Life, Group Manager – Public Works, Manager – Communications and Media, Manager – Assessment, Business Support Coordinator – Environment and Planning and Section Manager – Governance.

The Workshop commenced at 7.20pm.

Council's Business Support Coordinator – Environment and Planning provided Councillors with a presentation regarding Independent Hearing Assessment Panels (IHAP).

There was no support for further investigation of an IHAP at this time.

The Workshop concluded at 8.15pm.

12 UPDATE TO COUNCIL'S ETHICAL LOBBYING POLICY

Report prepared by: Business Support Co-ordinator
File No.: GRP/09/6/5 - BP13/1614

REPORT SUMMARY

At its meeting of 27 August 2013 Council resolved to undertake modelling to establish a register of lobbyists in relation to Development Applications for people, companies, or organisations who conduct lobbying activities on behalf of third-party clients and:

That Council report back with preferred operational methods for such a register, looking to similar Government Registers for guidance.

The Department of Premier and Cabinet maintains a Register of Lobbyists and the Department of Planning and Infrastructure uses this register as the basis for its own Lobbyist Contact Register. Lobbyists are currently required to register with Council under its Ethical Lobbying Policy, but there is currently no provision for a public register of lobbyists or a contact register relating to lobbying of Council officials.

RECOMMENDATION:

- (a) That a link to The Department of Premier and Cabinet's Register of Lobbyists be provided on Council's website.
- (b) That Council's Ethical Lobbying Policy be amended to establish and maintain a Lobbyist Contact Register listing meetings held for the purposes of lobbying Council officials.

ATTACHMENTS

- 1 Ethical Lobbying - Policy

Report Prepared By:

Dyalan Govender
Business Support Co-ordinator

Report Approved By:

Dominic Johnson
Group Manager - Environment & Planning

ITEM 12 (continued)

Background

At its meeting of 27 August 2013 Council resolved to undertake modelling to establish a register of lobbyists in relation to Development Applications for people, companies, or organisations who conduct lobbying activities on behalf of third-party clients.

Current Policy

Council endorsed its current Ethical Lobbyist Policy (Attached) on 28 September 2010. The purpose of the policy is to:

promote trust in the integrity of Council processes and ensure that contact between Lobbyists and Council officials is conducted in accordance with public expectations of transparency, integrity and honesty.

The policy defines a lobbyist as a person, company or organisation who conducts lobbying activities on behalf of a third-party client or whose employees conduct lobbying activities on behalf of a third-party client.

The definition specifically excludes the following from the above definition:

- applicants or owners for a development application;
- charitable, religious, and non-profit organisations;
- individuals making representation to inform the Council of their views on matters of public interest;
- peak industry bodies and professional organisations who represent the interests of their members;
- trade unions;
- professionals, such as accountants, architects, lawyers, surveyors, and town planners, where contact with Council on behalf of a client may be an incidental but necessary part of their work.

This definition is in agreement with the definition used by the NSW Department of Premier & Cabinet, the DoPI, and the Department of the Prime Minister and Cabinet.

The current policy requires lobbyists to register with Council for each individual matter and a form is provided for this purpose. The policy requires staff to ensure minutes are recorded and filed when meeting with a lobbyist, and that a minimum of two Council officials be present. The onus is on the lobbyist to register with Council, and this is in agreement with the policies used by the Department of Premier and Cabinet, the DoPI, and the Department of the Prime Minister and Cabinet.

ITEM 12 (continued)

Council's website includes a page on Lobbying. The page includes links to Council's Ethical Lobbying Policy, Council's Lobbyist Registration Form, the Independent Commission Against Corruption's (ICAC) brochure on Lobbying Local Government Councillors, the NSW Department of Planning & Infrastructure's Lobbyist Contact Register, and the ICAC's website.

In addition to the Ethical Lobbying Policy, Council's Assessment Unit ensures all submissions it receives are filed. Written responses to matters raised in submissions are provided in the assessment report. Minutes of meetings with submitters or applicants are taken and kept on file.

Discussion

The Department of Premier and Cabinet maintains a Register of Lobbyists, which is available on its website. This register is adopted in the DoPI's lobbyist policy, which requires that any meeting with a lobbyist on the Department of Premier and Cabinet's register is listed on the DoPI website. The DoPI does not maintain its own register of lobbyists, and the onus is the lobbyist to identify that they are on the Department of Premier and Cabinet's register when they requesting the meeting with the DoPI.

To enhance community awareness of lobbyists active in New South Wales it is recommended that a link to The Department of Premier and Cabinet's Register of Lobbyists be provided on Council's website.

Should Council wish to alter its policy to more closely reflect the DoPI's Registered Lobbyist Contact Protocol it may consider establishing a Lobbyist Contact Register. The Lobbyist Contact Register would list the subject matter of the meeting including any relevant Council application or reference numbers, the date of the meeting, and the registered lobbyist/lobbyist business entity. It would list meetings with lobbyists registered with the Department of Premier and Cabinet or directly with Council, however, it is noted that the onus remains with the lobbyist to identify themselves as a lobbyist when seeking the meeting or establishing contact with Council. Adopting such a measure would provide additional transparency by ensuring meetings held to lobby Council are publically registered.

Options

To enhance community awareness of lobbyists active in New South Wales Council may seek to resolve:

- That a link to The Department of Premier and Cabinet's Register of Lobbyists be provided on Council's website.

ITEM 12 (continued)

Should Council wish to alter the current policy to more closely resemble the DoPI's and to establish a public register of meetings held to lobby Council, Council may seek to resolve:

- That Council's Ethical Lobbying Policy be amended to establish and maintain a Lobbyist Contact Register listing meetings held with registered lobbyists for the purposes of lobbying Council officials.

Should Council be comfortable that the registration and recording of lobbyists under the current policy is sufficient, Council may resolve:

- That no changes be made to Council's Ethical Lobbying Policy at this time.

ITEM 12 (continued)

ATTACHMENT 1

 **Ethical Lobbying – Council Policy**

Scope

Who is a Lobbyist:

A lobbyist is a person, company or organisation who conducts lobbying activities on behalf of a third party client or whose employees conduct lobbying activities on behalf of a third party client. The definition does not include:

- applicants or owners for a development application;
- charitable, religious and non-profit organisations;
- individuals making representations to inform the Council of their views on matters of public interest;
- peak industry bodies and professional organisations who represent the interests of their members;
- trade unions; or
- professionals, such as accountants, architects, lawyers, surveyors and town planners, where contact with Council on behalf of a client may be an incidental but necessary part of their work.

Purpose

The purpose of the Register for Lobbyists is to promote trust in the integrity of Council processes and ensure that contact between Lobbyists and Council officials is conducted in accordance with public expectations of transparency, integrity and honesty.

Guidelines / Procedures

General Rules for Lobbyists

- (a) Lobbyists shall comply with all relevant legislation including disclosing gifts or political donations related to planning applications or public submissions made by a Lobbyist.
- (b) Lobbyists shall not engage in any conduct that is corrupt, dishonest, illegal or cause or threaten any detriment.
- (c) Lobbyists shall use all reasonable endeavours to satisfy themselves of the truth and accuracy of all statements and information provided by them to clients whom they represent, the wide public and Council officials.
- (d) Lobbyists shall not make misleading, exaggerated or extravagant claims about the nature or extent of their access to Council officials or to any other person.
- (e) Lobbyists are expected to comply with the principles contained in Council's Statement of Business Ethics.
- (f) When making initial contact with a Council official, with the intention of conducting Lobbying activities, Lobbyists are to inform that Council official:

Ethical Lobbying – Council Policy		
Owner: Governance Unit	Accountability: Governance framework (including registers) development	Policy Number: CSG004
Trim Reference: D10/67529	Review date: as required	Endorsed: 28/9/10 and COUNCIL

ITEM 12 (continued)

ATTACHMENT 1

	Ethical Lobbying – Council Policy
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- that they are Lobbyists or employees of, or contractors or persons engagement by Lobbyists;
- whether they are currently listed on the Register of Lobbyists.
- the name of the relevant client or clients; and
- the nature of the matters that their clients wish them to raise with Council officials.

(g) Lobbyists should register for each matter on which they intend to lobby Council.

Sanctions

If a Lobbyist does not meet obligations imposed by legislations then legal sanctions may apply.

If a Lobbyist does not abide by the principles set in this procedure and other relevant Council Policies, Council will take appropriate action to ensure maintenance of expected standards of transparency, accountability and ethics between Lobbyists and Council officials.

Council Officials

Councillors, staff and delegates of Council are obliged to comply with Council's Code of Conduct and other policies in their interaction with all members of the public including Lobbyists. These obligations apply whether or not the individual or organisation is registered as a Lobbyist.

When meeting with a lobbying a Council Official will attend with at least one other Council official present. Minutes will be kept of the meeting and filed in Council's official record keeping system.

References - Legislation

Lobbyists are reminded of their obligations under s149 of the Environmental Planning and Assessment Act, 1979 to disclose certain gifts and political donations. In addition, Lobbyists are expected to comply with the principles contained in Council's Statement of Business Ethics.

Review Process and Endorsement

This Policy should be reviewed as required but at least every four years following the conduct of the Local Government elections.

Attachments

Title
Form

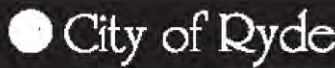
Ethical Lobbying – Council Policy		
Owner: Governance Unit	Accountability: Governance framework (including registers) development	Policy Number: CSG004
Trim Reference: D10/67529	Review date: as required	Endorsed: 28/9/10 and COUNCIL

ITEM 12 (continued)

ATTACHMENT 1

 **Ethical Lobbying – FORM**

Civic Centre, 1 Devlin Street Ryde 2112
Locked Bag 2069, North Ryde NSW 1570
Tel 02 9952 8222 Fax 9952 8070

 **City of Ryde**

Lobbyist Registration Form

Use this form to register as a lobbyist with City of Ryde.
Once we have registered your application you will receive a written notice of acknowledgement.

OFFICE USE ONLY
Reg No. _____
Date Received: _____

1. Details of application (the person or organisation who will be lobbying Council)

Given name (or A.C.N.) _____ Family name (or company name) _____
Unit/street no. _____ Street name and Suburb _____
State _____ Postcode _____ Contact person/s (person/s who will be undertaking lobbying activities (if different from above) _____
Mobile _____ Email _____ Daytime telephone _____ Fax _____

2. Identify the issue or matter on which you will be lobbying Council

If the matter of issue on which you intend to lobby Council relates to a parcel of land or property - please provide

Property Address _____ Suburb _____

3. Details of the individual, organisation or business who has engaged you to lobby the Council

Given name (or A.C.N.) _____ Family name (or company name) _____
Unit/street no. _____ Street name and Suburb _____
State _____ Postcode _____ Contact person/s _____

4. Signature

I certify that the above information is true and correct

Applicants Signature _____ Name _____
Date _____

Addresses, telephone numbers and email addresses may be used by RICC Officials to contact Lobbyists but will not be published on the register. Lobbyists are reminded of their obligations under s 147 of the Environmental Planning and Assessment Act, 1979 to disclose certain gifts and political donations.

Ethical Lobbying – FORM		
Owner: Governance Unit	Accountability: Governance framework (including registers) development	Policy Number: CSG004
Trim Reference: D10/67529	Review date: as required	Endorsed: 28/9/10 and COUNCIL

13 LOCAL INFRASTRUCTURE RENEWAL SCHEME - ROUND THREE

Report prepared by: Chief Financial Officer**File No.:** COR2012/26 - BP13/1621

REPORT SUMMARY

The NSW Government has released its guidelines in relation to the NSW Local Infrastructure Renewal Scheme (LIRS) for Round Three (2014/2015 year projects). This report recommends that Council makes an application under the LIRS and seek a subsidy for a new \$1.5 million loan for the purposes of addressing the renewal of Council's Play areas and equipment, in accordance with Council's Children's Play Implementation Plan. A Council determination regarding this matter is required, in order for an application to be made under the scheme, prior to the deadline for applications, being 31 December 2013.

RECOMMENDATION:

- (a) That Council make an application under the NSW Local Infrastructure Renewal Scheme – Round Three for Children's Play areas and equipment, in accordance with the Children's Play Implementation Plan, at an estimated cost of \$1.5 million.
- (b) That Council endorse a new loan of \$1.5 million to support Council's application as detailed in part (a) and delegate to the Acting General Manager, the authority to commence the procurement of this loan.
- (c) That the Acting General Manager be requested to provide options to Councillors for the upcoming Budget workshops in 2013, outlining how Council will meet the debt servicing costs of this new loan.

ATTACHMENTS

- 1 Circular to Councils 13/42 - Local Infrastructure Renewal Scheme - Round Three
- 2 NSW Local Infrastructure Renewal Scheme Guidelines - Round Three

Report Prepared By:

John Todd
Chief Financial Officer

Report Approved By:

Shane Sullivan
Acting Group Manager - Corporate Services

ITEM 13 (continued)**Discussion**

The Division of Local Government (DLG) has issued a circular and guidelines in relation to the Local Infrastructure Renewal Scheme (LIRS) – Round Three, for works in the 2014/2015 financial year. Copies of the documents are **ATTACHED** (Attachments 1 and 2).

The second round of the scheme will provide a 3% interest subsidy on loans taken out to undertake “eligible” projects. These include projects that make up Council’s backlog of infrastructure projects as well as projects providing enabling infrastructure for new housing development. All nominated projects need to be supported by Asset Management plans and asset condition assessments.

Apart from these broad categories, more specific criteria are detailed in the attached guidelines, but the key points are:

- Applications are to be for upgrades or renewal of infrastructure of the Council that meets a core purpose of local government and are intended for community use.
- Projects nominated cannot be already included in Council’s current 4 Year Delivery Plan.
- Minimum cost of at least \$1 million (group of projects).
- Acceptance of the LIRS conditions within the agreement:
 - Financial assessment and benchmarking by TCorp
 - Loan to be obtained from a third party
 - No NSW Government guarantee
 - DLG legislative requirements
 - One LIRS contribution only
 - Allowable purpose and allowable expenses
 - Deadline for Council and lender to agree on loan terms (i.e. commencement date)
 - Loan duration to be no longer than 10 years
 - LIRS subsidy to be fixed at commencement of agreement
 - Council accepts all risk apart from LIRS subsidy in LIRS agreement
 - LIRS subsidy will be paid on a reimbursement basis
 - Submission of final approved Loan Agreement and Bank Term Sheet (by 1 March 2013)
- The timeframe for an application is prior to applications closing on 31 December 2013.

ITEM 13 (continued)

The Executive Team have considered and assessed the most appropriate project under this Scheme to be another application for the renewal of Children Playgrounds in accordance with the Children's Play Implementation Plan. It should be noted that this project was included in Council's Four Year Delivery Plan, but only in part, under LIRS Round Two. This application, for a new loan of \$1.5 million, will be able to address another year of the High Priority Actions that are detailed in the Plan which has been adopted by Council. This application will be for the larger playgrounds, due to decreasing funding, which would require them to be done over two or three years.

The estimated debt servicing costs (excluding the subsidy) for this loan are \$52,000 per quarter, \$210,000 per annum. The net debt servicing costs, allowing for the subsidy are \$45,700 per quarter or \$183,000 per annum. This cost will need to be deducted from one or all of the Outcomes for the duration of the loan, as Council does not currently have any capacity within the budget to fund the repayments without making budget reductions.

It is recommended that Council request the Acting General Manager to provide options for Councillors' consideration in the upcoming Budget workshops, on how the debt servicing costs can be met. Council will also need to delegate to the Acting General Manager the authority to commence the procurement of the new loan.

Therefore, if Council proceeds with an application, the following matters would need to be noted and taken into consideration:

- Council's capacity to repay the loan. Council will be required to provide the Division of Local Government a separate scenario in Council's Long Term Financial Plan (LTFP) that includes a provision for this project and the new loan.
- The timing of the procurement for the new loan in gaining agreement from the bank. Council should note that if it supports this application this project will be included in the draft 2014/2015 budget. The Acting General Manager will require approval from Council to commence the loan procurement process. Council should note that the intention is to have the loan ready to be accepted, once a determination on Council's application has been made.
- The need for Council to reduce the current capital works program or base budget to fund the loan for a period of ten years, at an estimated maximum additional cost extra cost of \$210,000 per annum. It is proposed to provide Councillors with options on how this cost can be met at the budget workshops, which will be held with Councillors in 2014.
- The cost/benefit and economies of scale by bringing forward capital works. By receiving the interest subsidy from the loan, it is believed advantageous to Council to make this application.
- Council should note applications close on 31 December 2013.
- Projects under the scheme are required to be completed in 12 months from the date of the signed agreement.

ITEM 13 (continued)**Financial Implications**

If Council approves this application and is successful, this would then be required to be reflected in the draft 2014/2018 Delivery Plan and as an additional scenario within Council's LTFP. It is believed that this application would be advantageous to Council, noting that Council will have to adjust its capital/base budgets to accommodate the costs of repaying the proposed loan.

The estimated debt servicing costs for a \$1.5 million loan is estimated to be \$52,000 per quarter, \$210,000 per annum or \$183,000 per annum, if Council is successful with its application under the LIRS. It is proposed that Council will hold the formal acceptance of the loan, pending the outcome of its application.

ITEM 13 (continued)

ATTACHMENT 1



Premier & Cabinet
Division of Local Government

Circular to Councils

Circular No. 13-42
Date 23 September 2013
Doc ID. A345737

Contact Coordinator Infrastructure
(02) 4428 4100

LOCAL INFRASTRUCTURE RENEWAL SCHEME – ROUND THREE NOW OPEN

Purpose

To invite councils and county councils to apply for funding under the third round of the Local Infrastructure Renewal Scheme (LIRS).

Issue

- The NSW Government is providing \$100 million over six years to unlock up to \$1 billion in investment in local infrastructure through the Local Infrastructure Renewal Scheme (LIRS). The scheme provides an interest subsidy to fund council infrastructure backlog borrowing.
- Recognising the importance of housing growth to the future prosperity of NSW, infrastructure projects to support housing, e.g. roads and sewage, are also eligible for funding under LIRS.
- In the first two rounds of the Scheme, the NSW Government provided interest subsidies worth over \$93 million over ten years to 87 councils for 138 individual projects throughout the State. This scheme has already unlocked almost \$680 million worth of investment in our local infrastructure and more communities can benefit from LIRS through projects to receive funding under round three.
- Following on from the success of the scheme so far, \$30 million is still available out of the initial 6 year allocation to support both backlog infrastructure projects as well as projects providing enabling infrastructure for new housing development. The third round of the scheme will provide a 3% interest subsidy on loans taken out to undertake these projects.
- Councils that have not yet benefited from the scheme are particularly encouraged to apply for eligible projects if their financial situation allows debt financing of infrastructure projects to facilitate intergenerational equity. Smaller councils are also encouraged to apply for projects with total project values of less than \$1 million rather than holding back due to the minimum project value guideline.
- Guidelines to help with the preparation of applications can be downloaded by going to the DLG website at www.dlg.nsw.gov.au and clicking on the LIRS link. Section 7 of the Guidelines provides a summary of information required to fill in the online application form, which will be available between 19 September 2013 and 31 December 2013.

Division of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E dlg@dlg.nsw.gov.au W www.dlg.nsw.gov.au ABN 99 567 863 195

ITEM 13 (continued)

ATTACHMENT 1

2

- Further information in relation to the LIRS is available by contacting Mrs Daniela Heubusch, Coordinator – Infrastructure, with the Division of Local Government on telephone 02 4428 4133 or by email to: daniela.heubusch@dlg.nsw.gov.au.

Actions

Councils are encouraged to:

- consider the LIRS Round Three Guidelines to identify appropriate projects; and
- apply for LIRS funding online before 31 December 2013.



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

ITEM 13 (continued)

ATTACHMENT 2



**NSW LOCAL INFRASTRUCTURE RENEWAL
SCHEME**

GUIDELINES – Round Three



September 2013

ITEM 13 (continued)

ATTACHMENT 2

ACCESS TO SERVICES

The Division of Local Government, Department of Premier and Cabinet is located at:

Levels 1 and 2
5 O'Keefe Avenue
NOWRA NSW 2541

Locked Bag 3015
NOWRA NSW 2541

Phone 02 4428 4100
Fax 02 4428 4199
TTY 02 4428 4209

Email dlg@dlg.nsw.gov.au
Website www.dlg.nsw.gov.au

OFFICE HOURS

Monday to Friday
8.30am to 5.00pm
(Special arrangements may be made if these hours are unsuitable)
All offices are wheelchair accessible.

ALTERNATIVE MEDIA PUBLICATIONS

Special arrangements can be made for our publications to be provided in large print or an alternative media format. If you need this service, please contact our Executive Branch on 02 4428 4100.

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ITEM 13 (continued)

ATTACHMENT 2



Premier & Cabinet
Division of Local Government

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1. INTRODUCTION

On 26 March 2007, the Local Government and Planning Ministers' Council endorsed the National Frameworks for Local Government Financial Sustainability. The National Frameworks address three key areas:

- asset planning and management;
- financial planning and reporting; and
- criteria for assessing financial sustainability.

The National Frameworks promote prudent, transparent and accountable financial management by local governments. They also seek to encourage a strategic approach by local government to meet current and emerging challenges.

The National Frameworks have informed the development of the asset management and long-term financial planning components of the Integrated Planning and Reporting (IP&R) framework, which was introduced in October 2009. The IP&R framework has been developed to improve local councils' long term community planning and asset management, as well as to streamline reporting to the community. It aims to improve the sustainability of local communities by encouraging councils, residents, NSW Government agencies and other community organisations to work together on long-term plans to achieve community outcomes.

The NSW Government has recognised that investment in infrastructure is needed across NSW, and as part of its *NSW 2021 State Plan*, the Government has committed to increase expenditure on critical infrastructure.

To achieve this, the NSW Government is implementing a Local Infrastructure Backlog Policy which comprises the following elements:

- An audit of each council's local infrastructure backlog to provide better information on investment needs, which was completed by the Division of Local Government (DLG);
- A Local Infrastructure Renewal Scheme (LIRS) to provide the opportunity for councils to access interest subsidies for the purpose of funding legitimate infrastructure backlogs; and
- Setting up a system for financial assessment and benchmarking of councils' finances including gearing levels and investment strategies.

2. WHAT IS THE LOCAL INFRASTRUCTURE RENEWAL SCHEME?

The LIRS provides an interest subsidy to assist those councils with legitimate infrastructure backlogs to cover the cost of borrowing. The subsidy aims to provide an incentive to councils to make greater use of debt funding to accelerate investment in infrastructure backlogs and augment funding options already available to councils.

The LIRS is being administered by the DLG.

All loans subsidised by the LIRS will be subject to specific conditions of LIRS support (see section 6).

This document provides guidance for LIRS applicants on:

- eligibility requirements and assessment criteria for evaluating applications;
- the process for submission of applications and the information required;

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- conditions under which LIRS support will be provided to successful applicants; and
- contact details and other miscellaneous information which may be useful to applicants.

3. ELIGIBILITY REQUIREMENTS

3.1. Who can apply

Any local council in NSW which meets the eligibility requirements in this section and agrees to the conditions of LIRS assistance in section 6 of this Guideline is eligible to apply.

Two or more councils who wish to apply for LIRS assistance to implement a single or group of projects/programs located across council boundaries may do so, provided that each council submits its own separate application and the required documentation in support of that application. Each council must meet the eligibility requirements, assessment criteria and accept the conditions of LIRS assistance (including each participating council contracting a separate loan to cover its share of project/program cost).

A council may submit an application (and may be eligible to receive a LIRS subsidy) for a maximum of two separate projects/programs. In this case, each project/program will be assessed as a separate application, but the Assessment Panel will take into consideration the council's capacity to service debt on the two projects/programs.

For this reason, if a council is submitting applications for two projects/programs the council should clearly identify in each application the name and estimated cost of the two projects/programs for which council is submitting an application and council's long term financial plan must clearly identify the impact of both projects/programs on its repayment capacity and financial situation.

3.2. Eligible projects/programs

The projects/programs for which a council proposes to incur borrowings to be subsidised under the LIRS should be identified as part of council's infrastructure backlog or should enable the provision of new housing.

3.2.1. Backlog Projects

The borrowing to be subsidised under the LIRS should be incurred for the purpose of funding specific new works, upgrades, or renewal of infrastructure of the council that meets a core purpose of local government and is intended for community use – e.g. roads, community halls, libraries, parks, sports grounds (subject to the exclusions listed below).

Some types of infrastructure projects/programs will not be eligible for LIRS assistance. For example:

- Disparate projects that comprise an entire program for infrastructure that serves different functional purposes – e.g., projects that are listed as part of an annual works program for general asset maintenance or asset rehabilitation.
- Projects/programs which do not provide assets to meet an infrastructure backlog in a core service delivery area of local government responsibility to the community (e.g. council premises).

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- Projects/programs which largely result in commercial profits to private parties (e.g. construction of a retail shopping centre).
- Information and Communications Technology (ICT) (e.g. purchase of computers for council offices). However, ICT that is to be purchased as an integral part of an infrastructure system to address an infrastructure backlog may qualify (e.g. computer monitoring systems for a dam or a local road network).
- Infrastructure works already in progress as at the date of publication of these Guidelines, including those funded by existing debt.

Projects/programs which are for private benefit and which will cover costs through a revenue stream (e.g. an auditorium or entertainment centre to be funded through fully costed user charges) may be considered, provided that all of the following conditions are met:

- (a) community benefit rather than exclusive private commercial profit is the overriding objective of the project/program;
- (b) the project/program is a component of a larger construction program of other facilities that comply with the eligibility requirements in this section, and the wider program is to be funded by the proposed borrowing;
- (c) the project/program has previously been subject to community consultation as part of the development approvals process and/or the implementation process for the IP&R framework; and
- (d) project/program documentation and preparation is sufficiently advanced to enable the merits of it to be assessed and ranked against other proposals in accordance with the assessment criteria.

3.2.2. Projects for new housing

A project that is not identified as part of a council's infrastructure backlog, but which is clearly demonstrated to facilitate the provision of new housing in a specified site, will also be considered eligible for the scheme. For purposes of determining eligibility under this Guideline, 'new housing' is defined as new private dwellings which may comprise self-standing houses, flats or apartments that are used primarily for residential purposes.

Projects that are defined as 'enabling infrastructure' will be eligible for assistance, but projects that are defined as 'follow on infrastructure' will not be eligible.

In relation to this additional criterion, enabling and follow on infrastructure are defined as follows:

- **Enabling infrastructure** is defined as infrastructure which is the applicant council's responsibility to provide, and which is essential for new housing development to occur. For LIRS purposes 'enabling infrastructure' means roads; stormwater; and (for some councils) water supply and sewerage.
- **Follow on infrastructure** is defined as infrastructure that is required to service development, but is not essential up front and can be provided once development is complete. This includes infrastructure such as emergency services, education, recreation and health facilities.

3.3. Minimum cost of projects/programs

Preference will be given to projects/programs or groups of projects/programs with a total cost of at least \$1 million.

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This amount may comprise, for example:

- a single project/program (e.g. a park, a library, a single road segment);
- a group of different but related projects (e.g. redevelopment of community facilities clustered in a single location);
- a group of projects of a similar nature that can be packaged as a single program (e.g. small road projects in different sites within the local government area which require major periodic renewal).

For the purposes of these Guidelines, "minimum cost" means the total gross cost of a specified project or program as defined in section 3.2. An amount that is calculated as a lump sum 'gap' – for instance, the difference between a total gross cost of a general annual works program and other available funding sources – will not be considered to meet the minimum cost requirement.

For small councils, projects/programs with a total cost of less than \$1 million may still be considered on a case-by-case basis, provided they comply with other eligibility requirements and the essential and desirable assessment criteria.

The \$1 million minimum on a project/program may be equal to or greater than the proposed loan amount, depending on whether council proposes to use other funding sources (e.g. internally generated funds, grants from the Commonwealth or other parties).

3.4. Acceptance of LIRS funding conditions

Successful applicants will be required to enter a LIRS agreement with the NSW Government and in doing so will have to accept the conditions set out in section 6.

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4. ESSENTIAL CRITERIA

4.1. Project/program is for legitimate infrastructure backlog works OR enables the provision of new housing

As mentioned in the eligible projects/programs section of these Guidelines, projects must either address a legitimate infrastructure backlog or enable the provision of new housing. The first essential criterion is therefore split into two sections and the applicant council is to choose, which category the project falls into.

4.1.1. Legitimate infrastructure backlog

It is important that the council explains where the project/program ranks in relation to its other infrastructure backlog priorities and provides evidence demonstrating that the proposed backlog infrastructure project/program will directly meet service needs in the local government area, unless the project relates to the enabling of new housing (in which case section 4.1.2 of this Guideline applies). For instance, reference should be made to strategic planning or development approval documents, documents prepared for the IP&R framework, profiles and projections of economic activities in the area and how the project/program will deliver services consistent with the council's plans.

This should include council's condition assessment of the assets included in the proposed infrastructure backlog project/program. Asset management planning and asset condition assessments should be completed consistent with the requirements set out in section 3.4 of the *Planning and Reporting Manual for local government in NSW 2010*.

To assist in determining whether projects/programs meet this criterion, the Assessment Panel may consult with other agencies (e.g., Department of Planning and Infrastructure; Department of Trade, Industry and Regional Infrastructure Services, Department of Finance and Services) or other parties as required.

4.1.2. Projects that enable new housing

Projects that are not for legitimate infrastructure backlog works as required in section 4.1.1 will be considered eligible for LIRS assistance only if they enable new housing, subject to compliance with other eligibility requirements and the other four Essential Criteria for assessment.

Where an applicant council proposes a project to enable new housing, all of the following must be demonstrated in the application documentation:

1. the project will provide infrastructure services in a clearly identified site. The project may be for new residential development, or it may benefit both new developments and the existing population; and
2. the project is for the provision of 'enabling infrastructure' as defined in section 3.2.2 of these Guidelines; and
3. the enabling infrastructure is the responsibility of the council applying for LIRS assistance. In local government areas where the enabling infrastructure is the responsibility of other entities, the project will not be eligible for LIRS assistance (eg, trunk stormwater management infrastructure in parts of the Rouse Hill Development Area is provided by Sydney Water); and

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4. the new housing development is in a sufficiently advanced stage of preparation. At the minimum, the land should be already zoned for residential development and council should be able to demonstrate that there is intent to develop the site.

LIRS applications for new housing projects will be subject to all other Essential Assessment Criteria in section 4 and Desirable Criteria in section 5 of these Guidelines.

4.2. Accelerated infrastructure investment

The council must demonstrate how the LIRS subsidy will accelerate the provision of infrastructure in its area and support the council's Resourcing Strategy under the IP&R framework. Applications must show evidence that insufficient 'internal' council funds are available for the infrastructure project/program.

4.3. Project/program delivery timeframe

It is not necessary for an applicant to have competitively tendered the project/program, or completed all detailed project/program development work, or obtained final loan financing at the closing date for applications.

However, an applicant will be expected to adequately demonstrate and document its intentions in its submissions at the application closing date, provide a realistic indication of its project/program delivery timetable, and provide evidence of indicative terms of the loan proposed to be subsidised. An applicant council should be able to demonstrate that it has the necessary resources, project/program management expertise and administrative capacity to deliver the project/program and maintain the asset once it is complete.

4.4. Project Program Preparedness

Support will only be provided to subsidise borrowings for projects/programs that are in a reasonably advanced stage of preparation. For example, applicants may wish to provide evidence:

- that appropriate project/program preparation (e.g. project/program cost-benefit analysis, project/program scoping, options studies, design and other relevant work) has been or is being undertaken;
- that the LIRS subsidy will help to accelerate the delivery of the infrastructure project/program;
- of the council's procurement strategy for the project/program;
- from the detailed business case documentation prepared for the project/program; and
- that the council has considered other relevant factors affecting project/program preparedness, and is doing the necessary work to address these.

4.4.1. Project/program commencement

Applicants must provide evidence that project/program construction will commence within 12 months after the date of signing of the LIRS Agreement. It may be possible to extend this deadline by another six months, but only upon a council demonstrating due cause and meeting certain other conditions (see section 12.1).

The project/program timetable must nominate the approximate target month and year of project/program commencement. 'Project/program commencement' will be defined with specific reference to commitments in the construction contract between the council

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and the contractor, or the typical definition of this term in most construction contracts. Courses of action in the event of failure to meet the 12-month deadline will be specified in the LIRS Agreement (see section 10).

4.4.2. Project/program completion

Applicants must provide evidence that the project/program construction is expected to be completed in accordance with the construction timetable submitted with the application, subject to allowance in the timetable for reasonable grace or cure periods.

The project/program timetable must nominate the approximate target month and year of project/program completion. 'Project/program completion' will be defined with specific reference to the construction contract between the council and the contractor, or the typical definition of this term in most construction contracts.

It is expected that projects/programs supported by the LIRS will not require multiple staging. However, where the applicant intends to fund a multi-stage program, the stage that is funded by the LIRS must:

- (a) have a clear completion date for an identifiable infrastructure asset that can start being used by the community once construction is completed;
- (b) have a nominated completion date that is within the period of loan repayment; and
- (c) meet the conditions for LIRS support in section 6.

4.4.3. Project/program finance

Information regarding the availability of internal council funds (e.g. from future general rates income or special rate variations) for the project/program will be taken into account during the assessment of applications. All other sources of funding such as grants or other government subsidies must be declared.

Applicants should demonstrate their capacity to service the proposed LIRS loan. TCorp will also undertake a financial assessment (refer to section 6.1).

For example, applicants may wish to provide:

- initial (pre-tender) project/program cost estimates;
- copies of relevant council decisions to implement the project/program and fund it with borrowings;
- the quality of available cost estimates (e.g. the assumptions and basis for the estimate, whether it is reliable and reasonable, extent of quantity surveying and engineering cost estimation work completed);
- if available, the results of preliminary cost-benefit analysis and financial appraisal work undertaken – e.g. projected cash flows, financing assumptions such as indicative loan size and loan repayments;
- the relevant excerpts from Council's TCorp Assessment Report and other evidence to demonstrate that the applicant will be able to afford the LIRS loan, and
- other relevant information, including from any business case prepared for the project/program.

Applicants must include information on any significant developments after the TCorp assessment was completed which will affect debt servicing capacity (eg, any new borrowings).

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4.5. Commitment to delivering affordable and sustainable infrastructure projects/programs

Council must submit its relevant Asset Management Plan and its Long-Term Financial Plan with the proposed project/program resourcing commitments clearly identified as evidence of the affordability of the loan.

The Division's Integrated Planning and Reporting Manual and Long-Term Financial Planning Guidelines set out the requirements for the development of a Long-Term Financial Plan that will provide evidence that the proposed infrastructure investment is affordable and sustainable.

Councils should use the guidance provided on performance measures, modelling and the use of sensitivity analysis to make clear in their application that the proposed projects/programs will not impact negatively on the council's long-term sustainability.

Note: If necessary, the full TCorp Financial Assessment and Benchmarking Report for each council will be submitted to the Assessment Panel to inform its assessment of the application.

5. DESIRABLE CRITERIA

5.1. Consistency with State and Regional planning

The council should identify whether a project/program is consistent with State Government and regional planning and/or integrated with State Government infrastructure projects. Where successful service delivery depends on integration of the asset with State infrastructure, proof should be provided that the necessary State infrastructure is already available. For example, priority may be given to local road works that feed into a regional network if there is sufficient capacity in the regional network.

5.2. Duration of loan

Generally, greater financial risks tend to be associated with longer loan terms. As such, the Assessment Panel may give higher priority to projects/programs having shorter loan terms.

5.3. Consideration of previous LIRS assistance

In the event that LIRS funding requirements for applications (that meet all of the eligibility requirements in section 3 and essential criteria in section 4 of these guidelines) exceed available budget funding, applicants who did not receive LIRS assistance in previous rounds may be given higher priority over councils who successfully obtained LIRS assistance in previous rounds.

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6. CONDITIONS OF LIRS ASSISTANCE

6.1. Financial assessment and benchmarking by TCorp

6.1.1. Generic TCorp Assessment

In 2012, all councils underwent a financial assessment and benchmarking process by NSW Treasury Corporation (TCorp) (Attachment 1 provides a sample of the contents of the TCorp Financial Assessment and Benchmarking Report).

The purpose of the assessment was to assist councils' asset acquisition and investment management strategies, including providing advice on their capacity to utilise debt when appropriate.

The external financial assessment was intended to be a general review of the applicant's overall finances and financial prospects, but not a review of the acceptability or viability of the specific project/program that is the subject of the LIRS application – this is a matter for the council to determine.

However, the financial assessment can advise whether the council has the capacity to borrow in order to meet its infrastructure backlog, and should be used to confirm the impact of any proposed borrowings on the council's finances.

The financial assessment report will be available to the council for its own general financial planning purposes. However, the independent financial assessment is not a credit rating report.

The due diligence or investigations required to assess an applicant's capacity to repay the specific loan will remain the responsibility of the lender.

6.1.2. Additional TCorp Advice on applications beyond the first round

The Assessment Panel will obtain TCorp advice on the applicant's capacity to repay the loan for which an applicant seeks LIRS assistance in the round. The TCorp advice will include an assessment of the impact of the proposed loan on the applicant's financial ratios and long term fiscal position based on latest available financial data, and other relevant information on significant developments after the original TCorp assessment was completed which will affect debt servicing capacity. Council may be required to meet the cost of this additional assessment. Where a proposed project/program is to be jointly implemented by two or more councils, TCorp will consider the fiscal position for each participating council separately.

6.2. Loan to be subsidised must be obtained from a third party lender

Council's loan that is to be subsidised by the LIRS must be negotiated and obtained directly from a third party lender. As evidence of this, the application must include, at the minimum, an indicative Bank Term Sheet from the lender as at the application closing date.

During the evaluation period (i.e. between the application closing date and 28 February 2014), a council will be expected to provide:

1. an updated Bank Term Sheet which is as close to final as possible, and

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2. a Loan Repayment Schedule.

The Bank Term Sheet should not be confused with the Loan Repayment Schedule. These are two inter-related but separate documents. One document does not substitute for the other, and both must be submitted with your LIRS application. Failure to do so will result in a non-compliant application.

Please note that a close to final bank term sheet must have been submitted by no later than 1st March 2014. All applications without a bank term sheet after that date will be disregarded by the assessment panel.

To assist Council, further explanation of the required Bank Term Sheet and Loan Repayment Schedule are provided in Appendix 3.

The required information will include:

- (a) the amount and term of the loan;
- (b) a repayment schedule showing loan drawdown dates and amounts of principal and interest payments over the life of the loan; and closing balances at the end of each repayment period; and
- (c) other relevant loan arrangements (e.g. capitalisation of interest at intervals over the life of the loan; any fees to be included in the principal etc).

This updated Bank Term Sheet will be appended to, and will form part of, the LIRS Agreement between the council and the NSW Government.

6.3. No NSW Government guarantee

The NSW Government will not guarantee any part of borrowings or other financial obligations of councils who access support under the LIRS. The NSW Government will not:

- (a) be party to any council discussions or negotiations with prospective providers of finance;
- (b) endorse any finance agreement that a council may enter into with its lender/s; or
- (c) be a party to the loan agreement.

Financial assessment and benchmarking by TCorp, or any formal or informal consultations by the NSW Government regarding debt facilities or any other financial arrangements of lenders with councils, do not constitute an implicit or explicit NSW Government guarantee on councils' financial or non-financial obligations incurred under the LIRS, or on the projects/programs proposed by councils to be subsidised by the LIRS.

6.4. DLG legislative requirements

Councils are required to comply with any legislative requirements that may apply to a project/program. For example if a proposed project/program meets the criteria for a Capital Expenditure Review, then council must meet the requirements which are set out in DLG Circular to Councils 10/34.

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6.5. One LIRS contribution only

Applicants will be eligible for one LIRS subsidy contribution per project/program. However, a council may submit an application (and may be eligible to receive a LIRS subsidy) for a maximum of two separate projects/programs, in each application round. Each project/program should be lodged as a separate application which will be separately assessed. For purposes of determining the maximum number of projects/program for which any council is eligible for a subsidy, a project/program to be implemented by two or more councils will count as a single project/program for each participating council.

6.6. Allowable purpose and allowable expenses

The LIRS interest subsidy will be made available only for the specific purpose of offsetting the interest cost for loans from third party lenders for the allowable purposes.

Refinancing of existing loans (as at the date of public release of this Guideline) will not be eligible for LIRS support.

Proceeds of the loan are not to be applied towards costs of administration, travel, licensing, salaries or other activities or recurrent costs that are the responsibility of the applicant. However, a maximum of 10% of the total loan amount supported by the LIRS can be spent on specialist advice or design and permit costs (for example, engineering or planning).

Councils will be responsible for all ongoing costs and the management of assets procured with LIRS support.

6.7. Deadline for council and lender to agree on loan terms

The deadline for council and the third party lender to achieve in principle agreement on loan terms will be set so as to be consistent with the timetable for contract close, financial close and project/program delivery, and in no case will extend beyond the project/program commencement date.

6.8. Loan duration to be no longer than 10 years

All loans subsidised by the LIRS must have a loan term no longer than ten years from the date of signing of the LIRS Agreement. In any case, all LIRS funding will terminate on or before 30 June 2025.

Loans to councils for new asset acquisition purposes would typically be expected to have a range of five to ten years, although shorter loan durations are also possible.

6.9. LIRS subsidy to be fixed at commencement of LIRS agreement

The NSW Government will provide an interest subsidy on the loans contracted by successful applicants with their lender. The dollar amount of the subsidy for a given project/program will be fixed in the LIRS Agreement and will be calculated based on:

- (a) the rate of LIRS subsidy; and
- (b) the loan amount and term of each application as contained in the updated Bank Term Sheet that is made available by council to the DLG 14 days before the date that successful applicants are to be announced.

There will be no adjustment to this subsidy amount over the life of the LIRS Agreement, except as provided in the terms of that Agreement (e.g. in relation to events of default

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and other triggers in the Loan Agreement between the council and the lender, unusual circumstances or variations permitted by the Agreement).

The NSW Government's liability will be limited solely to the amount of the interest subsidy that is specified in the LIRS Agreement with the council.

6.10. Councils accept all risk apart from LIRS subsidy in LIRS agreement

Councils are to take full risk on:

- interest rate or other financial risk on any liabilities in excess of the agreed amount of the State subsidy as specified in the LIRS Agreement; on the other hand, council will retain the benefits of any upside interest rate risk between the signing of the LIRS Agreement and the final approved Loan Agreement;
- interest rate or other financial risk on any liabilities for any period exceeding the term of the loan for which the subsidy is provided under the LIRS Agreement;
- in the event that a council wishes to refinance the loan (beyond the period of the original loan term for which LIRS support was provided), all costs and financial risks associated with such refinancing, including the full interest cost of the refinancing; and
- any non-financial (e.g. construction or project management or contractual) risks that result in the project/program being delayed and/or which may consequently generate unplanned financing costs or other financial risks for the project/program.

6.11. LIRS subsidy will be paid on a reimbursement basis

Once the lending institution has disbursed the proceeds of the loan to a council, the council will be expected to make interest payments directly to the lending institution that is based on the full interest rate in accordance with the final Loan Agreement between those two parties, which will incorporate the final approved loan terms.

The DLG is responsible for administering the reimbursement of the council for the amount of the subsidy and at the frequencies included in the LIRS Agreement, provided no events of default or other unusual circumstances arise (for which separate provision will be made in the LIRS Agreement) and until the total amount of the subsidy is fully paid to the council.

6.12. Submission of final approved Loan Agreement and Bank Term Sheet

After selection as a successful applicant and signing of the LIRS Agreement, a council will be expected to negotiate and sign the final Loan Agreement with its lender ("financial close"). Once financial close is achieved, successful applicants will be required to submit a certified copy of the final Loan Agreement and final approved Bank Term Sheet.

Financial close may be expected to occur after the signing of the LIRS Agreement. Therefore, the final loan documentation will not be used for eligibility or application assessment purposes, but for post-implementation review of the LIRS.

Failure to submit a copy of the final approved Loan Agreement and Bank Term Sheet after financial close will be grounds for withholding payment of the LIRS subsidy until it is submitted to the DLG.

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7. SUBMISSION OF APPLICATIONS

The DLG will develop a LIRS website to allow online applications for the scheme. Applicants will need to provide the following information as part of the application:

- (a) name and address of local council and that council's Australian Business Number (ABN);
- (b) contact details for the General Manager as well as an authorised person from the local council, who will act as the nominated contact for the LIRS application and from whom more information or clarification about the application can be sought, if required;
- (c) the State electorate that the project will be located within;
- (d) the relevant excerpts from the Asset Management Plan and Long-Term Financial Plan (please do not send the entire documents) with the proposed project/program resourcing commitments clearly identified as evidence of the affordability of the loan;
- (e) profile of the proposed project/program – including details of the nature, location, type, scale of infrastructure project/program; the target beneficiaries; whether the project/program is being done jointly with other councils;
- (f) estimates of capital cost, and comments about the content and quality of these estimates; this may include quotes from suitably qualified contractor/s or design consultants to support the project/program cost cited in the application;
- (g) estimates of project/program cost financing (including from sources other than the proposed loan, if applicable);
- (h) a project/program budget detailing costs relating to the LIRS project/program – including sources and uses of funds for the project/program and estimates of (unsubsidised) interest cost and LIRS subsidy, at least on an annual basis;
- (i) a short project summary and community benefit statement for use in communication and promotion, should the project be successful.
- (j) an indicative Bank Term Sheet including the amount proposed to be borrowed (if this is different from the capital cost estimates provided); interest rate; loan term; particulars of assets or other security provided by the council to cover the loan; excel spreadsheets showing the calculation of periodic interest payments (to enable calculation of LIRS subsidy payments); and any other relevant details about the proposed loan;
- (k) copies of council Minutes showing prior council approval to proceed with the project/program or capital expenditure, and (if decided separately) to incur a loan to fund the project/program; and
- (l) all other documentation demonstrating the applicant's compliance with the eligibility requirements and essential and desirable criteria.

Note: For single projects/programs to be undertaken by multiple councils, each participating council must lodge a separate application.

8. LODGING APPLICATIONS

Applications must be received by close of business (5.00pm) on Tuesday, 31 December 2013. The applications must be completed online on the LIRS section of the DLG website at www.dlg.nsw.gov.au.

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Applicants who need help with their application can contact the DLG Coordinator Infrastructure on phone 4428 4133 or email lirs@dlg.nsw.gov.au or via post:

Coordinator Infrastructure
Local Infrastructure Renewal Scheme
Division of Local Government
Department of Premier & Cabinet
Locked Bag 3015
Nowra NSW 2541

Applications that are not received by the closing date for any reason or due to oversight by any party involved in the application process will not be assessed. Only the following materials will be accepted by DLG after the closing date:

1. Additional information on bank documentation as specified in section 7(j) of this Guideline, or project information required in order to complete the application;
2. Specific information requested by the Technical Panel or the Assessment Panel in aid of the assessment, or any information submitted by an applicant in response to a Request for Clarification.

SUMMARY OF KEY DATES

Item	Date
Online applications open	13 September 2013
Application closing date	31 December 2013
Latest date to submit close to final bank term sheet	28 Feb 2014
Announcement of successful applicants	At the earliest, mid May 2013 – but may be extended if many requests for clarification (RFC) are required. Specific date to be announced by the Minister.
Signing of LIRS Agreement	Within two months after council receipt of LIRS Funding Agreement.

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9. ASSESSMENT OF APPLICATIONS

9.1. Stages of the assessment process

After the closing date, applications will be assessed in three stages:

Stage 1. Assessment by Technical Panel against the eligibility requirements and essential criteria in section 3 and 4 of this Guide.

The Technical Panel will assess and rank applications against the eligibility requirements in section 3, the essential criteria in section 4 and (if necessary) the desirable criteria in section 5 of this Guideline.

Applications found to be ineligible, or whose documentation is incomplete at the closing date and are deemed unlikely to be completed within the assessment period, may not be assessed.

In order to facilitate the assessment, the Technical Panel may issue Requests for Clarification to any applicant in accordance with section 9.2 of this Guideline. Failure to respond to a Request for Clarification (RFC) will be interpreted to mean that the applicant has no further information to provide, and the application will be assessed on that basis.

Stage 2. Assessment Panel review

The Technical Panel will submit its assessment of applications for consideration by the Assessment Panel. The Assessment Panel will determine those applications that satisfy the eligibility requirements and essential criteria. These applications should then progress to the TCorp financial assessment and benchmarking process if that has not already been undertaken.

At this stage, the Assessment Panel may also instruct the Technical Panel to issue further RFC's to assist in the Assessment Panel's deliberations.

Stage 3. Assessment Panel final decision

The Assessment Panel has the option of instructing the Technical Panel to undertake another round of evaluation and ranking of applications - including as a result of applicants' responses to RFCs, or against the desirable criteria in section 5 of this Guideline. The Assessment Panel may also undertake further deliberations as required in order to make its final decisions on eligible applications.

Note: Where a project/program is jointly undertaken by two or more councils, each participating council will be individually evaluated against the eligibility requirements and assessment criteria just like any other single applicant.

9.2. Requests for clarification or additional documentation

To help ensure that assessment outcomes are based on information that is as accurate and up-to-date as possible, the assessment process will include Requests for Clarification (RFCs). At any stage, the Technical Panel and/or the Assessment Panel may seek clarification about any aspect of a council's application, and will issue an RFC in writing to the applicant. This could include requests for additional documentation if there are gaps in the initial submissions.

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The applicant will be expected to provide a response in writing, or a copy of any additional documentation requested by the Technical Panel or the Assessment Panel, within a specified number of days. The responses will be considered in the final evaluation and ranking of applications by the Assessment Panel.

Applicants' responses to RFCs must be addressed to the DLG LIRS e-mail address lirs@dlg.nsw.gov.au. Depending on the subject of the RFC, applicants may be requested to simultaneously copy their RFC response to a specific member of the Technical Panel. As required, separate contact details for the relevant Technical Panel member(s) will be provided to applicants when the RFC is issued.

9.3. Assessment criteria

In the first instance, the Assessment Panel will evaluate applications with reference to the essential criteria in section 4 of this Guideline. The Assessment Panel will have the option of giving more favourable consideration to applications if, in addition to meeting the essential criteria, they also meet the desirable criteria in section 5.

Budget funding allocations for the LIRS have been set for a limited period of time commencing in 2011/12. In the event that the aggregate of LIRS subsidies sought for all applications meeting the essential criteria would, if granted, result in:

- (a) all of the allocated budget funding being used up in the rounds to date, or
- (b) total LIRS subsidy funding requirements exceeding the total budget allocation to date,

then the Assessment Panel will do a second review of applications that initially met the essential criteria based on systematic application of the desirable criteria, to further refine the ranking of these applications.

In any application round, after applying the essential and desirable criteria, the Assessment Panel may repeat its review of applications as many times as necessary, based on other prioritisation criteria or processes (e.g. awarding only partial subsidies, or setting pre-conditions before some applicants can access the subsidy). The Assessment Panel will ensure that these additional criteria and processes are appropriately documented and communicated to applicants.

9.4. Outcomes of the Assessment Process

The target date for announcement of successful applicants by the Assessment Panel will be determined after the Technical Panel assessment has commenced and the Assessment Panel is able to form a clearer view on the quantity and quality of applications received.

At the earliest, it may be possible for successful applicants to be announced in May 2014, but this may be extended should a significant number of RFCs be necessary.

Projects/programs selected for assistance may not receive the full requested subsidy, and LIRS assistance may be made subject to specific conditions to be determined by the Assessment Panel.

Under no circumstances will any LIRS subsidy be approved or endorsed for:

1. Loan amounts that are not supported by an indicative Bank Term Sheet or other relevant bank documentation submitted with a council's application. In case a loan amount stated in a council's application form exceeds the loan amount stated in the indicative Bank Term Sheet, the LIRS subsidy will be calculated based on the latter.

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2. Loans that are non-compliant with these LIRS Guidelines in the first instance (eg, loans for projects that do not meet eligibility requirements in section 3 of these Guidelines, or loans which do not comply with the funding conditions in section 6).

All recommendations to the Chief Executive of the DLG by the Assessment Panel will be final, and the Panel will not enter into negotiations or disputes with unsuccessful applicants.

9.5. Notification to applicants

After the application closing date, applicants will receive notification via email to confirm that their application has been received. Applicants may be contacted during the assessment process for further information or clarification about their application.

Applicants will be advised of the outcomes of the assessment process through letters to all applicants, which will provide the following information:

- (a) whether or not the application for assistance has been approved, and other possible outcomes of the assessment process including any conditions placed on the approval of the application (if applicable); and
- (b) where the Assessment Panel has applied other additional criteria or processes (apart from the essential and desirable criteria listed in this Guideline) in order to ration available LIRS budget funding, a description of those additional criteria or processes.

Given the possible large number of applications, feedback on applications may not be given to individual councils apart from the final notification to successful and unsuccessful applicants. A list of successful applicants and project/program summaries will be published on a LIRS webpage on the DLG website.

10. LIRS FUNDING AGREEMENT

Successful applicants will be required to sign a LIRS Funding Agreement with the NSW Government, stipulating obligations of the applicant and the conditions under which LIRS assistance is given.

These terms are summarised in section 6 of this Guideline. Where a proposed project/program is to be implemented by two or more councils, each participating council will sign a LIRS Agreement for its own loan. In these cases the LIRS Agreement may contain clauses uniquely tailored to the particular joint project/program arrangements.

The LIRS Agreement will also contain provisions regarding other matters, including (but not limited to) events of default, monitoring and reporting requirements, and miscellaneous provisions. Other clauses in the Agreement will include:

- Confidentiality - The DLG use the information supplied to assess an application for LIRS assistance. Information on funded projects/programs may be used for promotional purposes. Subject to the provisions of the Government Information (Public Access) Act 2009, the DLG will endeavour to treat confidentially any sensitive personal and confidential information that is provided in an application.
- Insurances and indemnity - The applicant will be required to hold broad form public liability insurance (a minimum limit of \$20 million is expected) and, where applicable, professional indemnity insurance and workers' compensation insurance. The applicant will be required to indemnify the DLG for all losses and/or damage arising from the project/program.
- Tax liabilities - Goods and Services Tax (GST) applies to payments made under the LIRS, if the recipient is registered for GST. It is recommended that applicants seek

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independent legal and financial advice to determine all taxation obligations before submitting an application.

11. TIMEFRAME FOR SIGNING LIRS FUNDING AGREEMENT

A successful applicant is expected to sign a LIRS Funding Agreement within 2 months from the date that the DLG sends the Agreement to the applicant.

The 2 months allow for final clarifications between council and the Assessment Panel on the content of the Agreement. If, notwithstanding these consultations, a successful applicant fails to sign the LIRS Agreement within the deadline, the offer of LIRS assistance will automatically lapse and the budget allocation will be able to be reallocated to other projects/programs.

12. IMPLEMENTATION AND MONITORING

Successful applicants will be required to comply with the following commitments:

12.1. Project/program commencement

Failure of a successful applicant to commence project/program construction within 12 months after the date of signing of the LIRS Agreement may result in the LIRS subsidy to that applicant being withdrawn, and the budget allocation for this subsidy being reallocated to other projects/programs. (See section 4.4.1 for a definition of 'project/program commencement'.) If construction does not commence within this deadline, the applicant will be placed on notice and requested to explain the reasons for the delay.

An extension over the 12-month limit of no more than six (6) months will be possible, but only upon council:

- (a) demonstrating due cause;
- (b) providing evidence that council is taking specific measures to remedy the delay; and
- (c) submitting an amended project/program delivery schedule to the satisfaction of the Assessment Panel.

The maximum 18-month limit on project/program commencement is to avoid the 'banking' of successful applications for indefinite periods, and to help ensure timely and efficient take-up of LIRS funding as provided for in the NSW Budget.

12.2. Variations in project/program design, timetable or deliverables

Should successful councils wish to vary the proposed design, scope, timetable or deliverables of the project/program after the LIRS Agreement has been signed, those councils will be required to provide details of these changes in writing to the Assessment Panel – if possible even before the project/program changes have been approved and/or implemented.

This requirement will apply, whether or not these project/program variations substantially alter the LIRS subsidy payment schedule.

Should the project/program changes result in significant changes to any of the major loan parameters, with consequent changes to scheduled interest payments by council

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and LIRS interest subsidy payments by the NSW Government, the council will be required to submit the following to the Assessment Panel:

- (a) details of the specific project/program changes and any detailed revisions in project/program delivery timetable;
- (b) amended project/program cash flows and amended financial modelling spreadsheets; and
- (c) evidence that the council still has the capacity to manage the revised project/program, particularly if the revisions entail expansion in project/program scope or complexity.

12.3. Periodic reporting

Financial and non-financial reporting requirements will be detailed in the LIRS Agreement. During the construction stage of the project/program, councils will be required to provide quarterly reports on project/program status and financial flows (expenditure and funding sources, e.g. draw-downs on the LIRS-subsidised loan).

Statements of Expenditure on the project/program will be part of the project's/program's monitoring and reporting requirements and may be subject to audit.

Reports on loan draw-downs and interest and principal repayments will continue to be required over the life of the loan in line with the LIRS Agreement.

12.4. Project/program completion

On completion of the project/program, a council will be required to submit to the DLG a Final Report which should include:

- (a) evidence of project/program completion (as defined in section 4.3.3);
- (b) a Statement of Expenditure which includes amounts actually spent on the project/program; the final amount of borrowing incurred, the total interest expense actually paid by the council, and the total amount of LIRS subsidy received by the council; and
- (c) an Acquittal Certificate which must be signed by the General Manager and the responsible accounting officer.

13. FUTURE ROUNDS

After each round, the Government will review the cost and LIRS program outcomes of the previous round of applications, and may make adjustments in future rounds. The Government's decisions regarding the operation and funding of subsequent rounds will be made in the context of decisions for the annual State Budget for each of the following years.

The Assessment Panel and the DLG will ensure that the assessment process is conducted so as to ensure that:

- (a) successful determinations in each round are limited, if that is necessary to ensure that some of the funding provided for the scheme is available for subsequent rounds;
- (b) no one council receives an excessive share of the scheme's total funding; and
- (c) LIRS subsidy expenditure remains within budget funding limits over the forward estimates period.

In the event of any amendments to scheme design authorised by the Government between application rounds, the changes are to be publicly announced to councils in

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the form of addenda to this Guideline for Applicants. Any amendments will apply to future application rounds, and will not apply to LIRS Agreements previously signed.

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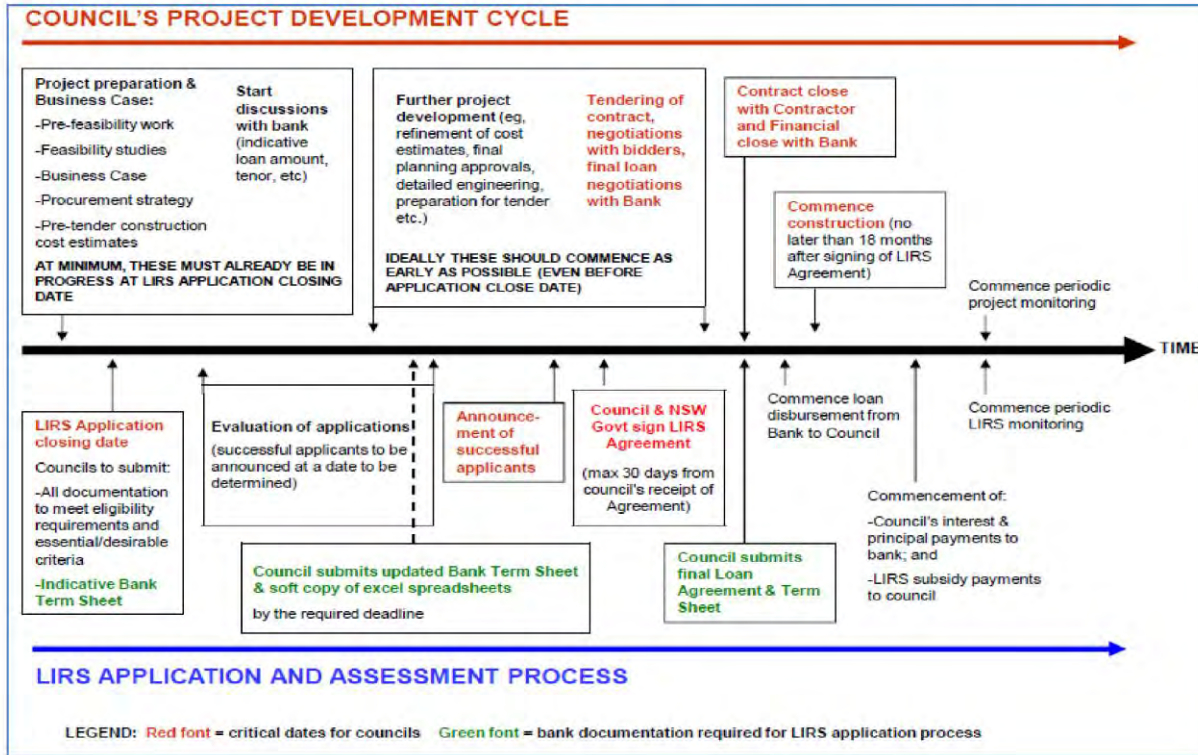
ATTACHMENT 2

ATTACHMENT 1 - SAMPLE OUTLINE – NSW TREASURY CORPORATION - FINANCIAL ASSESSMENT AND BENCHMARKING REPORT

Name of Council

- Section 1 Executive Summary
- Section 2 Introduction
 - 2.1: Purpose of Report
 - 2.2: Scope and Methodology
 - 2.3: Overview of the Local Government Area
 - 2.4: LIRS Application
- Section 3 Review of Financial Performance and Position
 - 3.1: Revenue
 - 3.2: Expenses
 - 3.3: Operating Results
 - 3.4: Financial Management Indicators
 - 3.5: Statement of Cashflows
 - 3.6: Capital Expenditure
 - 3.7: Specific Risks to Council
- Section 4 Review of Financial Forecasts
 - 4.1: Operating Results
 - 4.2: Financial Management Indicators
 - 4.3: Capital Expenditure
 - 4.4: Financial Model Assumption Review
 - 4.5: Borrowing Capacity
- Section 5 Benchmarking and Comparisons with Other Councils
- Section 6 Conclusion and Recommendations
- Appendix A - Historical Financial Information Tables
- Appendix B - Glossary

ATTACHMENT 2 - INDICATIVE PROJECT/PROGRAM AND LIRS FUNDING TIMELINE



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ATTACHMENT 2

ATTACHMENT 3: BANK DOCUMENTATION REQUIRED IN SUPPORT OF LIRS APPLICATION

This appendix provides more details about the expected contents of two documents that council must submit as part of its LIRS application:

1. Bank Term Sheet, and
2. Loan Repayment Schedule

Both of these documents must be submitted under cover of formal correspondence from the bank, which clearly shows the bank letterhead and signature of an authorised bank officer.

1. BANK TERM SHEET AND INDICATIVE LOAN FUNDING LETTER SIGNED BY THE BANK

Please submit a copy of an indicative Bank Term Sheet containing the proposed terms of the loan.

It is understood that at the time that council submits its LIRS application, this Bank Term Sheet is only indicative and is provided on a 'no commitment' basis, and is submitted only for purposes of assessing council's financial preparedness to incur the loan for which a LIRS subsidy is sought. Submission of an indicative Bank Term Sheet does not represent a contractual commitment to proceed with this particular loan, by either the council or the bank whose name and logo appear on the correspondence. It is understood that final loan terms will be confirmed closer to the date of project commencement.

If at the closing date the council is unable to provide a Bank Term Sheet with the information detailed below and council has only obtained a preliminary interest rate quote from the bank (eg, by letter or e-mail), please submit this document (clearly identifying the bank) as evidence that council has actually commenced consultation with a bank. If council submits only a preliminary bank quote at the closing date for submissions, council must obtain and submit **by 28 February 2014** the two indicative documents listed in this Appendix.

For purposes of compliance with this submission requirement, a Bank Term Sheet would be expected to typically include the following provisions (some details may vary depending on the bank):

1.1 TERMS OF THE LOAN:

- (a) The amount of finance offered by the bank
- (b) Type of facility – eg, Fixed rate? Variable rate? Mixed?
- (c) Term of facility - number of years
- (d) Approximate estimated date for funding to commence - month, year
- (e) Interest rate
- (f) Repayments - principal, interest
- (g) Frequency of repayment – monthly? Quarterly? Semi-annually?
- (h) Variations in reference rates – if the loan is a variable rate loan
- (i) If relevant, any capitalisation of interest and the frequency with which the interest is capitalised (say, every 4th quarter)
- (j) Government fees and taxes

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ATTACHMENT 2

- (k) Early repayment, prepayment and break costs payable by the borrower

It is possible that the bank may provide to council, two or more loan options (eg, different interest rates or different loan tenor). If so, please provide a copy of the bank's correspondence identifying those options. Council must indicate to us the preferred option, otherwise the Assessment Panel will be unable to estimate the cost of the LIRS subsidy for the project. **If council does not state its preferred or likely option, it is possible that consideration of the application may be deferred.**

1.2 OTHER GENERAL TERMS AND CONDITIONS OF THE LOAN:

- (a) Security for the loan to be provided by the borrower
- (b) Assignment of the bank's rights
- (c) Conditions precedent required by the bank – eg, conditions that the borrower must comply with before the loan can be activated or the loan funds paid to the borrower.
- (d) Undertakings by the borrower
- (e) Representations and warranties
- (f) Events of default – what they are, and the consequences for the bank and the borrower if these events occur
- (g) Provision for any variations in terms and conditions over the duration of the loan
- (h) Confidentiality of information
- (i) Other?

2. DETAILED LOAN REPAYMENT SCHEDULE PREPARED OR REVIEWED BY YOUR BANK

Consistent with the loan terms in section 1.1 above, please submit a detailed Loan Repayment Schedule showing the repayment dates; and the principal payment, interest payment, total P&I repayment amount, outstanding balance and cumulative interest on each repayment date. Please note that this schedule must be prepared or reviewed and signed off by the bank, and that bank's letterhead must be visible on the document or spreadsheet. **It is not sufficient for this schedule to be calculated only by the applicant.**

It is unnecessary for council to calculate the LIRS subsidy payment for purposes of the submission. However, if council wishes to calculate the subsidy for its own records, please ensure that it calculates first each interest payment based on the gross interest rate (say, 7.5%) in each repayment period. The dollar value of the LIRS subsidy in that period is then calculated by multiplying the \$ interest payment (BEFORE deducting the subsidy) by the percentage of the LIRS subsidy rate to the gross interest rate of the loan (in this example, 3%/7.5%, or 40%). If council calculates the LIRS subsidy by applying only the net interest rate of 4.5% to derive the loan repayment schedule, it could underestimate the interest payments that it will need to make to the bank in any period because the LIRS subsidy payments are to be repaid to successful applicants on a reimbursement basis (see section 6 of LIRS Guidelines).

14 PROPERTY INVESTMENT PORTFOLIO

Report prepared by: Section Manager - Properties
File No.: GRP/09/3/10 - BP13/1626

REPORT SUMMARY

This report seeks Council's endorsement of its Property Investment Portfolio. The report provides an overview of Council's total properties, categorised as both community land and operational land.

From the operational land as detailed in the report, consisting of 164 land titles, 17 of these properties are identified to be endorsed by Council as its Property Investment Portfolio. This report also recommends that these properties be brought to account in Council's financial accounts as Council's Property Investment Portfolio.

It is also recommended that a further report be provided back to Council to determine the management framework and objectives of Council's Property Investment Portfolio. Attached to this report will be the Highest and Best Use Study that has been previously undertaken by Council.

RECOMMENDATION:

(a) That Council endorse the following properties in the Property Investment Portfolio:

- 2 Dickson Avenue, West Ryde
- 1A Station Road, West Ryde
- 8 Chatham Road, West Ryde
- 202 Rowe Street, Eastwood
- 226 Victoria Road, Gladesville
- 7 Anthony Road, West Ryde Car Park site, West Ryde
- Herring Road Air Space Rights
- 7 Coulter Street, Coulter St Car Park, Gladesville
- 6-12 Glen Street, Glen Street Car Park, Eastwood
- 2 Pittwater Road, John Wilson Car Park, Gladesville
- 150 Coxs Road, Cox Rd Car Park, North Ryde
- 33-35 Blaxland Road, Argyle Centre, Ryde
- 19-21 Church Street and 16 Devlin Street, Ryde
- 1 Constitution Road, Operations Centre, Ryde
- 741-747 Victoria Road, Ryde
- 53-71 Rowe Street, Eastwood
- 6 Reserve Street, West Ryde

ITEM 14 (continued)

- (b) The properties listed in Part 1 of the recommendation, be brought to account in Council's financial accounts as its Property Investment Portfolio.
- (c) That a further report be provided back to Council on the management framework and objectives for Council's Property Investment Portfolio including a draft Action Plan.

ATTACHMENTS**1 Council's Community and Operation Land Listing**

Report Prepared By:

Chris Redman
Section Manager - Properties

Report Approved By:

Joe So
Acting Service Unit Manager - Business Infrastructure**George Dedes**
Group Manager - Public Works

ITEM 14 (continued)

Discussion

Council has previously resolved to investigate the operations of a Property Trust with the intention of optimising Council's return from its investment properties. Council subsequently resolved not to take any further action on this initiative.

A Highest and Best Use Study of Council's eight (8) main properties was undertaken to explore opportunities of what returns possibly could be gained by Council by the future redevelopment of these sites. The Highest and Best Use Study, previously undertaken will be provided in the further report back to Council, as recommended in this report.

To enhance its future revenue base to deliver long term benefits to the community Council needs to formalise the properties within its Investment Portfolio.

Council owns or manages a large property portfolio, mainly comprising community land. A broad overview of Council's portfolio, broken down between community and operational land as detailed below:

Type of Land	Indicative Area	Titles	Number of Properties	% of total land area
Community Land	349 hectares	743	220	91.4%
Operational Land	33 hectares	164*	100*	8.6%
Combined	382 hectares	907	320	100.0%

*(excludes Road titles)

A listing of all Council properties is **ATTACHED**.

It should be noted that only properties designated as operational land have been considered for the Property Investment Portfolio.

Council's current listing of properties that comprise the Property Investment Portfolio is as follows:

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

Council had previously resolved to further review its Investment Portfolio and report back to Council, however this report was never presented back to Council due to Council's resolutions relating to the Property Trust.

ITEM 14 (continued)

A full portfolio review has since been completed. As a result seventeen (17) properties comprising circa 3.4 hectares of land area, are earmarked as suitable for inclusion in Council's updated Property Investment Portfolio ("the portfolio"). The size of the recommended portfolio is compared to Council's total portfolio below.

Type	Indicative Area	Number of Properties	Investment Portfolio as % of total land area
Investment Portfolio	3.4 hectares	17	
Operational Land	33.0 hectares	100	10.3% of total Operational Land
All Council Land	382.0 hectares	320	0.9% of total Council Land

The land recommended for the portfolio represents circa 10% of all Operational land and less than 1% (0.9%) of Council's total land portfolio.

Rationale

The review identified properties with potential to deliver ongoing revenue, investment returns and value to Council. Ongoing revenue may fund future Council initiatives.

Some of the sites are occupied by buildings and leased on commercial terms. This strategy will likely remain suitable for those properties. Strategies to maximise performance and return from all properties will also be considered.

Opportunities may include leasing transactions, capital investment, Highest and Best Use studies and development initiatives. Key opportunities will be presented for Council review as progress occurs.

To ensure delivery of objectives, the Property Investment Portfolio should be managed separately from Council's remaining property. The purpose, returns and management framework for the portfolio will be the subject of a separate report to Council. Included in this report will be a draft Action Plan, detailing the properties to be considered for further development / sale. This report will be supported by the Highest and Best Use Study.

The seventeen (17) properties recommended for inclusion in the portfolio comprise those included in the 26 March 2013 report, plus others. Details are as follows:

- 2 Dickson Avenue, West Ryde
- 1A Station Road, West Ryde
- 8 Chatham Road, West Ryde
- 202 Rowe Street, Eastwood (commercial)
- 226 Victoria Road, Gladesville (commercial)
- 7 Anthony Rd, West Ryde Car Park site, West Ryde
- Herring Road Air Space Rights

ITEM 14 (continued)

- 7 Coulter Street, Coulter St Car Park, Gladesville
- 6-12 Glen Street, Glen Street Car Park, Eastwood
- 2 Pittwater Road, John Wilson Car Park, Gladesville
- 150 Coxs Road, Cox Rd Car Park, North Ryde
- 33-35 Blaxland Road, Argyle Centre, Ryde
- 19-21 Church Street and 16 Devlin Street, Ryde
- 1 Constitution Road, Operations Centre, Ryde
- 741-747 Victoria Road, Ryde
- 53-71 Rowe Street, Eastwood
- 6 Reserve Street, West Ryde

Any recommendations as to future portfolio changes would be reported to Council for consideration.

Financial Implications

Adopting the recommendation has no immediate financial impact. Future proposals for properties within the portfolio would deal with any financial impacts at that time.

Council should note that the Investment Property Reserve will support the initiatives of the Property Investment Portfolio. After current commitments, the balance of this Reserve is projected to be approximately \$10 million.

Options

The options for Council are as follows:

- Do nothing

There would be no clear direction for these properties, limiting opportunities to optimise financial returns to Council.

- Formally recognise these properties within the Property Investment Portfolio

This would earmark the properties from others, allowing specific focus on revenue generating activities, consistent with growing Council's revenue base, to support future Council initiatives.

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ATTACHMENT 1

Community and Operational Land Report Listing

18/11/2013

Community Land Report Listing

Property Name	Property Address	Area (SQM)
Acacia Park	1 Acacia Ln, EASTWOOD NSW 2122	2,542
Adventure Park	47A Wolger Rd, RYDE NSW 2112	4,682
Aitchandra Park	15 Niara St, RYDE NSW 2112	5,938
Anderson Park	1 Rothesay Ave, RYDE NSW 2112	1,265
Ann Thorn Park	35A Constitution Rd, RYDE NSW 2112	1,834
Anzac Park	10 Wattle St, WEST RYDE NSW 2114	13,019
Australia II Park	AUSTRALIA II PARK, 12A Bertrand Cl, MARSFIELD NSW 2122	2,545
Balun Reserve	15 Shackel Ave, GLADESVILLE NSW 2111	505
Banjo Paterson Park	38 Punt Rd, GLADESVILLE NSW 2111	20,633
Banool Reserve	6 Magdala Rd, NORTH RYDE NSW 2113	16,657
Barton Reserve	2 Pidding Rd, RYDE NSW 2112	45,625
Beattie Park	381-387 Blaxland Rd, DENISTONE EAST NSW 2112	4,110
Bell Park	Bell Park, 5 Bell Ave, WEST RYDE NSW 2114	24,597
Bennelong Park	22 Waterview St, PUTNEY NSW 2112	2,915
Bidgee Park	35 Kells Rd, RYDE NSW 2112	594
Bill Mitchell Park	82 Morrison Rd, TENNYSON POINT NSW 2111	23,801
Bimbi Reserve	2A Beltana St, DENISTONE NSW 2114	1,032
Blamey Park	8 Blamey St, NORTH RYDE NSW 2113	1,328
Blenheim Park	68 Blenheim Rd, NORTH RYDE NSW 2113	33,867
Boobajool Reserve	245 Pittwater Rd, NORTH RYDE NSW 2113	16,218
Booral Reserve	17 Dempsey St, NORTH RYDE NSW 2113	1,606
Booth Reserve	168 Epping Rd, MARSFIELD NSW 2122	3,219
Boyla Reserve	2A Meriton St, GLADESVILLE NSW 2111	879
Braemar Park	12 Terry Rd, EASTWOOD NSW 2122	5,280
Bremner Park	8 Tyagarah St, RYDE NSW 2112	21,635
Breton Park	326-330 Pittwater Rd, EAST RYDE NSW 2113	13,960
Brigade Park	4 Jones St, RYDE NSW 2112	3,750
Brush Farm Park	2 Lawson St, EASTWOOD NSW 2122	81,654
Bundarra Reserve	23B Epping Rd, NORTH RYDE NSW 2113	3,908

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ATTACHMENT 1

Community and Operational Land Report Listing

18/11/2013

Property Name	Property Address	Area (SQM)
Burrows Park	116 Buffalo Rd, RYDE NSW 2112	38,518
Byron Park	9 Byron Ave, RYDE NSW 2112	4,812
Carara Park	21 Falconer St, WEST RYDE NSW 2114	8,372
Catherine Park	2A Fitzpatrick St, MARSFIELD NSW 2122	774
Cecil Park	29A Richmond St, DENISTONE EAST NSW 2112	1,138
Charity Creek Cascades	55 Linton Ave, WEST RYDE NSW 2114	13,028
Christie Park	16 Christie Rd, MACQUARIE PARK NSW 2113	52,012
Civic Gateway South	8 Well St, RYDE NSW 2112	800
Cleves Park	53 Douglas St, PUTNEY NSW 2112	6,930
Cleves Park - 1st Putney Scout Hall	53A Douglas St, PUTNEY NSW 2112	523
Colvin Park	1 Colvin Cr, DENISTONE EAST NSW 2112	1,770
Community Park	2A Richmond St, DENISTONE EAST NSW 2112	2,826
Cooper Reserve	Cooper Reserve, 1 Vivyan Cl, DENISTONE NSW 2114	737
Cudal Reserve	22 Henry St, RYDE NSW 2112	7,916
Darri Reserve	1A Morrison Rd, GLADESVILLE NSW 2111	514
Darvall Park - Denistone Bowling Club	59 Chatham Rd, DENISTONE NSW 2114	3,454
Darvall Park	61 Chatham Rd, EASTWOOD NSW 2122	87,888
Denistone Park	62 Terry Rd, DENISTONE NSW 2114	59,356
Dinghy Storage Rack	Ross St, GLADESVILLE NSW 2111	36
Donnelly Park	2 Mitchell St, PUTNEY NSW 2112	405
Donovan Park	3A Donovan St, EASTWOOD NSW 2122	2,041
Driver Park	33 Perkins St, DENISTONE WEST NSW 2114	1,081
Dunbar Park	16 Sobraon Rd, MARSFIELD NSW 2122	34,926
Dunholm Reserve	2A Leisure Cl, MACQUARIE PARK NSW 2113	1,385
Eastwood Park	45 West Pde, EASTWOOD NSW 2122	34,293
Elouera Reserve	86 Waterloo Rd, MACQUARIE PARK NSW 2113	6,526
Els Hall Park	15 Adelphi Rd, MARSFIELD NSW 2122	123,180
Field of Mars	56 Wellington Rd, RYDE NSW 2112	504,059
Fielder Park	2A Busaco Rd, MARSFIELD NSW 2122	8,641
Flinders Park	57 Bridge Rd, NORTH RYDE NSW 2113	12,302
Fontenoy Park	52 Fontenoy Rd, MACQUARIE PARK NSW 2113	19,477

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ATTACHMENT 1

Community and Operational Land Report Listing

18/11/2013

Property Name	Property Address	Area (SQM)
Forrester Park	47 Vimiera Rd, EASTWOOD NSW 2122	16,375
Forsyth Park	2 Abuklea Rd, EASTWOOD NSW 2122	17,556
Gannan Park	49 Quarry Rd, RYDE NSW 2112	45,185
Girraween Reserve	9 Daffodil St, EASTWOOD NSW 2122	2,295
Glades Bay Park	45 Ashburn Pl, GLADESVILLE NSW 2111	33,886
Glen Reserve	24-26 Glen St, EASTWOOD NSW 2122	10,749
Granny Smith Memorial Park	50 Threlfall St, EASTWOOD NSW 2122	13,384
Greenwood Park	37 Kent Rd, NORTH RYDE NSW 2113	25,131
Gwandalan Reserve	6 Mars St, NORTH RYDE NSW 2113	15,034
Gwendale Park	27 Gwendale Cr, EASTWOOD NSW 2122	446
Halcyon Park	14 Halcyon St, GLADESVILLE NSW 2111	3,588
Hardy Park	106 Buffalo Rd, RYDE NSW 2112	1,967
Hayes Reserve	17 Porter St, RYDE NSW 2112	1,091
Heatly Reserve	1A Sager Pl, EAST RYDE NSW 2113	974
Helene Park	153 Bowden St, MEADOWBANK NSW 2114	1,313
Henri Dunant Reserve	Lavarack St, RYDE NSW 2112	1,269
Hibble Park	42 Perkins St, DENISTONE WEST NSW 2114	708
Hoffman Park	6A Chadwick St, PUTNEY NSW 2112	1,284
Holt Park	15 Holt St, NORTH RYDE NSW 2113	638
Hubert Hunt Reserve	1 Rokeva St, EASTWOOD NSW 2122	676
Irene Park	83 Balaclava Rd, EASTWOOD NSW 2122	3,098
Ivanhoe Reserve	15 Brunton Pl, MARSFIELD NSW 2122	8,121
Jacaranda Reserve	5 Jackson Cr, DENISTONE EAST NSW 2112	980
Jackson Reserve	16 Jackson Cr, DENISTONE EAST NSW 2112	196
Janet Park	13 Hermoyne St, WEST RYDE NSW 2114	1,444
Jennifer Park	75A Cobham Ave, MELROSE PARK NSW 2114	7,573
Jim Walsh Park	26 Wishart St, EASTWOOD NSW 2122	35,816
John Miller Park	2A Milne St, RYDE NSW 2112	1,250
Jones Street Reserve	33 Jones St, RYDE NSW 2112	1,383
Jordan Park	10 Dan St, MARSFIELD NSW 2122	1,251
Jupp Reserve	12 Jupp Pl, EASTWOOD NSW 2122	1,277

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ITEM 14 (continued)

ATTACHMENT 1

Community and Operational Land Report Listing

18/11/2013

Property Name	Property Address	Area (SQM)
Kathleen Reserve	17 Marilyn St, NORTH RYDE NSW 2113	739
Kenneth Park	112 Kent Rd, MARSFIELD NSW 2122	620
Kings Park	22 Salter Cr, DENISTONE EAST NSW 2112	7,675
Kissing Point Park - Vertical Dinghy Storage Racks	Chadwick St, PUTNEY NSW 2112	9
Kissing Point Park	1 Pellisier Pl, PUTNEY NSW 2112	41,777
Kittys Creek Reserve	332 Pittwater Rd, EAST RYDE NSW 2113	18,514
Kobada Park	1-71 Quebec Rd, CHATSWOOD WEST NSW 2067	32,972
Koonadan Reserve	163 Wharf Rd, MELROSE PARK NSW 2114	1,778
Korpie Reserve	108A Lancaster Ave, MELROSE PARK NSW 2114	1,989
Kotara Park	89 Abuklea Rd, MARSFIELD NSW 2122	20,079
Kulgoa Reserve	45 Kulgoa Ave, RYDE NSW 2112	564
Kywung Reserve	143 Wicks Rd, MACQUARIE PARK NSW 2113	3,934
Lambert Park	15 Brush Rd, EASTWOOD NSW 2122	27,786
Land in Canada Bay	2B Denham St Rhodes -, Other Council Area, OTHER LGA NSW 2112	86
Laurel Park	117 Buffalo Rd, RYDE NSW 2112	1,615
Lavarack Park	5B Lavarack St, RYDE NSW 2112	144
Liberty Park	10A Alan Bond Pl, MARSFIELD NSW 2122	776
Linton Park	897 Victoria Rd, WEST RYDE NSW 2114	365
Lions Park	1141 Victoria Rd, WEST RYDE NSW 2114	18,100
Lonsdale Park	6 Perkins St, DENISTONE WEST NSW 2114	1,273
Looking Glass Bay Park	1 Amiens St, GLADESVILLE NSW 2111	15,908
Lucinda Park	1 Lucinda Rd, MARSFIELD NSW 2122	590
Lucknow Park	138 Crimea Rd, MARSFIELD NSW 2122	49,218
Lynelle Park	90 Abuklea Rd, EASTWOOD NSW 2122	2,260
Lynn Park	92 Tarrants Ave, DENISTONE WEST NSW 2114	12,740
Magdala Park	69 Magdala Rd, NORTH RYDE NSW 2113	48,635
Mallee Reserve	6 Tyagarah St, RYDE NSW 2112	5,336
Marjorie Park	Ferrabetta Ave, EASTWOOD NSW 2122	1,975
Marsfield Park	202 Vimiera Rd, MARSFIELD NSW 2122	94,053
Martin Reserve	1 Carramar Ave, NORTH RYDE NSW 2113	15,629
Mary Ellen Park	10A Hermoyne St, WEST RYDE NSW 2114	1,410

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ATTACHMENT 1

Community and Operational Land Report Listing

18/11/2013

Property Name	Property Address	Area (SQM)
Maze Park	100-108 Brush Rd, WEST RYDE NSW 2114	19,283
McCauley Park	29A Boyce St, RYDE NSW 2112	5,640
Meadowbank Park	102 Adelaide St, MEADOWBANK NSW 2114	240,727
Meadowbank Wharf	153 Bowden St, MEADOWBANK NSW 2114	3,479
Meditation Park	94 Wharf Rd, GLADESVILLE NSW 2111	1,164
Melrose Park	86 Lancaster Ave, MELROSE PARK NSW 2114	5,841
Memorial Park	4 Meadow Cr, MEADOWBANK NSW 2114	35,873
Midgee Reserve	2A Shipway St, MARSFIELD NSW 2122	5,821
Minga Reserve	39 Quarry Rd, RYDE NSW 2112	3,092
Miriam Park	1A Miriam Rd, WEST RYDE NSW 2114	9,611
Miscellaneous Parcel - Community	Various	26,137
Monash Park	142 Ryde Rd, GLADESVILLE NSW 2111	19,531
Moore Park	2A Balaclava Rd, EASTWOOD NSW 2122	7,937
Morrison Bay Park	142 Morrison Rd, PUTNEY NSW 2112	79,915
Morshead Park	46A Morshead St, NORTH RYDE NSW 2113	677
Mulhall Park	86 River Ave, CHATSWOOD WEST NSW 2067	4,249
Myall Reserve	372 Pittwater Rd, NORTH RYDE NSW 2113	1,564
Nerang Park	16 Nerang St, RYDE NSW 2112	2,156
Nimbin Reserve	265 Lane Cove Rd, NORTH RYDE NSW 2113	442
North Ryde Common	1 Wicks Rd, NORTH RYDE NSW 2113	66,532
North Ryde Park	145 Cressy Rd, NORTH RYDE NSW 2113	21,488
Nundah Reserve	2A Magdala Rd, NORTH RYDE NSW 2113	11,103
Nunook Reserve	2A Culloden Rd, MARSFIELD NSW 2122	1,929
Outlook Park	24 Trelawney St, EASTWOOD NSW 2122	6,247
Parkvale Cottage	330 Pittwater Rd, EAST RYDE NSW 2113	713
Parry Park	8 Parry St, RYDE NSW 2112	11,827
Pathway 24	29A Hinkler Ave, RYDE NSW 2112	
Pathway 44	2B Crowley Cr, MELROSE PARK NSW 2114	
Pathway 74	10A Valda Pl, MARSFIELD NSW 2122	127
Patience Park	2A Hermoyne St, WEST RYDE NSW 2114	453
Peel Park	83 Morrison Rd, GLADESVILLE NSW 2111	4,474

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ATTACHMENT 1

Community and Operational Land Report Listing

18/11/2013

Property Name	Property Address	Area (SQM)
Pembroke Park	1 Crimea Rd, MARSFIELD NSW 2122	156,350
Pidding Park	19 Pidding Rd, RYDE NSW 2112	22,457
Pindari Park	14A Pindari St, NORTH RYDE NSW 2113	7,835
Pioneer Park	188A Balaclava Rd, MARSFIELD NSW 2122	28,140
Porters Park	152 Wicks Rd, MACQUARIE PARK NSW 2113	2,039
Portius Park	107 Cressy Rd, EAST RYDE NSW 2113	60,581
Princes Park	25 Princes St, RYDE NSW 2112	696
Pryor Park	109 Cressy Rd, EAST RYDE NSW 2113	8,397
Pryor Park - Montessori Lease	109A Cressy Rd, EAST RYDE NSW 2113	334
Putney Park	55 Pellisier Rd, PUTNEY NSW 2112	47,068
Putney-Tennyson Bowling Club	68 Frances Rd, PUTNEY NSW 2112	8,880
Quandong Reserve	6 Lachlan Ave, MACQUARIE PARK NSW 2113	2,593
Quebec Reserve	76 Quebec Rd, CHATSWOOD WEST NSW 2067	2,106
Rafferty Reserve	2A Rene St, EAST RYDE NSW 2113	968
Rotary Park	251 North Rd, EASTWOOD NSW 2122	1,081
Rutherford Park	20A Perkins St, DENISTONE WEST NSW 2114	968
Ryde Aquatic Leisure	504 Victoria Rd, RYDE NSW 2112	20,790
Ryde Park	30 Argyle Ave, RYDE NSW 2112	65,798
Ryde Wharf Reserve	2 Parsonage St, RYDE NSW 2112	3,135
Salerwong Reserve	16 Salerwong Pl, RYDE NSW 2112	887
Salter Park	10A Colvin Cr, DENISTONE EAST NSW 2112	1,024
Santa Rosa Park	64 Bridge Rd, RYDE NSW 2112	45,905
Settlers Park	10 Waterview St, RYDE NSW 2112	16,880
Sindel Reserve	53 Cobham Ave, MELROSE PARK NSW 2114	182
Somerset Park	160 Crimea Rd, MARSFIELD NSW 2122	15,599
Stewart Park	186 Vimiera Rd, MARSFIELD NSW 2122	10,237
Symons Reserve	26 Gordon Cr, DENISTONE NSW 2114	7,760
Talavera Reserve	145A Talavera Rd, MARSFIELD NSW 2122	2,003
Tasman Park	11 Tasman Pl, MACQUARIE PARK NSW 2113	10,860
Tennyson Park	3A Beach St, TENNYSON POINT NSW 2111	6,337
Tindarra Reserve	63A Ford St, NORTH RYDE NSW 2113	7,106

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ATTACHMENT 1

Community and Operational Land Report Listing

18/11/2013

Property Name	Property Address	Area (SQM)
Trafalgar Reserve	6 Trafalgar Pl, MARSFIELD NSW 2122	3,959
Trim Place	172A Victoria Rd, GLADESVILLE NSW 2111	863
Tuckwell Park	442 Lane Cove Rd, MACQUARIE PARK NSW 2113	23,792
Tyagarah Park	5 Tyagarah St, RYDE NSW 2112	18,256
Tyrell Park	100 Cressy Rd, RYDE NSW 2112	7,082
Tyrell Park (Scout Hall Lease 1st East Ryde Scout Group)	25A John Miller St, RYDE NSW 2112	963
Ulmarra Park	181 River Ave, NORTH RYDE NSW 2113	4,304
Unnamed Parks	Various	3,847
Vacant Lettable Property	167 Shaftsbury Rd, EASTWOOD NSW 2122	67
Valerie Park	26B Fourth Ave, EASTWOOD NSW 2122	434
Wandoo Reserve	46 Church St, RYDE NSW 2112	2,028
Warrawong Reserve	70 Darvall Rd, EASTWOOD NSW 2122	7,719
Waterloo Park	191 Waterloo Rd, MARSFIELD NSW 2122	65,736
Watts Park	14A Watts Rd, RYDE NSW 2112	1,491
Wendy Park	56A Farnell St, WEST RYDE NSW 2114	3,004
West Denistone Park	35 Perkins St, DENISTONE WEST NSW 2114	16,279
Westminster Park	6A Westminster Rd, GLADESVILLE NSW 2111	17,224
Wilga Park	2A Cottonwood Cr, MACQUARIE PARK NSW 2113	18,842
Woolway Reserve	33 Bank St, WEST RYDE NSW 2114	3,927
Yamble Reserve	196-218 Quarry Rd, RYDE NSW 2112	24,830
Yarluke Reserve	33A Brereton St, GLADESVILLE NSW 2111	348
Yarramar Reserve	4A Cassia Pl, EASTWOOD NSW 2122	1,399
Yinnell Reserve	8 Epping Rd, NORTH RYDE NSW 2113	10,199
Yurrah Reserve	27A Fontenoy Rd, MACQUARIE PARK NSW 2113	2,926
		3,486,343

Community and Operational Land Report Listing

18/11/2013

Operational Land Report

Property Name	Property Address	Area (SQM)
Addington House	813 Victoria Rd, RYDE NSW 2112	2,093
Anderson Park	1 Rothesay Ave, RYDE NSW 2112	4,424
Anthony Rd Carpark	7 Anthony Rd, WEST RYDE NSW 2114	2,827
Argyle Centre	33 Blaxland Rd, RYDE NSW 2112	1,837
Atkinson Reserve	25A Thompson St, GLADESVILLE NSW 2111	1,139
Benson Place	2B Blaxland Rd, RYDE NSW 2112	463
Blaxland Road Carpark	150 Blaxland Rd, RYDE NSW 2112	1,992
Brush Farm House	19 Lawson St, EASTWOOD NSW 2122	9,998
Bundarra Reserve	23B Epping Rd, NORTH RYDE NSW 2113	97
Charles Street Car Park	81 Charles St, PUTNEY NSW 2112	999
Church Street Car Park	21 Church St, RYDE NSW 2112	1,089
Coles Development	19 Chatham Rd, WEST RYDE NSW 2114	11,336
Coulter St Carpark	7 Coulter St, GLADESVILLE NSW 2111	2,918
Coxs Road Car Park	150 Cox's Rd, NORTH RYDE NSW 2113	1,035
Cutler Parade Car Park	6-8 Cutler Pde, NORTH RYDE NSW 2113	830
Drainage Reserve	17A Arras Pde, RYDE NSW 2112	594
Eastwood Christian Aid Centre	10 Lakeside Rd, EASTWOOD NSW 2122	1,663
Eastwood Community Hall	159 Shaftsbury Rd, EASTWOOD NSW 2122	1,415
Eastwood Old Town Hall	74 Agincourt Rd, MARSFIELD NSW 2122	1,359
Eastwood Plaza	150 Rowe St, EASTWOOD NSW 2122	2,552
Eastwood Pre-School Kindergarten	2B Rutledge St, EASTWOOD NSW 2122	2,322
Eastwood Station	20A Railway Pde, EASTWOOD NSW 2122	4,626
Edward St Right of Way	2A Edward St, RYDE NSW 2112	129
Elouera Reserve	86 Waterloo Rd, MACQUARIE PARK NSW 2113	87
Future Public Road	2 Plassey Rd, MACQUARIE PARK NSW 2113	9,049
Gladesville Library	6 Pittwater Rd, GLADESVILLE NSW 2111	877
Gladesville Womens Rest Centre	226 Victoria Rd, GLADESVILLE NSW 2111	436
Glen St Car Park	Glen Street Car Park, 6-12 Glen St, EASTWOOD NSW 2122	6,460
Goulding Hill Pre School Kindergarten	2 Hancott St, RYDE NSW 2112	1,224

ITEM 14 (continued)

ATTACHMENT 1

Community and Operational Land Report Listing

18/11/2013

Property Name	Property Address	Area (SQM)
Hillview Lane Car Park	2 Hillview Ln, EASTWOOD NSW 2122	1,612
John Wilson Car Park	2 Pittwater Rd, GLADESVILLE NSW 2111	2,075
Kenneth Park	112 Kent Rd, MARSFIELD NSW 2122	600
Kissing Point Park	24D Waterview St, PUTNEY NSW 2112	106
Leased by SITA Australia Pty Ltd.	162 Wicks Rd, MACQUARIE PARK NSW 2113	7,636
Meadowbank Station	2A Bank St, MEADOWBANK NSW 2114	440
Meadowbank Wharf	Bowden St, MEADOWBANK NSW 2114	2,757
Meriton Street Clocktower	2D Meriton St, GLADESVILLE NSW 2111	
Miscellaneous Parcels	Various	11,960
North Ryde Community Pre School, Located in Yamble Reserve	13 Clermont Ave, RYDE NSW 2112	1,307
North Ryde Early Childhood and Community Aid Centre	4 Cutler Pde, NORTH RYDE NSW 2113	416
North Ryde Library	201 Cox's Rd, NORTH RYDE NSW 2113	1,254
North Ryde Pre School Kindergarten	147-151 Cox's Rd, NORTH RYDE NSW 2113	1,599
Operations Centre	1 Constitution Rd, RYDE NSW 2112	9,419
Porters Creek	160 Wicks Rd, MACQUARIE PARK NSW 2113	103,323
Putney Park - Cottage	55A Pellisier Rd, PUTNEY NSW 2112	710
Putney Park	55 Pellisier Rd, PUTNEY NSW 2112	22,103
Richmond Park	18A Richmond St, DENISTONE EAST NSW 2112	566
Rockend Cottage	40 Punt Rd, GLADESVILLE NSW 2111	1,304
Rowe Street Car Park	53-71 Rowe St, EASTWOOD NSW 2122	1,380
Rowe Street Shops	202 Rowe St, EASTWOOD NSW 2122	290
Ryde Aquatic Leisure	504 Victoria Rd, RYDE NSW 2112	52,750
Ryde Civic Centre	Ryde Civic Centre, 1 Devlin St, RYDE NSW 2112	8,452
Ryde Early Childhood Health Centre	26 Argyle Ave, RYDE NSW 2112	525
Shepherds Bay Community Facility	3A Bay Dr, MEADOWBANK NSW 2114	
Telstra (telecommunications facility)	Epping Rd, MARSFIELD NSW 2122	32
The Parsonage	12 Turner St, RYDE NSW 2112	616
Top Ryde Park	138-140 Blaxland Rd, RYDE NSW 2112	512
Top Ryde Shopping Centre - Strata Title Interests	217 Devlin St, RYDE NSW 2112	2,121
Trafalgar Place Community Centre	1A Trafalgar Pl, MARSFIELD NSW 2122	554

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ATTACHMENT 1

Community and Operational Land Report Listing

18/11/2013

Property Name	Property Address	Area (SQM)
Unnamed Park	286B North Rd, EASTWOOD NSW 2122	57
Vacant Lettable Property	167 Shaftsbury Rd, EASTWOOD NSW 2122	645
Walkley Pathway	1 Walkley Pathway, WEST RYDE NSW 2114	203
West Ryde Carpark (Rail land)	77A West Pde, WEST RYDE NSW 2114	1,373
West Ryde Christian Community Aid	2 Dickson Ave, WEST RYDE NSW 2114	632
West Ryde Community Centre, West Ryde Neighbourhood Children's Centre	3 Anthony Rd, WEST RYDE NSW 2114	1,722
West Ryde Hall	1A Station St, WEST RYDE NSW 2114	531
Westward Cottage	8 Turner St, RYDE NSW 2112	524
Willandra	770-782 Victoria Rd, RYDE NSW 2112	1,549
11 Chatham Rd, WEST RYDE NSW 2114	11 Chatham Rd, WEST RYDE NSW 2114	1,309
15 Chatham Rd, WEST RYDE NSW 2114	15 Chatham Rd, WEST RYDE NSW 2114	1,398
7 Chatham Rd, WEST RYDE NSW 2114	7 Chatham Rd, WEST RYDE NSW 2114	200
8 Anthony Rd, WEST RYDE NSW 2114	8 Anthony Rd, WEST RYDE NSW 2114	606
8 Chatham Rd, WEST RYDE NSW 2114	8 Chatham Rd, WEST RYDE NSW 2114	736
9 Chatham Rd, WEST RYDE NSW 2114	9 Chatham Rd, WEST RYDE NSW 2114	1,546
City of Ryde Centre, 1 Pope St, RYDE NSW 2112	City of Ryde Centre, 1 Pope St, RYDE NSW 2112	2,121
		327,440

15 REPORTS DUE TO COUNCIL

Report prepared by: Meeting Support Coordinator**File No.:** CLM/13/1/4/2 - BP13/1693

REPORT SUMMARY

This Report is submitted to Council to review the status of outstanding reports and confirm the date reports are due to be provided to Council as at 19 November 2013 (listing **ATTACHED**)

There are currently 47 reports listed. Following consideration of this report there will be eight overdue reports due to Council.

RECOMMENDATION:

That the report on Outstanding Council Reports be endorsed.

ATTACHMENTS

1 Outstanding Council Reports - as at 19 November 2013

Report Prepared By:

Carol Mikaelian
Meeting Support Coordinator

Report Approved By:

Amanda Janvrin
Section Manager - Governance

Shane Sullivan
Acting Group Manager - Corporate Services

Outstanding Reports

Meeting Type

Works and Community

Meeting Date

10/04/2012

Group

Community Life

Resolution

**FEASIBILITY STUDY ON
MULTIPURPOSE SYNTHETIC
(ARTIFICIAL) FIELDS - COMPLETED**

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.

2. A report detailing possible sports funding grants through the State and Federal Governments in the next financial year to assist in this project should also be undertaken.

3. A feasibility study cost be funded through the 2012/13 First Quarter Budget review.

Due Date of Report

13/08/2013

Anticipated date

19/11/2013

Officer

Tatjana Domazet

Comments/Update

The Workshop on Synthetic Fields has been scheduled for 8 August 2012.

To be reported to the Works and Community Committee on 20 November 2012.

The Workshop was attended by 50 people including the NSW State Minister for Sport and Recreation.

Participating in the NSROC project on regional approach for provision of synthetic fields.

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.

ITEM 15 (continued)

ATTACHMENT 1

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Funds allocated on 4 December at Council meeting.

To be delayed and submitted to Council meeting in August 2013 due to further community consultation being undertaken.

Finalisation of report with consultant delayed. Report to be submitted to Council in late August.

Further community consultation being undertaken.

Due to additional consultation with the sporting community the draft report was delayed for comment by the PRG.

Draft report issued to the PRG for comment on 19 September and feedback provided. Due to an extended review period, this report was delayed.

Report provided to the Works and Community Committee on 19

ITEM 15 (continued)

ATTACHMENT 1

			November 2013.
			<i>COMPLETED (To be removed following the Council Meeting on 26 November 2013).</i>
Meeting Type	Resolution	Due Date of Report	Comments/Update
Works and Community	GLADESVILLE VACATION CARE SERVICE- Transfer to Gladesville Public School P&C	19/11/2013	<i>This report will be provided in February 2014.</i>
Meeting Date	(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	
26/06/2012		4/02/2014	
Group		Officer	
Community Life		Baharak Sahebekhtiari	

ITEM 15 (continued)

ATTACHMENT 1

Meeting Type

Council

Meeting Date

17/07/2012

Group

Corporate Services

Resolution

**DEFERRED REPORT: WEBCASTING
OF COUNCIL MEETINGS -
COMPLETED**

(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.

**Due Date of
Report**

13/08/2013

Anticipated date

26/11/2013

Officer

Shane Sullivan

Comments/Update

Software and hardware sourced. There have been some technical issues which are being addressed and testing is currently underway. The webcasting has been operational during tests but there have been technical issues during Council meeting tests. We are continuing to review the system.

Updates will be provided to Councillors through the Councillor Information Bulletin closer to the go live date.

It is anticipated for the system to go live by February 2014 and appropriate updates have been made to Council's Code of Meeting Practice which will be presented to Council on 26 November 2013.

COMPLETED (To be removed following the Council Meeting on 26 November 2013).

ITEM 15 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	MAYORAL MINUTE 15/12 - REVIEW OF POLICIES REGARDING VISITING OVERSEAS DELEGATIONS AND SISTER CITY RELATIONSHIPS	13/08/2013	<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 has been held.</i>
Meeting Date	(b)That the General Manager bring back a report to Council of existing sister city relationships.	Anticipated date 22/04/2014	<i>Subsequently, Council asked that a further workshop be conducted with Korean representatives.</i>
Group		Officer	<i>Due to the large number of planned workshops this workshop will be delayed. Workshop anticipated to be held in March 2014 with a report to follow.</i>
Corporate Services		Shane Sullivan	

ITEM 15 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	7-9 RUTLEDGE STREET, EASTWOOD, LOT 23 DP 4231 and LOT 24 DP 653568. Local Development Application for a mixed use development, containing 6 retail/commercial tenancies, 79 units & basement parking for 155 cars & strata subdivision. LDA 2011/0612.	3/12/2013	<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	<i>Amended plans not yet received as at March 2013.</i>
27/11/2012	That Local Development Application No. 2011/0612 at 7-9 Rutledge Street, Eastwood, being LOT 23 DP 4231 and LOT 24 DP 653568 be deferred pending receipt of the information required by the deferred commencement conditions including amended plans etc and exhibition of this information with a further report to Council for consideration in 2013.	Officer	<i>Follow-up letter to applicant sent seeking amended plans 3 April 2013 - applicant has requested more time to provide amendments.</i>
Group		Liz Coad	<i>Date of Report to be determined upon receipt of amended plans. Amended plans not yet received as at August 2013.</i>
Environment and Planning			<i>Some amended plans received, still awaiting further plans as at September 2013. Notification to be undertaken upon receipt of complete amendments and report to Council to follow.</i>
			<i>Amended plans Received. Notification closes 30 October</i>

ITEM 15 (continued)

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2013.

*Amended Plans do not address all
issues identified by Council.
Further amendments required.
New date of report yet to be
determined.*

ITEM 15 (continued)

ATTACHMENT 1

<p>Meeting Type Council</p>	<p>Resolution GLADESVILLE RSL DEVELOPMENT PROPOSAL - COMPLETED</p>	<p>Due Date of Report 23/07/2013</p>	<p>Comments/Update <i>Council has met with proponents to view draft community consultation plan. Date for report to be determined as a result of outcomes.</i></p>
<p>Meeting Date 11/12/2012</p>	<p>(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:</p>	<p>Anticipated date 10/12/2013</p>	<p><i>The RSL Club has scheduled consultation events throughout March 2013 - the date of the report is to be confirmed pending the results of the consultation.</i></p>
<p>Group Public Works</p>	<p>(i) Indicative built form and uses; (ii) Parking management (particularly during the construction phase); and (iii) Results of the community consultation process.</p>	<p>Officer Chris Redman</p>	<p><i>Workshop deferred to 3 September 2013. Date of report to be determined.</i></p> <p><i>Workshop undertaken 3 September 2013.</i></p> <p><i>Update 14 October 2013: Workshop and report undertaken 3 September 2013 by Gladesville RSL Club as per resolution.</i></p> <p><i>Update 14 November 2013: Report Submitted to Council meeting on 26 November 2013.</i></p>

ITEM 15 (continued)

ATTACHMENT 1

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COMPLETED (To be removed following the Council Meeting on 26 November 2013).

ITEM 15 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	RYDE CITY BOWLING CLUB UPDATE	26/11/2013	<i>(c) Subject to arbitration regarding fixtures, due improvements to commence shortly. Anticipated completion date late March - early April.</i>
Meeting Date	(c)That Council proceed with an EOI/Tender process for the site, once the issues outlined in the body of this report are resolved.	Anticipated date	<i>(d) Later in the year - report to Council October/November.</i>
12/02/2013	(d)That Council note that the further report considering the future of the Ryde Park including the Ryde City Bowling Club and Argyle Centre sites as to the future development, use and management will proceed following progress of Part (c) above.	10/12/2013	<i>Awaiting the outcome of the arbitration before proceeding to the EOI/Tender process. Matter is with the Golden Goal solicitors.</i>
Group		Officer	<i>Interim report on arbitration process and way forward submitted to Council in August.</i>
Community Life		Baharak Sahebekhtiari	<i>Council's Acting General Manager and General Counsel are meeting with Solicitors regarding this matter on 20 November 2013 and an update will be provided to Council as soon as possible.</i>

ITEM 15 (continued)

ATTACHMENT 1

<p>Meeting Type Council</p>	<p>Resolution SPORTING FACILITIES</p>	<p>Due Date of Report 24/09/2013</p>	<p>Comments/Update <i>Due to the current workload the matter will be reported to the Works and Community Committee meeting in October.</i></p>
<p>Meeting Date 26/02/2013</p>	<p>That Council receive a report that lists all works Council officers have planned or are proposed for future works within the City on sporting facilities and related amenities blocks.</p>	<p>Anticipated date 3/12/2013</p>	<p><i>Matter deferred to allow for a provision of additional fitness equipment from Open Space and Sport and Recreation budget (as per recent Council resolution), to be considered by the Sport and Recreation Advisory Committee at its meeting to be held on 11 November 2013.</i></p>
<p>Group Community Life</p>	<p>The report also to outline ways the officers seem to prioritise works to be done on these planned works and/or proposed works including if known the funding or proposed funding for such works. The report to be returned before the end of the calendar year, and if this cannot be achieved, Councillors to be advised in the CIB of a future reporting date</p>	<p>Officer Tatjana Domazet</p>	<p><i>Matter deferred to allow for a provision of additional fitness equipment from Open Space and Sport and Recreation budget (as per recent Council resolution), to be considered by the Sport and Recreation Advisory Committee at its meeting to be held on 11 November 2013.</i></p>

ITEM 15 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	77 WHARF ROAD, GLADESVILLE – LOT 2 DP 536882. Development Application for alterations to the existing dwelling, including a new front fence and gates. LDA2012/0272	4/06/2013	<i>Application requested preliminary meeting to discuss the issues - held in May 2013.</i>
Meeting Date	(a)That LDA2012/272 at 77 Wharf Road, Gladesville being LOT 2 DP 536882 be deferred for a mediation meeting to be undertaken by the Group Manager Environment and Planning with the applicant and the objectors to address issues relating to bulk, scale, habitable areas and streetscape presentation. That a further report be referred to Planning and Environment Committee within three months.	Anticipated date	<i>Awaiting provision of amended plans for option to be discussed at mediation meeting.</i>
12/03/2013		3/12/2013	<i>Mediation meeting held 15 July 2013. Awaiting provision of amended plans for notification and assessment.</i>
Group		Officer	<i>Date of report to be determined. Amended Plans not yet received as at September 2013.</i>
Environment and Planning		Liz Coad	<i>Amended Plans Received and notified. Date of report to be determined.</i>
			<i>Report expected late 2013.</i>

ITEM 15 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution MATTER OF URGENCY - BUDGET FOR 2013/14	Due Date of Report 10/12/2013	Comments/Update <i>Scoping of strategy development commenced. Budget changes as requested by Council will be incorporated in draft Delivery Plan for 2013/14.</i>
Meeting Date 26/03/2013	2.Council note the above in relation to the development of a Communications Strategy resolved by Council on 12 March 2013 and to provide an extension for the report back of the draft strategy to Council no later than December 2013.	Anticipated date 10/12/2013	
Group General Manager		Officer Angela Jones-Blayney	

ITEM 15 (continued)

ATTACHMENT 1

Meeting Type

Council

Meeting Date

23/04/2013

Group

Public Works

Resolution

**11 FIRST AVENUE, EASTWOOD -
Stormwater Drainage - COMPLETED**

That consideration of this Item be deferred to the next Works and Community Committee meeting on 7 May 2013 and that the resident be invited to attend the meeting.

Due Date of Report

3/12/2013

Anticipated date

3/12/2013

Officer

Anthony Ogle

Comments/Update

*Update 15 May 2013:
Report deferred until legal issues raised are worked out with resident.*

*Update 18 June 2013:
A CIB was issued on 9 May 2013 providing an update on this matter. Given that legal issues surround this matter, a definitive report date cannot be provided. Accordingly, the matter will be reported back to the Works and Community Committee once an appropriate course of action can be recommended.*

*Update 19 August 2013:
Status remains unchanged.
Waiting to hear from resident.*

*Update 14 October 2013
Council has met with the resident and a solution has been agreed to. Once details have been completed a report will be presented to the Works and*

ITEM 15 (continued)

ATTACHMENT 1

19-Nov-13

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Community Committee as soon as possible.

*Update 7 November 2013:
Report Submitted to Works and
Community Committee on 5
November 2013.*

*COMPLETED (To be removed
following the Council meeting on
26 November 2013).*

ITEM 15 (continued)

ATTACHMENT 1

Meeting Type

Council

Meeting Date

14/05/2013

Group

Community Life

Resolution

**NOTICE OF MOTION - AMENDMENT
TO VOLUNTARY PLANNING
AGREEMENT (VPA) POLICY**

(b)The Acting General Manager prepare a report identifying how much money Council has for open space acquisition and identify potential purchases for consideration by Council in keeping with the Draft IOSP.

**Due Date of
Report**

24/09/2013

Anticipated date

11/02/2014

Officer

Tatjana Domazet

Comments/Update

In keeping with the Integrated Open Space Plan, the amended VPA Policy seeking additional open space, was approved by Council at its meeting held on 13 August 2013.

The Open Space Future Provision Plan is currently under development and will be discussed at a confidential Councillor workshop to be held in November 2013.

Workshop deferred to February 2014.

ITEM 15 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	58 – 60 FALCONER STREET, WEST RYDE. LOT 1 DP 953646 and LOT 2 DP 102049. Development Application for demolition and construction of 10 strata titled town houses under the Affordable Housing State Environmental Planning Policy. LDA2012/0124	3/12/2013	<i>Date to be advised - pending amended plans and renotification.</i>
Meeting Date	(b)That the amended plans are renotified to the community including all persons who made submissions and that following this process a further report be presented to Planning and Environment Committee.	Anticipated date	<i>Amended Plans received and renotification underway - submissions close 18 September 2013.</i>
14/05/2013		3/12/2013	<i>Report expected late 2013.</i>
Group		Officer	
Environment and Planning		Liz Coad	

ITEM 15 (continued)

ATTACHMENT 1

<p>Meeting Type Council</p>	<p>Resolution DRAFT DCP 2010 PART 4.4 RYDE TOWN CENTRE - CIVIC PRECINCT</p>	<p>Due Date of Report</p>	<p>Comments/Update <i>Gateway determination under consideration of DoPI - exhibition pending DoPI decision.</i></p>
<p>Meeting Date 28/05/2013</p>	<p>(c)That Council is presented with a further report following the completion of the exhibition period.</p>	<p>Anticipated date</p>	<p><i>DoPI requested additional information, which has been provided by Council 5 August 2013.</i></p>
<p>Group Environment and Planning</p>		<p>Officer Meryl Bishop</p>	<p><i>Still awaiting DOPI determination as at September 2013.</i></p> <p><i>Still awaiting DOPI determination as at October 2013. Staff have contacted DOPI fro update. No response has yet been provided.</i></p> <p><i>DOPI have approved the exhibition of the draft. It will be exhibited in early 2014.</i></p>

ITEM 15 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution NOTICE OF MOTION - ADVERTISING ON PUBLIC LAND AND AROUND DOG OFF LEASH PARKS	Due Date of Report 10/12/2013	Comments/Update <i>Investigation is being undertaken on potential policy changes required to allow advertising, currently City of Ryde's LEP and DCP falls under a 'no 3rd Party advertising' category which disallows any private or council owned property, including in parks.</i>
Meeting Date 28/05/2013	1. That the Acting General Manager provide a report to Council advising of the options for advertisement around the dog off leash parks including proposed fees and terms and conditions for such advertising that are compliant with the requirements of the State Environmental Planning Policy 64.	Anticipated date 25/03/2014	
Group Community Life	2. That the Acting General Manager investigate the potential of advertising on public land as an revenue generating option such as advertisement around dog parks, with the expression of interests to be sent to all local vet business and dog food companies, and report back to Council.	Officer Tatjana Domazet	

ITEM 15 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution REQUESTS FOR PROPOSALS RECEIVED FOR THE LEASE OF THE KOTARA PARK AND OLYMPIC PARK TENNIS CENTRES - COMPLETED	Due Date of Report 10/12/2013	Comments/Update <i>Report provided to Council on 26 November 2013.</i>
Meeting Date 25/06/2013	(e)That a further report be submitted to Council following an Expression of Interest/Requests for Proposal process.	Anticipated date 26/11/2013	<i>COMPLETED (To be removed following the Council Meeting on 26 November 2013).</i>
Group Community Life		Officer Tatjana Domazet	

ITEM 15 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution ESTABLISHING AN INTEGRATED YOUTH SERVICE HUB	Due Date of Report 14/07/2015	Comments/Update <i>This report will be provided to Council in July 2015, after a duration of 24 months as per the resolution.</i>
Meeting Date 23/07/2013	(d)That following the trial period (2 years), a review of the Integrated Youth Service Hub governance model be undertaken by Community and Culture and reported to Council.	Anticipated date 14/07/2015	
Group Community Life		Officer Gunjan Tripathi	
Meeting Type Council	Resolution NOTICE OF MOTION - LAND ACKNOWLEDGEMENT PLAQUE	Due Date of Report 22/10/2013	Comments/Update <i>This report will be provided to Council in December 2013.</i>
Meeting Date 23/07/2013	(b)That the Acting General Manager report on the options on how Council recognises the area where it is believed that Woollarawarre Bennelong is believed to be buried.	Anticipated date 10/12/2013	
Group Community Life		Officer Gunjan Tripathi	

ITEM 15 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution GRAFFITI VANDALISM AND THE CITY OF RYDE	Due Date of Report 25/02/2014	Comments/Update <i>This report will be provided to Council in February 2014.</i>
Meeting Date 23/07/2013	(b)That the Graffiti Action Plan be reported to Council in February 2014.	Anticipated date 25/02/2014	
Group Community Life		Officer Derek McCarthy	

ITEM 15 (continued)

ATTACHMENT 1

<p>Meeting Type Council</p>	<p>Resolution INTERIM ACTION PLAN- How Council Can Address Risks Raised in the ICAC Hearing - COMPLETED</p>	<p>Due Date of Report 10/12/2013</p>	<p>Comments/Update <i>A Workshop has been scheduled for this matter on 15 October 2013.</i></p>
<p>Meeting Date 13/08/2013</p>	<p>(c)That Council request the Acting General Manager to schedule a briefing to workshop with Council the various models of IHAP, and their policy and procedural frameworks, with the preferred option to be reported back to Council;</p>	<p>Anticipated date 26/11/2013</p>	<p><i>The workshop has been completed and short report is scheduled for Council on 26 November 2013.</i></p>
<p>Group Environment and Planning</p>		<p>Officer Dominic Johnson</p>	<p><i>COMPLETED (To be removed following the Council Meeting on 26 November 2013).</i></p>

ITEM 15 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution NOTICE OF MOTION - VOLUME AND SPEED OF VEHICLES USING ALL THE RESIDENTIAL STREETS BOUNDED BY VICTORIA ROAD, BOWDEN STREET, CHURCH STREET AND CONSTITUTION ROAD - COMPLETED	Due Date of Report 29/10/2013	Comments/Update <i>Update 19 August 2013: Investigations and a way forward are being determined as to the best approach in regards to this report.</i>
Meeting Date 13/08/2013	That the Acting General Manager investigate and report on the volume and speed of vehicles using all the residential streets bounded by Victoria Road, Bowden Street, Church Street and Constitution Road as “through roads” and “rat runs” between these major roads.	Anticipated date 19/11/2013	<i>Update 14 November 2013: Report Submitted to Works and Community Committee on 19 November 2013.</i>
Group Public Works		Officer Harry Muker	<i>COMPLETED (To be removed following the Council Meeting on 26 November 2013).</i>

ITEM 15 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution TOP RYDER COMMUNITY BUS UPDATE - COMPLETED	Due Date of Report 22/10/2013	Comments/Update <i>Research and negotiation with prospective sponsors underway - report to Council on 26 November 2013.</i>
Meeting Date 27/08/2013	That a further report be submitted to Council in October 2013 on the research undertaken to fund a continuation of the Top Ryder Community Bus Service and seeking a decision based on the results of the investigation undertaken on whether or not the service should be continued, discontinued or downsized.	Anticipated date 26/11/2013	<i>COMPLETED (To be removed following the Council meeting on 26 November 2013).</i>
Group Environment and Planning		Officer Sam Cappelli	

ITEM 15 (continued)

ATTACHMENT 1

<p>Meeting Type Council</p>	<p>Resolution SANTA ROSA PARK AMENITIES BUILDING - COMPLETED</p>	<p>Due Date of Report 22/10/2013</p>	<p>Comments/Update <i>This report will be provided to Council in October.</i></p>
<p>Meeting Date 27/08/2013</p>	<p>That given community feedback received, further public consultation be undertaken prior to construction of any amenities block in Santa Rosa Park and a report provided to Council.</p>	<p>Anticipated date 12/11/2013</p>	<p><i>Site inspection held with the Mayor on 30 September 2013. Councillors site inspection organised for Tuesday, 15 October 2013. Following this inspection, a report will be provided to Council on 12 November 2013.</i></p>
<p>Group Community Life</p>		<p>Officer Tatjana Domazet</p>	<p><i>COMPLETED (To be removed following the Council Meeting on 26 November 2013).</i></p>

ITEM 15 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution DRAFT DEVELOPMENT CONTROL PLAN FOR THE FORMER HAWKES ON SECOND AVENUE BOWLING CLUB	Due Date of Report 10/12/2013	Comments/Update <i>Exhibition expected late October 2013 report to follow.</i>
Meeting Date 27/08/2013	That a further report be presented to Council as soon as practicable after the exhibition of the Draft Development Control Plan detailing the outcomes of the consultation process.	Anticipated date 10/12/2013	<i>Exhibition completed report expected December 2013.</i>
Group Environment and Planning		Officer Meryl Bishop	

ITEM 15 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution NOTICE OF MOTION - THE ESTABLISHMENT OF A REGISTER OF LOBBYISTS IN RELATION TO DEVELOPMENT APPLICATIONS - COMPLETED	Due Date of Report 26/11/2013	Comments/Update <i>Department of Planning and Infrastructure operational model to be used for guidance.</i>
Meeting Date 27/08/2013	That Council report back with preferred operational models for such a register, looking to schemes similar Government Registers for guidance.	Anticipated date 26/11/2013	<i>Report presented to Council on 26 November 2013.</i>
Group Environment and Planning		Officer Meryl Bishop	<i>COMPLETED (To be removed following the Council Meeting on 26 November 2013).</i>

ITEM 15 (continued)

ATTACHMENT 1

Meeting Type
Council

Meeting Date
27/08/2013

Group
General Manager

Resolution
EXPRESSION OF INTEREST - COR-
EOI-02/13 - GENERAL REVIEW OF
PROCUREMENT AT THE CITY OF
RYDE

That the report arising from this review be
presented to Council.

**Due Date of
Report**
10/12/2013

Anticipated date
10/12/2013

Officer
John Schanz

Comments/Update
*Report being prepared for
Council Meeting on 10 December
2013.*

ITEM 15 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution PLANNING PROPOSAL - 111 WICKS ROAD, 29 EPPING ROAD AND 31 - 35 EPPING ROAD MACQUARIE PARK	Due Date of Report	Comments/Update <i>Awaiting provision of additional information from applicant.</i>
Meeting Date 27/08/2013	That a further report be provided to Council following the outcomes of those discussions.	Anticipated date	
Group Environment and Planning		Officer Meryl Bishop	

ITEM 15 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution PLANNING PROPOSAL - 10 MONASH ROAD AND 2 COLLEGE STREET, GLADESVILLE	Due Date of Report	Comments/Update <i>Date of exhibition yet to be determined.</i>
Meeting Date 24/09/2013	(c) That, in the event of a gateway determination being issued pursuant to Section 56 of the Environmental Planning and Assessment Act 1979, the planning proposal be placed on public exhibition and a further report be presented to Council following the completion of the community consultation advising of the outcomes and next steps.	Anticipated date	
Group Environment and Planning		Officer Meryl Bishop	

ITEM 15 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution NOTICE OF MOTION - SANTA ROSA PARK TOILET FACILITY - COMPLETED	Due Date of Report 5/11/2013	Comments/Update <i>Site inspection held with the Mayor on 30 September 2013. Councillors site inspection organised for Tuesday, 15 October 2013. Following this inspection, a report will be provided to Council on 12 November 2013.</i>
Meeting Date 24/09/2013	(a) That the Santa Rosa Park toilet facility construction be referred to the Works and Community committee for urgent attention, including a site inspection for all Councillors.	Anticipated date 12/11/2013	
Group Community Life		Officer Tatjana Domazet	<i>COMPLETED (To be removed following the Council Meeting on 26 November 2013).</i>

ITEM 15 (continued)

ATTACHMENT 1

<p>Meeting Type Council</p>	<p>Resolution MAYORAL MINUTE - RESTORATION OF BEACH ACCESS FOR NON-MOTORIZED CRAFT AT KISSING POINT PARK - COMPLETED</p>	<p>Due Date of Report 12/11/2013</p>	<p>Comments/Update <i>Update 10 October 2013: Investigations currently underway. Report will be put to the Works and Community Committee on 3 December 2013.</i></p>
<p>Meeting Date 24/09/2013</p>	<p>That this matter be referred for the Acting General Manager to investigate and provide a report to the Works and Community Committee.</p>	<p>Anticipated date 3/12/2013</p>	<p><i>Update 14 October 2013: Consultation underway with club.</i></p>
<p>Group Public Works</p>		<p>Officer Anthony Ogle</p>	<p><i>Update 14 November 2013: Report Submitted to Works and Community Committee on 19 November 2013.</i></p> <p><i>COMPLETED (To be removed following the Council Meeting on 26 November 2013).</i></p>

ITEM 15 (continued)

ATTACHMENT 1

Meeting Type Works and Community	Resolution FITNESS EQUIPMENT IN OPEN SPACE AREAS OF THE REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 13/13 held on 3 September 2013	Due Date of Report 3/12/2013	Comments/Update <i>This matter will be considered by the Sport and Recreation Advisory Committee at its meeting to be held on 11 November 2013 and reported back to the Works and Community Committee by December 2013. This information will be incorporated into the report on Sporting Facilities.</i>
Meeting Date 24/09/2013	(c) That a further report be submitted to the Works and Community Committee on options for reprioritisation of funds for renewal of existing outdoor community gyms.	Anticipated date 3/12/2013	
Group Community Life		Officer Tatjana Domazet	

ITEM 15 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	POLICY ON THE PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR THE MAYOR AND OTHER COUNCILLORS - COMPLETED	12/11/2013	<i>Exhibition closes on 1 November 2013.</i>
Meeting Date	(c) That after the exhibition period of the draft policy, a further report be provided to Council detailing any submissions received, and seeking the adoption of the draft Policy on the Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors.	Anticipated date	<i>Report provided to Council on 12 November 2013.</i>
24/09/2013		12/11/2013	<i>COMPLETED (To be removed following the Council Meeting on 26 November 2013).</i>
Group		Officer	
Corporate Services		Shane Sullivan	

ITEM 15 (continued)

ATTACHMENT 1

<p>Meeting Type Council</p>	<p>Resolution CODE OF CONDUCT - COMPLETED</p>	<p>Due Date of Report 22/10/2013</p>	<p>Comments/Update <i>This resolution is now the matter of a Rescission Motion which will be considered at the Council meeting to be held on 22 October 2013.</i></p>
<p>Meeting Date 24/09/2013</p>	<p>(e) That a Status Report be submitted to Council at the Council Meeting on 22 October 2013.</p>	<p>Anticipated date 12/11/2013</p>	<p><i>A status report is now anticipated for 12 November 2013.</i></p>
<p>Group General Manager</p>		<p>Officer Roy Newsome</p>	<p><i>This resolution is now the matter of a Rescission Motion which will be considered at the reconvened Council Meeting of 12 November 2013, to be held 19 November 2013.</i></p>
			<p><i>COMPLETED (To be removed following the Council Meeting on 26 November 2013).</i></p>

ITEM 15 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	PLANNING PROPOSAL - AMENDMENTS TO LEP 2013	Anticipated date	<i>Land Owner advised of deferral; Public Works preparing report to Works Committee on drainage and structural issues relating to the site; a further report regarding the planning controls for the site will be provided at a latter date.</i>
Meeting Date	(f)That Council defer amending the planning control for 100 Rowe Street Eastwood from the Planning Proposal Amendments to DLEP 2013 to allow further consideration and discussion with the land owner of the flooding solutions / proposed planning controls for the site. The matter will be reported to Council at a later date.	Officer	
8/10/2013		Meryl Bishop	
Group			
Environment and Planning			

ITEM 15 (continued)

ATTACHMENT 1

<p>Meeting Type Council</p>	<p>Resolution WESTERN SYDNEY LIGHT RAIL - PART 2 FEASIBILITY REPORT</p>	<p>Due Date of Report 10/12/2013</p>	<p>Comments/Update <i>The Acting General Manager wrote to Parramatta City Council, and they have now scheduled a Transport Forum of which City of Ryde is attending on 29 November 2013.</i></p>
<p>Meeting Date 8/10/2013</p>	<p>(b)That the Acting General Manager liaise with Parramatta City Council in respect to their proposed light rail transport system on the basis that any such proposal should involve consultation with the City of Ryde, particularly in relation to Ryde’s transport needs, community concerns and future requirements.</p>	<p>Anticipated date 10/12/2013</p>	<p><i>A report to Council can be expected on 10 December 2013.</i></p>
<p>Group General Manager</p>	<p>(c)That the Acting General Manager bring a report back to Council as a result of part (b) above.</p>	<p>Officer Roy Newsome</p>	

ITEM 15 (continued)

ATTACHMENT 1

<p>Meeting Type Council</p>	<p>Resolution PLANNING PROPOSAL - AMENDMENTS TO LEP 2013</p>	<p>Due Date of Report</p>	<p>Comments/Update <i>Date of exhibition yet to be determined.</i></p>
<p>Meeting Date 8/10/2013</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 Planning Proposal Amendments to DLEP 2013 be placed on public exhibition and a further report be presented to Council following the completion of the exhibition period.</p>	<p>Anticipated date</p>	
<p>Group Environment and Planning</p>		<p>Officer Meryl Bishop</p>	

<p>Meeting Type Council</p>	<p>Resolution NOTICE OF MOTION - PEDESTRIAN SAFETY - ST THERESE'S PRIMARY SCHOOL, DENISTONE</p>	<p>Due Date of Report 12/11/2013</p>	<p>Comments/Update <i>Update 7 November 2013: Report scheduled for the Works and Community Committee on 3 December 2013.</i></p>
<p>Meeting Date 22/10/2013</p>	<p>(c) That a report be brought back to the Works and Community Committee for deliberation.</p>	<p>Anticipated date 3/12/2013</p>	
<p>Group Public Works</p>		<p>Officer Harry Muker</p>	

ITEM 15 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	NOTICE OF RESCISSION: CODE OF CONDUCT - COMPLETED	12/11/2013	<i>This resolution is now the matter of a Rescission Motion which will be considered at the Council meeting to be held on 22 October 2013.</i>
Meeting Date	(c)That on receipt of the Division’s advice on the outcome of their review of the Investigation Report, that this be reported back to the next available Council meeting together with the Rescission Motion, for Council’s consideration and determination.	Anticipated date	<i>A status report is now anticipated for 12 November 2013.</i>
22/10/2013		12/11/2013	
Group		Officer	<i>This resolution is now the matter of a Rescission Motion which will be considered at the reconvened Council Meeting of 12 November 2013, to be held 19 November 2013.</i>
General Manager		Roy Newsome	<i>COMPLETED (To be removed following the Council Meeting on 26 November 2013).</i>

ITEM 15 (continued)

ATTACHMENT 1

<p>Meeting Type Council</p>	<p>Resolution SURF ATTRACTION COR-RFT 3/13 - COMPLETED</p>	<p>Due Date of Report 12/11/2013</p>	<p>Comments/Update <i>Matter presented to Council on 12 November 2013.</i></p>
<p>Meeting Date 22/10/2013</p>	<p>That the matter be deferred to the next Council Meeting and that a further report be provided including updated financial forecasting.</p>	<p>Anticipated date 12/11/2013</p>	<p><i>COMPLETED (To be removed following the Council Meeting on 26 November 2013).</i></p>
<p>Group Community Life</p>		<p>Officer Paul Hartmann</p>	

<p>Meeting Type Council</p>	<p>Resolution UPDATE TO FEES AND CHARGES - ARTIST STUDIO</p>	<p>Due Date of Report 11/02/2014</p>	<p>Comments/Update <i>Exhibition period ends 25 November 2013. Further report to be presented to Council should any negative submissions be made. If no submissions are made, item (d) of the resolution will be actioned accordingly.</i></p>
<p>Meeting Date 22/10/2013</p>	<p>(c)That a further report be presented to Council for consideration after the exhibition period, should any submissions be made</p>	<p>Anticipated date 11/02/2014</p>	
<p>Group Community Life</p>	<p>(d)That if no submissions are made, the fee be confirmed by Council without the requirement of a further report to Council.</p>	<p>Officer Gunjan Tripathi</p>	

ITEM 15 (continued)

ATTACHMENT 1

<p>Meeting Type Council</p>	<p>Resolution Notice of Motion - 1ST STATE LOBBYIST AND THE CITY OF RYDE - Councillor Jerome Laxale</p>	<p>Due Date of Report 10/12/2013</p>	<p>Comments/Update <i>Acting General Manager has requested a report be prepared by the Group Manager Environment & Planning - 16 November 2013.</i></p>
<p>Meeting Date 12/11/2013</p>	<p>(a)That the General Manager provide a detailed report to Councillors on the meeting between lobbyist firm, 1st State, and Council officials in relation to discussions detailed in the Sydney Morning Herald article "Lobbyist caught up in Ryde Enquiry" (19/08/13).</p>	<p>Anticipated date 10/12/2013</p>	<p><i>A report to Council can be expected on 10 December 2013.</i></p>
<p>Group General Manager</p>	<p>(b)That Council's report should detail specifics of representations made by First State in relation to 31-33 Waterloo Rd Macquarie Park and the draft Masterplan of Macquarie Park.</p>	<p>Officer Roy Newsome</p>	

ITEM 15 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution YOUTH SUMMIT DURING YOUTH WEEK - The Mayor, Councillor Roy Maggio	Due Date of Report 25/02/2014	Comments/Update
Meeting Date 12/11/2013	(b)That the outcomes of the Youth Summit be reported to Council after the event.	Anticipated date 25/02/2014	
Group Community Life	(e)That a further report be provided to Council in February following the Dubbo Youth Conference outlining the feedback and key issues from the conference.	Officer Gunjan Tripathi	

Meeting Type Works and Community	Resolution SANTA ROSA PARK AMENITIES BUILDING	Due Date of Report 25/03/2014	Comments/Update
Meeting Date 12/11/2013	(c)That a report be provided to the Works and Community Committee providing an in-house detailed schedule of works required to bring the toilet facilities in the Air League building to a standard for safe public use.	Anticipated date 25/03/2014	
Group Community Life		Officer Tatjana Domazet	

ITEM 15 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution PUBLIC EXHIBITION OF THE AMENDMENT TO THE YAMBLE RESERVE PLAN OF MANAGEMENT AND EXPRESS AUTHORISATION OF LICENCE	Due Date of Report 11/02/2014	Comments/Update
Meeting Date 12/11/2013	(c)That a report be returned to Council for further consideration and adoption following the public exhibition period of the Addendum to the Plan of Management.	Anticipated date 11/02/2014	
Group Community Life		Officer Tatjana Domazet	

ITEM 15 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	POLICY FOR THE INTERFACE AND DAY TO DAY OVERSIGHT OF THE GENERAL MANAGER BY THE MAYOR	11/02/2014	
Meeting Date	(c)That a further report be provided to Council on 11 February 2014 regarding the Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor and the Mayor's Roles and Responsibilities document.	Anticipated date	
12/11/2013		11/02/2014	
Group		Officer	
Corporate Services		Shane Sullivan	

ITEM 15 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution RE-ESTABLISHMENT OF ALCOHOL FREE ZONES	Due Date of Report 11/02/2014	Comments/Update <i>Public consultation closes 20 December 2013.</i>
Meeting Date 12/11/2013	(d)That Council receive a further report on the Alcohol Free Zones should any adverse comments be received during the public consultation period.	Anticipated date 11/02/2014	
Group Community Life		Officer Derek McCarthy	

Meeting Type Council	Resolution SWIMMING POOL BARRIER INSPECTION PROGRAM	Due Date of Report	Comments/Update <i>Date of exhibition yet to be determined.</i>
Meeting Date 12/11/2013	(c)That a further report on the outcomes of the public exhibition of the City of Ryde draft Swimming Pool Barrier Inspection program be presented to Council as soon as practical after the exhibition period.	Anticipated date	
Group Environment and Planning		Officer Wayne Moy	

PRECIS OF CORRESPONDENCE**1 PLANNING PROPOSAL FOR RYDE CIVIC PRECINCT TO AMEND RYDE LOCAL ENVIRONMENTAL PLAN (LEP) 2010**

Report prepared by: Team Leader - Strategic Planning
File No.: LEP2012/15/4 - BP13/1681

CORRESPONDENCE:

Submitting correspondence from Director General NSW Department of Planning and Infrastructure, dated 2 November 2013, enclosing a Gateway Determination issued pursuant to s.56 of the Environmental Planning and Assessment Act advising that the Planning Proposal – Ryde Civic Precinct – rezoning of the Precinct from B4 Mixed Use Business to SP2 Infrastructure (Community Facility and Public Administration Building) and reinstating the maximum height of Buildings to RL 91m AHD.

The Planning Proposal is to be placed on community consultation for a minimum period of 28 days. The exhibition will commence on 20 November 2013 and run until 29 January 2014 (a period of 71 days). The consultation is undertaken in accordance with the Engagement Plan adopted by Council on 12 February 2013.

RECOMMENDATION:

That the correspondence be received and noted.

ATTACHMENTS

- 1 Planning Proposal to amend Ryde Local Environmental Plan (LEP) 2010

Report Prepared By:

Lexie Macdonald
Team Leader - Strategic Planning

Report Approved By:

Meryl Bishop
Manager - Urban Planning

Dominic Johnson
Group Manager - Environment & Planning

Precis of Correspondence 1 (continued)

ATTACHMENT 1



Contact: Sarah Waterworth
Phone: (02) 8575 4113
Fax: (02) 9228 6244
Email: Sarah.Waterworth@planning.nsw.gov.au
Postal: GPO Box 39, Sydney NSW 2001



Mr Roy Newsome
Acting General Manager
Ryde City Council
Locked Bag 2069
NORTH RYDE NSW 1670

Our ref: PP_2013_RYDEC_002_00 (13/04781)
Your ref: LEP 2012/15/4

Dear Mr Newsome,

Planning proposal to amend Ryde Local Environmental Plan (LEP) 2010

I am writing in response to Council's letter dated 22 February 2013 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") and subsequent additional information dated 2 August 2013 in respect of the planning proposal to rezone the Ryde Civic Precinct at 1-1A Devlin Street and 150-156 Blaxland Road, Ryde from B4 Mixed Use to SP2 Infrastructure (Community Facility and Public Administration Building), reinstate the maximum height of buildings to RL 91 AHD on part of the subject land and rename the Precinct to Ryde Civic Precinct.

As delegate of the Minister for Planning and Infrastructure, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed the planning proposal's inconsistencies with S117 Directions 1.1 Business and Industrial Zones and 3.1 Residential Zones are of minor significance as the dwelling and employment forecasts identified under the draft Inner North Subregional Strategy can be met elsewhere in the Ryde local government area. No further approval is required in relation to these Directions.

The Minister delegated his plan making powers to councils in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided not to issue an authorisation for Council to exercise delegation to ensure a third party review of the proposal is undertaken.

The amending LEP is to be finalised within 9 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the department to draft and finalise the LEP should be made 6 weeks prior to the projected publication date.

Precis of Correspondence 1 (continued)

ATTACHMENT 1

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Ms Sarah Waterworth of the regional office of the department on 02 8575 4113.

Yours sincerely,


Sam Haddad
Director General 2/11/2013.

Encl: Gateway determination

Precis of Correspondence 1 (continued)

ATTACHMENT 1



Gateway Determination

Planning proposal (Department Ref: PP_2013_RYDEC_002_00): to rezone and amend the height of buildings controls on land in the Ryde Civic Precinct.

I, the Director General, at the Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Ryde Local Environmental Plan (LEP) 2010 to rezone the Ryde Civic Precinct at 1-1A Devlin Street and 150-156 Blaxland Road, Ryde from B4 Mixed Use to SP2 Infrastructure (Community Facility and Public Administration Building), reinstate the maximum height of buildings to RL 91 AHD on part of the subject land and rename the Precinct to Ryde Civic Precinct should proceed subject to the following conditions:

1. Council is to place on public exhibition with the planning proposal, the additional information provided to the department in Council's letter dated 2 August 2013.
2. Prior to undertaking public exhibition, Council is to update the project timeline within the planning proposal to reflect the date of the Gateway determination and amend the dates on all subsequent fields. The timeline is to reflect the decision not to delegate plan making functions for this proposal to Council.
3. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013)*.
4. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
6. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 2nd day of November 2013.


Sam Haddad
Director General
Department of Planning & Infrastructure

Delegate of the Minister for Planning & Infrastructure

RYDE PP_2013_RYDEC_002_00 (13/04781)

2 LOCAL GOVERNMENT REVIEW PANEL - LETTER FROM LOCAL GOVERNMENT NSW

Report prepared by: Councillor Support Coordinator
File No.: CLM/13/1/4/11 - BP13/1686

CORRESPONDENCE:

Submitting correspondence from the Local Government NSW, dated 13 November 2013, regarding concerns of the Association on the public availability of the report of the Independent Local Government Review Panel.

RECOMMENDATION:

That the correspondence be received and noted.

ATTACHMENTS

- 1 Letter from LG NSW Regarding the Report of the Independent Local Government Review Panel

Report Prepared By:

Sheron Chand
Councillor Support Coordinator

Report Approved By:

Shane Sullivan
Acting Group Manager - Corporate Services

Roy Newsome
Acting General Manager

Precis of Correspondence 2 (continued)

ATTACHMENT 1

Dear Mayor and General Manager

I am writing to bring you up to date on the situation concerning the report of the Independent Local Government Review Panel.

The Minister for Local Government, the Hon Don Page MP, received the report three weeks ago. I have been in weekly contact with the Minister, firstly seeking access to the report, and, secondly, seeking advice as to when its recommendations would be considered by Cabinet.

In our discussions, the Minister indicated that he was anxious to make the report public as soon as possible, but that he first wished to discuss its contents with the Premier and to then have it listed for Cabinet consideration.

Three weeks have now elapsed and there is still no information as to when the report will be released. I am advised that it was not considered by Cabinet this week, it may be listed for Cabinet consideration next week, but there is no guarantee that this will happen.

It is essential that the Review Panel's report be released without further delay. I am continuing to press the Minister on its release, and will be following it up with the Premier.

I am well aware that the major issue of concern for member councils is the question of amalgamations. I wish to stress that the policy of LGNSW is quite clear. NO FORCED AMALGAMATIONS. I will vigorously pursue this policy if amalgamations are recommended.

I will keep you informed of developments.

Yours sincerely

Cr Keith Rhoades, AFSM
President
Local Government NSW

LOCAL GOVERNMENT NSW

On 1 March 2013 the LGSA merged to become LGNSW – please note change of website and email address

NOTICES OF MOTION

- 1 FEASIBILITY STUDY - ROWE STREET, EASTWOOD CAR PARK -
Councillor Craig Chung**

File Number: CLM/13/1/4/6 - BP13/1716

MOTION:

That the Acting General Manager prepare an initial feasibility study for the construction of a mixed use development on the Rowe Street, Eastwood car park to be held in Councils investment property portfolio and report back to Council.

- 2 FEASIBILITY STUDY - 6 RESERVE STREET, EASTWOOD - Councillor
Craig Chung**

File Number: CLM/13/1/4/6 - BP13/1717

MOTION:

That the Acting General Manager prepare an initial feasibility study for the construction of a development at 6 Reserve Street, Eastwood and report back to Council.

QUESTIONS BY COUNCILLORS AS PER POLICY

1 QUESTIONS WITH NOTICE - Councillor George Simon

File Number: CLM/13/1/4/10 - BP13/1700

Question:

1. Since being elected Mayor, how much money has the Office of Mayor spent (including expenditure for events scheduled into the future) on the following:
 - a) Hosting Mayoral events in the Mayoral suite
 - b) Sponsoring local activities
 - c) Mayoral clothing

Please provide the expenditure amount in an itemised format per the amount spent on each activity or item.

CONFIDENTIAL ITEMS

16 NON-COMPLIANCE WITH COUNCIL ORDERS - 3 Brian Street, Ryde

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (a) personnel matters concerning particular individuals (other than councillors).

Report prepared by: Team Leader - Environmental Health

File No.: CRS2010/3107 - BP13/1317

Page No.: 204

17 COULTER STREET CAR PARK - RSL PROPOSAL

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Report prepared by: Section Manager - Properties

File No.: GRP/09/3/10 - BP13/1638

Page No.: 274

18 ADVICE ON COURT ACTIONS

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (g) advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

This matter is classified confidential because it contains advice concerning legal matters that are:-

- (a) substantial issues relating to a matter to which the Council is involved.
- (b) clearly identified in the advice, and
- (c) fully discussed in that advice.

It is not in the public interest to reveal all details of this matter as it would prejudice Council's position in any court proceedings.

Report prepared by: General Counsel, Public Officer

File No.: GRP/09/5/6 - BP13/1705

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