

Meeting Date: Tuesday 22 November 2022
Location: Council Chambers, Level 1A, 1 Pope Street, Ryde and Online
Time: 6.00pm

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

Statement of Ethical Obligations

Councillors are reminded of their Oath or Affirmation of Office made under Section 233A of the Local Government Act 1993 and their obligation under Council's Code of Conduct to disclose and appropriately manage Conflicts of Interest.

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NOTICE OF BUSINESS (CONTINUED)

NOTICES OF MOTION

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COUNCIL REPORTS

1 COUNCILLOR OATH OR AFFIRMATION OF OFFICE

Report prepared by: Civic Services Manager
File No.: CLM/22/1/1/2 - BP22/883

REPORT SUMMARY

This report provides details of the Oath or Affirmation of Office that all Councillors are required to take at or before their first meeting of Council, in accordance with the *Local Government Act 1993*.

As a result of the West Ward By-Election held on 15 October 2022, Councillor Justin Li was elected. It is therefore proposed that Councillor Li will take the Oath or Affirmation at the commencement of this meeting being the first meeting of Council after being elected. This will be done before the Chief Executive Officer and will be recorded in the minutes of the Council meeting.

As Councillor Li has indicated he wishes to take the Oath of Office, the procedure for this item will be that the Chief Executive Officer will request Councillor Li to stand and take the Oath of Office.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Amanda Janvrin
Civic Services Manager

Report Approved By:

Giselle Tocher
Manager - Corporate Governance

Graham Pares
Executive Manager - People and Business

ITEM 1 (continued)**Discussion**

Under section 233A of the *Local Government Act 1993*, Councillors (including Mayors) are required to take an Oath or Affirmation of Office. This requirement was introduced by the *Local Government Amendment (Governance and Planning) Act 2016*. Oaths or Affirmations of Office must be taken by each Councillor at or before the first meeting of the Council after the Councillor is elected and are to be made before the General Manager / Chief Executive Officer of the Council, an Australian legal practitioner or a Justice of the Peace.

At the City of Ryde, this Oath or Affirmation is to be made or taken at the commencement of the first meeting of the Council following an election of a Councillor, before the Chief Executive Officer, and will be recorded in the minutes of the Council meeting.

The forms of the Oath and Affirmation are prescribed in section 233A, as set out below:-

OATH

I [name of Councillor] swear that I will undertake the duties of the office of Councillor in the best interests of the people of the City of Ryde Local Government Area and the City of Ryde Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

AFFIRMATION

I [name of Councillor] solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the people of the City of Ryde Local Government Area and the City of Ryde Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Councillors should note that in accordance with the *Local Government Act 1993* (sections 233A and 234):

- a Councillor who fails, without a reasonable excuse, to take the Oath of Office or make an Affirmation of Office is not entitled to attend a meeting as a Councillor, until the Councillor has taken the Oath or made the Affirmation.
- if a Councillor is not entitled to attend a meeting as a Councillor because they have not taken the Oath of Office or made the Affirmation, they are considered to be absent without leave.

ITEM 1 (continued)

- if a Councillor is absent without leave for three consecutive Ordinary Council meetings their office will be declared vacant.

Financial Implications

Adoption of the recommendation will have no financial impact.

2 ITEMS PUT WITHOUT DEBATE

Report prepared by: Civic Services Manager**File No.:** CLM/22/1/1/2 - BP22/845

REPORT SUMMARY

In accordance with Council's Code of Meeting Practice, Council can determine those matters on the Agenda that can be adopted without the need for any discussion.

RECOMMENDATION:

That Council determine the Items on Council's Agenda that will be adopted without debate.

OR

That Council determine all Items on the Agenda.

3 CONFIRMATION OF MINUTES - Council Meeting held on 25 October 2022

Report prepared by: Civic Services Manager**File No.:** CLM/22/1/1/2 - BP22/846

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 13/22, held on 25 October 2022 be confirmed.

ATTACHMENTS

- 1 MINUTES - Ordinary Council Meeting - 25 October 2022

ITEM 3 (continued)

ATTACHMENT 1

Meeting Date: Tuesday 25 October 2022
Location: Council Chambers, Level 1A, 1 Pope Street, Ryde and Online
Time: 6.00pm

Councillors Present in Chambers: The Mayor, Councillor Lane and Councillors Brown, Deshpande, Han, Lara-Watson, Maggio, Pedersen, Purcell and Yedelian OAM.

Councillors Present via online Audio Visual: Councillors O'Reilly and Song.

Apologies: Nil.

Note: Councillor Maggio left the meeting at 7.40pm and did not return. He was not present for voting on Notice of Motion 11.

Staff Present: Chief Executive Officer, General Manager – Business Operations, Director – City Shaping, General Counsel, Chief Financial Officer, Acting Manager – Communications and Engagement, Manager – Community and Ranger Services, Acting Manager – Transport, Manager – Business Infrastructure, Acting Manager – Corporate Governance, IT Applications Support Officer and Civic Support Officer.

PRAYER

Councillor Maggio was present and offered prayer prior to the commencement of the meeting.

NATIONAL ANTHEM

The National Anthem was sung prior to the commencement of the meeting.

DISCLOSURES OF INTEREST

Councillor Brown disclosed a Less than Significant Non-Pecuniary Interest in Item 8 – Submission to Planning Proposal Review – 146 Vimiera Road, Marsfield (TG Millner Field for the reason that he is a social member of the North Ryde RSL and a member of the Eastwood District Rugby Union Football Club.

Councillor Purcell disclosed a Less than Significant Non-Pecuniary Interest in Item 8 – Submission to Planning Proposal Review – 146 Vimiera Road, Marsfield (TG Millner Field for the reason that he is a member of the North Ryde RSL.

TABLING OF PETITIONS

Councillor Yedelian OAM tabled an online petition with 416 signatures in relation to Fixing Ryde Park Playground – see link <https://chng.it/4RH22TqJwP>

Minutes of the Council Meeting No. 13/22, dated 25 October 2022.

ITEM 3 (continued)

ATTACHMENT 1

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

No written submissions were received.

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

The following person provided a written submission to Council:-

Name	Topic
Andreea Luca	Under which grounds has the Council decided to cut community access to the meetings and what was the response of the community following the public exhibition of draft decision? Was the draft decision made in prior consultation with the public or unilaterally decided? If the decision was positively received by the public is there evidence that can support the adoption of this extraordinary decision which is representative to the current voting population in Ryde? My landlord, an active community member in Ryde City and had no idea that such decision was implemented... Was there negative feedback which was taken into account or responded to? www.olg.nsw.gov.au does not suggest that community will be permanently prohibited to address the Council in person, but the contrary. Another topic: is there a Council plan to address the dysfunctional public transport on Lane Cove Rd created by the removal of direct lines to CBD? Our transport fares doubled as result. More public parking?

COUNCIL REPORTS

1 ITEMS PUT WITHOUT DEBATE

RESOLUTION: (Moved by Councillors Brown and Yedelian OAM)

That Council adopt Mayoral Minute 29/22, Mayoral Minute 30/22, Mayoral Minute 31/22, Item 2, Item 3, Item 4, Item 5, Item 6, Item 7, Item 11, Item 12, Notice of Motion 1, Notice of Motion 4, Notice of Motion 5, Notice of Motion 6, Notice of Motion 7, Notice of Motion 9, Notice of Motion 10, Notice of Motion 12, Item 13 and Item 14 on the Council Agenda as per the recommendations in the reports.

Record of Voting:

For the Motion: Unanimous

Minutes of the Council Meeting No. 13/22, dated 25 October 2022.

ITEM 3 (continued)

ATTACHMENT 1

MAYORAL MINUTES

**MM29/22 GREENING OUR CITY APPLICATION FOR GRANT – Mayor,
Councillor Jordan Lane**

RESOLUTION:

- (a) That Council make application for a grant from the State Government under the 2022 Greening our City grants.
- (b) The application be made before the deadline of 21 November 2022.

**MM30/22 ELECTION OF COUNCILLOR JUSTIN LI – WEST WARD BY
ELECTION – Mayor, Councillor Jordan Lane**

RESOLUTION:

That Councillor-elect Justin Li be congratulated on his election to Council as a West Ward Councillor, and a letter be sent to all candidates congratulating them on participating in this important democratic process.

**MM31/22 STRONGER TOGETHER GRANTS PROGRAM – Mayor,
Councillor Jordan Lane**

RESOLUTION:

That Council approach a suitable community organisation/s and make application for funding through the NSW Government Stronger Together Grants Program.

COUNCIL REPORTS

**2 CONFIRMATION OF MINUTES – Council Meeting held on 27
September 2022**

RESOLUTION:

That the Minutes of the Council Meeting 12/22, held on 27 September 2022 be confirmed.

Minutes of the Council Meeting No. 13/22, dated 25 October 2022.

ITEM 3 (continued)

ATTACHMENT 1

3 2021/22 DRAFT FINANCIAL STATEMENTS

RESOLUTION:

- (a) That the Mayor, Deputy Mayor, Chief Executive Officer and the Responsible Accounting Officer sign the 'Statement by Councillors and Management' for both the General Purpose and Special Purpose Financial Statements, as contained in the 2021/22 Draft Financial Statements, pursuant to Section 413 (2)(c) of the Local Government Act 1993.
- (b) That upon receiving the Auditor's Reports:-
 - a copy of the Audited Financial Statements be submitted to the Office of Local Government in accordance with Section 417 (5) of the Local Government Act 1993; and
 - the Audited Financial Statements be reported to Council at the next available Council meeting being 22 November 2022 and that public notice be given in accordance with Section 418 of the Local Government Act 1993.

4 CHIEF EXECUTIVE OFFICER'S DELEGATION AND (2) INTERFACE AND DAY TO DAY OVERSIGHT OF THE CHIEF EXECUTIVE OFFICER BY THE MAYOR INCLUDING THE MAYOR'S ROLES AND RESPONSIBILITIES

RESOLUTION:

- (a) That in accordance with Section 380 of the *Local Government Act 1993*, Council confirms that the delegation (**ATTACHMENT 2**) be granted to the Chief Executive Officer for the next term of office for the Council.
- (b) That Council adopt the Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor's Roles and Responsibilities Policy – October 2022 (**ATTACHMENT 3**).

5 REVIEW OF CODE OF CONDUCT POLICY DOCUMENTS

RESOLUTION:

- (a) That Council rescind the *Code of Conduct – Policy*.
- (b) That Council adopt the updated *Code of Conduct – Standards of Conduct* and the updated *Code of Conduct – Complaints Procedure*.

Minutes of the Council Meeting No. 13/22, dated 25 October 2022.

ITEM 3 (continued)

ATTACHMENT 1

6 COUNCILLOR AND STAFF INTERACTION POLICY

RESOLUTION:

That Council adopt the Councillor and Staff Interaction Policy – October 2022 (**ATTACHMENT 3**).

7 ANNUAL DISCLOSURE OF PECUNIARY INTERESTS FOR THE PERIOD OF 1 JULY 2021 TO 30 JUNE 2022

RESOLUTION:

That the Register of Pecuniary Interest Disclosures is tabled as required under Clause 4.25 of the *City of Ryde Code of Conduct – Standards of Conduct*.

11 TRAFFIC AND PARKING MATTERS APPROVED BY THE RYDE TRAFFIC COMMITTEE MEETING – SEPTEMBER 2022

RESOLUTION:

That Council endorses the following Ryde Traffic Committee recommendations from the meeting held in September 2022:

(A) PEARSON STREET, GLADESVILLE - NO PARKING ZONES

Due to the lack of community support, the Ryde Traffic Committee recommends that:

- a) No changes be made to on-street parking on Pearson Street between Victoria Road and Ashburn Place, Gladesville.

(B) ST. ANNES STREET, RYDE - CHANGE TO PARKING RESTRICTIONS

The following changes be made on St. Annes Street, Ryde:

- a) A 6-metre-long unrestricted parking space be converted to a 15-minute restricted parking at the property frontage of 5 St Annes Street, Ryde.
- b) The existing “No Stopping” zone across the driveway servicing no. 5 St Annes Street be replaced with “No Parking” signage.

(C) COBHAM LANE, MELROSE PARK - NO PARKING RESTRICTIONS

The following changes be made on Cobham Lane, Melrose Park:

- a) A 72m long section of “No Parking” restrictions be installed on the southern side of Cobham Lane between the existing No Stopping zones at Cobham Avenue and Wharf Road.

Minutes of the Council Meeting No. 13/22, dated 25 October 2022.

ITEM 3 (continued)

ATTACHMENT 1

(D) SOBRAON ROAD, MARSFIELD - NO STOPPING RESTRICTIONS

The following changes be made on Sobraon Road, Marsfield:

- a) The existing "No Stopping" zone on the western side of Sobraon Road to the immediate south of its intersection with Zanco Road be extended by 10 metres,
- b) A Giveaway hold line be installed on Zanco Road at its intersection with Sobraon Road, Marsfield,
- c) The "No Stopping" zones on Sobraon Road to the immediate north and south of Zanco Road be supplemented with dividing barrier (BB) centrelines to reinforce the "No Stopping" restrictions.

(E) RYEDALE ROAD, WEST RYDE - EXISTING BUS ZONE LENGTH

The following changes be made on Ryedale Road, West Ryde:

- a) The "1P 8am-6pm Mon-Sun and Public Holidays' on the western side of Ryedale Road, West Ryde be extended by 10 metres to replace the existing bus zone.

INFORMATION REPORT

12 REPORT FOR THE INFORMATION OF COUNCIL – INVESTMENT REPORT AS AT 30 SEPTEMBER 2022

Note: An Information Report was presented to Council.

NOTICES OF MOTION

1 RYDE PARK PLAYGROUND SAFETY ISSUES AND INSTALLING FITNESS EQUIPMENT – Deputy Mayor, Councillor Sarkis Yedelian OAM

Note: Councillor Yedelian OAM tabled an online petition with 416 signatures in relation to this Item.

RESOLUTION:

- (a) That Council investigate, identify and rectify safety related issues at the Ryde Park Playground.

ITEM 3 (continued)

ATTACHMENT 1

- (b) That staff prepare a report identifying potential funding sources to install and repair the existing playground equipment and rubber softfall.
- (c) That this report include consideration for the installation of outdoor fitness equipment for all ages in a suitable location within Ryde Park.

**4 MANAGEMENT OF COMPANION ANIMALS IN THE CITY OF RYDE –
Councillor Roy Maggio**

RESOLUTION:

- (a) That Council notes the rise in dog ownership across the Ryde Local Government Area (LGA), Council's significant investment in local dog parks and infrastructure, and the role of local government in facilitating responsible dog ownership.
- (b) That Council acknowledges the risk that untrained or poorly socialised dogs can present to the community, including attacks on other dogs or people.
- (c) That Council investigates the implementation of four (4) free puppy classes for dog owners in this Council term to encourage responsible dog ownership and brings back a report to Council which includes costs and also investigates the feasibility of providing this service in partnership with authorised local dog training providers.
- (d) That Council undertakes a review of signage across the LGA to maximise community awareness about designated dog areas.
- (e) That Council investigates the installation of signage in areas frequented by dogs to promote dog ownership responsibilities and provides a report back to Council.
- (f) That Council undertakes a review of the effectiveness of ranger patrols of designated dog areas in promoting responsible dog ownership.
- (g) That Council staff provide advice back to Council about Council's role in educating the community about responsible pet ownership.
- (h) That Council review its policies for Companion Animal ownership to ensure they contribute to responsible pet ownership in the LGA.

ITEM 3 (continued)

ATTACHMENT 1

5 AMENDMENT TO PART 8 OF THE COUNCIL'S CODE OF MEETING PRACTICE – ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS – Councillor Roy Maggio

RESOLUTION:

(a) That Council amend Part 8 of the Code of Meeting Practice – Order of Business for Ordinary Council Meetings to include Condolences and Acknowledgments so that Councillors may bring Condolence Motions and Acknowledgements for the local community before the Council Meeting.

(b) That Council amend Clause 8.1 of the Code of Meeting Practice to read as follows:-

8.1 The General Order of Business for an Ordinary Meeting of Council shall be:-

- (a) Opening Meeting
- (b) Acknowledgement of Country and Opening Statements (including notice of webcasting)
- (c) Prayer
- (d) National Anthem
- (e) Apologies / Requests for Leave of Absence
- (f) Disclosures of Interest
- (g) Condolences and Acknowledgements (if required)
- (h) Tabling of Petitions (if required)
- (i) Written Submissions from the Public
- (j) Items Put Without Debate (Considered by Exception)
- (k) Mayoral Minutes
- (l) Confirmation of Minutes from Previous Meetings
- (m) Reports to Council
- (n) Precis of Correspondence
- (o) Notices of Motion
- (p) Notice of Rescission (if required)
- (q) Urgent Items as submitted by the Mayor
- (r) Questions by Councillors as per Policy
- (s) Consideration of any business in Closed Session
- (t) Conclusion of the Meeting

(c) That Council considers the above amendments to Council's Code of Meeting Practice as set out in parts (a) and (b) above to not be substantial amendments and accordingly public exhibition is not required.

ITEM 3 (continued)

ATTACHMENT 1

**6 MEADOWBANK / MELROSE PARK TRAFFIC ASSESSMENT –
Councillor Bernard Purcell**

RESOLUTION:

- (a) That staff report back to Councillors on the outcomes of the main Meadowbank Traffic and Transport Study (and the supplementary study, which is currently in progress), following the completion of all parts of the study.
- (b) That staff undertake relevant community consultation with respect to the measures/improvements identified from the Meadowbank Traffic and Transport Study and other assessments within the area bound by Victoria Road to the north, Wharf Road to the west, Adelaide Street to the east and Andrew Street to the south.
- (c) That staff report back to Council on the outcomes of part (b) within the next six (6) months.

**7 INITIATE CONSULTATION REGARDING PARRAMATTA LIGHT RAIL
STAGE 2 – WARATAH STREET BRIDGE – Councillor Bernard Purcell**

RESOLUTION:

- (a) That the City of Ryde Chief Executive Officer, initiate an open and transparent dialogue with Transport for NSW, and all relevant State Government bodies, to ensure that the residents of this precinct in Ryde are having due and proper input into a development that is affecting them directly.
- (b) That staff report back to Council on the outcomes of the discussions and consultation within the next six (6) months.

**9 COMMERCIAL BUILDING IN LONG TERM STATE OF DISREPAIR AT
144 COX'S ROAD, NORTH RYDE – Councillor Penny Pedersen**

RESOLUTION:

- (a) That Council note:-
 - (i) The commercial building at 144 Cox's Road, North Ryde has been in a state of disrepair for many years; has recently been the subject of court proceedings and that the case was found in Council's favour.
 - (ii) That the building has been the subject of numerous orders and our community are concerned that nothing is being done to force the owner to make the building secure from rodents, pests and vandals.

Minutes of the Council Meeting No. 13/22, dated 25 October 2022.

ITEM 3 (continued)

ATTACHMENT 1

- (iii) Many residents and businesses complain that the state of the building is undermining the business centre as a desirable place to shop, dine and socialise.
- (b) That staff bring back a report to Council on:-
 - (i) The steps they are taking/have taken to help the owner make this building safer and/or more fit for purpose.
 - (ii) The steps that have been taken to encourage the owner to build a compliant building that fits with the current Local Environment Plan, development controls, that will benefit the local community and be more aesthetically pleasing to users and local residents.
 - (iii) What can be done to force owners of buildings in disrepair to fix the buildings, so they do not become unsafe, aesthetically unappealing and undermine residents amenity or the success of neighbouring business.

10 ACCESS FOR WHEELCHAIRS AND LESS MOBILE ATTENDEES AT THE CORK AND FORK – Councillor Penny Pedersen

RESOLUTION:

- (a) That Council notes that the Cork and Fork Festival has become an enjoyable and well attended event which is held in parks and grassed areas, where soft surfaces can make access difficult for wheelchair users and those with mobility issues.
- (b) That Council staff supply a report to the Councillor Information Bulletin outlining a plan:-
 - (i) To make the next Cork and Fork and all other annual Council events in parks, more accessible for those using wheelchairs, walkers and mobility aids.
 - (ii) To provide more dedicated parking that is close to the event for attendees requiring mobility aids.

12 KOREAN WAR MEMORIAL GARDEN AT MEMORIAL PARK, MEADOWBANK – Councillor Daniel Han

RESOLUTION:

- (a) That Council investigate the feasibility of completion of Korean War Memorial Park inside the Memorial Park in Meadowbank before June 2023.
- (b) That Council liaise with the Korean Memorial Garden working group to investigate appropriate funding sources.

Minutes of the Council Meeting No. 13/22, dated 25 October 2022.

ITEM 3 (continued)

ATTACHMENT 1

COUNCIL REPORTS

13 COUNCIL OPERATIONAL WASTE DISPOSAL CONTRACT

RESOLUTION:

That, pursuant to Section 55(3)(i) of the Local Government Act 1993 and having regard to the information put before it, Council is satisfied that there are extenuating circumstances to except procurement of Operations waste disposal services from tendering requirements for 12 months, to allow Council to prepare for and go to market for the services.

14 EXEMPTION FROM TENDER – TECHNOLOGY ONE TRANSITION TO SAAS DELIVERY

RESOLUTION:

- (a) That Council receive and note the report.
- (b) That in accordance with Section 55(3)(i) of the *Local Government Act 1993*, Council authorise the Chief Executive Officer or their representative to negotiate directly with Technology One to enter into a contract for the provision of contracted software within their SaaS platform.
- (c) That the costs associated with the change in delivery be reported to Council through the relevant quarterly budget review report.

MATTER OF URGENCY

Councillor Yedelian OAM advised the meeting that he wished to raise a Matter of Urgency regarding \$50 million boost to tackle potholes as part of the Fixing Local Roads Pothole Repair Round, the time being 6.20pm.

The Mayor, Councillor Lane accepted this matter as an Urgent Item.

RESOLUTION: (Moved by Councillors Yedelian OAM and Pedersen)

That Council consider a Matter of Urgency, raised by Councillor Yedelian OAM, regarding \$50 million boost to tackle potholes as part of the Fixing Local Roads Pothole Repair Round.

Record of Voting:

For the Motion: Unanimous

Minutes of the Council Meeting No. 13/22, dated 25 October 2022.

ITEM 3 (continued)

ATTACHMENT 1

MATTER OF URGENCY – 50 MILLION BOOST TO TACKLE POTHOLE AS PART OF THE FIXING LOCAL ROADS POTHOLE REPAIR ROUND

RESOLUTION: (Moved by Councillors Yedelian OAM and Pedersen)

That the Chief Executive Officer write to the Minister for Local Government, the Hon. Wendy Tuckerman, seeking her assistance in making the Fixing Local Roads Pothole Repair Grant available to all NSW Councils, including those in metropolitan Sydney.

Record of Voting:

For the Motion: Unanimous

MAYORAL MINUTES

MM28/22 DEATH OF FORMER COUNCILLOR - CONNIE NETTERFIELD - Mayor, Councillor Jordan Lane

RESOLUTION: (Moved by the Mayor, Councillor Lane)

- (a) That Council acknowledge the passing of former Councillor Connie Netterfield.
- (b) That Council observe a minute's silence as a mark of respect.

Record of Voting:

For the Motion: Unanimous

Note: A one minute silence was the observed by the meeting.

MM29/22 GREENING OUR CITY - APPLICATION FOR GRANT - Mayor, Councillor Jordan Lane

Note: This Item was dealt with earlier in the meeting as detailed in these Minutes.

MM30/22 ELECTION OF COUNCILLOR JUSTIN LI – WEST WARD BY ELECTION – Mayor, Councillor Jordan Lane

Note: This Item was dealt with earlier in the meeting as detailed in these Minutes.

MM31/22 STRONGER TOGETHER GRANTS PROGRAM – Mayor, Councillor Jordan Lane

Note: This Item was dealt with earlier in the meeting as detailed in these Minutes.

Minutes of the Council Meeting No. 13/22, dated 25 October 2022.

ITEM 3 (continued)

ATTACHMENT 1

COUNCIL REPORTS

2 CONFIRMATION OF MINUTES - Council Meeting held on 27 September 2022

Note: This Item was dealt with earlier in the meeting as detailed in these Minutes.

3 2021/22 DRAFT FINANCIAL STATEMENTS

Note: This Item was dealt with earlier in the meeting as detailed in these Minutes.

**4 (1) CHIEF EXECUTIVE OFFICER'S DELEGATION AND
(2) INTERFACE AND DAY TO DAY OVERSIGHT OF THE CHIEF EXECUTIVE
OFFICER BY THE MAYOR INCLUDING THE MAYOR'S ROLES AND
RESPONSIBILITIES POLICY**

Note: This Item was dealt with earlier in the meeting as detailed in these Minutes.

5 REVIEW OF CODE OF CONDUCT POLICY DOCUMENTS

Note: This Item was dealt with earlier in the meeting as detailed in these Minutes.

6 COUNCILLOR AND STAFF INTERACTION POLICY

Note: This Item was dealt with earlier in the meeting as detailed in these Minutes.

**7 ANNUAL DISCLOSURE OF PECUNIARY INTERESTS FOR THE PERIOD OF 1
JULY 2021 TO 30 JUNE 2022**

Note: This Item was dealt with earlier in the meeting as detailed in these Minutes.

**8 SUBMISSION TO PLANNING PROPOSAL REVIEW - 146 VIMIERA ROAD,
MARSFIELD (TG MILLNER FIELD)**

Note: A letter from the Department of Planning and Environment dated 24 October 2022 was tabled in relation to this Item and a copy is ON FILE.

Note: Councillor Brown disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that he is a social member of the North Ryde RSL and a member of the Eastwood District Rugby Union Football Club.

Minutes of the Council Meeting No. 13/22, dated 25 October 2022.

ITEM 3 (continued)

ATTACHMENT 1

Note: Councillor Purcell disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that he is a member of the North Ryde RSL.

RESOLUTION: (Moved by Councillors Brown and Yedelian OAM)

(a) That Council reinforce it's previous resolution of 28 June 2022 as follows:

That Council:-

- a) *Recognise the rich history of the TG Millner playing fields in Marsfield, and the vital importance of large open spaces for our local community.*
- b) *Oppose any plans that reduce or diminish the public's access to green space in Ryde.*
- c) *Instruct the Acting General Manager to take any and all steps necessary to help secure this iconic local landmark as green open space in perpetuity.*

(b) That Council endorse the submission attached to this report.

(c) That the submission be forwarded to the Department of Planning and Environment for consideration.

(d) That Council undertake a community awareness campaign to advise our community of the need to retain the TG Millner fields as open space in perpetuity and the City of Ryde's desire to achieve this open space outcome.

(e) That Council write to the Prime Minister, Premier of NSW, the NSW Minister for Planning, the Member for Ryde, the Member for Epping, the Member for Lane Cove, and the Member for Bennelong advising of our position and seeking their commitment or re-affirmation of their support for the retention of this important public recreational open space.

On being put to the meeting, Councillor Maggio abstained from voting and accordingly his vote was recorded Against the Motion.

Record of Voting:

For the Motion: The Mayor, Councillor Lane and Councillors Brown, Deshpande, Han, Lara-Watson, O'Reilly, Pedersen, Purcell, Song and Yedelian OAM

Against the Motion: Councillor Maggio

ITEM 3 (continued)

ATTACHMENT 1

9 UPCYCLING, REUSE AND REPAIR CENTRE FOR CITY OF RYDE

RESOLUTION: (Moved by Councillors Pedersen and Purcell)

- (a) That Council acknowledges interest in providing resource recovery solutions to the community.
- (b) That Council defers investigation of establishing an Upcycling, Reuse and Repair space until plans for the community recycling centre progress and we revisit providing a service, inviting interest from third party operators in running a repair room in the council owned facility.
- (c) That in the interim, Council continues to optimise the opportunities available to the community to rehome or repair items as prescribed in the four options in this report.

Record of Voting:

For the Motion: Unanimous

10 ROCKEND COTTAGE - CLASSIFICATION OF LAND TO FACILITATE LEASING

RESOLUTION: (Moved by Councillors Lara-Watson and Deshpande)

- (a) That Council resolves to classify Lot 1 DP 746316 as Operational Land under the *Local Government Act 1993* in accordance with this report.
- (b) That the Mayor of City of Ryde Council write to Nathan of Nathan's Lawns and Gardens thanking them for maintenance of the garden since the previous operators left the building.

Record of Voting:

For the Motion: Unanimous

11 TRAFFIC AND PARKING MATTERS APPROVED BY THE RYDE TRAFFIC COMMITTEE MEETING - SEPTEMBER 2022

Note: This Item was dealt with earlier in the meeting as detailed in these Minutes.

INFORMATION REPORT

12 REPORT FOR THE INFORMATION OF COUNCIL - INVESTMENT REPORT AS AT 30 SEPTEMBER 2022

Note: An Information Report was presented to Council.

ITEM 3 (continued)

ATTACHMENT 1

NOTICES OF MOTION

1 RYDE PARK PLAYGROUND SAFETY ISSUES AND INSTALLING FITNESS EQUIPMENT - Deputy Mayor, Councillor Sarkis Yedelian OAM

Note: This Item was dealt with earlier in the meeting as detailed in these Minutes.

2 FRAMEWORK FOR REPORTING NOTICES OF MOTION - Councillor Shweta Deshpande

MOTION: (Moved by Councillors Deshpande and Lara-Watson)

That Council provide an update on the Notices of Motion and Mayoral Minutes currently outstanding:-

- (i) Introduce a standing agenda item to Council Meetings on a quarterly basis to provide an update on the Notices of Motion and Mayoral Minutes passed under Council meetings.
- (ii) Develop a framework for managing and tracking the Notices of Motion and Mayoral Minutes currently under progress.
- (iii) Structure regular catchups to meet with the relevant Councillor to understand and have an ongoing dialogue to uncover the context for any roadblocks holding back fulfilment of projects.
- (iv) Back date this from the commencement of this term.

AMENDMENT: (Moved by Councillors Pedersen and Purcell)

That staff conduct a workshop for all Councillors:-

- (a) on how outstanding reports are compiled and reported at present; how much work is involved in preparing reports and how long they take to prepare.
- (b) explain why some projects take some time and why some resolutions might be outstanding.

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

Record of Voting:

For the Amendment: Councillors O'Reilly, Pedersen, Purcell and Song

Against the Amendment: The Mayor, Councillor Lane and Councillors Brown, Deshpande, Han, Lara-Watson, Maggio and Yedelian OAM

Minutes of the Council Meeting No. 13/22, dated 25 October 2022.

ITEM 3 (continued)

ATTACHMENT 1

RESOLUTION: (Moved by Councillors Deshpande and Lara-Watson)

That Council provide an update on the Notices of Motion and Mayoral Minutes currently outstanding:-

- (i) Introduce a standing agenda item to Council Meetings on a quarterly basis to provide an update on the Notices of Motion and Mayoral Minutes passed under Council meetings.
- (ii) Develop a framework for managing and tracking the Notices of Motion and Mayoral Minutes currently under progress.
- (iii) Structure regular catchups to meet with the relevant Councillor to understand and have an ongoing dialogue to uncover the context for any roadblocks holding back fulfilment of projects.
- (iv) Back date this from the commencement of this term.

Record of Voting:

For the Motion: The Mayor, Councillor Lane and Councillors Brown, Deshpande, Han, Lara-Watson, Maggio and Yedelian OAM

Against the Motion: Councillors O'Reilly, Pedersen, Purcell and Song

3 ILLEGAL DUMPING OF RUBBISH ON STREETS ACROSS THE CITY OF RYDE - Councillor Roy Maggio

MOTION: (Moved by Councillors Maggio and Yedelian OAM)

- (a) That Council notes the fluctuations in reports of illegal dumping on residential streets across the City of Ryde particularly following recent wet weather, and the ongoing impacts of COVID-19 on Council services.
- (b) That Council acknowledges Council's free booked clean up service provides a flexible, efficient and environmentally beneficial service for residents.
- (c) That Council staff as soon as possible, undertakes a comprehensive and targeted education campaign to tackle illegal dumping of rubbish on streets across the City of Ryde - with information on a prominent page in City of Ryde local media, social media and on the council website, stickers and decals on Council trucks and vehicles - focused on:-
 - (i) How to use the booked clean up service;
 - (ii) How to report illegal dumping;

ITEM 3 (continued)

ATTACHMENT 1

- (iii) Local opportunities to reuse, swap and share, including online groups, resale platforms and local reuse organisations; and
- (iv) The financial, social and environmental cost to the community of illegal dumping.
- (d) That Council, as part of its education campaign, engages with real estate agents to provide information to tenants or owners who are relocating about the booked clean up service and engages with strata committees to better manage collections.
- (e) That Council increases patrols of dumping hotspots.
- (f) That Council increases and employs Council's social media budget for the purpose of promoting core services that benefit the local community.
- (g) That the items listed above be funded from the Domestic Waste Reserve.

AMENDMENT: (Moved by Councillors Pedersen and Purcell)

- (a) That Council notes the fluctuations in reports of illegal dumping on residential streets across the City of Ryde particularly following recent wet weather, and the ongoing impacts of COVID-19 on Council services.
- (b) That Council acknowledges Council's free booked clean up service provides a flexible, efficient and environmentally beneficial service for residents.
- (c) That Council staff bring back a report as soon as possible, outlining:-
 - i. The recent past, current and future targeted education campaigns that are aimed at tackling illegal dumping of rubbish on streets across the City of Ryde with recommendations for any additional education that might be required in local media and social media.
 - ii. Further Opportunities to display decals on Council trucks and vehicles focused on:-How to use the booked clean up service; How to report illegal dumping; Local opportunities to reuse, swap and share, including online groups, resale platforms and local reuse organisations; and
 - iii. The financial, social and environmental cost to the community of illegal dumping.
 - iv. Current engagement with real estate agents to provide information to tenants or owners who are relocating about the booked clean up service and engages with strata committees to better manage collections and recommended opportunities for the future.

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ITEM 3 (continued)

ATTACHMENT 1

- (d) A description of current patrols and opportunities to increase patrols of dumping hotspots.
- (e) Identifies a source of funding for social media advertising for the purpose of promoting waste education and current services.

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

Record of Voting:

For the Amendment: Councillors O'Reilly, Pedersen, Purcell and Song

Against the Amendment: The Mayor, Councillor Lane and Councillors Brown, Deshpande, Han, Lara-Watson, Maggio and Yedelian OAM

RESOLUTION: (Moved by Councillors Maggio and Yedelian OAM)

- (a) That Council notes the fluctuations in reports of illegal dumping on residential streets across the City of Ryde particularly following recent wet weather, and the ongoing impacts of COVID-19 on Council services.
- (b) That Council acknowledges Council's free booked clean up service provides a flexible, efficient and environmentally beneficial service for residents.
- (c) That Council staff as soon as possible, undertakes a comprehensive and targeted education campaign to tackle illegal dumping of rubbish on streets across the City of Ryde - with information on a prominent page in City of Ryde local media, social media and on the council website, stickers and decals on Council trucks and vehicles - focused on:-
 - (i) How to use the booked clean up service;
 - (ii) How to report illegal dumping;
 - (iii) Local opportunities to reuse, swap and share, including online groups, resale platforms and local reuse organisations; and
 - (iv) The financial, social and environmental cost to the community of illegal dumping.
- (d) That Council, as part of its education campaign, engages with real estate agents to provide information to tenants or owners who are relocating about the booked clean up service and engages with strata committees to better manage collections.

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ITEM 3 (continued)

ATTACHMENT 1

- (e) That Council increases patrols of dumping hotspots.
- (f) That Council increases and employs Council's social media budget for the purpose of promoting core services that benefit the local community.
- (g) That the items listed above be funded from the domestic waste reserve.

Record of Voting:

For the Motion: Unanimous

4 MANAGEMENT OF COMPANION ANIMALS IN THE CITY OF RYDE - Councillor Roy Maggio

Note: This Item was dealt with earlier in the meeting as detailed in these Minutes.

5 AMENDMENT TO PART 8 OF COUNCIL'S CODE OF MEETING PRACTICE - ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS - Councillor Roy Maggio

Note: This Item was dealt with earlier in the meeting as detailed in these Minutes.

6 MEADOWBANK / MELROSE PARK TRAFFIC ASSESSMENT - Councillor Bernard Purcell

Note: This Item was dealt with earlier in the meeting as detailed in these Minutes.

7 INITIATE CONSULTATION REGARDING PARRAMATTA LIGHT RAIL STAGE 2 - WARATAH STREET BRIDGE - Councillor Bernard Purcell

Note: This Item was dealt with earlier in the meeting as detailed in these Minutes.

8 FEES AND CHARGES INCREASE - GLEN STREET PARKING - Councillor Bernard Purcell

RESOLUTION: (Moved by Councillors Purcell and Maggio)

- (a) That the City of Ryde assess the significant increase of the Glen Street annual parking permits and find a reasonable alternative in consultation with business owners of the Eastwood shopping district.

Minutes of the Council Meeting No. 13/22, dated 25 October 2022.

ITEM 3 (continued)

ATTACHMENT 1

- (b) That should an alternative be identified, the difference in annual fees already paid should be returned retrospectively.
- (c) That staff report back to Council on the outcomes of the consultation and fee reduction by the end of 2022.

Record of Voting:

For the Motion: Unanimous

9 COMMERCIAL BUILDING IN LONG TERM STATE OF DISREPAIR AT 144 COX'S ROAD, NORTH RYDE - Councillor Penny Pedersen

Note: This Item was dealt with earlier in the meeting as detailed in these Minutes.

10 ACCESS FOR WHEELCHAIRS AND LESS MOBILE ATTENDEES AT CORK AND FORK - Councillor Penny Pedersen

Note: This Item was dealt with earlier in the meeting as detailed in these Minutes.

11 REINVIGORATING SISTER CITIES RELATIONSHIP TO SUPPORT MACQUARIE PARK INNOVATION DISTRICT - Councillor Daniel Han

Note: Councillor Maggio left the meeting at 7.40pm and did not return. He was not present for voting on this Item.

RESOLUTION: (Moved by Councillors Han and Song)

That to reinvigorate sister city relationships with South Korea and ROC (Taiwan) to support Macquarie Park Innovation District Council:-

- (i) Drafts a new Policy to provide an agreed framework for the establishment and management of relationships with cities that includes the establishment of committees for interested Councillors to progress sister city opportunities for the City of Ryde.
- (ii) Invites expressions of interest from Councillors to participate in a committee to progress a sister city relationship with South Korea and the Republic of China (Taiwan).
- (iii) The first meeting of the committee to be held before the Ordinary Council meeting in December 2022.

ITEM 3 (continued)

ATTACHMENT 1

- (iv) The City of Ryde staff organise a morning tea with the Director-General of the Republic of China (Taiwan) and a photo opportunity for interested Councillors to take place in the Council Chambers in 2022, with the morning tea to be funded from the Mayoral budget.
- (v) That an online conference call be organised with sister city Jongno-gu delegates from South Korea to celebrate the 3rd year anniversary of sister city agreement in November 2022.

Record of Voting:

For the Motion: Unanimous

**12 KOREAN WAR MEMORIAL GARDEN AT MEMORIAL PARK, MEADOWBANK
- Councillor Daniel Han**

Note: This Item was dealt with earlier in the meeting as detailed in these Minutes.

COUNCIL REPORTS

13 COUNCIL OPERATIONAL WASTE DISPOSAL CONTRACT

Note: This Item was dealt with earlier in the meeting as detailed in these Minutes.

**14 EXEMPTION FROM TENDER - TECHNOLOGY ONE TRANSITION TO SAAS
DELIVERY**

Note: This Item was dealt with earlier in the meeting as detailed in these Minutes.

The meeting closed at 7.41pm.

CONFIRMED THIS 22ND DAY OF NOVEMBER 2022

Chairperson

Minutes of the Council Meeting No. 13/22, dated 25 October 2022.

4 ADOPTION OF THE 2021/22 FINANCIAL STATEMENTS

Report prepared by: Chief Financial Officer

File No.: GRP/22/48 - BP22/876

REPORT SUMMARY

The purpose of this report is to present the audited 2021/22 Financial Statements, together with the Auditor's Reports in accordance with Section 419 (1) of the Local Government Act 1993. Council's external auditors will be available for questions during the discussion of this item.

Public notice was provided to the community that the 2021/22 Financial Statements will be presented to Council on 22 November 2022. At the time of writing this report, there have been no public submissions received by Council.

In accordance with Section 420 of the *Local Government Act* 1993, submissions relating to the Financial Statements will be received up to 29 November 2022, being seven days after 22 November 2022 Ordinary Council meeting. Any submissions received will be referred to the auditor in accordance with the Act.

RECOMMENDATION:

- (a) That in accordance with Section 419 (1) of the *Local Government Act* 1993, Council receive and note the Auditor's Reports on the 2021/22 Annual Financial Statements for the year ended 30 June 2022.
- (b) That any public submissions about the 2021/22 Financial Statements be referred to the Auditor in accordance with Section 420 of the *Local Government Act* 1993.

ATTACHMENTS

- 1 Annual Financial Statements 2021/22 - CIRCULATED UNDER SEPARATE COVER

Report Prepared By:

Aneesh Zahra
Chief Financial Officer

Report Approved By:

Mark Eady
General Manager - Business and Operations

ITEM 4 (continued)

Discussion

Council's Financial Statements, which includes the Auditor's Reports for 2021/22 have been completed and is provided for in **ATTACHMENT 1 - CIRCULATED UNDER SEPARATE COVER.**

The 2021/22 Financial Statements are now formally presented as required by Section 419 of the *Local Government Act 1993*.

The External Auditors have issued an 'unqualified audit opinion' in the Audit Report.

Council, at its meeting of 25 October 2022, resolved to endorse the draft 2021/22 Financial Statements for the year ended 30 June 2022. The Audit Office of NSW have since provided Council with their Auditor's Reports which are now included in the 2021/22 Financial Statements. These were submitted to the Office of Local Government on 31 October 2022, meeting the statutory deadline of 31 October 2022.

The Financial Statements have been placed on public exhibition since 9 November 2022 and are currently open for public comment (submissions). In accordance with Section 420 of the *Local Government Act 1993*, submissions relating to the Financial Statements will be received up to 29 November 2022, being seven days after the November Ordinary Council meeting.

All submissions will be considered by Council and referred to its External Auditors in accordance with the *Local Government Act 1993*. No public submissions had been received at the time of writing this report.

Financial Implications

Adoption of the recommendation will have no financial impact.

5 SEPTEMBER QUARTERLY BUDGET REVIEW AND OPERATIONAL PLAN PROGRESS REPORT

Report prepared by: Chief Financial Officer
File No.: FIM/22/59/1 - BP22/865

REPORT SUMMARY

The purpose of this report is to review the adopted income and expenditure on a quarterly basis and to consider any variations against the adopted budget as required by the Local Government (General) Regulation 2021 and associated regulations.

Council's financial position is sound and the September 2022 Quarterly Review shows that finances are on track to meet the results forecasted in the revised budget.

The budget variations proposed in this review will not change the projected unrestricted cash of \$7.86m as at 30 June 2023.

The progress of delivery on Councils adopted Delivery Program 2022-26 and Operational Plan 2022-23 is provided within the document **Operational Plan 2022/23 1st Qtr Progress Report** to be published on Councils website.

FINANCIAL HIGHLIGHTS

The following are key financial highlights which demonstrates sustainable financial performance:

- ✓ Unrestricted cash will be maintained at \$7.86 million
- ✓ Projected Infrastructure Spend of \$142.45 million to renew and replace assets
- ✓ Cash & Investments earning above benchmark rates of return
- ✓ Rates and Annual Charges collected on track at 35.66%
- ✓ Debt service ratio well above benchmark
- ✓ Maintaining current levels of service

RECOMMENDATION:

That the proposed budget variations as detailed in **ATTACHMENT 1** to this report be endorsed by Council.

ATTACHMENTS

- 1 September 2022 Quarter Budget Review Statements – CIRCULATED UNDER SEPARATE COVER
- 2 Operational Plan 2022/23 – 1st Quarter Progress Report – WILL BE CIRCULATED UNDER SEPARATE COVER ON 18 NOVEMBER 2022

ITEM 5 (continued)

Report Prepared By:

Aneesh Zahra
Chief Financial Officer

Report Approved By:

Mark Eady
General Manager - Business and Operations

ITEM 5 (continued)

Discussion

To ensure Council is informed of key deliverables and the tracking of these deliverables, the progress report '**Operational Plan 2022/23 1st Qtr Progress Report**' is provided in **ATTACHMENT 2 – CIRCULATED UNDER SEPARATE COVER**. This report addresses the delivery of Council's functions and projects for the quarter period July to September 2022 in accordance with the adopted 2022-26 Delivery Program and 2022-23 Operational Plan. It includes:

- General Manager's Introduction – including financial management and corporate performance overview, providing a 'snapshot' of Council's performance during the quarter.
- Program Summaries – including overview, operational indicators, financial summaries, performance measures and a summarised progress status of all of Council's capital and non-capital projects.

Budget 2022/2023

Council's Operational Plan 2022/2023 was adopted by Council on 28 June 2022.

The original projections on which the budget have been based have been affected by a number of factors. These include the impact of the COVID-19 pandemic. State and Federal decisions, including new grant programs, changing economic activity, environmental factors and decisions made by Council.

The overall budget variations proposed in this review will have no impact on Council's unrestricted cash, which is projected to be \$7.86m as at 30 June 2023.

It is expected that Council will spend a total of \$293.2m this financial year for recurrent expenditure in order to provide a range of essential services to the community and for capital expenditure including loans and leases.

Operating Budget

The original adopted budget forecasted an operating surplus of \$11.0m.

Following the June 2022 budget review, Council adopted carryovers from FY 21/22 and the operating surplus increased to \$17.9m. Variations proposed in this review will result in an operating surplus of \$18.3m, an increase of \$0.4m.

Capital Budget

The original adopted capital works budget including loans and leases was \$111.9m. Carryovers adopted from FY 21/22 \$28.2m and variations proposed in this review will result in a total of \$145.1m, an increase of \$5.0m.

ITEM 5 (continued)

Cash & Investments

As at 30 June 2022 audited financial statements, the total cash and investments held was \$219.9m.

The original budget and carryovers have reduced this projected balance to \$152.1m and this is mainly due to the Ryde Central Project \$43.2m and adopted carryovers \$21.3m.

It is projected that following this budget review, cash & investments will reduce to \$147.4m and this is primarily due to the financial assistance grant received in FY 21/22 which relates to FY 22/23 \$3.0m and reduction in Investment Property Reserve for acquisition of property \$2.4m as per Council Resolution 23 August 2022.

It is anticipated that the unrestricted cash will remain at \$7.86m as at 30 June 2023. Further details regarding externally and internally restricted reserves are provided in Attachment 1.

The table below is a summary of the proposed changes in the September Quarterly Budget Review and details of all movements are in **ATTACHMENT 1 – CIRCULATED UNDER SEPARATE COVER.**

ITEM 5 (continued)

	Original Budget (\$'000)	Carry Over Budget (\$'000)	Approved Budget (\$'000)	YTD Actual (\$'000)	Proposed Changes (\$'000)	Revised Budget (\$'000)	Item
Income Statement							
Income From Continuing Operations							
Rates and annual charges	104,091	-	104,091	103,306	-	104,091	
User charges and fees	18,604	-	18,604	4,215	(774)	17,830	1
Interest and investment revenue	2,400	-	2,400	1,455	3,188	5,588	2
Other Revenue	15,917	-	15,917	5,446	(487)	15,430	3
Grants and Contributions - Operating	5,975	303	6,278	652	(2,377)	3,901	4
Grants and Contributions - Capital	8,136	8,708	16,844	(1,268)	2,534	19,378	5
Gain/(Loss) on Asset Disposal	100	-	100	575	-	100	
Total Income From Continuing Operations	155,222	9,011	164,233	114,382	2,084	166,317	
Expenses from Continuing Operations							
Employee benefits and on-costs	59,441	-	59,441	12,640	123	59,564	6
Borrowing costs	164	-	164	8	-	164	
Material and Contracts	52,486	2,122	54,608	10,076	1,439	56,047	7
Depreciation and Amortisation	25,589	-	25,589	6,568	-	25,589	
Other Expenses	6,539	-	6,539	875	163	6,702	8
Total Expenses From Continuing Operations	144,219	2,122	146,341	30,166	1,725	148,066	
NET OPERATING SURPLUS/(DEFICIT)	11,003	6,889	17,892	84,216	359	18,251	
NET OPERATING SURPLUS/(DEFICIT) before Capital Grants & Contributions	2,867	(1,819)	1,048	85,484	(2,175)	(1,127)	
Funding Statement							
Net Operating Result from above	11,003	6,889	17,892	84,216	359	18,251	
Add back Non-Cash Items:							
- Depreciation and Amortisation	25,589	-	25,589	6,568	-	25,589	
- Gain/(Loss) on Asset Disposal	(100)	-	(100)	(575)	-	(100)	
Funds Available for Capital Expenditure & Transfer to Reserves	36,492	6,889	43,381	90,208	359	43,740	
Movements in Reserves - Transfer (to) / from							
Internally Restricted Reserves							
Internal Reserves for Operational Expenditure	2,401	1,581	3,982	3,982	3,195	7,177	9
Internal Reserves for Capital & Future Expenditure	(17,722)	-	(17,722)	(17,722)	(292)	(18,014)	10
Internally Restricted Reserve Net Movement	(15,321)	1,581	(13,741)	(13,741)	2,903	(10,837)	
Externally Restricted Reserves							
Developer Contributions Reserves	(4,668)	-	(4,668)	(4,668)	(90)	(4,758)	11
Voluntary Planning Agreement	-	112	112	112	-	112	
Domestic Waste Management Reserve	989	33	1,022	1,022	(125)	897	11
Macquarie Park Corridor Special Rate Reserve	(1,456)	-	(1,456)	(1,456)	-	(1,456)	
Stormwater Management Service Charge Reserve	(912)	-	(912)	(912)	-	(912)	
Infrastructure Special Rate Reserve	(13,000)	92	(12,907)	(12,907)	-	(12,907)	
Externally Restricted Reserve Net Movement	(19,047)	238	(18,809)	(18,809)	(215)	(19,025)	
Total Movements in Reserves - Transfer (To) / From	(34,368)	1,819	(32,550)	(32,550)	2,688	(29,862)	
Net Operating Funds after Reserve Movements available for Capital	(2,124)	(8,708)	(10,832)		(3,046)	(13,878)	
NET FUNDING	0	-	0		-	0	
Capital Expenditure and Repayments to Liability							
Capital - Expansion	83,394	22,412	105,806	3,805	5,414	111,220	12
Capital - Renewal	25,857	5,768	31,625	6,923	(392)	31,233	12
Loan Repayment	348	-	348	128	-	348	
Lease Payment	2,301	-	2,301	773	-	2,301	
TOTAL CAPITAL EXPENDITURE AND REPAYMENTS TO LIABILITY	111,900	28,179	140,079	11,630	5,022	145,101	

The following details proposed variations to the budget and have been indexed to the table above:-

Operating Budget

The proposed budget variations will result in a nett increase in **operating income by \$2.08 million** with the main areas being as follows:

1. User Charges and Fees

- \$0.70 million reduction in Parking Meter income due to Macquarie Park not yet returning to pre-COVID levels of activity.
- \$0.15 million additional Hoarding Fees received.
- \$0.15 million reduction in Enforcement Levy as Environmental Enforcement Levy is prohibited by State Government and there is no replacement fee proposed by NSW State Government;

ITEM 5 (continued)

- \$0.12 million reduction in Development Notice and Advertisement income due to the reduction of DA applications.
- \$0.07 million additional Development Application fees in relation to Private Certifiers seeking assessments of future development contributions.
- \$0.06 million reduction in Rock & Ground Anchors fees due to the lower business activities, offset by the reduction of expenditure.
- \$0.04 million additional Stallholder income for Granny Smith Festival Events received, partially offset by additional running costs.

2. Interest and Investment Revenue

\$3.19 million additional investment income earned primarily due to Council's cash reserves balances being higher than anticipated and higher interest rates being offered reflective of recent economic conditions. Of this amount, \$0.09 million relates to Section 7.11 funds and this is proposed to be transferred to S7.11 externally restricted reserve.

3. Other Revenue

- \$0.80 million reduction in Parking Fines due to residual COVID impact and lower than anticipated return of activity in Town Centres, particularly Macquarie Park.
- \$0.26 million additional income as a result of a new agreement for usage of Porters Creek site, offset additional operating expenditure.
- \$0.05 million additional Sponsorship income received for Granny Smith Festival Events, partially offset by additional running costs.
- \$0.01 million additional Leaseback Vehicle income; partially offset additional costs.
- \$0.01 million reduction in Immunisation income. Council will no longer provide this service as it is now being offered by general practitioners.

4. Grants and Contributions – Operating

- \$2.64 million net reduction in Financial Assistance Grant (FAG) as \$2.99 million for 2022/23 FAG received in 2021/22, which were placed into reserve at the end of 2021/22 and \$0.35 million additional grant has been allocated to Council in 2022/23 financial year.
- \$0.10 million additional State Government grant received to fund Gladesville Town Centre Activation Project.
- \$0.09 million additional grant from NSW Department of Communities and Justice received to fund Street Art Graffiti Management Project.
- \$0.05 million additional grant received to fund Greener Neighbourhoods Program project.
- \$0.04 million additional State Library Subsidy and “Tech Savvy Seniors Training for Community” grant received for Library;

ITEM 5 (continued)

- \$0.03 million grant reduction in Immunisation Services Program. Council will no longer provide this service as it is now being offered by general practitioners.
- \$0.02 million additional grant received for 137-143 Wicks Rd State Emergency Services Building related to maintenance and operating costs (eg. security services, cleaning costs etc.).

5. Grants and Contributions – Capital

- \$1.00 million additional grant received to fund Christie Park Masterplan Stage 2 project.
- \$1.00 million additional grant received to fund Meadowbank Park - LH Waud project.
- \$0.49 million additional grant received to fund Putney Beach Activation project.
- \$0.03 million additional 'Get NSW Active Program' grant received to fund Bowden Street Footpath project.
- \$0.02 million additional grant received to fund Planting Trees for the Queen's Jubilee project.

The proposed budget variations will increase **operating expenses by \$1.73 million** with the main areas being as follows:

6. Employee Benefits and On-Costs

- \$0.14 million reduction in Immunisation Services Program. Council will no longer provide this service as it is now being offered by general practitioners.
- \$0.12 million additional funding for new Civil Engineer position created for the implementation of the contract infrastructure including review of designs, site visits, project management of the contractor for bus shelter sites.
- \$0.08 million additional funding for a temporary 12 months Planning Portal Coordinator position.
- \$0.06 million additional funding for changing Heritage Policy Officer Position from part time to full time, partially offset by the reduction of consultant fees budget.
- \$0.02 million additional funding for Granny Smith Festival Events to cover staff expenses for operations, customer service and casual staff, offset by reduction of Neighbourhood Events budget.
- \$0.02 million reduction in Environmental Administration and savings to be transferred to Biosecurity Officer project.

7. Material and Contracts

- \$0.43 million additional funding for Bi-Election as per Council Resolution dated on 27 September 2022. It is recommended to be funded from general fund due to operating surplus results from this quarter.

ITEM 5 (continued)

- \$0.26 million additional funding required for the setup of Porters Creek site to be used for future lease agreement in relation to Porters JV Agreement, offset by additional income received.
- \$0.14 million additional funding for Live Music Strategy Program as per Council Resolution dated on 23 August 2022.
- \$0.14 million increase in Maintenance & Planned Upgrades Program and \$0.04 million increase in Technology Security Operations Program. This is the reclassification of ICT budget from capital to operation to align with Accounting Standards and will have no net impact on Council's budget.
- \$0.10 million additional funding for Gladesville Town Centre Activation Project, offset by additional grant received.
- \$0.09 million additional funding for Street Art Graffiti Management Project, offset by additional grant received.
- \$0.07 million additional funding for Granny Smith Festival Events due to increased costs related to provision of infrastructure, offset by additional income received.
- \$0.06 million reduction in Development Management OPEX Program due to reduction in hours for contractor labour agency hire, offset by reduction in fees for Rock & Ground Anchors.
- \$0.05 million additional funding required for consultant fees in relation to strategic property review.
- \$ 0.05 million additional funding for Greener Neighbourhoods Program project, offset by additional grant received.
- \$0.04 million additional funding required to meet change in market costs offset by increase in State Library Subsidy.
- \$0.04 million additional funding required for Additional Household Chemical Cleanout Event 2022 Events as per Council resolution 22 March 2022 to undertake an additional household chemical cleanout event, proposed to be funded Domestic Waste Reserve.
- \$0.04 million additional funding required for 3 additional staff leaseback vehicles partially offset by leaseback income.
- \$0.03 million reduction for Waste Wise Ryde -Towards Zero Waste project, as this project is proposed to be deferred until 2023/2024 financial year and resources to be reallocated towards Household Chemical Cleanout project, proposed to be transferred back to Domestic Waste Reserve.
- \$0.02 million additional funding for FIFA Men and Women's World Cup 2022/2023 Program as per Council Resolution 27 September 2022.
- \$0.02 million reduction in membership fees for Independent Hearing Assessment Program.
- \$0.02 million additional funding required due to legal expenses that are not recoverable from community groups, tenant company and leases of Crown Land Reserves.
- \$0.02 million additional funding for Biosecurity and Natural Areas Monitoring Officer project, offset by savings generated from Environment Administration Program.

ITEM 5 (continued)

- \$0.02 million additional operating expenditure related to maintenance and operating costs for SES Building, offset by additional grant received.
- \$ 0.02 million reduction in consultant fees for Heritage – Policy, partially offset by increasing budget for employee costs.
- \$0.01 million additional funding required for Library Courier Service. This is due to price increases as per the new Council Courier Contract.
- \$0.01 million reduction in Graffiti Register license fees.

8. Other Expenses

- \$0.13 million additional funding for Emergency Services Levies.
- \$0.03 million additional funding required for Heritage Grant Scheme Program to fund additional grants issued as per Council approval, proposed to be funded by Heritage Reserve.
- \$0.01 million reduction as a result of decrease in the number of Neighbourhood Events held and savings to be transferred to Granny Smith Festival Events.

It is proposed to increase the **net transfers from reserves by \$3.76 million** with the main areas being as follows:

9. Internally Restricted Reserves used for Operations

- \$2.99 million increase from Financial Assistance Grant Reserve as 2022/2023 Financial Assistance Grant received in 2021/22 Financial Year.
- \$0.18 million increase from Assets Replacement Reserve for Maintenance & Planned Upgrades Program and Security Operations Program. This is the reclassification of ICT budget from Capital to operation to align with Accounting Standards and will have no net impact on Council's budget.
- \$0.03 million increase from Heritage Reserve to fund additional grants issued in Heritage Grant Scheme Program.

10. Operating Funding Surplus to be transferred to Internally Restricted Reserves

- \$0.29 million to the new established Legal Reserve to fund future unanticipated legal expenses, as a result of operating surplus generated this budget review.

11. Externally Restricted Reserves

- \$0.14 million reimbursed to Domestic Waste Management Reserve. As per Local Government Act 1993, expenditure incurred has to be directly attributable to domestic waste services provided to residential ratepayers. Home Waste and Resilience Program (\$0.11 million) and Shop Ryder Community Bus Service Program (\$0.03 million) will now be funded from general fund.

ITEM 5 (continued)

- \$0.09 million additional investment income earned to be transferred to Section 7.11 Reserve.
- \$0.04 million increase from Domestic Waste Management Reserve to fund Additional Household Chemical Cleanout Event 2022 project.
- \$ 0.03 million reimbursed to Domestic Waste Management Reserve as the project Waste Wise Ryde - Towards Zero Waste is proposed to be deferred to FY 23/24.

Capital Budget

The capital budget variations proposed will **increase capital expenses by \$5.02 million**, with the main areas being as follows:

12. Capital Expenditure and Repayments to Liability

- \$2.40 million for acquisition of property as per Council Resolution 23/08/2022, funded from Investment Property Reserve.
- \$1.50 million additional funding for 100-104 Rowe Street Stormwater Drainage Upgrade project, offset by reduction of Eastwood Town Centre Flood Study project.
- \$1.50 million reduction for Eastwood Town Centre Flood Study project and unspent funding to be transferred to 100-104 Rowe Street Stormwater Centre Flood Study project.
- \$1.00 million additional funding for Christie Park Masterplan Stage 2 project funded by additional grant.
- \$1.00 million additional funding for Meadowbank Park - LH Waud project funded by the Greater Sydney Sports Facilities grant.
- \$0.50 million increase for the estimated legal costs related to compulsory acquisition of Blenheim Park.
- \$0.49 million additional funding for Putney Beach Activation project funded by additional grant.
- \$0.48 million reduction due to project Expansion of SUP and enhancement of pedestrian facilities being cancelled. NSW Education Department will be delivering this project and unspent funding to be transferred to the Asset Expansion Reserve;
- \$0.35 million additional funding for Heavy Patching Program, offset by savings from deferred projects Tallwood Avenue and Mitchell Street under Road Resurfacing Renewal Program.
- \$0.29 million additional funding for Glenn Street Car Park Defect Remediation Works, offset by saving from deferred project West Parade (Wingate Avenue - Hillview Road) - Road Resurfacing Renewal.
- \$0.29 million reduction for West Parade (Wingate Avenue - Hillview Road) - Road Resurfacing Renewal. This project is proposed to be deferred and unspent funding to be transferred to Glenn Street Car Park Defect Remediation Works project.

ITEM 5 (continued)

- \$0.27 million reduction for Tallwood Avenue (Bridge Road - North Road) - Road Resurfacing Renewal. This project is proposed to be deferred and unspent funding to be transferred to Heavy Patching Program.
- \$0.24 million additional funding for new project Church Street (Blaxland Road - Gowrie Street), offset by saving from deferred project Marlow Ave and Yarwood Street under Road Resurfacing Renewal Program.
- \$0.22 million reduction for Brush Farm Park - Neighbourhood Playground project. This project is proposed to be deferred and unspent funding to be transferred to Miriam Park and Denistone Park Playgrounds projects.
- \$0.21 million additional funding for Preliminary Eastwood Central Business Case project, offset by saving from deferred project Waring St under Road Resurfacing Renewal.
- \$0.18 million additional funding required for project Miriam Park - Playground Upgrade & Renewal due to rising costs in construction industry and supply chain issues, offset by savings in Brush Farm Park - Neighbourhood Playground project.
- \$0.14 million reduction for project Marlow Avenue (Marlow Lane - Cul De Sac (N)) under Road Resurfacing Renewal, project was completed in 2021-22 and funding will be allocated to Church Street (Blaxland Road - Gowrie Street).
- \$0.14 million reduction for Technology - Security Operations and Planned Upgrades capital project and \$0.04 million reduction for Infrastructure - Cyber Security Ops & Enhancements capital project. This is the reclassification of ICT budget from Capital to operation to align with Accounting Standards and will have no net impact on Council's budget.
- \$0.12 million additional funding required for Arthur Street Kerb Ramp project as per Council Notice of Motion 10/22 26 July 2022, proposed to be funded from Asset Expansion Reserve.
- \$0.12 million reduction for project Marsfield Park - Field 1 & 2 - Surface Renewal under Old Landfill Sites Subsidence Program Renewal due to deferral of sand slit drainage works. This will be reimbursed back to Domestic Waste Reserve.
- \$0.11 million reduction for project Waring Street (Sobraon Road - Cul De Sac (E)) under Road Resurfacing Renewal, as project is proposed to be deferred and unspent funding to be transferred to Preliminary Eastwood Business Case project.
- \$0.10 million additional funding for Wharf Road Boat Ramp - Kayak Launching Platform project as per Council Notice of Motion 8/22 28 June 2022, proposed to be funded from Asset Expansion Reserve
- \$0.10 million reduction for project Waring Street (Alan Bond Place - Sobraon Road) under Road Resurfacing Renewal, as project is proposed to be deferred and unspent funding to be transferred to Preliminary Eastwood Business Case project.
- \$0.10 million reduction for project Yarwood Street (Culloden Road - Karalee Close) under Road Resurfacing Renewal, as project was completed in 2021-22 and unspent funding to be allocated to the Church Street (Blaxland Road - Gowrie Street) new project.

ITEM 5 (continued)

- \$0.10 million reduction for Commercial Building Renewal to be transferred to West Ryde Community Centre project and Rockend Cottage – Banjo Patterson Restaurant project.
- \$0.09 million additional funding for West Ryde Community Centre, offset by saving from Commercial Building Renewal and West Ryde Community Centre - Hydraulic solutions under Corporate Buildings Renewal.
- \$0.08 million reduction for Mitchell Street (Ida Street - Donnelly Street) project under Road Resurfacing Renewal, as project is proposed to be deferred and unspent funding to be transferred to Heavy Patching Program.
- \$0.08 million additional funding for Rockend Cottage Banjo Patterson Restaurant project, offset by saving from Commercial Building Renewal and Operational Building Renewal.
- \$0.08 million additional funding for Flinders Road Footpath Renewal, offset by saving from Denman Street/Brush Road staircase project.
- \$0.08 million reduction for Denman Street/Brush Road staircase project under Footpath Construction Renewal, as project is proposed to be deferred to future years to enable alternate options in construction materials to be explored and unspent funding to be transferred to Flinders Road Footpath Renewal project.
- \$0.08 million additional funding required for variations under project through latent conditions for Blenheim Park - Masterplan Delivery project under Passive Parks Expansion, is proposed to be funded from Asset Replacement Reserve.
- \$0.06 million additional funding for Bidgee Road (Bidgee Park to Garderner Avenue) project under Footpath Construction Expansion, partly funded by saving from Terry Road Project and partly funded by Asset Expansion Reserve.
- \$0.05 million reduction for Operational Building Renewal and unspent funding to be transferred to project Rockend Cottage - Banjo Patterson Restaurant under Commercial Building Renewal.
- \$0.04 million additional funding for project Denistone Park - Neighbourhood under Playground Upgrade & Renewal, offset by the saving for Brush Farm Park - Neighbourhood Playground project.
- \$0.04 million reduction for Terry Road (Ryedale Road - Orchard Street) project under Footpath Construction Expansion, as the project is proposed to be deferred and unspent funding will be partially to be transferred to fund additional cost for Wayella Street and Arras Parade project and partially to be transferred to fund project Bidgee Road project under Footpath Construction Expansion as per Council Notice of Motion 10/22 on 26 July 2022.
- \$0.03 million additional funding for Bowden Street Footpath (Forward Planning) project under Footpath Construction Expansion, offset by additional grant received.
- \$0.02 million additional funding Planting Trees for the Queen's Jubilee project, funded by additional grant received.

ITEM 5 (continued)

- \$0.02 million reduction for West Ryde Community Centre - Hydraulic solutions, as unspent funding to be transferred to West Ryde Community Centre project.
- \$0.01 million additional funding for Electronic Time and Attendance project.
- \$0.01 million additional funding for Wayella Street (Darvall Road - Cul - De - Sac) project under Footpath Construction Expansion, offset by saving from deferring of Terry Road (Ryedale Road - Orchard Street) project.
- \$0.01 million additional funding for Arras Parade (Victoria Road - No. 19) project under Footpath Construction Expansion, offset by saving from deferring of Terry Road (Ryedale Road - Orchard Street) project.

A list of all detailed budget adjustments can be found in **ATTACHMENT 1 – CIRCULATED UNDER SEPARATE COVER** to the report.

Financial Implications

As a result of the 2022 September Quarterly Review, Council's available unrestricted cash is projected to be maintained at \$7.86 million as at 30 June 2023.

Conclusion

The following statement is made in accordance with the Clause 203 of the Local Government (General) Regulations 2021:

"It is in my opinion that the Budget Review Statement for City of Ryde for the period ended 30 September 2022 indicates that the Council's projected financial position as at 30 June 2023 is satisfactory, having regard to the original estimates of income and expenditure".

Aneesh Zahra

Chief Financial Officer
Responsible Accounting Officer

9 November 2022

6 COUNCILLOR EXPENSES AND FACILITIES POLICY - OUTCOMES OF PUBLIC EXHIBITION

Report prepared by: Civic Services Manager

File No.: CLR/07/8/9/6 - BP22/778

REPORT SUMMARY

The 'Councillor Expenses and Facilities Policy', ensures that City of Ryde Councillors have access to reasonable facilities and support to enable them to fulfil their civic duties, while also ensuring accountability, transparency and equity.

The draft Policy, as endorsed by Council on 27 September 2022, was placed on public exhibition, with submissions being accepted between Tuesday, 4 October 2022 and Monday, 31 October 2022. It should be noted that no public submissions were received during the exhibition period.

This report therefore recommends that Council adopt the 'Councillor Expenses and Facilities Policy', as **ATTACHED – CIRCULATED UNDER SEPARATE COVER**.

RECOMMENDATION:

That Council adopt the **ATTACHED** 'Councillor Expenses and Facilities Policy'.

ATTACHMENTS

- 1 Councillor Expenses and Facilities Policy - September 2022 – CIRCULATED UNDER SEPARATE COVER

Report Prepared By:

Amanda Janvrin
Civic Services Manager

Report Approved By:

Giselle Tocher
Manager - Corporate Governance

Graham Pares
Executive Manager - People and Business

ITEM 6 (continued)**Report**

The Councillor Expenses and Facilities Policy aims to ensure that all Councillors have access to the appropriate resources and facilities required to fulfil their civic duties.

This Policy ensures that there is accountability and transparency in the facilities provided to Councillors and the reimbursement of expenses incurred by Councillors in carrying out their civic duties. Under Section 252 of the Local Government Act, Council's Expenses and Facilities Policy must be adopted within 12 months of the commencement of the new Council term, which is by 4 December 2022. Section 253(1) of the Act requires Council to give public notice of its intention to adopt or amend this Policy and to allow at least 28 days for the making of public submissions.

There is no longer a requirement to provide a copy of this Policy to the Office of Local Government.

Discussion

At its meeting held on 27 September 2022, Council considered the draft Councillor Expenses and Facilities Policy and resolved as follows:-

- (a) *That Council endorse the public exhibition of the draft Councillor Expenses and Facilities Policy, as **ATTACHED** for a period of at least 28 days.*
- (b) *That following the exhibition period, a further report be provided to Council detailing any submissions received and seeking the adoption of the draft Councillor Expenses and Facilities Policy.*

Public Exhibition and Call for Submissions

As required by Section 253(1) of the Act, the draft Policy, including the amendments endorsed by Council at its meeting of 27 September 2022, was placed on public exhibition for a minimum of 28 days. Submissions were invited between Tuesday, 4 October 2022 and Monday, 31 October 2022.

It is noted that no public submissions were received during the exhibition period and therefore, it is recommended that the draft Councillor Expenses and Facilities Policy, as **ATTACHED – CIRCULATED UNDER SEPARATE COVER**, be adopted by Council.

ITEM 6 (continued)**Critical Dates**

Under Section 252(1) of the Local Government Act, *“within the first 12 months of each term of a Council, the Council must adopt a Policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the Mayor, the Deputy Mayor (if there is one) and the other Councillors in relation to discharging the functions of civic office”*.

Council is therefore required to adopt the Councillor Expenses and Facilities Policy by 4 December 2022.

Council should be aware that further amendments can be made to the Policy. However, if the amendments are considered to be significant, Council would be required to place the Policy on public exhibition again for a period of 28 days, before it can be adopted.

Financial Implications

Adoption of the recommendation will have no financial impact. Payments of expenses and the provision of facilities are included within Council’s adopted base budget.

7 PROPERTY POLICY - OUTCOMES OF PUBLIC EXHIBITION

Report prepared by: Eastwood Central Commercial Manager
File No.: GRP/22/48 - BP22/844

REPORT SUMMARY

The draft City of Ryde Property Policy was placed on public exhibition, with submissions being accepted from Wednesday, 14 September 2022 until Thursday, 13 October 2022. Public exhibition is now completed with a total of two (2) submissions received.

Following a review of each submission, this report recommends formal adoption of the City of Ryde Property Policy with a small addition to Principle Six (6) as set out in this report.

RECOMMENDATION:

- (a) That Council note the submissions received during the public exhibition period.
- (b) That as public exhibition has concluded, Council adopt the City of Ryde Property Policy, with the inclusion of a new first bullet point being added to those listed in Principle 6, as follows:-

The Community Strategic Plan, the Long-Term Financial Plan and all other key Council documents and policies.

- (c) That both respondents are thanked for their submissions and Council's response is advised to each submitter respectively.

ATTACHMENTS

- 1 City of Ryde Property Policy

Report Prepared By:

Chris Redman
Eastwood Central Commercial Manager

Report Approved By:

Mark Eady
General Manager - Business and Operations

ITEM 7 (continued)**Discussion**

At its meeting held on 23 August 2022, Council considered the draft Property Policy and resolved as follows:-

- (a) *That Council endorse the draft Property Policy to be placed on public exhibition for 28 days to allow submissions to be received.*
- (b) *That at the conclusion of the public exhibition period, should no submissions be received, the document be adopted by Council.*
- (c) *That should any submissions be received during the public exhibition period, a further report is presented to Council outlining these submissions.*

Exhibition of the draft Property Policy

In accordance with the Council resolution from the meeting held on 23 August 2022, the draft Property Policy was placed on public exhibition from Wednesday, 14 September 2022 until Thursday, 13 October 2022.

Council received two (2) submissions in response to the Public Exhibition of the proposed City of Ryde Property Policy (“the Policy”).

Submission 1

The submitter does not object to the Policy, but makes the following points:-

- “There needs to be a much stronger connection made between the Policy, and Council’s overarching strategic documents - including the Community Strategic Plan, and Local Strategic Planning Statement”.
- “These documents should be identified by name, in the Property Policy - and consistency with the documents should be a high-profile component of the Property Management Principles”.
- “The existing Property Management Principle 6 (Strategy Alignment) does not give sufficient prominence to this concept”.

Proposed Response

Principle 6 of the Policy provides significant detail on numerous council initiatives and policies, including Council’s four-year delivery plan cycle (IP & R) and other key issues. It requires that the new Policy aligns with each of these areas.

It does not specifically address the two documents noted above, though each is referenced and listed within the Property Strategy, which flows from the Policy.

ITEM 7 (continued)

Council knows the significance of these documents. But for greater clarity and community information, it is recommended Principle 6 is expanded to include these two key documents, per the proposed addition below.

Recommended Position

A new bullet point is inserted for Principle 6 as shown underlined and in bold text below.

The remainder of Principle 6 is unchanged so that the Policy will now read as follows.

“A four-year Property Strategy will be aligned to Council’s four-year delivery plan cycle (IP & R). It will contain objectives and measures for the four-year period and be and reported on six monthly. It will be a key input into Council’s long-term financial planning.

The Strategy will guide and align property outcomes wherever relevant for Council operations, including:-

- **The Community Strategic Plan, the Local Strategic Planning Statement and all other key Council documents and policies.**
- *All types of operational, administrative, library, community centre, parks, leisure centre, and any of their related infrastructure assets,*
- *Community Land,*
- *Managed Crown Land,*
- *The Property Investment Portfolio (“PIP”),*
- *Affordable Housing,*
- *Section 7-11, 7-12 and Voluntary Planning Agreements,*
- *All master-planning impacting Council owned or managed property (actual or potential),*
- *All property matters reported to Council, and*
- *Private property identified in planning instruments that create a financial liability for Council.”*

Submission 2

A submission objected to the Policy for the following reason.

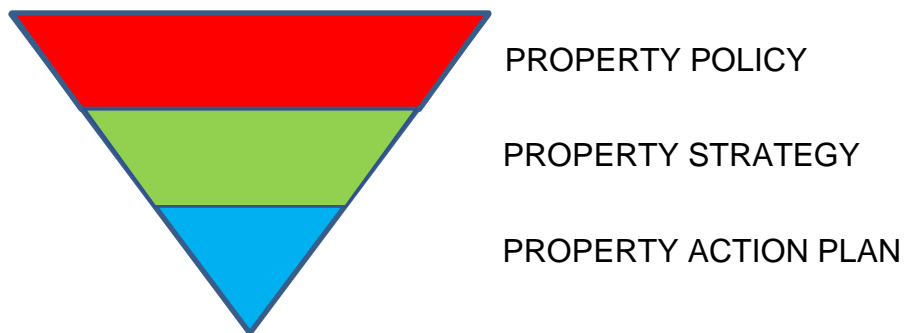
- “The Policy did not satisfactorily identify all of council’s assets for divestment opportunities including parks”.

ITEM 7 (continued)

The submission also contains views on pocket parks and states that council should be identifying more commercial opportunities within parks and similar holdings. The submission notes the Policy should “be holistically updated to more accurately reflect the ability of council to leverage its asset base to reduce the rate burden on residents”.

Proposed Response

The Policy sits above Council’s Property Strategy and Property Action Plans as follows.



The Policy sets out the framework to manage all Council controlled property.

In this regard, identifying properties to be reviewed for divestment, enhancement, commercial opportunities, or any other purposes, will occur under the review mechanisms of the Property Strategy.

Identified properties will then be brought to Council to consider. Endorsed actions will then be included in the Property Action Plan.

The processes and the outputs covered in Submission 2, sit below the Property Policy hence would not be contained within it. In this same regard, “the ability of Council to leverage its asset base to reduce the rate burden on residents” will be fully tested, via the property review processes in the Property Strategy.

Recommended Position

It is recommended that no change be made to the Property Policy, in respect of this submission.

ITEM 7 (continued)**Options**

Council has three options in this regard.

Option 1 – Make no changes whatsoever.

This is not recommended. The first submission suggests an addition to enhance the clarity of council's message to the community.

Option 2 – Make changes for both submissions.

This is not recommended. The Policy itself sits above the detail considered in Submission 2. The Property Strategy will deliver these outcomes and also ensure a more robust process for ongoing reviews of Council's property portfolio.

Option 3 – Make a change for the first submission only.

This is the recommended outcome for the reasons in the report. Both respondents will be contacted, thanked and the reasons for Council's position will be advised to them.

ITEM 7 (continued)



 City of Ryde

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Property Policy

ITEM 7 (continued)

Property Policy

Document Version Control

Document Name:	Property Policy
CM Reference WORD:	D22/147744
CM Reference PDF:	D22/147745
Document Status:	Adopted by Council
Version Number:	Version 1.0
Review Date:	August 2022
Owner:	City of Ryde
Endorsed By:	Council on 22 November 2022
Distribution:	Internal and External

Change History

Version	Review Date	Author	Reason for Change
1.0	August 2022	Strategic Property	Initial creation of document. Draft Policy endorsed by Council on 23 August 2022 for public exhibition. Policy adopted by Council on 22 November 2022 following public exhibition.

Property Policy		
Owner: Corporate Services	Accountability: Strategic Property	Endorsed: 22 November 2022
CM Reference: D22/147744	Last review date: August 2022	Next review date: August 2026

ITEM 7 (continued)

Property Policy

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Property Policy		
Owner: Corporate Services	Accountability: Strategic Property	Endorsed: 22 November 2022
CM Reference: D22/147744	Last review date: August 2022	Next review date: August 2026

ITEM 7 (continued)

Property Policy

Context

The Policy sits above Council's Property Strategy and sets out the framework for the management of all City of Ryde (Council) controlled property.

Property is defined as all council-controlled land (owned or managed) and any permanent developments attached, either natural or constructed. Property includes air and sub strata rights, plus interests created through leases, easements, or other legal mechanisms. These latter interests may also occur on land not owned by council, but council's rights and benefits create entities, which will be reviewed and managed under this Policy.

The Council's property assets serve a number of purposes. Most importantly, they are used to provide valued civic, social, cultural, recreation, environmental, transport, administration and other services for the community. Some of the Council's properties serve as investments which are designed to create financial return to Council, thereby reducing reliance on rate revenue as a source of unrestricted income. New sources of revenue have become critical for all councils as increases in traditional income sources fail to keep pace with the increasing costs of delivering services to the community.

Strategies are developed at the broader portfolio and at the asset specific level, to deliver on different objectives. Strategic outcomes will be proactively sought, where Council's service delivery is not adversely impacted and where robust economic and risk assessments have been completed.

All key Property outcomes will be aligned with Council's mandated Integrated Planning and Reporting (IP & R) and other relevant areas of Council strategy to optimise outcomes. This imperative is reflected in this Policy's requirement for an overarching Property Strategy. It is also important that strategic land use planning in the City of Ryde LGA be examined and referenced when determining desired outcomes.

This Policy drives efficiencies, ongoing reviews, core service delivery, enhanced probity and accountability, financial outcomes, and proactive management by Council.

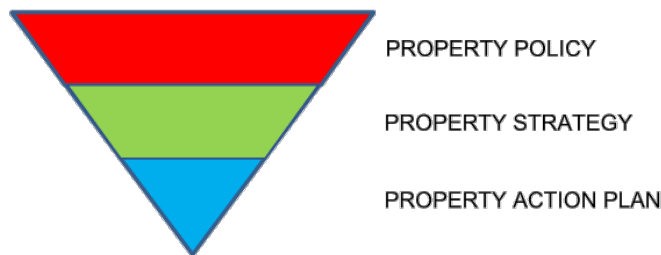
Property Policy		
Owner: Corporate Services	Accountability: Strategic Property	Endorsed: 22 November 2022
CM Reference: D22/147744	Last review date: August 2022	Next review date: August 2026

ITEM 7 (continued)

Property Policy

1. Framework

The following framework is created by this Policy for the management of all property outcomes at the City of Ryde Council.



2. Property Management Principles

To maximise capital efficiency and land use, Council will manage its property consistent with the following six principles.

1. Holistic Management
2. Fit for Purpose
3. Asset Management
4. Risk management
5. Centralised Control of Income
6. Strategy alignment

Holistic Management

All property decisions will achieve the maximum community benefit available at the time. To achieve this, decisions will contemplate concurrent outcomes for the portfolio of all Council owned or controlled properties. To that end:

- Property portfolio management objectives will take precedent over single property outcomes,
- Asset specific recommendations will never compromise long term objectives or portfolio strategies,
- Sub portfolio strategies will be used to manage outcomes for individual land classifications (community, operational, Crown, and others),
- Broader property strategies and related policy will operate in conjunction with the Property Strategy to ensure overall portfolio efficiency and provide an input for decision making,
- Portfolio and asset specific reviews will be conducted at least every year; and
- Advice must be obtained from Council staff responsible for Council property, and management for all leasing, acquisition, or sale decisions across Council.

Property Policy		
Owner: Corporate Services	Accountability: Strategic Property	Endorsed: 22 November 2022
CM Reference: D22/147744	Last review date: August 2022	Next review date: August 2026

ITEM 7 (continued)

Property Policy

Fit for purpose

All Council owned or controlled property will be fit for purpose to:

- Deliver Council's operational services and objectives and
- Maximise its financial return to the community.

There will be coordinated activities to realise the full value and ongoing potential of each Council property held to best equip it for its role in the portfolio.

Any property with no current or clear future purpose will be reviewed for potential divestment or re-purposing in accordance with this Policy.

Asset Management

General asset management principles will apply including whole of lifecycle management. Asset management will ensure the delivery of a property's purpose. It allows optimal outcomes to occur at asset specific levels, within the context of the portfolio management principles.

All Council properties that have been assessed as fit for purpose, and not identified for action by Council's Property Strategy, will be managed in accordance with Council Policy for asset management. Condition targets will be set and maintained by property asset owners and funded accordingly.

Optimal outcomes will be sought by:

- Whole of life asset management of property assets including maintenance and insurance,
- The inclusion all relevant intangible factors in addition to financial,
- Targeting multiple functions for individual assets wherever practical, and
- A strategy (as simple as possible) for each site, consistent with its portfolio purpose.

Risk Management

Property is capital intensive and sub-optimal management of these assets is a risk to sustainable Council service delivery. Property is subject to occupational, physical, obsolescence, contamination, legal, tenant, corruption, and financial risks. Accordingly, property will be managed in accordance with Council's Enterprise Risk Management framework.

Property Policy		
Owner: Corporate Services	Accountability: Strategic Property	Endorsed: 22 November 2022
CM Reference: D22/147744	Last review date: August 2022	Next review date: August 2026

ITEM 7 (continued)

Property Policy

Centralised Control of Income

All income from leases, licences, or any other agreements for any owned or managed property assets, (including Crown Land) will be received and accounted for as per the Statutory Financial Accounts.

Council's Finance staff will ensure that such funds are quarantined and held within a centralised account in the general ledger. There will be regular review and monitoring of this income and any variations will be reported to Council as part of the Quarterly Budget Review process.

Strategy Alignment

A four-year Property Strategy will be aligned to Council's four-year delivery plan cycle (IP & R). It will contain objectives and measures for the four-year period and be reported on six monthly. It will be a key input into Council's long-term financial planning.

The Strategy will guide and align property outcomes wherever relevant for Council operations, including:

- The Community Strategic Plan, the Local Strategic Planning Statement and all other key Council documents and policies,
- All types of operational, administrative, library, community centre, parks, leisure centre and any of their related infrastructure assets,
- Community Land,
- Managed Crown Land,
- The Property Investment Portfolio ("PIP"),
- Affordable Housing,
- Section 7-11, 7-12 and Voluntary Planning Agreements,
- All master-planning impacting Council owned or managed property (actual or potential),
- All property matters reported to Council, and
- Private property identified in planning instruments that create a financial liability for Council.

Any individual Council property related policy or strategy will be referenced when drafting the Strategy to ensure their objectives are being progressed. However, this will in some cases be the subject of opportunity cost decisions endorsed by Council to maximize the overall utility to Council and therefore the community.

Staff engaged in strategic land use planning will ensure their work aligns with this Policy and the Property Strategy wherever relevant.

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Property Policy

3. Property Acquisition and Divestment

Property can be a 'cost of business' for Council. Excess or unproductive property traps capital, otherwise available for core business needs or financial returns.

Council will carry the optimal level of property needed, for its immediate and reasonably anticipated future needs rather than excessive holdings, or property with no distinct purpose or function.

Properties and their environments change over time which may impact the most appropriate property use. Where this occurs, timely re-purposing or asset sale and replacement, improves overall portfolio and financial outcomes.

Annual reviews will be conducted for each property owned, where its function and retention in the portfolio will be assessed. This mechanism will allow the portfolio to evolve: freeing excess capital, ensuring optimal property levels are held and that our property assets match ongoing needs.

3.1 Property Acquisition

In general property acquisitions will be recommended:

- To fill a gap in the portfolio for the delivery of ongoing services; and/or
- When no foreseeable opportunity exists to provide a property asset through a develop contribution; and/or
- To replace an existing underperforming investment property; and/or
- To deliver on a Property Strategy outcome; and/or
- To enhance the operational/community/financial value of an existing Council property.

Recommended acquisitions should:

- Have satisfied legal, physical, financial, and operational due diligence reviews,
- Be assessed for their ability to deliver multiple outcomes: not just the primary acquisition purpose,
- Be supported by a draft individual property strategy to demonstrate its ongoing merit to deliver on a Council objective,
- Satisfy all requirements for the intended land category – targeting the operational land category wherever possible,
- Identify the funding source, and
- Reference its alignment with the current Property Strategy and annual Property Action Plan.

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Property Policy

These acquisition requirements will apply to any property acquisition. This includes via: a planning approval; VPA; and dedications. They will also be used when Council is exercising its compulsory acquisition powers under section 186 (and others) of the Local Government Act 1993.

3.2 Property Re-purposing and Divestment

Annual property reviews will be used to identify property that is no longer fit for purpose.

In general recommendations for re-purposing a property will be made when:

- It is assessed as no longer being able to deliver on its original operational or community needs but its long-term value can be enhanced to contribute to broader portfolio outcomes; and/or
- Its maintenance costs are increasing, and re-purposing is the best option for the property; and/or
- It can no longer provide its expected income within its sub portfolio; and/or
- It is not required to deliver a future Council initiative in its current configuration; and/or
- Alternative service provision exists, or an alternate location can be utilised; and/or
- Its re-purposing delivers an outcome for a Property Strategy objective.

Where re-purposing is not financially or site/precinct viable, divestment should then be considered.

In general property divestments will be recommended to Council for its determination where the property is no longer fit for purpose or surplus to operational needs and:

- The property does not satisfy the re-purposing considerations above,
- The indicative sale price is unlikely to increase in the foreseeable future and is supported by an independent market valuation, and
- The sale proceeds will clearly contribute to the achievement of a Property Strategy Objective in keeping with this Policy.

Divestments will be included in the annual Property Action Plan which will form part of Council's annual budgeting cycle. Proceeds from divested property will only be used for property acquisitions to further property objectives.

Divestment may be considered in response to an external event such as an unsolicited proposal to Council in keeping with the requirements of the Policy. Divestment decisions in response to these events should not undermine current Strategy objectives.

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Property Policy

3.3 Investment Property Reserve

Council will maintain an internally restricted Investment Property Reserve to:

- Provide a 'Future Fund' for both property objectives and other Council initiatives,
- Provide for the appropriate governance of capital to be re-cycled from asset sales,
- Separate property income from properties with a defined income stream and related outgoings from all other fund movements to ensure transparency, and
- Provide oversight by Finance for funds to be invested in short term compliant products to maximise Council income.

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Property Policy

4. Property Development

Council expects to engage in property development because:

- The community infrastructure required to deliver services are not generally developed by the private sector and require construction projects for bespoke facilities,
- It has land to shape the future for communities consistent with its Community Strategic Plan, and
- Small scale development of investment property to increase Council's return on capital can be delivered efficiently by staff.

Notwithstanding this, the following must be considered before commencing any property development:

- Many types of property development are not core council business and staff with relevant skills are not retained placing a heavy reliance on external consultants when making key decisions.
- Councils cannot spread the financial risks associated with development across a portfolio of developments that a private sector developer can mitigate.
- Development can polarise cohorts in the community and create avoidable reputation risk for Councils.
- Councils can become conflicted in trying to optimise financial outcomes for development that require exploring the limits of environmental planning controls.

When considering any property development Council will draft a Preliminary Business Case for Executive and Council endorsement prior to proceeding to a Full Business Case.

Preliminary and Full Business Cases for property development will consider and/or address the following:

- Whether any existing property(s) can be purchased or acquired, which substantially deliver the required outcome with less risk.
- Prefer core community facilities and infrastructure as its standard development exposures and consider all other development exposures as non-standard.
- Ensure every development project is a standalone venture, allowing progress, costs, direct results, and risks to be monitored and controlled during its life.
- Reference other development exposures and diversity if multiple projects occur simultaneously.
- Benchmark in-house expertise against the project requirements and identify gaps and mitigation measures prior to seeking approve to commence.

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Recommendations to Council for non-standard development projects and exposures must be based on a robust business case, that will include appropriate involvement and/or exit points for Council. This includes consideration of the optimal Council position in respect of:

- Early sale of the land owned.
- Sale of the land on securing a DA and appropriate zoning.
- Full development and ownership for income generation.

To maximise property development opportunities Council will:

- Target appropriate mechanisms under Section 358 (and others) of the Local Government Act 1993.
- Consider any exclusive dealing requests or unsolicited proposals received for its properties and make recommendations accordingly.
- Benchmark proposed outcomes against ACCC requirements.

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Property Policy

5. Principles for Each Land Classification

Council's land holdings by category will be maintained and updated as change occurs. These categories are: Community Land; Crown Land; Operational Land; Investment Land; Remnant Land; and Environmental Land. This will be done in accordance with the requirements for all Council land under s53 *Local Government Act 1993*.

5.1 Community Land

Where an existing Community Land classification renders land not fit for purpose, the land will be reviewed for potential re-classification as Operational Land. Such land should be considered for alternative uses to deliver key outcomes or reduce future acquisition needs.

Community infrastructure and facilities will be developed and operated on Community or Council controlled Crown Land wherever possible to preserve operational land for potential income generation.

When prudent, multiple small properties will be replaced by larger, multi-functional buildings, for economies of scale and to minimise running and maintenance costs. There must not be a net loss of community benefit as a result of any such replacement.

Council will utilise a standard community licence for all Community Land tenants subject to exceptions created through tenders for additional terms.

5.2 Crown Land

Council must manage and maintain Crown land and related buildings in accordance with the *Crown Land Management Act 2016*. This includes adopted Plans of Management for individual parcels of Crown Land that have Council managed property.

Council will maximise Crown land use of to benefit the City of Ryde community and resist exposure to additional Crown or State Government land, where the land does not provide an opportunity to contribute to the achievement of an objective. This will be subject to an assessment of the lands impact on Council's financial position.

Where Crown land has environmental merit, Biodiversity Offset Agreements will be considered, to offset where feasible Council's administrative burden and costs.

5.3 Operational Land

Operational Land as prescribed by legislation does not have the constraints applicable to Community Land and provides for a broad range of Council outcomes.

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Property Policy

Operational land strategies will also have regard to:

- The land's economic highest and best use and whether the current use reflects this.
- The best available zoning for the site.
- The ability of the land to deliver revenue, in addition to its primary purpose.
- Activation of unused portions to maximise land utility, portfolio efficiency, or other portfolio outcomes.

5.4 Investment Land

Land to be used for income generating purposes will be Operational Land. This property category provides opportunities for Council to:

- Diversify its revenue and investment exposures,
- Increase operational income and general revenue, and
- Access attractive returns from low risk, passive income generating properties.

5.5 Remnant Land

Remnant Land can be Community or Operational Land. Council will conduct investigations to identify Remnant Land parcels at suitable intervals of not less than five years.

Each parcel of Remnant Land will be classified into one of the following three categories.

Remnant Category	
Environmental, Operational, Recreational	Land with a defined and ongoing purpose for council.
Major opportunities	Parcels suitable for sale, leasing and/or development. Of sufficient size or utility to be offered to the wider market.
Minor Opportunities	Small parcels, usually uneconomic as standalone entities. May suit sale or lease to one or more adjoining owners.

Every Remnant Land parcel will have a strategy consistent with its category. Land absorbed as road will have its respective titles cancelled and be removed from Council's property register and portfolio.

5.6 Environmental Land

All land in Environmental or Conservation areas in the City of Ryde Local Government Area, usually zoned C1 - National Parks and Nature Reserves or C2 Environmental Conservation - Or Land which otherwise provides or includes walking tracks, associated seating, shelters, board walks, observation decks, bird hides or the like, and associated display structures.

Environmental Land will be managed within its Community Land constraints.

Self-funding or partially offset management outcomes are targeted wherever possible, (such as Bio-diversity Stewardship Agreements) to sustain or enhance environmental outcomes.

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Property Policy

6. Property Investment Portfolio

Council will maintain a diversified Property Investment Portfolio (PIP) for the sole purpose of investment that will contribute to Council's long-term financial sustainability.

Council will regularly review and where necessary, restructure its PIP to:

- Enhance income from appropriate "risk adjusted" property alternatives;
- Target at least 90% (by value) of its PIP, to comprise passive income generating properties; and
- Reduce proportionate exposures to its traditional income sources.

To best ensure PIP outcomes, Council will:

- Set a benchmark annual return "hurdle rate" consistent with market returns from passive income generating commercial property.
- Review the hurdle rate when drafting the four year Property Strategy and as necessary in response to market volatility.
- Acquire appropriately diversified assets that meet or exceed the hurdle rate.
- Identify opportunities from Council's full property portfolio, and recommend appropriate strategies where necessary, to deliver additional PIP assets.
- Set reasonable PIP growth targets, reflecting available capital for PIP investment, internal portfolio opportunities available and the premium that the hurdle rate provides, over and above alternative investment opportunities for council.

Council will apply portfolio construction, risk diversification and similar skills to ensure:

- A diversified income stream, with varying lease expiry dates and tenancy exposures;
- Pre-acquisition asset due diligence, with external input and recommendations;
- Associated portfolio due diligence – measuring the diversification and other benefits that each recommended acquisition, will deliver to the macro portfolio; and
- Optimal portfolio weightings and allocations.

Ongoing PIP management and monitoring will:

- Limit combined lease expiries to a fixed % of total PIP income, in any single year.
- Limit single asset and single tenant exposures, to a fixed % of total PIP value.
- Set maximum exposures for individual asset types – such as industrial, core retail, bulky goods.
- Monitor the Weighted Average Lease Expiry "WALE" of the individual assets and the PIP as a whole, plus allocations to each property type.
- Implement a management framework for impending lease expiries.

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Property Policy

6.1 Investment Property Selection

The selection of any property for inclusion in the PIP will require a resolution of Council, following confirmation that all the following criteria have been met:

- Projected return on investment for each property will be reviewed periodically and at a minimum every four years.
- The property has been reviewed by Council's appointed Property Investment Advisor for the purpose of providing the appropriate property investment advice.
- Building age and structural condition presents minimal risk to Council based on consideration of current and future capital investment needs.
- Location of site and its relationship to tenant demand over time.
- The weighted average lease expiry (WALE) is consistent with Council requirements and represents an appropriate level of risk.

Reflecting asset specific characteristics, types and risks, the minimum WALE for any property asset type for inclusion in the PIP with a long term view should be:

Asset Type	Minimum WALE
Commercial Offices	7.0 years.
Standard Retail Shops	3.0 years.
Retail – Bulky Goods	5.0 years.
Industrial	6.0 years.
Other – if recommended	Based on independent assessment.

6.2 Property Investment Advice

Council's Property Investment Advisor must be suitably qualified by industry standards to provide the necessary advice.

The Advisor must be an independent person who has no actual or potential conflict of interest in relation to investment decisions and the strategy being recommended.

Any property identified through an independent source or any a third-party agency, must be subject to a full review by Council's Property Investment Advisor, who must make recommendations accordingly.

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Property Policy

6.3 Review of Property Investment Portfolio Performance

The performance of the PIP will be assessed annually to determine the extent to which set hurdle rates have been achieved across the portfolio, and comparatively over time to assess the trend.

A qualitative assessment will be provided at year end about the overall portfolio performance in Council's Annual Report including an assessment of the targeted hurdle rate for the period.

The financial return on investment across the portfolio will be measured against projected cash returns each year and assessed for movement in trend over sequential years.

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Property Policy

7. Flagship Projects

Council's Property Strategy and Action Plan will include identifiable line items for Flagship projects. Flagship projects will be identified for major individual or clusters of properties (Precincts), where the outcomes sought by Council have broad community impact and/or involve large capital expenditure.

Detailed Project Plans created from endorsed Business Cases will be used for Flagships, delivered through appropriate governance mechanisms for their control and financial stewardship.

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Property Policy

Annexure 1 – Definitions

Affordable Housing

Housing that is appropriate for a range of very low, low, and moderate-income households and priced so that these households can also meet other basic living costs such as food, clothing, transport, medical care, and education.

Bio-diversity Stewardship Agreements

In-perpetuity agreements whereby land-owners commit to environmental management actions and may generate 'biodiversity credits' which can be sold to offset the impacts of approved developments elsewhere. Landholders receive ongoing annual management payments and a potential profit from credit sales, once sold.

Payments or revenue received may be used to deliver existing management actions or possibly for new environmental initiatives.

Green Star and Related Building Ratings

The Australian sustainability rating and certification system setting standards for healthy and resilient buildings and places and certifying outcomes via recognised Star Ratings accordingly. Related building systems include NABERS Energy Ratings, plus Building Sustainability, Health, and others.

Hurdle Rate

The required percentage return on asset cost, calculated as the net annual rental, expressed as a percentage of the asset's purchase price.

The hurdle rate represents the minimum return council will accept, when acquiring assets for inclusion in the Property Investment Portfolio and is based on prevailing market conditions.

The hurdle rate is reviewed annually or otherwise as considered necessary, by reference to analysis of comparable sales evidence, for assets which would otherwise meet all required prerequisites for inclusion in the Property Investment Portfolio.

Passive Income Generating Properties

Properties delivering income under medium, or long-term leases, which are renewed on expiry, for further income generation. For most of the ownership period, council's involvement as owner is limited to the more passive property management functions, such as maintenance and rent collection.

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Asset development, re-positioning or similar pro-active management strategies are not targeted initiatives, and occur only where necessitated by major lease expiries, tenant requests that financially enhance council's position and lease security, or other significant property changes.

Portfolio Lease Expiry Profile

The ranking of all portfolio lease expiries, in date order and also by reference to the proportion of income each tenancy delivers, as a percentage of the total portfolio income.

The combined details provide the proportion of the total portfolio income to expire in the current and every future year.

The portfolio lease expiry profile is a risk management tool for the timely management and actions of future expiries. It is also used to measure overall portfolio diversification, so that significant components of the Property Investment Portfolio do not expire in a single, or a very limited number of years, when likely market conditions for renewal cannot yet be known.

Property

All Council controlled land (owned or managed) and any permanent developments attached, either natural or constructed. Property includes air and sub strata rights, plus interests created through leases, easements, or other legal mechanisms.

These latter interests may also occur on land not owned by Council, but Council's rights and benefits create entities, which will be reviewed and managed under its Property Policy.

Property Development

The construction, reconstruction, subdivision, or other substantial alteration or improvement, of vacant or occupied land and/or any buildings or directly related infrastructure.

Property Investment Advisor

A person reasonably considered by council to have appropriate independence, experience, and expertise, to evaluate and make submissions in respect of proposed recommendations to Council, by council staff or others.

Remnant land

Parcels of closed or unformed road, drainage reserves or other holdings, many of which represent residual land areas left over from infrastructure delivery, or other initiatives requiring the use of land.

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Weighted Average Lease Expiry (WALE)

A measurement of the average time-period when all leases in each property, and the portfolio as a single entity, will expire.

The WALE reflects the average remaining time-period (or security) by rental dollar received and should generally be kept as high as reasonably possible for each property, but more specifically, for the combined portfolio.

An example of the calculation of the WALE for a hypothetical property follows, where two tenants have differing rental levels and remaining lease terms. The date used for the example is 31 December 2022.

A	B	C	D	E	F
Tenant	Net rent paid	Lease expiry	Remaining Term	Proportion of total rent	Weighting (D x E)
Tenant 1	\$120,000	31 Dec 2029	7.0 years	54.55%	3.82
Tenant 2	\$100,000	31 Dec 2027	5.0 years	45.45%	2.27
Totals	\$220,000			100.00%	6.09

The weighted average lease expiry for this property is 6.09 years.

The calculation occurs for each individual property, then for the portfolio as a single entity including the total income from each property and its individual WALE. An example follows.

A	B	C	D	E
Property	Net rent pa	Property WALE (years)	Rental weighting (%)	Weighting (C x D)
Property 1	\$350,000	3.5	48.6%	1.70
Property 2	\$80,000	4.2	11.1%	0.47
Property 3	\$125,000	7.7	17.4%	1.34
Property 4	\$165,000	4.9	22.9%	1.12
Totals	\$720,000		100.0%	4.63

The portfolio WALE in this example is 4.63 years.

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8 POST EXHIBITION REPORT - PLANNING PROPOSAL TO REZONE LAND AT 22 WINBOURNE STREET, WEST RYDE FROM SP2 (EDUCATIONAL ESTABLISHMENT) TO PART RE1 PUBLIC RECREATION AND PART C2 ENVIRONMENTAL CONSERVATION

Report prepared by: Senior Strategic Planner

File No.: LEP2021/1/5 - BP22/788

REPORT SUMMARY

A planning proposal (**ATTACHMENTS 1-17**) to rezone the site known as 22 Winbourne Street, West Ryde, (Lot 1 DP 1274125) occupied by the former Marsden High School, from SP2 (Educational Establishment) to Part RE1 Public Recreation and Part C2 Environmental Conservation, was reported to Council on 28 June 2022. At that meeting Council resolved to submit the application to the Department of Planning and Environment (The Department) for a Gateway Determination.

The rezoning is to facilitate the relocation of the existing netball courts at Meadowbank to the site. The site was formerly Marsden High School which has been relocated to the Meadowbank Education and Employment Precinct. Should the proposal proceed, it would facilitate a further Development Application for outdoor netball courts and an indoor facility with ancillary uses. This proposal does not relate to the detailed design it is limited to a consideration of whether the site should remain limited to education uses, or whether the zoning should be changed to allow public recreation uses on the site and to reflect the environmental assets located on the site. However, in assessing the proposed change, consideration has been given to the potential impacts of future uses should the zoning change proceed.

The Gateway Determination (**ATTACHMENT 18 and 19**), issued by the Department on 15 July 2022, required a minimum public exhibition period of 20 working days for public exhibition. The planning proposal was placed on public exhibition for an extended period from 1 August 2022 to 19 September 2022, being a total of 36 working days.

During the period a Drop-in Session was held at Ermington Public School by the NSW Department of Education on 15 September 2022 between 5.00pm and 7.00pm.

A total of 109 submissions (including one petition containing 326 signatures) were received by Council during the public exhibition period. A summary of these submissions is included as **ATTACHMENT 20**. The makeup of these submissions are as follows:-

- Conditional support - 52%
- Objection – 43%
- Support – 4%
- Other – 1%

ITEM 8 (continued)

The five issues most commonly raised in the submissions are as follows:-

- Parking
- Traffic congestion
- Narrow surrounding streets
- Increase in noise levels
- Design and/or use of the site

The purpose of this report is to review and comment on the submissions raised, consider traffic, parking and noise abatement measures required, and to recommend next steps regarding the proposal.

RECOMMENDATION:

- (a) That the planning proposal to rezone the land, Lot 1 DP 1274125, at 22 Winbourne Street, West Ryde from SP2 (Educational Establishment) to Part RE1 Public Recreation and Part C2 Environmental Conservation be submitted to the Department of Planning and Environment requesting that the plan be made.
- (b) That acknowledgement letters be sent to all those who lodged a submission advising them of the Council resolution and thanking them for their submission.

ATTACHMENTS – CIRCULATED UNDER SEPARATE COVER

- 1 Planning Proposal - Marsden High School Final Revised V2 - Post Gateway Version
- 2 Traffic and Transport Impact Assessment (SCT Consulting, March 2021)
- 3 Response to request for Info Traffic - 29 September 2021 SCT Consulting
- 4 Transport Assessment Technical Advisory Note - 29 September - SCT Consulting
- 5 Planning Proposal - Traffic Impact Assessment - Bitzios - 30 March 2022
- 6 Additional Info - TIA Planning Proposal - 14 September 2022
- 7 Flood Statement – Revision 3 (Henry & Hymas, April 2021)
- 8 Additional Info - MARSDEN NF - Flood Study REPORT - PP(REV B)
- 9 Site Infrastructure Assessment (WSP, January 2021)
- 10 Report on Preliminary Site (Contamination) Investigation (Douglas Partners, December 2020)
- 11 Report on Detailed Site Investigation (Contamination) (Douglas Partners, February 2021)
- 12 Prescribed Ecological Actions Report (PEAR) (Abel Ecology, May 2021)
- 13 Bushfire Opportunities and Constraints Assessment Report (Abel Ecology, May 2021)
- 14 Preliminary Heritage Report and Comparative Analysis (Purcell, April 2021)
- 15 SS Concept Development Plan (Cox, DWG 02, undated)

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- 16** Acoustic Report (Marshall Day Acoustics, March 2021)
- 17** Aboriginal Cultural Heritage Assessment Report (Comer Consultants, May 2021)
- 18** Gateway Determination cover letter - 22 Winbourne Street West Ryde - July 2022
- 19** Gateway Determination - 22 Winbourne Street West Ryde - July 2022
- 20** Submission summary - 22 Winbourne Street Planning Proposal
- 21** DFP Planning Pty Ltd Letter - Proponent Response to Submissions
- 22** Department of Education - Schools Infrastructure - Response to Submissions

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ITEM 8 (continued)**Discussion**

On 28 June 2022 Council considered a report on the planning proposal for 22 Winbourne Street, West Ryde (the subject site). The unanimous resolution of that meeting was as follows:-

- a) *That the planning proposal, attached to this report, to rezone the land, Lot 1 DP 1274125, at 22 Winbourne Street, West Ryde from SP2 (Educational Establishment) to Part RE1 Public Recreation and Part C2 Environmental Conservation be submitted to the Department of Planning and Environment for Gateway Determination under 3.34 of the Environmental Planning and Assessment Act 1979.*
- b) *That the Department of Planning and Environment be advised that Council wishes to be delegated as the Local Plan-Making Authority.*
- c) *That the following public exhibition, the planning proposal and any submissions received be reported back to Council to finalise the application.*
- d) *That a detailed list of measures to address community concerns relating to traffic, parking and noise abatement, be included in the post-exhibition report to Council, including implementation options funded by the applicant.*
- e) *That the above report considers, but not be limited to, the below suggested measures:*
 - i. *the widening of Winbourne Street from the northern side of former school site to Hermoyne Street.*
 - ii. *maximising the amount of parking on site by the construction of multi-storey car parking.*
 - iii. *a noise management plan for the site.*
 - iv. *the installation of sound proofing infrastructure on site or for neighbouring residents.*
 - v. *adequate pedestrian infrastructure in the immediate surrounds of the former Marsden High site.*
 - vi. *That Council liaise with the applicant on including funding for the above.*

Following the above resolution, the application was forwarded to the Department of Planning and Environment (DPE) requesting a Gateway Determination. The Gateway Determination (**ATTACHMENTS 18 and 19**) was issued on 15 July 2022. The Determination required a minimum public exhibition period of 20 working days.

The planning proposal was placed on public exhibition from 1 August 2022 to 19 September 2022, being a total of 36 working days. During the exhibition period a Drop-in Session was held at Ermington Public School by the NSW Department of Education on 15 September 2022 between 5.00pm and 7.00pm.

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It should be noted that a development application for the proposed recreation facility was lodged with Council on 25 August 2022 and was placed on public exhibition between 7 September 2022 to 31 October 2022. This development application exhibition period overlapped with the exhibition of the planning proposal for approximately two weeks.

In order to clarify the Statutory powers of each of these applications the following explanation is included.

Planning Proposal and Development Application

The Statutory assessment and limitations of each of these applications is different and this explanation is crucial to effectively order to address the issues raised in the submissions and the Council Resolution of 28 June 2022.

The purpose of this explanation is to clarify what can, and cannot, be done by the planning proposal and what can only be done in a development application.

Planning Proposal

A planning proposal is an application that makes or amends the Local Planning Instruments (Local Environmental Plan (LEP)). These applications are governed by Part 3 of the *Environmental Planning and Assessment Act 1979* (The Act).

A planning proposal does not/cannot approve any physical works. If a planning proposal changes a permitted use in a zone, or the zone itself, the additional permitted use then requires development and construction approval before any physical works can be undertaken. If the planning proposal prohibits a use in the zone, it then means that a development application cannot be considered.

The planning proposal in relation to 22 Winbourne Street is to determine if a Recreation Facility can be permitted on the land. The planning proposal does not assess the details of that facility (size, shape, design, layout, hours, etc.). Nor does the planning proposal allow any physical works to be carried out by the landowner.

A concept development plan was submitted with the planning proposal for information only to assist in the assessment of the potential impacts of the proposed land use. The planning proposal does not endorse or approve that concept plan, nor will it require that the subsequent Development Application adhere to that concept. The planning proposal will only determine if the underlying land use should be permitted or prohibited on the site.

The assessment and approval of the specific netball facility proposed to be delivered on the site, including the determination of what physical works are required and the associated mitigation measures is addressed separately in the development application process.

ITEM 8 (continued)

A planning proposal cannot be refused on the basis of matters that can be appropriately addressed at the Development Application stage; the planning proposal considers the in-principle merit of recreation uses on the site, should the site be appropriate for future recreation use, the proposal should be supported. Should a Council refuse a planning proposal on the basis of matters that can be addressed in a Development Application it is likely that the State Government will proceed with the proposal without Council's support.

The specific design of the facility, including parking provision, conditions for associated public domain works required, and noise mitigation, must be addressed through the Development Application process. Notwithstanding this, consideration has been given to whether these matters can be addressed to ensure the land use can be accommodated.

Development Application

A development application is an application for a specific use or development on land. These applications are governed by Part 4 of the *Environmental Planning and Assessment Act 1979* (The Act). A development application can only be lodged for assessment if the particular use is permitted in the zone applying to the land OR in conjunction with a planning proposal to amend the zoning to permit the use

In the case of 22 Winbourne Street the development application for the recreation facility was submitted to Council concurrently with the planning proposal. However, it must be noted that the development application cannot be determined (approved or refused) until the planning proposal has been finalised by the Department of Planning and Environment.

Planning Proposal Submissions

A total of 109 submissions (including one petition containing 326 signatures) were received by Council during the public exhibition period. Submissions were also received from 7 Agencies, including Parramatta Council. **ATTACHMENT 20** is a summary of the community and Agency submissions. Additional correspondence, seeking clarification or follow up submissions, have been received since that exhibition period and any issues raised in that correspondence have been included in the assessment of the planning proposal. This included correspondence from the proponent addressing submissions and correspondence from Department of Education – School Infrastructure (**ATTACHMENT 21 and 22**).

ITEM 8 (continued)

The makeup of submissions is shown in Figure 1 below.

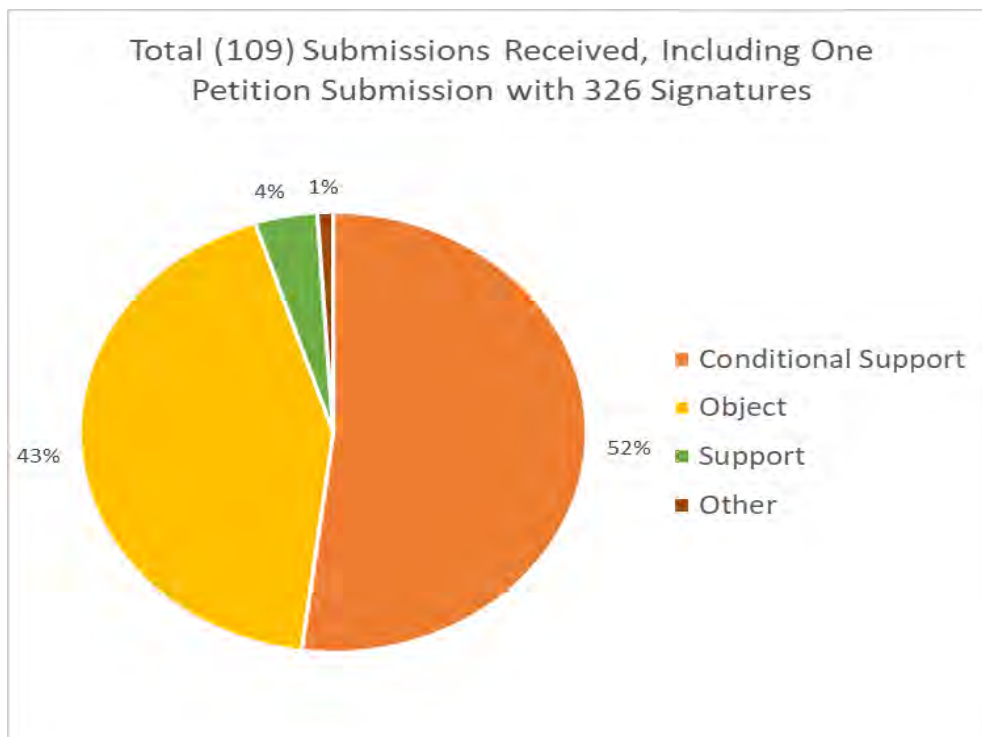


Figure 1: Total number of submissions received with breakdown of support or objection.

The submissions received raised a number of issues with the top five issues shown in Figure 2 below:

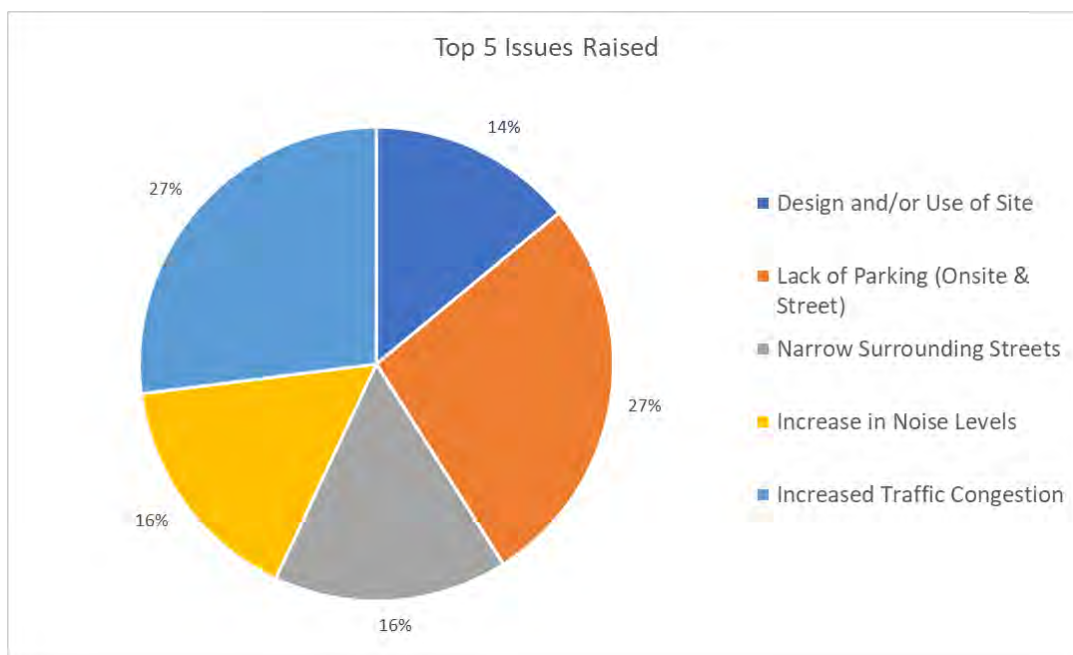


Figure 2: Top five issues raised in submissions received at Council

ITEM 8 (continued)

Other issues raised in the submissions include:

- School should remain due to need for schools in growing area
- Flooding on site and surrounds
- Property value impacts
- Light Spill from the use into surrounding properties
- Protection of natural environment on the site
- Character of the locality

The following section of the report reviews the issues raised in the submissions and comments on how those issues are to be addressed. Some of the submissions received to the planning proposal are not relevant to the planning proposal, but are relevant to the DA assessment. These submissions and issues have been forwarded to the Council Development Assessment staff for consideration as part of the assessment of the DA for the site.

Insufficient Parking on site

Submissions raised concerns regarding the number of parking spaces on site, the increase of on-street parking in the surrounding areas and suggesting a basement parking area should be included.

Comment

The planning proposal does not assess or approve the specific number of courts or parking spaces to be provided on this site. However, the size and configuration of the site allow for sufficient parking to be provided as part of an appropriate designed recreation facility.

Full consideration of the appropriate number of courts and parking spaces that can be accommodated on the site will be undertaken in the DA assessment.

It should be noted that the DA submitted to Council differs from the concept plan submitted with the planning proposal. A total of 296 parking spaces in a mix of at grade and basement parking areas are to be provided under the proposed DA. This is in excess of the 256 spaces required by the Ryde Development Control Plan. The existing bus bay is to be retained, pedestrian path upgrades are proposed, and bicycle racks are also provided at the facility. A total of 36 courts (4 indoor and 32 outdoor) are proposed, which would therefore result in 8.2 spaces/court. The Development Application is still under assessment and these numbers may change as a result of that assessment.

Traffic congestion

Submissions raised concern with the traffic generation during peak operating times and the congestion this will create on the existing surrounding roadways.

ITEM 8 (continued)*Comment*

The initial assessment of the planning proposal also raised traffic concerns and required the applicant to undertake additional investigations as part of the planning proposal. A supplementary report was provided by the applicant. Staff review of the development application indicates that some additional information may be required to complete the assessment. Subject to the submission of that information from the applicant, the impacts can be addressed as conditions of a Development Application.

Transport for NSW have also reviewed the initial traffic assessment and the supplementary report provided by the applicant. Transport for NSW have advised that:

TfNSW has no further requirements for the subject Planning Proposal ... As such, all outstanding matters concerning detailed operational matters including intersection modelling for intersection of Marsden Road and Winbourne Street will be addressed as part of an TfNSW submission for the development application.

The submitted DA is accompanied by a Traffic Impact Assessment that has complimented the initial traffic assessment provided with the Planning Proposal. The traffic impacts are currently under assessment, and full consideration of the issue will be undertaken as part of this assessment. Mitigation measures that may be required as part of the Development Application include:

- Upgrading of the intersection at Marsden Road and Winbourne Street including channelized “Seagull” linemarking treatment and “keep clear” linemarking to improve intersection operation and prevent queuing traffic blocking the intersection.
- Shared bike and pedestrian path (2.5m wide) along Winbourne Street,
- Raise pedestrian crossing in Brush Road.

However, the assessment is ongoing and therefore the traffic mitigation measures required for the Development Application to proceed have not yet been finalized. Some additional information may be requested from the applicant to assist in the completion of the DA assessment. These measures cannot be conditioned as part of a Planning Proposal and can only be conditioned as part of the Development Application process.

Narrow surrounding streets

Submissions raised concerns regarding the increased traffic from the recreation facility and the impacts this will have on the existing narrow roadways. These concerns particularly raised concerns with increased bus usage of surrounding streets and suggested that Winbourne Street should be widened between the existing bus turning area and Hermoyne Street.

ITEM 8 (continued)*Comment*

Assessment of this issue will be undertaken as part of the DA assessment. The DA is accompanied by a Traffic Impact Assessment, which includes details of how access and circulation around the site is to be accommodated in accordance with relevant standards. As mentioned above, additional information is to be requested from the applicant to assist in the DA assessment and to clarify mitigation measures proposed to overcome this issue. Should additional measures be required, they will be addressed through the Development Application process.

Increase in noise levels from proposed Netball Courts

Submissions raised concerns with increase in noise from the recreation facility, particularly due to the proposed courts being located close to the northern property boundary of the site.

Comment

The site is off sufficient size to allow for multiple configurations and mitigation measures to be explored and employed.

The DA includes an Acoustic Report prepared by Marshall Day Acoustics. This report has assessed the potential noise impact for surrounding receivers. The report has recommended an acoustic fence on the northern property boundary as an additional mitigation measure for the adjoining residential receivers. However, full consideration of this issue will be undertaken in the DA assessment.

The DA assessment has found that additional information to mitigate the potential acoustic impacts from the development is required. These include information such as:

- Hours of use, i.e., will all courts be used at all times or graduated restrictions,
- Details on how noise from the use the site will be managed to control impact on the local amenity,
- Amended Plan of Management detailing all management strategies for noise control,
- Details of all proposed acoustic structures, if any.

If the DA is approved any proposed or required measures will be included a consent conditions in the development.

Design/layout of the development

Submissions to the planning proposal raised concerns with the layout of the proposed development and the potential impacts this will have on adjoining properties.

ITEM 8 (continued)*Comment*

The size of the site and location of the site is sufficient for the purposes of recreation uses, and while it is beyond the scope of this proposal to set a specific layout, it is possible and desirable, given our future open space needs, for an appropriately configured recreation facility to be delivered on the site.

The layout submitted with the planning proposal was a concept plan only, the planning proposal does not approve or endorse this layout. The layout and design of the proposed development has seen some change between the initial concept and the more detailed Development Application.

Use of the site

Submissions to the planning proposal suggested that the site usage should be expanded to permit additional sporting and recreational facilities.

Comment

The planning proposal does not approve or endorse the actual development of the site, it only amends the zoning to RE1 Public Recreation. This zoning change will allow, subject to development approval, a broad range of recreational and community facilities as listed in the Ryde LEP 2014 and should the zoning change proceed, the site could be used for a range of recreation purposes, which respond to evolving needs over time.

The Development Application is for a netball facility and indoor multi-function courts. While the facility is proposed to be configured for competition netball to meet current needs in that regard, as a public recreation site, a range of formal and informal recreation uses would be possible on the site. It is also noted that delivery of this facility will free up other land in Meadowbank currently allocated to netball, for more diverse uses. The removal of the current netball courts in Meadowbank Park will provide space for additional regional multi-sport facilities and community event lawn area as shown in the Meadowbank Park Masterplan.

School should remain due to need for schools in growing area

Submissions to the planning proposal have raised concerns that the surrounding locality is identified for substantial growth (Melrose Park) and that schools and education facilities will be in greater demand in the future.

ITEM 8 (continued)*Comment*

This concern is a relevant consideration for the planning proposal and this issue was raised with the Department of Education – School Infrastructure. The response stated the following:

The Department has been increasing its land for educational purposes in the vicinity of the 22 Winbourne Street site with a range of recent announcements. All of these projects enable the provision of new primary and secondary school facilities. These include:

- *Marsden High School has been redeveloped with expanded capacity at Meadowbank High School in the Meadowbank Employment and Education Precinct, located within 2.3 km of the school's former site. Meadowbank Public School has also been relocated to the precinct with increased capacity*
- *Rydalmere Education Precinct has been announced within 4.0 km of the site*
- *Macquarie Park Education Precinct has been announced within 6.5 km of the site.*

Regarding Melrose Park's development, the submission advised that new high school facilities would be required. This includes the potential for increased capacity at existing sites having been taken into consideration in the new Meadowbank High School's planning.

In relation to the concerns at the loss and perceived lack of education facilities to cater for growth in the locality, the above response from Education – School Infrastructure indicates that they, being the responsible authority for school infrastructure planning, are satisfied with the existing and proposed facilities and the planning proposal can proceed.

Flooding on site and surrounds

Submissions raised concerns that the existing site is partially flood prone and is subject to flash flooding making much of the site unsuitable for a netball facility.

Comment

The site is of sufficient size to ensure future recreation uses are sensitive to the site's exposure to potential flooding. This can be appropriately addressed as part of the Development Application assessment.

A *Flood Impact* Statement has been included in the DA submitted to Council and full consideration of this issue will be undertaken in the DA assessment.

ITEM 8 (continued)Property value impacts

Submissions to the planning proposal have suggested that the netball facility and the traffic and noise impacts will adversely impact property values.

Comment

The submissions raising property value impacts have not been accompanied by any evidence, valuation or otherwise, to support the suggestions of negative property value impacts.

Further, the planning proposal must be assessed in the context of the wider public interest and the potential for lack of sufficient public recreation space to adversely affect the quality of life of the wider future community.

In this case and in the context of the known need for additional recreation facilities in the City of Ryde, the proposal is considered on balance to have positive overall affect on the amenity available to the community.

Light Spill

Submissions to the planning proposal and DA have raised concerns about light spill at night from the proposed use of the courts at night.

Comment

Light spill from recreation sites can be appropriately managed at the Development Application stage and therefore should not prevent the rezoning from preceding.

The development application for the future development of the site includes lighting details and a *Sports Lighting Impact Assessment Report* that states that the lighting will be:

- Dimmable and responsive to ambient light conditions and curfew hours
- Single colour warm white and static
- Lights will be shielded and adjustable as mitigation to light spill into the environmental conservation area of the site.

Full consideration of this issue will be undertaken in the DA assessment.

Protection of natural environment on the site

Some submissions raised concern for the existing critically endangered ecological community (Blue Gum High Forest (BGHF)).

ITEM 8 (continued)*Comment*

The planning proposal was submitted to the Department of Planning – Environment and Heritage Group (EHG), for comments. The comments received from EHG raised concerns of potential tree removal on the fringe of the BGHF area and recommended that the entire BGHF vegetation should be included in the C2 Environmental Conservation zone. The EHG also raised concerns regarding potential ‘edge effects’ on the C2 zone vegetation.

Through discussions with the applicant, the layout and vegetation removal has been revised, the proposed C2 zone boundary was amended, and the tree removal is no longer required, thereby addressing all the concerns raised by EHG. This is reflected in the DA submitted to Council and currently under assessment.

Character of the Site

Some submissions have stated that a proposed recreation facility will be out of character with the surrounding area which is primarily residential land uses.

Comment

It is agreed that the surrounding locality is primarily residential in character. However, the (now) previous use of the subject land as the Marsden High School cannot be disregarded as a contributing land use to the surrounding character. Whilst some of the operational aspects of the previous school and a Recreation Facility (Indoor & Outdoor) may differ, the overall visual and land use change is unlikely to significantly change the existing character of the locality.

Agency Submissions

Agency submissions were received from the following and with full summaries provided at **ATTACHMENT 20**:

Heritage NSW

Raised no objections to the planning proposal and made suggestions in relation to excavation activities. These are noted and accepted for the DA assessment.

Sydney Water

No objections raised to the planning proposal. Suggestions made in relation to DA matters.

Transport for NSW

No objections to the planning proposal. Advised that separate submission will be made to road and intersection works in relation to the DA.

NSW Rural Fire Service

No objections to the planning proposal.

ITEM 8 (continued)Environment and Heritage Group (EHG)

Support the rezoning of the environmentally sensitive area of Blue Gum High Forest. The EHG also made comment regarding initial C2 Environmental Conservation zone boundary and proposed initial tree removal on the fringe of this area. These matters have been addressed as noted in the response to submissions section above.

The EHG also made suggestions regarding the flood study to be amended to consider flood risk from the full range of floods. This will be part of the Development Application Assessment; the site is of sufficient size that recreation uses can be accommodated in a manner that is sensitive to flood risk.

Parramatta City Council

Parramatta Council lodged a submission raising concerns with the closing of Marsden High School and the perceived lack of education facilities available in the locality, particularly when the Melrose Park area is flagged for significant growth. Parramatta Council advised that this concern had been raised with the Department of Education, but no satisfactory response had been received. As part of the assessment of the planning proposal Ryde Council sought advice from the applicant and Department of Education and received the following (part) response:

The Department has been increasing its land for educational purposes in the vicinity of the 22 Winbourne Street site with a range of recent announcements. All of these projects enable the provision of new primary and secondary school facilities. These include:

- *Marsden High School has been redeveloped with expanded capacity at Meadowbank High School in the Meadowbank Employment and Education Precinct, located within 2.3 km of the school's former site. Meadowbank Public School has also been relocated to the precinct with increased capacity*
- *Rydalmere Education Precinct has been announced within 4.0 km of the site*
- *Macquarie Park Education Precinct has been announced within 6.5 km of the site.*

Regarding Melrose Park's development, the submission advised that new high school facilities would be required. This includes the potential for increased capacity at existing sites having been taken into consideration in the new Meadowbank High School's planning.

Parramatta Council will be advised separately of the response received from the Department of Education. It is also noted that the rezoning of Melrose Park South is currently under consideration of Parramatta Council and any remaining concerns about sufficient education facilities in the locality can be significantly alleviated by setting appropriate levels of growth in that precinct and ensuring it is accompanied by delivery of appropriate supporting infrastructure.

ITEM 8 (continued)**Council Resolution of 28 June 2022**

At the meeting of 28 June 2022 Council considered the first report on this planning proposal and resolved that the post exhibition report (this report) include matters as listed in the following resolution:-

- a) *That the planning proposal, attached to this report, to rezone the land, Lot 1 DP 1274125, at 22 Winbourne Street, West Ryde from SP2 (Educational Establishment) to Part RE1 Public Recreation and Part C2 Environmental Conservation be submitted to the Department of Planning and Environment for Gateway Determination under 3.34 of the Environmental Planning and Assessment Act 1979.*
- b) *That the Department of Planning and Environment be advised that Council wishes to be delegated as the Local Plan-Making Authority.*
- c) *That the following public exhibition, the planning proposal and any submissions received be reported back to Council to finalise the application.*
- d) *That a detailed list of measures to address community concerns relating to traffic, parking and noise abatement, be included in the post-exhibition report to Council, including implementation options funded by the applicant.*
- e) *That the above report considers, but not be limited to, the below suggested measures:*
 - I. *the widening of Winbourne Street from the northern side of former school site to Hermoyne Street.*
 - II. *maximising the amount of parking on site by the construction of multi-storey car parking.*
 - III. *a noise management plan for the site.*
 - IV. *the installation of sound proofing infrastructure on site or for neighbouring residents.*
 - V. *adequate pedestrian infrastructure in the immediate surrounds of the former Marsden High site.*
 - VI. *That Council liaise with the applicant on including funding for the above.*

The actions taken in relation to the above resolution are as follows:-

- a) The planning proposal was submitted to the Department of Planning and Environment on 30 June 2022
- b) The Gateway Determination was issued on 15 July 2022. In the accompanying covering letter (**ATTACHMENT 18**), the Department advised that Council is *not authorised to be the local plan-making authority because the intended development is a public sporting facility of regional significance.*
- c) This report is advising Council of the submissions received following public exhibition and is recommending that the planning proposal be endorsed and sent to the Department of Planning & Environment for finalising.
- d) Parts d), e) and e) i-iv have been addressed previously in this report.

ITEM 8 (continued)**Financial Implications**

Adoption of the recommendation will have no financial impact.

Options**Option 1 (Recommended) – Endorse the Planning Proposal to Proceed to Finalisation**

This option is supported as the planning proposal will increase the amount of public recreation area land in the locality. The concerns raised in the submissions are matters that can be addressed in the DA that is currently being assessed by Council.

Option 2 – Not endorse the Amended Planning Proposal

This option is not supported as not supporting the rezoning of the site would result in the site being left vacant (as the school has already ceased to operate) and it would not be available for community recreational use as the current SP2 (Education Establishment) zoning would not permit recreational use on the site.

It is further noted that should Council resolve not to support the proposal without identifying strong planning grounds, it is likely that the rezoning will be progressed by the State Government, merely causing increased delay and cost for the delivery of the proposed recreation facilities.

**9 MANAGING FUNCTIONS OF COUNCIL DURING THE 2022-2023
CHRISTMAS/NEW YEAR RECESS**

Report prepared by: Civic Services Manager**File No.:** CLM/22/1/1/2 - BP22/780

REPORT SUMMARY

This report seeks Council's endorsement for the Mayor assuming the functions of Council in the case of an emergency and in consultation with the Chief Executive Officer during the Christmas/New Year recess from 14 December 2022 to 27 February 2023.

RECOMMENDATION:

- (a) That pursuant to section 226(o) of the *Local Government Act 1993* and subject to the requirements of paragraph (b) below, the Mayor is authorised to exercise all functions of Council during the period between 12.00am on 14 December 2022 and 12.00 midnight on 27 February 2023, but only in the case of an emergency and in consultation with the Chief Executive Officer.
- (b) That notwithstanding the requirements of paragraph (a) above, the Council notes and acknowledges that the Mayor can exercise the policy-making functions of the governing body of the Council between meetings of the Council, but only in cases of necessity as authorised by section 226(d) of the *Local Government Act 1993*.
- (c) That any functions of the Council exercised by the Mayor in accordance with this resolution, be communicated to all Councillors as soon as reasonably possible, in addition to a Mayoral Minute being submitted to Council's meeting on 28 February 2023 that specifies the functions exercised, if any.

Report Prepared By:

**Amanda Janvrin
Civic Services Manager**

Report Approved By:

**Giselle Tocher
Manager - Corporate Governance****Graham Pares
Executive Manager - People and Business**

ITEM 9 (continued)**Discussion**

In accordance with the Meeting Schedule endorsed by Council, the final Council meeting for the year is to be held on 13 December 2022. The first Council meeting in 2023 will be held on 28 February 2023.

If considered necessary at any time an Extraordinary Meeting can be called during this period.

Relevant Legislative and Policy provisions

Section 226 of the Local Government Act 1993 sets out the role of the Mayor.

Section 226(d) states that the Mayor's role includes *"to exercise, in cases of necessity, the policy-making functions of the governing body of the Council between meetings of the Council"*,

Section 226(o) states that the Mayor's role includes *"to exercise any other functions of the Council that the Council determines"*.

In addition, at its meeting held 25 October 2022, Council adopted the Policy for the Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor's Roles and Responsibilities. This Policy sets out the following requirements in relation to the exercise of, in cases of necessity, the policy making functions of the governing body of the Council in between meetings of the Council:-

Where in cases of necessity, the Mayor exercises the policy-making functions of the Council in between Council meetings, in accordance with Section 226 of the Local Government Act 1993, this is to be communicated to all Councillors and the Chief Executive Officer as soon as possible. Any action taken is to be reported to the next available Council Meeting by way of a Mayoral Minute.

It is recommended that the Mayor liaise and seek guidance from the Chief Executive Officer, and communicate the intent to exercise such functions to Councillors, prior to the taking of any action.

As a result, any policy-making functions exercised by the Mayor during the period 14 December 2022 to 27 February 2023 will be undertaken after consultation with the Chief Executive Officer and the Chief Executive Officer will be responsible for communicating the intent to exercise such functions to Councillors as soon as possible, and reported to Council at the Council Meeting to be held on 28 February 2023 by way of a Mayoral Minute.

The above provisions do not preclude the calling of an Extraordinary Council Meeting in accordance with Council's adopted Code of Meeting Practice and the Local Government Act.

10 CLEAN ENERGY REVOLVING FUND / GREEN REVOLVING FUND

Report prepared by: Manager - Environment

Previous Items: CLEAN ENERGY REVOLVING FUND -
Council - 27 Apr 2021

File No.: ENV/21/158-BP22/609

REPORT SUMMARY

This report provides a model/framework that includes financial implication and deliverables for the establishment of a Council Clean Energy Revolving Fund as resolved by Notice of Motion at the Council meeting on 27 April 2021:-

- (a) *That Council supports the adoption of a Clean Energy Revolving Fund for the City to ensure Council meets its obligations under the 100% Renewable Energy by 2030 resolution, and the State Government's Net Zero targets towards reducing carbon emissions and ensuring the continuation of works for Climate Action.*
- (b) *That the Clean Energy Fund:*
 - (i) *commence from 1 July 2022.*
 - (ii) *consider initiation funding and future funding to delivery necessary works.*
 - (iii) *include the previously installed solar systems on Council buildings as part of the savings fund.*
- (c) *That a report be brought back to Council outlining a model that includes the financial implications and deliverables from the fund initiation, as aligning with regional objectives, and how other Councils have implemented similar schemes.*

The proposed Clean Energy Revolving Fund/ Green Revolving Fund (GRF) framework has been developed to plan and manage the GRF for sustainability projects which improve environmental performance including reducing greenhouse gas emissions from the City of Ryde's operations (**ATTACHMENT 1- CoR Green Revolving Fund Framework**).

The program model proposed, replicates the tool developed by organisation 100% Renewables on behalf of the NSW Department of Planning, Industry and Environment (DPIE) in 2021, named 'Revolving Energy Fund' (REF) as part of Sustainable Councils and Communities Program to assist Councils in planning and managing budget to finance energy projects (**ATTACHMENT 2**).

Council has investigated and reviewed the model of a Clean Energy Revolving Fund as per the Notice of Motion against other council models of a similar objective and framework. Through this investigation and with the intention of the Notice of Motion being 'to reduce carbon emissions', Council proposes to remove the word 'energy' in the title whilst retaining the objective and framework of the Fund model, to improve 'environmental performance' and reduce carbon emissions.

ITEM 10 (continued)

The naming modification removes the restriction associated with the term “Clean Energy” as it may restrict or mislead the use of this Fund, limiting it to use only on clean energy (i.e. Renewable energy). Council has proposed the adoption of a ‘Green Revolving Fund’ title as it can be used for a broader range of actions including energy efficiency, renewable energy, water efficiency, resource recovery and projects or activities that actively demonstrate a lowering of carbon emissions by delivery. This enables a broader Council invitation of projects to be enacted, contributing to Council’s adopted Net Zero targets.

Presently there are 38 confirmed, energy efficiency and renewable energy projects identified by an energy audit conducted in 2020 for 20 sites across the city. The proposed GRF will initially fund these identified projects for the first 3 years (2023/24-2025/26). After this, it is proposed that projects can be nominated across Council by all internal departments, which are then assessed by the established GRF committee to evaluate and select additional eligible projects based on criteria set out under the GRF framework.

The GRF fund modelling undertaken by Council provides that the Fund will require a total of \$110k from 2023-2026 which will enable all identified efficiency projects in the Council audit and current fund program to be delivered, plus provide funding for further Council projects until 2031 under a ‘revolving’, savings-based funding source.

That any savings generated under the PEERS 3 contract be allocated towards Council’s proposed Revolving Energy Fund subject to details of the fund proposal being confirmed by Council in 2021/2022.

Cumulative GRF cashflow (including savings generated and returned to the Fund and the initial funding for the first 3years) between 2023/24-2030/31 is estimated to be \$236k with an average annual savings about \$47.8k

RECOMMENDATION:

- (a) That Council adopt the City of Ryde’s Green Revolving Fund (GRF), Framework and associated funding for three years, commencing in 2023/24 until 2031 where the fund and projects will then be reviewed against requirement for any future extension.
- (b) That Council allocates funding from the operating budget for the seed funding of \$65k for 2023/24 year and top-up fund of \$30k for 2024/25 and \$15k for 2025/26.
- (c) That any financial savings delivered by projects in the Fund will be transferred to the Green Revolving Fund Reserve and be reported to Council.

ITEM 10 (continued)

- (d) That projects, savings and emissions reductions by the Fund be reported to Council annually via Council's Annual Reporting system to community.

ATTACHMENTS

- 1 CoR Green Revolving Fund Framework
- 2 GRF Toolkit - Council Report 2022

Report Prepared By:

Kylie McMahon
Executive Officer - City Resilience

Report Approved By:

Liz Coad
Director - City Shaping

ITEM 10 (continued)**History**

In response to the need for urgent Climate Action to address the global emergency, the City of Ryde passed a resolution on 28 May 2019 and declared a Climate Emergency “acknowledging that we are in a state of climate emergency that requires urgent action by all levels of government; that human induced climate change represents one of the greatest threats to humanity, civilisation and other species; and that it is still possible to prevent the most catastrophic outcomes if societies, including local councils, take emergency action”.

The City of Ryde has already undertaken numerous actions to reduce greenhouse gas (GHG) emissions from its own operations, including adopting (and recently achieving) a 100% Renewable Energy Target by 2030, procurement of 100% Renewable Electricity from 1 July 2022 onwards, the initial introduction of electric vehicles to Council’s fleet, retrofitting LED streetlighting for residential roads, undertaking various energy efficiency initiatives and installing onsite renewable energy at various sites.

A Notion of Motion was put forward to Council at its meeting on 27 April 2021 for the establishment of a ‘Clean Energy Revolving Fund’ for the City, to ensure Council meets its obligations under the 100% Renewable Energy by 2030 resolution, and the State Government’s Net Zero targets towards reducing carbon emissions and ensuring the continuation of works for Climate Action.

Staff from the Environment Department in collaboration with other operation units in Council commenced initial research in 2021 to find the best practice and identify the most suitable tool to establish a framework and management procedure to properly manage the revolving fund. This model has been included as a key action within the Net Zero Emissions Pathway Plan (2021/2022) to help achieve the Net Zero Emissions targets as one sustainable source of funding to deliver reductions.

Discussion

A Green Revolving Fund (or Revolving Energy Fund) is a sustainable funding mechanism, whereby savings from delivery of sustainability projects are measured and then tracked, to be used to replenish the fund for the next round of investments. In this way, funds used for energy efficiency, renewable energy, and water efficiency projects can be spent multiple times to drive overall environmental performance outcomes of an organisation whilst producing long term cost savings. A GRF allows a monetary investment to be spent several times (through reinvesting cost savings) without reducing its value.

ITEM 10 (continued)

In 2021, the NSW Department of Planning, Industry and Environment (DPIE) commissioned 100% Renewables developing a tool named Revolving Energy Fund (REF) as part of Sustainable Councils and Communities Program to help councils in planning and managing budgets to finance energy projects (ATTACHMENT 2). The tool also helps councils simulate the performance of the revolving fund and determine the required amount of money in the revolving fund to achieve a cash-positive flow scenario.

In 2020, the Environment Department engaged energy consultants conducting energy audits for Ryde Aquatic Leisure Centre (RALC) and 19 sites that owned and/or operated by the City of Ryde. A total of 38 energy efficiency and renewable energy measures were identified with an estimated investment cost of \$383k and annual net saving of \$104k. Since 2020, 6 projects have been implemented with existing budget. Annual savings from these projects are estimated to be \$25k.

At the end of 2021/22 financial year, a total of 8 solar PV systems have been installed on Council buildings. Among these, 6 solar PV systems in table below were funded by Council and 2 other systems were funded by the community groups from grant funding from the Commonwealth Government.

Table 1: Solar PV systems funded and installed at Council buildings to date.

Year	Site	Capacity (kW)	Estimated annual saving (\$)
2016	North Ryde Library	32	\$10,745
2017	Eastwood Hall	8	\$2,727
2018	Ryde Aquatic Leisure Centre	303	\$65,000
2019	West Ryde Community Centre Hall	26	\$8,731
2020	Operations Centre	17	\$5,709
2022	Trafalgar Community Centre	7.8	\$2,300

Three solar PV systems including North Ryde Library, Eastwood Hall, and RALC were installed prior to 2019 and are not included in the GRF as they will fall outside the 5 year GRF saving return modelled under the GRF framework.

A GRF framework has been developed to outline the process and management of the fund for internal staff (**ATTACHMENT 1**).

As part of the review and approval process for Council wide project submissions, a GRF committee with representatives from Finance, Environment and other departments with no conflict of interest in proposed projects such as Customer Service and Library is proposed. This committee will oversee the implementation of the GRF to ensure that only projects aligned with the fund objectives will be selected and funded.

ITEM 10 (continued)

Selected projects are expected to pay back the GRF by contributing 100% of the resulting energy/water cost savings for a period of 2 years (for lighting projects) or 5 years (for other types of projects) following the implementation. The project cost savings are estimated via energy audit reports by consultants or calculation of amount of savings (in kWh, MJ or kL of water) and unit prices in utility bills which is validated prior to approval.

Three months following the completion of GRF financed project, facility energy/water consumption will be compared to the same period in the last two years to calculate the actual savings. Energy/water savings will be based on metered consumption at the relevant facility with corrections made for changes in utility costs, weather extremes and other factors influencing annual consumption. For projects where it is not possible to isolate the effect of a particular energy savings measure based on meter data, calculated savings from energy/water audits will be used.

A set of selection criteria and documentation are also detailed in the GRF framework to create a transparent process of selection to ensure alignment and delivery of the Fund objectives.

In the first three years of implementation, the GRF will fund 12 energy efficiency and renewable energy actions which are already identified through energy audits in 2020.

Additional eligible projects will be identified, evaluated, and selected to be included in the fund as an on-going program. However, these newly identified projects will be funded from the 2026/27 financial year onwards once the identified audit projects have been exhausted. All internal departments will be invited to nominate proposals and are proposed to be submitted prior to Council's annual Project Outcomes bidding process for fully scoped project outcomes for budget and delivery timeframes.

Depending upon the annual returns of additional Department projects, Council will investigate the possibility of expansion of the GRF into the City of Ryde's community for potential emissions reduction opportunities. The outcome of this investigation will be reported back to Council in 2025/26 financial year.

Financial Implications

Using the REF tool developed by 100% Renewables above, a seed funding total of \$65k is required for the 2023/24 financial year and top-up funds of \$30k for 2024/25 and \$15k for 2025/26 FY to implement the identified projects.

Savings from previous years efficiency projects to date have yielded a return to date of \$55k which was transferred to the Revolving Energy Fund Reserve. These funds can be used as part of the start up seed funding component for year 1 projects and will be reported to Council in a future quarterly budget review.

ITEM 10 (continued)

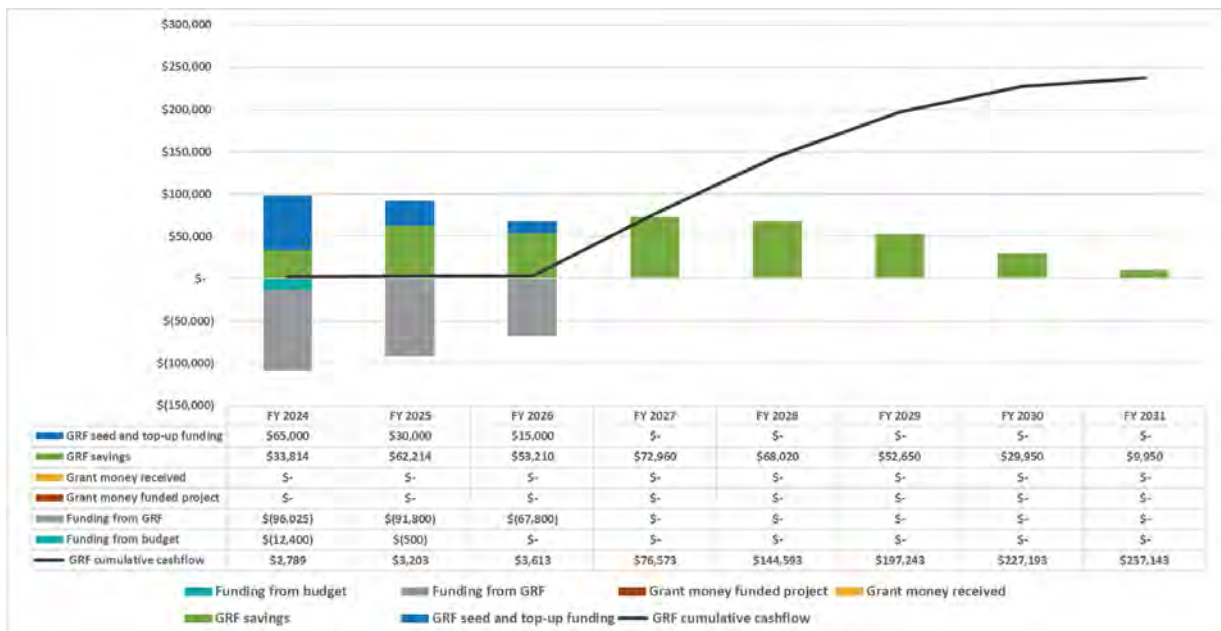
In addition, estimated cost savings from previously delivered projects as identified in the 2021 Notice of Motion from 2020-2023 will be transferred to this reserve as indicated in the following table (Table 2). These will form the GRF starting balance at the beginning of the 2023/24 financial year. The estimated cost savings will be verified and reported to Council after the finalisation of the accounts at year-end.

Table 2: Estimated cashflows of the Green Revolving Fund of the next three financial years.

FY	GRF			GRF inflows		GRF outflows	External outflows
	GRF starting balance	GRF cumulative cashflow	Net cash flows	GRF seed and top-up funding	GRF savings	Funding from GRF	Funding from BAU budget
2023/24	\$ 98,814	\$ 2,789	\$ 2,789	\$ 65,000	\$ 33,814	\$ (96,025)	\$ (12,400)
2024/25	\$ 95,003	\$ 3,203	\$ 414	\$ 30,000	\$ 62,214	\$ (91,800)	\$ (500)
2025/26	\$ 71,413	\$ 3,613	\$ 410	\$ 15,000	\$ 53,210	\$ (67,800)	

The figure below shows estimated cash flows using the tool above from 2023/24 to 2030/31 financial years.

Figure 1: Cashflows including GRF cumulative cashflow from 2023/24 to 2030/31 FY.



The tool will be updated and monitored regularly to reported back to the Fund Committee, Council’s Executive Team and community at the end of each financial year for total emissions reduction and Fund progress.

ITEM 10 (continued)

ATTACHMENT 1



 City of Ryde

Lifestyle and opportunity @ your doorstep



**City of Ryde's Green
Revolving Fund Framework**

ITEM 10 (continued)

ATTACHMENT 1

CoR's GREEN REVOLVING FUND

Document Name:	City of Ryde's Green Revolving Fund Framework
CM Reference WORD:	D22/95421
CM Reference PDF:	[Content Manager Ref]
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Version Number:	Version 1.0
Review Date:	Day Month Year
Owner:	City of Ryde
Endorsed By:	Council on [Date]
Distribution:	Internal

Change History

Version	Review Date	Author	Reason for Change
1.0		Hong Nguyen	Initial Creation of Document

Title of Guideline		
Owner: Department	Accountability:	Endorsed:
CM Reference: D10/	Last review date:	Next review date:

ITEM 10 (continued)

ATTACHMENT 1

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Title of Guideline		
Owner: Department	Accountability:	Endorsed:
CM Reference: D10/	Last review date:	Next review date:

ITEM 10 (continued)

ATTACHMENT 1

CoR's GREEN REVOLVING FUND

1 Purpose

City of Ryde has set up an internal fund (Green Revolving Fund – GRF) to provide financing to implement energy and water efficiency, renewable energy, and other sustainability projects that generate cost savings. These cost savings are tracked and used to replenish the fund for the next round of investments, thus enabling a sustainable funding cycle while cutting operating cost and reduce the environmental impact and help achieving Net Zero Emissions.

2 Project Application and Selection

2.1 Green Revolving Fund Committee

CoR has designed and implemented a process to ensure that only projects aligned with the criteria set below will be selected as eligible projects for the GRF. To oversee this, a GRF Committee will be established with representatives from internal departments which have no conflict of interest in proposed projects such as Finance, Customer Services, Library. The GRF Committee will be chaired by a representative from Finance, and a representative from Environment holds a veto.

2.2 Project Application Process

1. Staff or any department can submit proposal/projects for GRF to Senior Sustainability Coordinator – Transport and Environment at any time.
2. The GRF committee will meet every three months to review and evaluate the submitted projects based on the selection criteria.
3. The GRF committee will prepare a report with recommendations to the Manager, Environment.
4. The Manager, Environment will make the final approval for the proposed projects to be funded by the GRF and incorporated in the Operational Plan for the next fiscal year.

2.3 Project Application form

All applications must be made using the official application form available on the intranet and must include:

1. A project summary;
2. An outline of the project objectives;
3. An outline of the project costs and funding sources;
4. A project plan outlining key activities and milestones;
5. Detailed calculations of potential savings and payback periods;
6. Other project benefits (non-monetary);
7. Identification of the budget that savings are to be drawn from; and
8. Sign off from the relevant managers.

2.4 Selection criteria

1. The project must be at a CoR facility where energy/water bills are paid for by CoR.
2. The project must fit into one of the following categories:
 - a. Have an estimated energy/water saving simple payback of seven (7) years or less. Project with more rapid financial payback will be given priority selection. In cases where the GRF is used to fund the incremental cost of purchasing more efficient equipment, the payback calculation will be applied to the incremental cost only. At least 70% of the total annual fund should fit this category.

Title of Guideline		
Owner: Department	Accountability:	Endorsed:
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ITEM 10 (continued)

ATTACHMENT 1

CoR's GREEN REVOLVING FUND

- b. Serve as a demonstration project to educate the CoR community about energy efficiency or renewable energy and/or serve as a pilot project for emerging technologies or innovation clean energy solutions
- c. Provide information to facility managers on energy saving opportunities through energy audits or related facility evaluation services. No more than 10% of the total annual GRF could be spent on this category.
- 3. The following criteria will be used to assess the proposal for funding allocation
 - a. Demonstration of monetary savings
 - b. A reduction in resource use (water, energy, fuel, materials)
 - c. Business improvements / efficiency gains
 - d. A reduction in greenhouse gas emissions
 - e. Improved environmental outcomes
 - f. Improved social and cultural outcomes
 - g. Use of innovative and new technologies and approaches

3 Funding sources

Selected projects are expected to pay back the GRF by contributing 100% of the resulting energy/water cost savings for a period of two (2) years for lighting projects and five (5) years for other projects following the implementation. The project cost savings are estimated via Energy Audits reports or calculation of amount of savings (in kWh, MJ, or kL) and unit prices in utility bills. The GRF (seed, top-up and GRF savings) will be allocated each year from the General Fund.

Specially selected demonstration or pilot projects and energy audits are exempt from this requirement.

Capital intensive project with rapid projected return on investment may be eligible for modified energy fund payback terms with approval of the GRF Committee. Projects selected for modified fund contributions will pay back a minimum of 50% of the resulting energy cost savings. No more than one project may qualify for modified fund contributions per fiscal year.

Three months following the completion of GRF financed project, facility energy/water consumption will be compared to the same period in the last two years to calculate the actual savings. Energy/water savings will be based on metered consumption at the relevant facility with corrections made for changes in utility costs, weather extremes and other factors influencing annual consumption. For projects where it is not possible to isolate the effect of a particular energy savings measure based on meter data, calculated savings from energy/water audits will be used.

4 Withdrawal of the fund

Funding may be withdrawn if a project has not commenced one year after the offer of the funding has been made.

5 Return of excess fund

Any unspent monies from project allocations are to be returned to the Fund.

Title of Guideline		
Owner: Department	Accountability:	Endorsed:
CM Reference: D10/	Last review date:	Next review date:

ITEM 10 (continued)

ATTACHMENT 1

CoR's GREEN REVOLVING FUND

6 Reporting Requirements

At the end of each fiscal year, a detailed accounting of expenses and savings will be performed under the direction of the Manager, Environment for all projects financed by the GRF. Project costs will be compiled using data from Finance Department records, facility managers and stakeholders involved. The report will be submitted to the ET for review and presented to Council in annual report.

7 Attachments

<i>Number</i>	<i>Title</i>	<i>CM Reference</i>
1.		
2.		

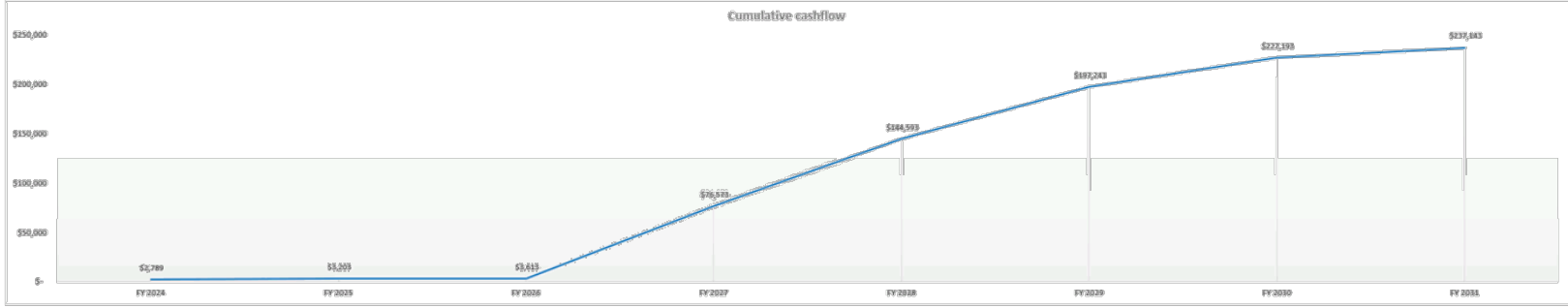
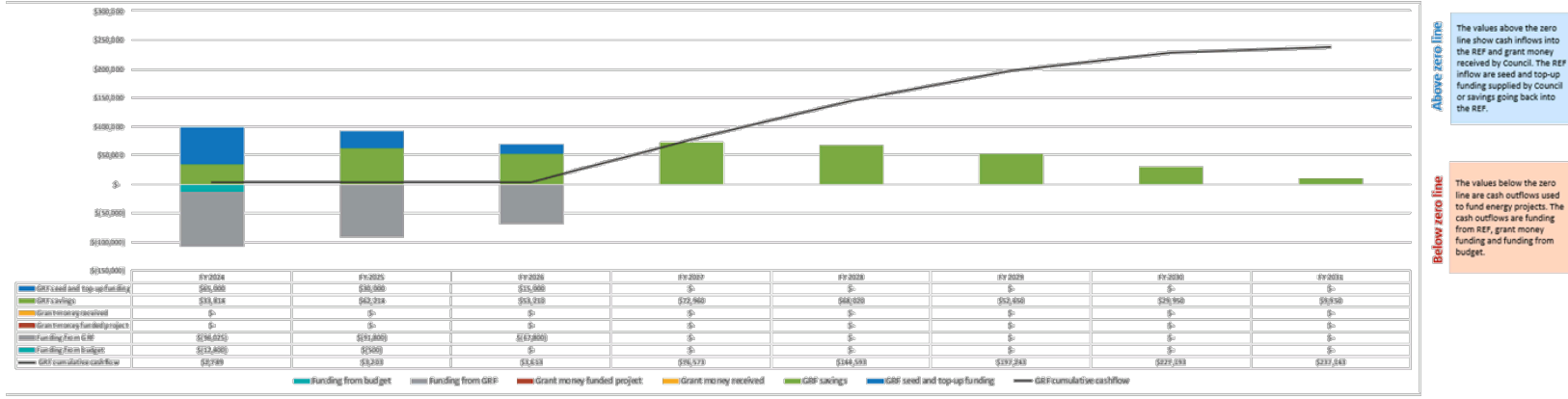
Title of Guideline		
Owner: Department	Accountability:	Endorsed:
CM Reference: D10/	Last review date:	Next review date:

ITEM 10 (continued)

ATTACHMENT 2

Revolving Green Fund – Analysis and project forecast tool – City of Ryde projects 2024 - 2031

(toolkit: 100% Renewables – Revolving Energy Fund)



ITEM 10 (continued)

ATTACHMENT 2

Revolving Green Fund – Analysis and project forecast tool – City of Ryde projects 2024 - 2031

(toolkit: 100% Renewables – Revolving Energy Fund)

REF cashflow analysis

The table shown below is the REF cashflow analysis data used in the graphs above and it's the same table shown in the graph. The values in the table are based on inputs in the 'Settings' and 'Project database' tabs.

Financial Year	GRF			GRF inflows		GRF outflows		External outflows		Grant money		GRF funding deficit
	GRF starting balance	GRF cumulative cashflow	Net cash flows	GRF seed and top-up funding	GRF savings	Funding from GRF	Funding from budget	Received	Fund project			
FY 2024	\$ 98,814	\$ 2,789	\$ 2,789	\$ 65,000	\$ 33,814	\$ (66,025)	\$ (32,400)	\$ -	\$ -	\$ -	\$ -	
FY 2025	\$ 95,003	\$ 3,203	\$ 414	\$ 30,000	\$ 62,314	\$ (81,800)	\$ (500)	\$ -	\$ -	\$ -	\$ -	
FY 2026	\$ 71,413	\$ 3,613	\$ 410	\$ 15,000	\$ 53,310	\$ (67,800)	\$ -	\$ -	\$ -	\$ -	\$ -	
FY 2027	\$ 75,513	\$ 75,513	\$ 72,960	\$ -	\$ 72,960	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
FY 2028	\$ 144,593	\$ 144,593	\$ 68,020	\$ -	\$ 68,020	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
FY 2029	\$ 197,343	\$ 197,343	\$ 52,650	\$ -	\$ 52,650	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
FY 2030	\$ 227,193	\$ 227,193	\$ 29,950	\$ -	\$ 29,950	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
FY 2031	\$ 237,143	\$ 237,143	\$ 9,950	\$ -	\$ 9,950	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	

11 CITY OF RYDE COMMUNITY GRANTS, ROUND 2, 2022

Report prepared by: Team Leader - Community Services
File No.: GRP/21/11 - BP22/765

REPORT SUMMARY

The City of Ryde Community Grants are a strategic tool aimed at building community capacity and well-being. This is achieved by supporting projects that address community need in line with the Ryde 2028 Community Strategic Plan, the Social Plan and Creativity Strategy 2019-2024, the Disability Inclusion Action Plan 2022-2026, the Reconciliation Action Plan and the Ryde Resilience Plan 2030.

Round two of the 2022 Community Grants Program opened on the 8 August 2022 and closed on the 16 September 2022. This round consisted of the following seven categories:-

1. Community Wellbeing (major, medium, and small projects)
2. Events (major, medium, and minor events)
3. Arts and Culture
4. Community Facilities and Equipment
5. Sport and Recreation
6. Small Grants
7. Venue Hire

Thirty-two eligible grant applications were received and assessed in this grant round. The amount of funding available in this round is \$182,500 with the total amount of funding recommended being \$149,196.

In addition to the Community Grants Program, Council provides a Minor Donations Program to support the community, as per the Community Grants and Donations Policy and the Minor Donations and Awards Guidelines 2021. Five General Donations and Representative Donations have been awarded this year totaling \$1,500.

RECOMMENDATION:

- (a) That Council endorse funding the following organisations for the City of Ryde Community Grants, Round 2, 2022:

Community Wellbeing- Large- Up to \$15,000 with matched contribution

	Ref No.	Organisation	Amount Requested	Amount Recommended	Project Name/ Description	Other Comments
1	CW20	Sydney Community Services	\$15,000	\$15,000	Opportunities and activities for people living with disability.	

ITEM 11 (continued)

2	CW16	CCA New South Wales (formerly known as Christian Community Aid)	\$15,000	\$15,000	Building active and connected CALD seniors in the City of Ryde.	
Total				\$30,000		

Community Wellbeing – Medium – Up to \$7,500

	Ref No.	Organisation	Amount Requested	Amount Recommended	Project Name/ Description	Other Comments
3	CW03	Empowering Parents in Crisis	\$3,805	\$3,805	EPIC Connect-support for parents of teenagers.	
4	CW08	Ample Abilities Inc.	\$5,000	\$4,500	A project to support people with disability and their carers to volunteer.	Operational IT costs not eligible.
5	CW12	Yimiri Ltd	\$15,000	\$7,500	Community Empowerment Series-workshops and presentations for multicultural community members.	Ineligible for large Community Wellbeing category. Moved to medium Community Wellbeing category.
6	CW17	Young Artist World Inc.	\$7,500	\$4,500	Healing Life Project- a series of seminars and workshops for women.	Ongoing venue hire costs not eligible
7	CW23	United Way Australia	\$4,800	\$4,800	Read + Create workshops for children and families in ANZAC Park.	
Total				\$25,105		

Community Wellbeing- Small- Up to \$2,500

	Ref No.	Organisation	Amount Requested	Amount Recommended	Project Name/ Description	Other Comments
8	CW06	AASHA Australia Foundation	\$2,500	\$2,500	Social wellbeing, cancer screening and digital literacy for seniors.	
9	CW07	Integricare	\$2,000	\$2,000	A physical wellbeing project for families attending a supported playgroup in Ryde.	
Total				\$4,500		

ITEM 11 (continued)
Events- Large- Up to \$15,000 with matched contribution

	Ref No.	Organisation	Amount Requested	Amount Recommended	Project Name/ Description	Other Comments
10	Ev03	Persian Association Sydney	\$15,000	\$15,000	Persian New Year- Nawruz.	
	Total			\$15,000		

Events- Medium- Up to \$7,500

	Ref No.	Organisation	Amount Requested	Amount Recommended	Project Name/ Description	Other Comments
11	Ev02	Armenian Film Festival Inc.	\$7,500	\$7,500	Armenian Film Festival 2023.	
12	Ev05	Morling College Ltd.	\$4,000	\$4,000	Community Spring Fair in Macquarie Park.	
13	Ev09	Australian Yellow River Chorus	\$7,500	\$7,500	Australian Yellow River Chorus Concert and Easter celebration in Eastwood.	
	Total			\$19,000		

Events- Minor- Up to \$2,500

	Ref No.	Organisation	Amount Requested	Amount Recommended	Project Name/ Description	Other Comments
14	Ev04	Message Community Church Inc.	\$2,500	\$2,500	2023 K-Cultural (Korean) Festival.	
15	Ev06	Ryde Hunters Hill Flora and Fauna Preservation Society Inc.	\$1,600	\$1,600	Music on Mars- Afternoon concert at Field of Mars.	
16	Ev10	North Ryde Christian Church	\$3,250	\$2,500	2022 Family Fun Day.	Meets criteria for minor event-local, less than 400 people.
	Total			\$6,600		

Facilities and Equipment

	Ref No.	Organisation	Amount Requested	Amount Recommended	Project Name/ Description	Other Comments
17	FE04	1 st North Ryde Scouts	\$5,000	\$5,000	New Scout Hall floor.	
18	FE07	Kevinwood Orchestra and Bells	\$499	\$499	Purchase of collapsible music stands.	
19	Sp06	Eastwood Chinese Senior Citizens Club	\$5,000	\$5,000	Karaoke equipment.	
	Total			\$10,499		

ITEM 11 (continued)
Arts and Culture

	Ref No.	Organisation	Amount Requested	Amount Recommended	Project Name/ Description	Other Comments
20	CW15	Differently Abled People Association Incorporated	\$15,000	\$5,000	DAPA's Inclusion Cultural Exhibition- series of workshops and multicultural arts displays.	Project ineligible for the large Community Wellbeing category. Meets criteria for the Arts and Culture category.
21	Arts05	Ryde Eisteddfod Committee Inc.	\$2,000	\$2,000	Extension of front of house system for Ryde Eisteddfod registration desk.	
22	Arts07	The Happy Hens Social Enterprise Inc.	\$4,940	\$4,940	Art to Connect-series of creative workshops and showcase at Eden Gardens for Social Inclusion Week and Mental Health Month 2023.	
	Total			\$11,940		

Sport and Recreation

	Ref No.	Organisation	Amount Requested	Amount Recommended	Project Name/ Description	Other Comments
23	Sp04	Eastwood Ryde Netball Association	\$2,500	\$2,000	Coaching course for beginners.	\$500 covered by participant fees. Grants cannot raise an income.
24	Sp05	Ryde Water Polo Club Inc.	\$4,680	\$4,680	Junior Referee Development Program.	
25	Ev07	Distinguished Citizens Society International of NSW Inc.	\$5,000	\$4,400	Double Tenth Basketball Championships at ELS Hall, North Ryde.	Annual insurance costs are not eligible
	Total			\$11,080		

Small Grants

	Ref No.	Organisation	Amount Requested	Amount Recommended	Project Name/ Description	Other Comments
26	Sm03	Sunnyfield	\$2,010	\$2,010	Social activities for people with intellectual and physical disability.	

ITEM 11 (continued)

27	Sm04	Sydney Korean Women's Association	\$2,500	\$2,500	Helping Hands-face to face and phone counselling.	
28	Sm06	The Probus Club of Gladesville and District Inc.	\$2,500	\$2,500	Transport assistance for club social outings.	
29	Sm07	SydneySiders Express Harmony Chorus	\$2,500	\$2,500	Barbershop Choir concert and free Sing in Harmony course in Ryde.	
30	Sm09	Ryde District Historical Society	\$2,262	\$2,262	Preserving Our Past- preserving early Ryde documents.	
	Total			\$11,772		

Venue Hire

	Ref No.	Organisation	Amount Requested	Amount Recommended	Project Name/ Description	Other Comments
31	Ven01	Indonesian Welfare Association Inc.	\$1,200	\$1,200	Activities for seniors from Indonesian background- subsidised hall set up.	
32	Ven02	Italo-Australian Senior Citizen Group (auspice Stryder Inc.)	\$2,500	\$2,500	Activities for seniors from Italian background- subsidised hall hire and set up.	
	Total			\$3,700		

Grand Total for All Categories in Round

Total Amount Requested	Total Amount Recommended
\$162,046	\$149,196

- (b) That funding of \$149,196 is awarded in this grant round from the Community Grants budget.
- (c) That unspent funding of \$33,304 is carried forward to the Community Grants, Round 1, 2023.
- (d) That Council note that five minor donations totalling \$1,500 has been awarded from the Minor Donations and Awards Category.

ATTACHMENTS

There are no attachments for this report.

ITEM 11 (continued)

Report Prepared By:

Tania Gamble
Team Leader - Community Services

Report Approved By:

Sue Verhoek
Senior Coordinator - Community Services

Lindsay Godfrey
Manager - Community and Ranger Services

Marnie Mitchell
Executive Manager - City Life

ITEM 11 (continued)**Discussion**

The City of Ryde Community Grants Program provides funding to local groups and organisations to build their capacity and address community needs, which align to the Ryde 2028 Community Strategic Plan, the City of Ryde Social Plan and the Creativity Strategy.

Round two of the Community Grants Program was promoted extensively including advertisements in local and culturally specific newspapers, social media, Council's website and emails to previous applicants. Information was also disseminated through several Northern Sydney inter-agencies and networks.

To assist applicants with grant writing several initiatives were implemented including:-

- Two City of Ryde Grant Writing Workshops were held to provide potential applicants with information about the grant program. 48 people registered to attend these workshops.
- One-on-one meetings with a member of the grants team were offered via phone or MS Teams, so potential applicants could discuss their project in detail and check that it aligned with the eligibility criteria.

Applications were submitted via SmartyGrants, an online grant management system. Assistance was available for groups that were unable to access the internet or that had English, as a second language.

All applications were assessed in line with the Community Grants Program Policy 2020 and the Community Grants Program Guidelines 2022. Each grant application was reviewed by a minimum of two Council officers representing Community Services, Parks and Events.

A total of 32 eligible applications were received in this round and formally assessed. 32 applications were recommended for full or partial funding totaling \$149,196.

The current round of Community Grants incorporates seven categories, as follows:

1. Community Wellbeing

The Community Wellbeing category aims to support projects that develop a connected and inclusive community and promote health, community safety, accessibility, and livability of the area. Priority is given to projects that align with the objectives of the Community Strategic Plan, Social Plan, Disability Inclusion Action Plan, Resilience Plan, Reconciliation Action Plan and/or the Creativity Strategy.

ITEM 11 (continued)

The Community Wellbeing category provides funding of up to \$15,000 matched contribution for major projects (for every dollar of grant funding the organisation must contribute at least one dollar of funding or in-kind support), \$7,500 for medium projects or \$2,500 for small projects. A funding pool of \$100,000 is available in this round.

Nine applications are recommended for funding totaling \$59,605. As the total pool of funding for the Community Wellbeing Category is \$100,000, the unspent \$40,395 will be available in other categories in this round.

2. Events

This category intends to support the delivery of community-based events and festivals, which activate public areas, connect people to place and promote community celebration. Priority is given to projects that align with the objectives of the Community Strategic Plan, Social Plan, Creativity Strategy, Disability Inclusion Action Plan, Resilience Plan and/or the Reconciliation Action Plan.

This category provides funding of up to \$15,000 matched contribution for major events (for every dollar of grant funding the organisation must contribute at least one dollar of funding or in-kind support), \$7,500 for medium events and \$2,500 for minor events. A funding pool of \$37,500 is available for this round.

Seven applications are recommended for funding totaling \$40,600. As the total pool for the events category is \$37,500, the additional \$3,100 will be funded from the Community Wellbeing Category.

3. Arts and Creativity

This category aims to support community-led programs and projects to stimulate creative and cultural expression in the City of Ryde. Grants can support individuals, creative collectives, or not-for-profit organisations to provide creative outcomes, which benefit the community. Priority is given to projects that align with the objectives of the Community Strategic Plan and/or the Creativity Strategy.

The Arts and Creativity category provides funding of up to \$5,000 per applicant with a funding pool of \$10,000 available in this round.

Three applications are recommended for funding totaling \$11,940. As the pool for the Arts and Creativity Category is \$10,000, the additional \$1,940 will be funded from the Community Wellbeing Category.

4. Community Facilities and Equipment

This category aims to provide funding for local small capital works projects and equipment. Projects must have community support and demonstrate benefit to the community.

ITEM 11 (continued)

Priority is given to projects that align with the objectives of the Community Strategic Plan, Social Plan, Disability Inclusion Action Plan, Reconciliation Action Plan, Resilience Plan and/or the Creative Strategy. The Community Facilities and Equipment category provides funding of up to \$5,000 per application with a funding pool of \$10,000 available in this round.

Three applications are recommended for funding totaling \$10,499. As the total pool is \$10,000 in the Community Facilities and Equipment Category, the additional \$499 will be funded from the Community Wellbeing Category

5. Sport and Recreation

The Sport and Recreation category is designed to increase participation in sport and recreational activities, primarily, at a grass roots level. Projects must increase access to sport or recreational opportunities, be inclusive of diverse needs and aim to develop a sustainable program.

Priority is given to projects that align with the objectives of the Community Strategic Plan, Social Plan, Sport and Recreation Strategy and/or the Disability Inclusion Action Plan. Funding of up to \$5,000 per applicant is available in this category with a funding pool of \$10,000 available in this round.

Three applications are recommended for funding totaling \$11,080. As the total pool for the Sport and Recreation Category is \$10,000, the additional \$1,080 will be funded from the Community Wellbeing Category.

6. Small Grants

Small grants are designed to respond to projects that are of community benefit, where the project falls outside the criteria of the other grant categories. Priority is given to projects that align with the objectives of the Community Strategic Plan, Social Plan, Creativity Strategy, Disability Inclusion Action Plan, Resilience Plan and/or Reconciliation Action Plan.

Funding of up to \$2,500 per applicant is available in this category with a funding pool of \$5,000 available in this round.

Five applications are recommended for funding totaling \$11,772. As the total pool for the small grants is \$5,000, the additional amount of \$6,772 will be funded from the Community Wellbeing Category.

7. Venue Hire

The Venue Hire category is designed to enable equitable access to City of Ryde venues by providing financial assistance. The activities held in the venue must be open to the public and the applicant must demonstrate that they would be otherwise unable to access the venues due to financial hardship.

ITEM 11 (continued)

Funding of up to \$5,000 per applicant is available in this category with a funding pool of \$10,000 available in this round.

Two applications are recommended for funding totaling \$3,700.

Minor Donations

In addition to the Community Grants Program, Council provides a Minor Donations Program to support the community, as per the Community Grants and Donations Policy and the Minor Donations and Awards Guidelines 2021.

The Minor Donations categories include:-

- Representative Donations, funding of up to \$250 per individual representing their community via sporting, cultural or academic endeavors at a national or international level. A total funding pool of \$2,500 is available for this category per year.
- General Donations, funding of up to \$500, for projects that do not align with the timing of the Community Grants Programs rounds. A total funding pool of \$2,500 is available for this funding category per year.

The applications for donations are received at any time throughout the year and as per the Policy are approved by the CEO. The funding awarded is reported to Council with the next large grant round.

The donations awarded have been:

Representative Donations

Individual	Representing	Amount Awarded
Mr Benjamin Karakasis	Baseball U16 Australian Youth Championships	\$250
Mr Tomasz Szklarski	Asian Handball Championships	\$250
Miss Alexandra McWhirter	Acrobatic Gymnastics World Championships	\$250
Miss Anna Tran-Dinh	Acrobatic Gymnastics World Championships	\$250
Total		\$1,000

General Donations

Organisation	Project	Amount Awarded
Ryde Community Forum	Moon Festival - Eastwood	\$500
Total		\$500

The amount remaining in the Minor Donations budget includes \$1,500 for Representative Donations and \$2,000 for General Donations.

ITEM 11 (continued)**Financial Implications**

The amount of funding available for the Community Grants Program, Round 2, 2022 is \$182,500. The total amount of funding recommended in this round is \$149,196. It is recommended that the unspent funding of \$33,304 is carried forward to the Community Grants, Round 1, 2023.

The amount of funding available in the Minor Donations budget for 2022 is \$5,000 with, to date, a total amount awarded of \$1,500.

**12 VARIATIONS TO DEVELOPMENT STANDARDS UNDER CLAUSE 4.6 OF
RYDE LOCAL ENVIRONMENT PLAN 2014**

Report prepared by: Senior Coordinator - Administration and Reporting
File No.: GRP/22/49 - BP22/866

REPORT SUMMARY

To ensure transparency and integrity within the planning framework, the Department of Planning and Environment requires a report to Council once a quarter in respect to all variations to development standards approved under Council Officers' delegation using Clause 4.6 of Ryde Local Environmental Plan 2014.

This report details Development Applications approved in the period of 1 July to 30 September 2022 with a Clause 4.6 variation.

RECOMMENDATION:

That the report on the Clause 4.6 variations 1 July to 30 September 2022 be received and noted.

ATTACHMENTS

- 1 Circular - Clause 4.6 - May 2020

Report Prepared By:

Myra Malek
Senior Coordinator - Administration and Reporting

Report Approved By:

Sandra Bailey
Executive Manager - City Development

ITEM 12 (continued)
Discussion

The below table contains details of the Development Application approved under Council Officers' delegated authority in the second quarter of calendar year 2022 (July to September).

DA number	Address	Description of Proposal	Extent of variation & standard varied	Justification of variation	Delegation & Date of Determination
LDA2021/0117	3 Rokeva Street Eastwood	Demolition, new dual occupancy (attached).	9.5% (540mm) variation to Clause 4.3 Height of buildings	The height encroachment occurs within a limited area of the pitched roof and is caused by previous excavation of the site for the existing lower ground floor garage of the existing house that is to be demolished. This causes a depression on the site resulting in the building height being exceeded. The height variation will not cause any disruption to views or affect solar access to adjoining properties. Further, it will have no negative impact on the locality and will not appear higher than the rest of the building, which is similar in size and scale to other buildings in the surrounding neighbourhood.	27/07/2022
LDA2022/0080	106 Wicks Road North Ryde	Demolition, new dual occupancy (attached).	6.87% (1.03m) variation to Clause 4.1B (2)(b) Dual occupancy primary road frontage	The site exceeds the area requirement of Clause 4.1B(a); however, it has a secondary frontage to Beatrice Street in addition to frontage to Wicks Road which includes an additional splay of 5.15m. The splay results in the frontage to Wicks Road being 13.97m rather than 15m. The overall dimensions of the site are suitable for this development type and the exclusion of the splay from the primary frontage definition is technical in nature. Compliance with the standard is unreasonable and unnecessary in this circumstance given the proposal demonstrates the allotment can accommodate the dual occupancy development, without having any detrimental impact upon the amenity of surrounding properties and does not have an excessive bulk and scale with the built form achieving consistency with the streetscape character.	13/07/2022

ITEM 12 (continued)

DA number	Address	Description of Proposal	Extent of variation & standard varied	Justification of variation	Delegation & Date of Determination
LDA2022/0105	16 Perkins Street Denistone West	Demolition, new dual occupancy (attached) and strata title subdivision.	<p>0.71% (4.1m²) variation to Clause 4.1A(b)(i) involving the subdivision of a dual occupancy and the minimum area of the lot to erect a dual occupancy.</p> <p>0.71% (4.1 m²) variation to Clause 4.1B Minimum lot sizes for dual occupancies</p>	<p>The variation is numerically small and the development is consistent with the FSR, height and built form controls within RDCP 2014. The development has demonstrated that a dual occupancy can be erected on the site with no material impacts to the streetscape or adjoining properties. The development is not considered to be an overdevelopment of the site and is consistent with the objectives of the development standard and the zone.</p>	2/08/2022

Financial Implications

Adoption of the recommendation will have no financial impact.

ITEM 12 (continued)

ATTACHMENT 1



Planning circular

PLANNING SYSTEM

Varying Development Standards

Circular	PS 20-002
Issued	5 May 2020
Related	Revokes PS 17-006 (December 2017), PS 19-005

Variations to development standards

This circular is to advise consent authorities of arrangements for when the Secretary's concurrence to vary development standards may be assumed (including when council or its Independent Hearing and Assessment Panel are to determine applications when development standards are varied) and clarify requirements around reporting and record keeping where that concurrence has been assumed.

Overview of assumed concurrence

This circular replaces Planning Circular PS 18-003 and issues assumed concurrence, governance and reporting requirements for consent authorities. It also advises that council reports are to come through the Planning Portal, and of the repeal of SEPP 1.

All consent authorities may assume the Secretary's concurrence under:

- clause 4.6 of a local environmental plan that adopts the *Standard Instrument (Local Environmental Plans) Order 2006* or any other provision of an environmental planning instrument to the same effector
- *State Environmental Planning Policy No 1 – Development Standards* for land included in an old Interim Development Order (IDO) or Planning Scheme Ordinance (PSO).

However, the assumed concurrence is subject to conditions (see below).

The assumed concurrence notice takes effect immediately and applies to pending development applications.

Any existing variation agreed to by the Secretary of Planning, Industry and Environment to a previous notice will continue to have effect under the attached notice.

Assumed concurrence conditions

Lot size standards for dwellings in rural areas

The Secretary's concurrence may not be assumed for a development standard relating to the minimum lot size required for erection of a dwelling on land in one of the following land use zones, if the lot is less than 90% of the required minimum lot size:

- Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone

RU4 Primary Production Small Lots, Zone RU6 Transition

- Zone R5 Large Lot Residential
- Zone E2 Environmental Conservation, Zone E3 Environmental Management, Zone E4 Environmental Living
- a land use zone that is equivalent to one of the above land use zones

This condition will only apply to local and regionally significant development.

Numerical and non-numerical development standards

The Secretary's concurrence may not be assumed by a delegate of council if:

- the development contravenes a numerical standard by greater than 10%; or
- the variation is to a non-numerical standard.

This restriction does not apply to decisions made by independent hearing and assessment panels, formally known as local planning panels, who exercise consent authority functions on behalf of councils, but are not legally delegates of the council (see section 231).

The purpose of the restriction on assumed concurrence for variations of numerical and non-numerical standards applying to delegates is to ensure that variations of this nature are considered by the council or its independent hearing and assessment panel and that they are subject to greater public scrutiny than decisions made by council staff under delegation.

In all other circumstances, delegates of a consent authority may assume the Secretary's concurrence in accordance with the attached written notice.

ITEM 12 (continued)

ATTACHMENT 1

Department of Planning, Industry and Environment – Planning Circular PS 20-002

Independent hearing and assessment panels

From 1 March 2018, councils in Sydney and Wollongong were required to have independent hearing and assessment panels that will determine development applications on behalf of councils (see section 231).

The attached notice allows independent hearing and assessment panels to assume the Secretary's concurrence because they are exercising the council's functions as a consent authority.

Independent hearing and assessment panels established by councils before 1 March 2018 also make decisions on behalf of councils. The attached notice applies to existing panels in the same way as it applies to panels established after 1 March 2018.

Regionally significant development

Sydney district and regional planning panels may also assume the Secretary's concurrence where development standards will be contravened.

The restriction on delegates determining applications involving numerical or non-numerical standards does not apply to all regionally significant development. This is because all regionally significant development is determined by a panel and is not delegated to council staff.

However, the restriction on assuming concurrence to vary lot size standards for dwellings in rural areas will continue to apply to regionally significant development. The Secretary's concurrence will need to be obtained for these proposals in the same way as it would for local development.

State significant development and development where a Minister is the consent authority

Consent authorities for State significant development (SSD) may also assume the Secretary's concurrence where development standards will be contravened. This arrangement also applies to other development for which a Minister is the consent authority for the same reasons.

Any matters arising from contravening development standards will be dealt with in Departmental assessment reports.

The restriction on assuming concurrence to vary lot size standards for dwellings in rural areas will not apply to SSD or where a Minister is the consent authority for the same reasons.

Notification of assumed concurrence

Under clause 64 of the *Environmental Planning and Assessment Regulation 2000*, consent authorities are notified that they may assume the Secretary's concurrence for exceptions to development standards for applications made under clause 4.6 of the SILEP (or any other provision of an environmental planning instrument to the same effect).

The notice takes effect on the day that it is published on the Department of Planning, Industry and Environment's website (i.e. the date of issue of this circular) and applies to pending development applications.

Procedural and reporting requirements

In order to ensure transparency and integrity in the planning framework the below Departmental monitoring and reporting measures must be followed when development standards are being varied:

- Proposed variations to development standards cannot be considered without a written application objecting to the development standard and dealing with the matters required to be addressed by the relevant instrument.
- A publicly available online register of all variations to development standards approved by the consent authority or its delegates is to be established and maintained. This register must include the development application number and description, the property address, the standard to be varied and the extent of the variation.
- A report of all variations approved (including under delegation) must be submitted through the NSW Planning Portal at <https://www.planningportal.nsw.gov.au/reporting/online-submission-planning-data> within four weeks of the end of each quarter (i.e. March, June, September and December) in the form provided by the Department.
- A report of all variations approved under delegation from a council must be provided to a meeting of the council meeting at least once each quarter.

Councils are to ensure these procedures and reporting requirements are carried out on behalf of Independent Hearing and Assessment Panels and Sydney district or regional planning panels.

Audit

The Department will continue to carry out random audits to ensure the monitoring and reporting measures are complied with. The Department and the NSW Independent Commission Against Corruption will continue to review and refine the audit strategy.

Should ongoing non-compliance be identified with one or more consent authorities, the Secretary will consider revoking the notice allowing concurrence to be assumed, either generally for a consent authority or for a specific type of development.

Repeal of State Environmental Planning Policy No 1 – Development Standards (SEPP 1)

The repeal of SEPP 1 came into effect from 1 February 2020 as part of the SEPP Review Program to update and simplify the NSW Planning system.

SEPP 1 is repealed in circumstances where a standard instrument LEP applies in a local council

ITEM 12 (continued)**ATTACHMENT 1**

Department of Planning, Industry and Environment – Planning Circular PS 20-002

area. The amendments included the insertion of two clauses into the *SEPP (Concurrences and Consents) 2018*. Clause 6 provides for the continued operation of SEPP 1 where an Interim Development Order (IDO) or a Planning Scheme Ordinance (PSO) is in effect. Clause 7 is a savings provision which continues to apply SEPP 1 for applications that were made prior to the repeal but are yet to be determined.

Further information

A Guide on Varying Development Standards 2011 is available to assist applicants and councils on the procedures for managing SEPP 1 and clause 4.6 applications to vary standards.

Links to the Standard Instrument can be found on the NSW Legislation website at: www.legislation.nsw.gov.au

For further information please contact the Department of Planning, Industry and Environment's information centre on 1300 305 695.

Department of Planning, Industry and Environment circulars are available at: planning.nsw.gov.au/circulars

Authorised by:

Marcus Ray
Group Deputy Secretary,
Planning and Assessment
Department of Planning, Industry and Environment

Important note: This circular does not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by this circular.

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13 TRAFFIC AND PARKING MATTERS APPROVED BY THE RYDE TRAFFIC COMMITTEE MEETING - OCTOBER 2022

Report prepared by: Traffic Engineer
File No.: GRP/09/3 - BP22/808

REPORT SUMMARY

This report provides recommendations on each traffic/ parking matter separately and details on how Council may proceed with the proposed measures. The October 2022 Traffic Committee meeting was held electronically. Members of the committee are listed below:

City of Ryde (Chair) Senior Coordinator Transport Services (for Mgr. Transport)
Transport for New South Wales.....Network & Safety Officer, Central River City
NSW Police ForceRyde Local Area Command
Member for Ryde (3 items) The Hon. V Dominello MP
Member for Lane Cove (1 item) The Hon. A Roberts MP

The October 2022 Traffic Committee meeting agenda consisted of Three (3) traffic and parking proposals. No objections were received from the voting members regarding all items A to C. No pecuniary or non-pecuniary interests were declared.

The proposed traffic and parking matters now require the approval of Council. For ease of review, details of the proposals identified in the recommendations below are provided as **ATTACHMENT 1**.

RECOMMENDATION:

That Council endorses the following Ryde Traffic Committee recommendations from the meeting held in October 2022:-

(A) MEADOWBANK EDUCATION EMPLOYMENT PRECINCT (MEEP) - MELLOR STREET, WEST RYDE - PEDESTRIAN CROSSING

The following changes be made on Mellor Street, West Ryde:

- a) That an at grade pedestrian (zebra) crossing be installed on Mellor Street, West Ryde, north of Macpherson Street, Meadowbank. The installation of this pedestrian facility will be undertaken by the applicant (NSW Department of Education/School Infrastructure NSW), at no cost to Council.

ITEM 13 (continued)

(B) PRINCES STREET, RYDE, - EXTENSION OF 'NO STOPPING' ZONE

The following changes be made on Princes Street, Ryde:

- a) The existing 'No Stopping' zone be extended by 5 metres on the eastern side of Princes Street opposite 55 Princes Street, Ryde.

(C) ROAD SAFETY UPDATE - ROAD SAFETY PROGRAMS

- a) The Road Safety report be received and noted.

ATTACHMENTS

- 1 Ryde Traffic Committee Agenda - October 2022

Report Prepared By:

Muddasir Ilyas
Senior Coordinator - Transport Services

Report Approved By:

Yafeng Zhu
Manager – Traffic Services

Charles Mahfoud
Executive Manager - City Infrastructure

ITEM 13 (continued)

ATTACHMENT 1

ITEM (A): MEADOWBANK EDUCATION EMPLOYMENT PRECINCT (MEEP)
SUBJECT: MELLOR STREET, WEST RYDE - PEDESTRIAN CROSSING

ELECTORATE: RYDE
WARD: CENTRAL
ROAD CLASS: NON-CLASSIFIED

Traffic Committee Members are required to advise whether they have any pecuniary or non-pecuniary interest with regards to the item discussed below.

PROPOSAL

The new Meadowbank Education and Employment Precinct (MEEP) was opened in April 2022. To improve the pedestrian walking route, an additional pedestrian (zebra) crossing is being proposed by NSW Department of Education/School Infrastructure NSW on Mellor Street, West Ryde north of Macpherson Street, Meadowbank. This crossing will provide connectivity to the pedestrian crossing on Macpherson Street improving the walking route to the school for students and parents from the north direction.



Figure 1: Location Plan

ITEM 13 (continued)

ATTACHMENT 1



Ryde Traffic Committee

DISCUSSION

The provision of a pedestrian (zebra) crossing across Mellor Street will provide connectivity to the crossing at Macpherson Street and improve the pedestrian route to the school for students and parents travelling from the north direction.

It is noted that before a location can be considered for the installation of a pedestrian crossing it should consider the likely vehicular traffic and pedestrian demand at the crossing location. Transport for NSW's supplement to Austroads Guide to Traffic Management Part 10: Traffic Control and Communication Devices states the following minimum vehicular traffic and pedestrian demand that would warrant a pedestrian crossing:

"If the crossing is used predominantly by school children, is not suitable site for a children's crossing and in two counts of one hour duration immediately before and after school hours:-

(a) $P \geq 30$ AND

(b) $V \geq 200$ "

The school development will accommodate an ultimate student population of 2,620 students, which is expected to generate traffic and pedestrian demands Mellor Street that exceed the warrant volumes mentioned above.

The proposed location of the pedestrian crossing on Mellor Street aligns with the other pedestrian infrastructure works that are to be delivered as part of the MEEP Schools project previously endorsed by Ryde Traffic Committee at the April 2021 meeting. It will provide a desired pedestrian route facilitating safe and efficient pedestrian connectivity to the school site for students walking to the school from the north. This will also ensure the active transport mode targets established within the school travel plan to encourage more students to walk to the school can be realised.

The signage and linemarking arrangements and width of the proposed pedestrian crossing shown on Figure 2 comply with relevant sections of Transport for NSW's technical directions (i.e. Stopping and Parking Restrictions at Intersections and Crossings (TDT2002/12c)), NSW Road Rules Act and AS1742.2. It is noted that the required "NO STOPPING" restrictions on the approach and departure side of the pedestrian crossing will result in the loss of four (4) on-street parking spaces on Mellor Street.

ITEM 13 (continued)

ATTACHMENT 1

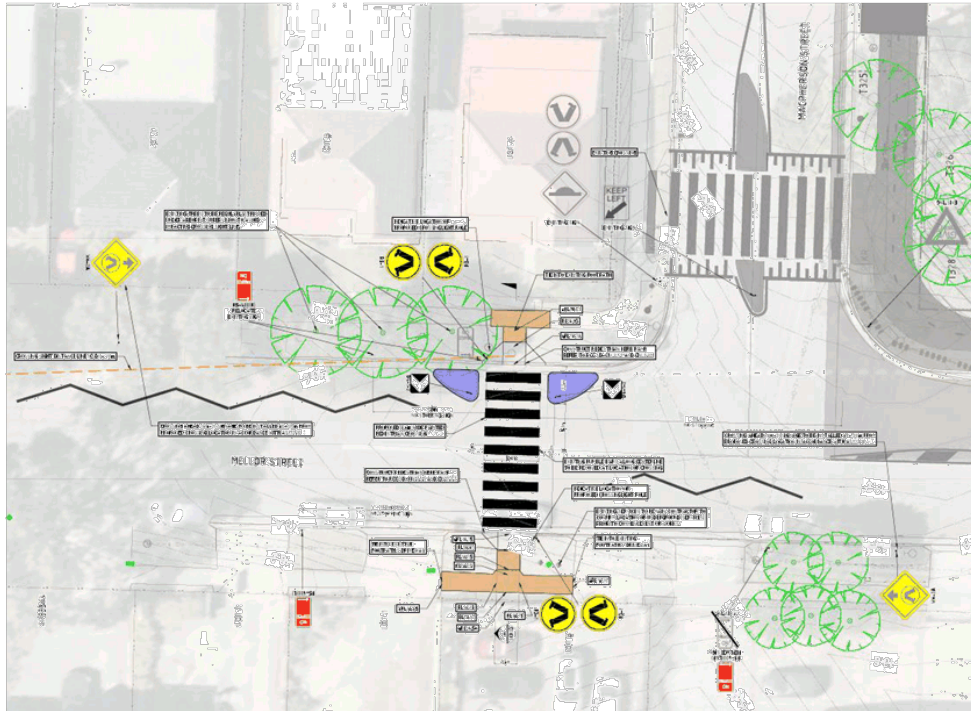


Figure 2: Mellor Street pedestrian crossing north of Macpherson Street, West Ryde.

CONSULTATION/NOTIFICATION

As the pedestrian crossing is part of the MEEP School project, the responsibility to notify affected residents and/or business owners lies with School Infrastructure NSW. The project manager (Colliers) working on behalf of School Infrastructure NSW will be carrying out the stakeholder and community consultation.

RECOMMENDATION

The Ryde Traffic Committee recommends:

- a) That an at grade pedestrian (zebra) crossing be installed on Mellor Street, West Ryde, north of Macpherson Street, Meadowbank. The installation of this pedestrian facility will be undertaken by the applicant (NSW Department of Education/School Infrastructure NSW), at no cost to Council.

ITEM 13 (continued)

ATTACHMENT 1



Ryde Traffic Committee

ITEM (B): PRINCES STREET, RYDE
SUBJECT: EXTENSION OF 'NO STOPPING' ZONE
ELECTORATE: RYDE
WARD: CENTRAL
ROAD CLASS: NON-CLASSIFIED

Traffic Committee Members are required to advise whether they have any pecuniary or non-pecuniary interest with regards to the item discussed below.

PROPOSAL

Council proposes to extend the existing 'No Stopping' zone by 5 metres on the eastern side of Princes Street opposite 55 Princes Street, Ryde.



Figure 1: Location Plan

DISCUSSION

The sightlines for motorists travelling southbound are restricted at this location due to the road geometry and parked vehicles. To improve road safety, removing parking will improve the sightlines, and motorists will have more reaction time to avoid any incidents associated with parked vehicles at this location.

To address this safety concern, Council proposes to extend the existing 'No Stopping' zone by 5 metres on the eastern side of Princes Street opposite 55 Princes Street, Ryde.

Agenda of the Ryde Traffic Committee, dated 6 October 2022

ITEM 13 (continued)

ATTACHMENT 1

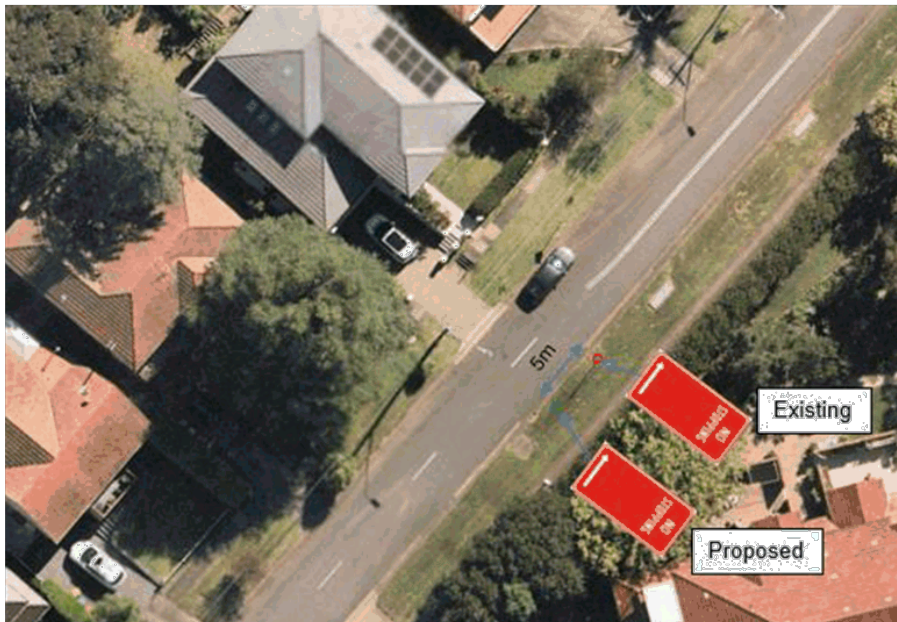


Figure 2: Proposal to extend the existing 'No Stopping' zone opposite 55 Princes Street, Ryde.



Figure 3: Street view at 55 Princes Street, Ryde.

ITEM 13 (continued)

ATTACHMENT 1



Ryde Traffic Committee

CONSULTATION

As indicated in Figure 4, Council consulted with the following properties seeking their feedback on the proposal.

A total of six (6) properties were consulted and no objections were received.

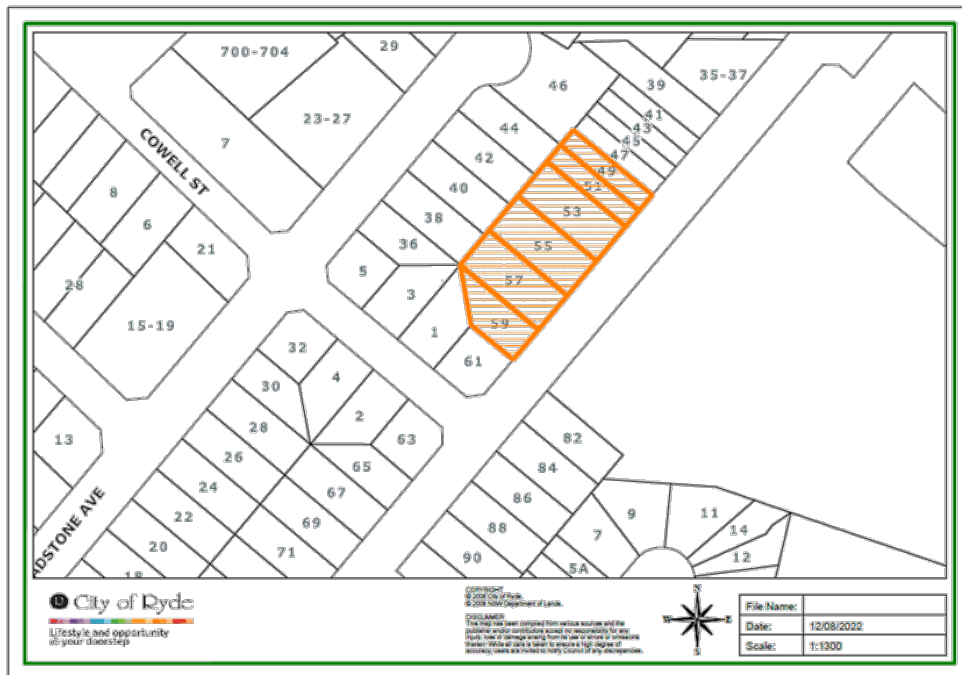


Figure 4: Consultation area

RECOMMENDATION

The Ryde Traffic Committee recommends that:

- The existing 'No Stopping' zone be extended by 5 metres on the eastern side of Princes Street opposite 55 Princes Street, Ryde.

ITEM 13 (continued)

ATTACHMENT 1



Ryde Traffic Committee

ITEM (C): ROAD SAFETY UPDATE
SUBJECT: ROAD SAFETY PROGRAMS
ELECTORATE: RYDE / LANE COVE
WARD: ALL

Traffic Committee Members are required to advise whether they have any pecuniary or non-pecuniary interest with regards to the items discussed below.

TRANSPORT FOR NEW SOUTH WALES (TfNSW) FUNDED PROGRAMS

The next Child Car Seat Checking Day will be held on 20 October at Blenheim Park, North Ryde.

COUNCIL FUNDED PROGRAMS

Police/Council Road Safety Awareness Program

Council is partnering with Ryde Police Area Command to deliver road safety information at Macquarie University and local TAFEs. The next event will be a stall at Macquarie University on 6 October with Highway Patrol and the Eastwood Gladesville Liquor Accord 'Mobile Education Resource Centre' (MERC).

2023 Road Safety Calendar

The annual road safety calendar is now available at libraries, Customer Service, Ryde Aquatic Leisure Centre and various other locations throughout the City of Ryde.

Granny Smith Festival Stall

Council's Transport team will join Rangers and members of the Ryde Police Area Command at the Granny Smith Festival on 15 October. The joint stall will promote road safety and an awareness of parking rules, with information available in various languages and interpreters available for people to ask questions of staff and the police. The Eastwood Gladesville Liquor Accord 'Mobile Education Resource Centre' will also be on-site with activities including a distracted driving simulator for ages 15 years and over. In addition, a new bike parking area will be available to encourage people to ride to the festival. New bike maps and cycling information will be available, with free tyre repair kits and other cycling giveaways for anyone who rides to the festival.

RECOMMENDATION

The Ryde Traffic Committee recommends that:

- a) The Road Safety report be received and noted.

Agenda of the Ryde Traffic Committee, dated 6 October 2022

INFORMATION REPORT

14 REPORT FOR THE INFORMATION OF COUNCIL - INVESTMENT REPORT AS AT 31 OCTOBER 2022

Report prepared by: Chief Financial Officer
File No.: GRP/21/8 - BP22/887

REPORT SUMMARY

This report details Council's performance of its investment portfolio as at 31 October 2022, and compares it against key benchmarks. The report includes Council's loan liabilities.

Council's rate of return on investments for the reporting period is 2.84%, which is 0.05% below the benchmark figure of 2.89%.

Income from interest on investments is budgeted at \$2,312K and as at 31 October 2022, funds of \$1,868K have been earned.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Aneesh Zahra
Chief Financial Officer

Report Approved By:

Mark Eady
General Manager - Business and Operations

ITEM 14 (continued)

Discussion

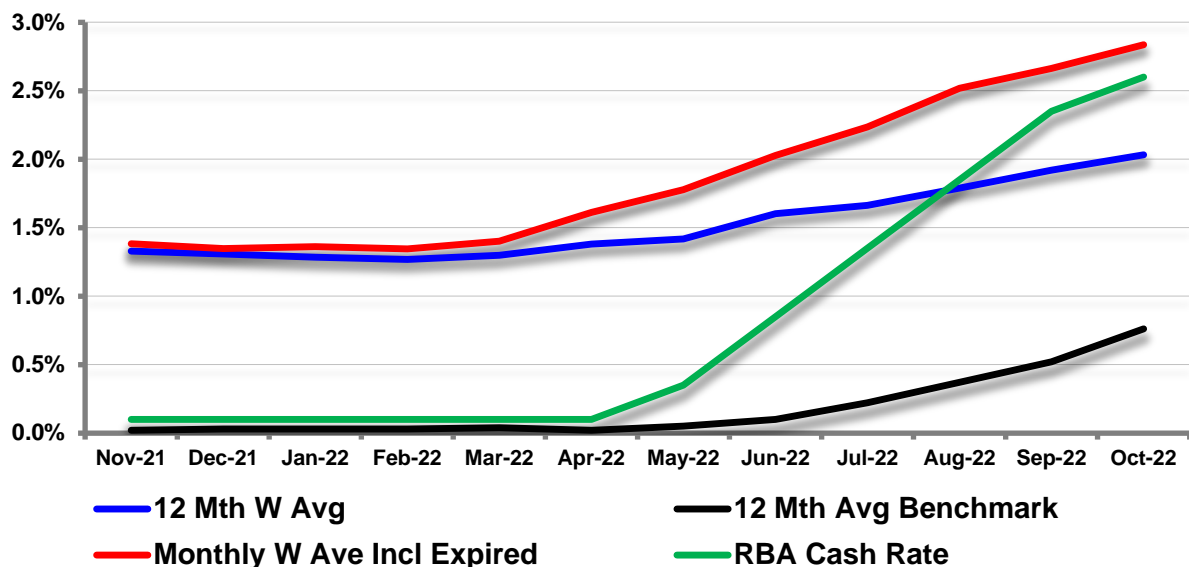
Council's Responsible Accounting Officer is required to report monthly on Council's Investment Portfolio as per the Local Government (General) Regulation 2021 Section 212 and certify that the Investments are held in accordance with Council's Investment Policy and Section 625 of the *Local Government Act* 1993.

Investment Performance Commentary

Council's performance against the benchmark for returns of its investment portfolio for October 2022 and the past 12 months are as follows:

	Oct	12 Mth	FYTD
Council Return	2.84	2.03	2.59
Benchmark	2.89	0.76	1.99
Variance	-0.05	1.27	0.60

Performance - All Investments



Council's investment portfolio as at 31 October 2022 was as follows:

Cash/Term Deposits	\$100.15M	43.79%
Floating Rate Notes	\$37.49M	16.39%
Fixed Bonds	\$91.06M	39.82%
Total Investments	\$228.70M	

ITEM 14 (continued)

Council continues to utilise the Federal Government's current guarantee (\$250K) investing in Term Deposits with a range of Authorised Deposit Taking Institutions (ADI's) on short to medium term investments (generally 30 days to 180 days maturity) where more competitive rates are available.

Council's income from investments continues to exceed original budgeted expectations, primarily due to Council's cash reserves balances being higher than anticipated and higher interest rates being offered reflective of recent economic conditions.

Loan Liability

Council's loan liability as at 31 October 2022, was \$629K which represents the balance of two loans which were established under the Local Infrastructure Renewal Scheme (LIRS). Council receives a 3% interest subsidy payment from the OLG twice a year.

1. A \$1.5M 10 year loan drawn down 31 January 2014 at 180 day Bank Bill Swap rate (BBSW) of +175 basis points for the Children's Play Implementation Plan, which was approved for an LIRS subsidy in Round 2. The interest rate for this loan is reset every six months.
2. A \$1.5M 10 year loan drawn down 1 September 2014 at 4.95% for Phase 2 of the Children's Play Implementation Plan, which was approved for an LIRS subsidy in Round 3.

ITEM 14 (continued)

INVESTMENT SUMMARY AS AT 31 OCTOBER 2022

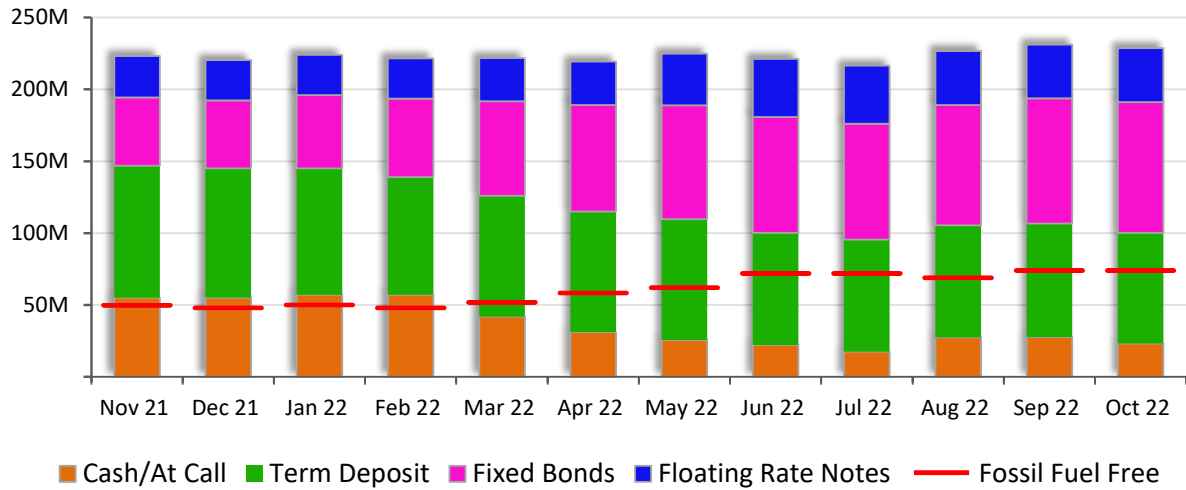
Issuer	Investment Name	Investment Rating	Fossil Fuel Free	Invested at 31-Oct-22 \$000's	Annualised Period Return (%)	12 Month Average Return on Current Investments	Return since 01 July 2022	% of Total Invested	Maturity	Tenor
Bank of Queensland	1. Bank of Queensland Floating Rate Note	AAA	N	1,200	3.43	1.86	2.94	0.52	14/05/2025	1826
Bank of Queensland	2. BoQ FRN	AAA	N	2,000	3.42	2.92	2.94	0.87	14/05/2025	1051
National Australia Bank	3. NAB Fixed Bond (Covered)	AAA	N	3,749	3.10	3.10	3.06	1.64	16/03/2023	1826
Suncorp-Metway	4. Suncorp Covered Bond	AAA	Y	3,962	3.56	3.58	3.59	1.73	24/08/2026	1593
Westpac Banking Corporation	5. WBC Covered Bond	AAA	N	3,193	3.94	3.93	3.94	1.40	20/05/2025	1096
Australia and New Zealand Banking Group	6. ANZ Fixed Bond	AA-	N	1,500	3.16	3.16	3.20	0.66	18/01/2023	1826
Australia and New Zealand Banking Group	7. ANZ Fixed Bond	AA-	N	3,000	3.13	3.14	3.17	1.31	8/02/2024	1826
Australia and New Zealand Banking Group	8. ANZ Fixed Bond	AA-	N	2,000	1.56	1.57	1.57	0.87	29/08/2024	1827
Australia and New Zealand Banking Group	9. ANZ Fixed Bond	AA-	N	1,996	1.67	1.67	1.68	0.87	29/08/2024	1805
Australia and New Zealand Banking Group	10. ANZ Fixed Bond	AA-	N	1,999	1.69	1.68	1.70	0.87	16/01/2025	1827
Australia and New Zealand Banking Group	11. ANZ Fixed Bond	AA-	N	2,988	1.80	1.80	1.81	1.31	29/08/2024	1612
Australia and New Zealand Banking Group	12. ANZ Fixed Bond	AA-	N	2,000	4.09	4.09	4.09	0.87	12/05/2025	1096
Australia and New Zealand Banking Group	13. ANZ Floating Rate Note	AA-	N	1,500	3.33	1.55	2.82	0.66	18/01/2023	1826
Australia and New Zealand Banking Group	14. ANZ Floating Rate Note	AA-	N	2,000	3.19	1.70	2.78	0.87	9/05/2023	1826
Australia and New Zealand Banking Group	15. ANZ Term Deposit	AA-	N	4,000	3.83	2.30	3.38	1.75	10/11/2022	2557
Australia and New Zealand Banking Group	16. ANZ Term Deposit	AA-	N	4,000	4.27	2.31	3.60	1.75	15/12/2022	2557
Commonwealth Bank of Australia	17. CBA Business Online Saver	AA-	N	22,155	2.69	0.70	2.18	9.69		
Commonwealth Bank of Australia	18. CBA Fixed Bond	AA-	N	3,998	3.47	3.41	3.43	1.75	25/04/2023	1916
Commonwealth Bank of Australia	19. CBA Fixed Bond	AA-	N	3,499	3.28	3.27	3.32	1.53	16/08/2023	1826
Commonwealth Bank of Australia	20. CBA Fixed Bond	AA-	N	3,493	3.23	3.24	3.27	1.53	11/01/2024	1826
Commonwealth Bank of Australia	21. CBA Fixed Bond	AA-	N	2,997	4.30	4.29	4.29	1.31	18/08/2025	1096
Commonwealth Bank of Australia	22. CBA Fixed Bond	AA-	N	3,860	5.19	5.19	5.19	1.69	18/08/2027	1756
Commonwealth Bank of Australia	23. CBA Term Deposit	AA-	N	4,000	0.80	0.71	0.80	1.75	22/02/2023	365
National Australia Bank	24. NAB Fixed Bond	AA-	N	3,999	3.08	3.08	3.12	1.75	10/02/2023	1918
National Australia Bank	25. NAB Fixed Bond	AA-	N	2,999	2.95	2.95	3.04	1.31	26/02/2024	1826
National Australia Bank	26. NAB Fixed Bond	AA-	N	3,492	2.98	3.00	3.02	1.53	25/02/2027	1826
National Australia Bank	27. NAB Floating Rate Note	AA-	N	4,000	3.24	1.68	2.75	1.75	16/05/2023	1826
National Australia Bank	28. NAB Floating Rate Note	AA-	N	2,000	3.81	1.78	3.14	0.87	19/06/2024	1827
National Australia Bank	29. NAB Term Deposit	AA-	N	4,000	0.90	0.76	0.90	1.75	24/02/2023	365
National Australia Bank	30. NAB Term Deposit	AA-	N	4,000	0.52	0.52	0.52	1.75	11/11/2022	365
National Australia Bank	31. NAB Term Deposit	AA-	N	4,000	0.65	0.62	0.65	1.75	11/01/2023	365
National Australia Bank	32. NAB Term Deposit	AA-	N	4,000	3.35	3.35	3.35	1.75	18/09/2023	1827
National Australia Bank	33. NAB Term Deposit	AA-	N	2,000	0.55	0.55	0.55	0.87	2/12/2022	365
Westpac Banking Corporation	34. Westpac Fixed Bond	AA-	N	2,493	3.40	3.26	3.29	1.09	24/04/2024	1917
Westpac Banking Corporation	35. Westpac Fixed Bond	AA-	N	2,598	2.76	2.72	2.68	1.14	17/03/2025	1096
Westpac Banking Corporation	36. Westpac Term Deposit	AA-	N	4,000	3.93	3.47	3.78	1.75	9/08/2023	365
Westpac Banking Corporation	37. Westpac Term Deposit	AA-	N	2,000	3.94	3.52	3.80	0.87	18/08/2023	365
Westpac Banking Corporation	38. Westpac Term Deposit	AA-	N	4,000	1.65	1.65	1.65	1.75	16/02/2024	729
Macquarie Bank	39. Macquarie Bank Fixed Bond	A+	N	3,999	1.71	1.71	1.76	1.75	12/02/2025	1827
Suncorp-Metway	40. Suncorp-Metway Fixed Bond	A+	Y	3,591	2.58	2.59	2.61	1.57	25/01/2027	1826
Suncorp-Metway	41. Suncorp Fixed Bond	A+	Y	3,845	3.60	3.61	3.62	1.68	25/01/2027	1763
Suncorp-Metway	42. Suncorp Fixed Bond	A+	Y	1,352	5.49	5.47	5.50	0.59	25/01/2027	1683
Suncorp-Metway	43. Suncorp-Metway Floating Rate Note	A+	Y	1,200	3.59	1.90	3.10	0.52	24/04/2025	1823
Suncorp-Metway	44. Suncorp FRN	A+	Y	2,562	3.62	3.02	3.09	1.12	25/02/2027	1711
Australian Unity Bank	45. Australian Unity Bank Term Deposit	BBB+	Y	2,000	4.14	4.14	4.14	0.87	19/07/2023	398
B&E (T/as Bank of Us)	46. Bank of us Term Deposit	BBB+	Y	2,000	3.28	2.60	2.82	0.87	9/02/2023	184
Bank of Queensland	47. ME Bank At Call Account	BBB+	N	597	1.26	0.48	0.98	0.26		
Bank of Queensland	48. BoQ Fixed Bond	BBB+	N	3,795	2.11	2.14	2.14	1.66	27/10/2026	1826
Bank of Queensland	49. BoQ Fixed Bond	BBB+	N	1,842	4.06	4.04	4.06	0.81	6/05/2026	1496

ITEM 14 (continued)

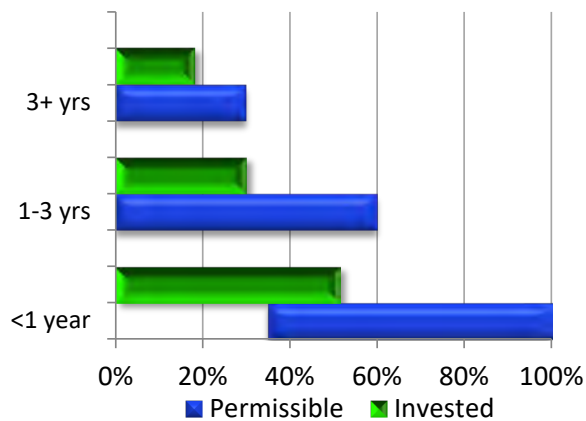
Issuer	Investment Name	Investment Rating	Fossil Fuel Fre	Invested at 31-Oct-22 \$000's	Annualised Return (%)	12 Month Average Return on Current Investments	Return since 01 July 2022	% of Total Investe	Maturity	Ten
Bank of Queensland	1. Bank of Queensland Floating Rate Note	AAA	N	1,200	3.43	1.86	2.94	0.52	14/05/2025	1826
Bank of Queensland	50. BoQ Fixed Bond	BBB+	N	719	5.25	5.17	5.17	0.31	27/10/2026	1498
Bank of Queensland	51. BoQ Fixed Bond	BBB+	N	459	5.21	5.13	5.13	0.20	27/10/2026	1495
Bank of Queensland	52. BoQ Fixed Bond	BBB+	N	2,405	5.14	5.04	5.04	1.05	6/05/2026	1321
Bank of Queensland	53. Bank of Queensland Term Deposit	BBB+	N	2,000	2.55	2.55	2.55	0.87	13/06/2024	1827
Bank of Queensland	54. Bank of Queensland Term Deposit	BBB+	N	2,000	0.70	0.95	0.70	0.87	9/12/2022	365
Bank of Queensland	55. Bank of Queensland Term Deposit	BBB+	N	4,000	3.50	3.50	3.50	1.75	15/11/2022	1804
Bendigo and Adelaide Bank	56. Bendigo and Adelaide Bank Fixed Bond	BBB+	Y	2,000	3.54	3.55	3.58	0.87	25/01/2023	1826
Bendigo and Adelaide Bank	57. Bendigo Fixed Bond	BBB+	Y	3,744	3.10	3.05	3.01	1.64	17/03/2025	1096
Bendigo and Adelaide Bank	58. Bendigo Bank Fixed Bond	BBB+	Y	991	3.44	3.39	3.35	0.43	17/03/2025	1088
Bendigo and Adelaide Bank	59. Bendigo Fixed Bond	BBB+	Y	2,502	3.26	3.24	3.25	1.09	6/09/2024	882
Bendigo and Adelaide Bank	60. Bendigo and Adelaide Bank Floating Rate Note	BBB+	Y	2,000	3.54	1.88	3.07	0.87	25/01/2023	1532
Members Banking Group	61. RACQ FRN	BBB+	Y	2,000	3.69	2.92	3.11	0.87	23/05/2025	1096
MyState Bank	62. MyState FRN	BBB+	Y	1,500	3.49	1.50	2.82	0.66	16/06/2025	1461
MyState Bank	63. MyState Bank Term Deposit	BBB+	Y	2,000	0.65	0.65	0.65	0.87	11/10/2023	730
MyState Bank	64. MyState Bank Term Deposit	BBB+	Y	2,000	1.69	1.69	1.69	0.87	4/03/2024	732
MyState Bank	65. MyState Bank Term Deposit	BBB+	Y	2,000	0.70	0.70	0.70	0.87	29/11/2022	365
MyState Bank	66. MyState Bank Term Deposit	BBB+	Y	2,000	0.70	0.70	0.70	0.87	4/11/2022	365
Police Financial Services	67. BankVic Term Deposit	BBB+	Y	2,000	3.94	3.94	3.94	0.87	21/03/2023	181
AMP	68. AMP At Call Account	BBB	N	399	0.52	0.51	0.50	0.17		
AMP	69. AMP Term Deposit	BBB	N	1,000	3.50	1.44	2.81	0.44	2/08/2023	365
Auswide Bank	70. Auswide Bank Floating Rate Note	BBB	Y	1,500	3.94	1.92	3.25	0.66	17/03/2023	1095
Auswide Bank	71. Auswide Bank Term Deposit	BBB	Y	2,000	1.24	1.35	1.24	0.87	5/02/2024	720
Bank Australia	72. Bank Australia Floating Rate Note	BBB	Y	2,000	3.43	1.66	2.78	0.87	2/12/2022	1096
Credit Union Australia	73. Great Southern Bank Floating Rate Note	BBB	Y	1,000	3.59	1.90	3.10	0.44	24/10/2024	1827
Credit Union Australia	74. Great Southern Bank Term Deposit	BBB	Y	2,000	0.70	0.70	0.70	0.87	31/01/2023	365
Defence Bank	75. Defence Bank Term Deposit	BBB	Y	2,000	0.85	0.75	0.85	0.87	8/02/2024	730
Defence Bank	76. Defence Bank Term Deposit	BBB	Y	2,000	4.05	4.05	4.05	0.87	5/09/2023	365
G&C Mutual Bank	77. G&C Mutual Bank Term Deposit	BBB	Y	2,000	4.02	4.02	4.02	0.87	7/09/2023	365
Newcastle Permanent Building Society	78. NPBS FRN	BBB	Y	2,000	3.21	1.39	2.51	0.87	4/03/2026	1826
Newcastle Permanent Building Society	79. NPBS FRN	BBB	Y	3,237	3.35	1.91	2.64	1.42	4/03/2026	1458
Newcastle Permanent Building Society	80. NPBS FRN	BBB	Y	3,694	3.74	3.07	3.57	1.62	10/02/2027	1720
Police & Nurses Limited	81. P&N Bank Term Deposit	BBB	Y	1,000	3.50	3.50	3.50	0.44	2/11/2023	1821
Police & Nurses Limited	82. P&N Bank Term Deposit	BBB	Y	2,000	1.52	1.52	1.52	0.87	31/01/2024	730
Teachers Mutual Bank	83. Teachers Mutual Bank FRN	BBB	Y	1,100	3.53	1.54	2.86	0.48	16/06/2026	1826
QPCU	84. QBank FRN	BBB-	Y	1,000	3.70	1.59	2.93	0.44	22/03/2024	1096
Warwick Credit Union	85. Warwick CU Term Deposit	NR	NA	1,000	0.75	0.75	0.75	0.44	9/03/2023	728
				228,703	2.84	2.16	2.65	100		

ITEM 14 (continued)

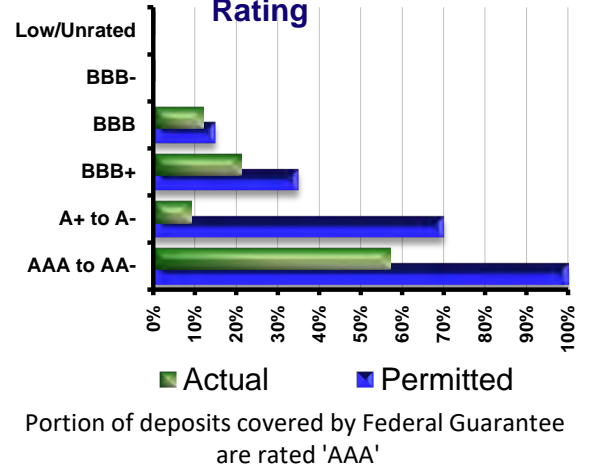
Total Funds Invested



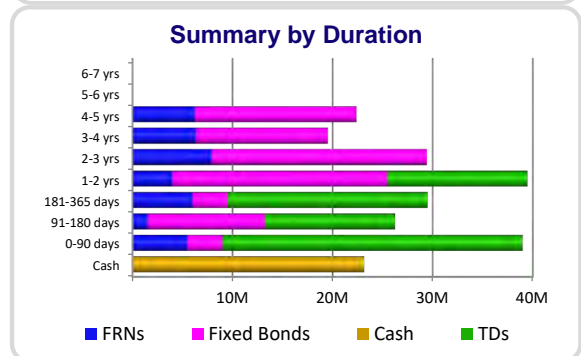
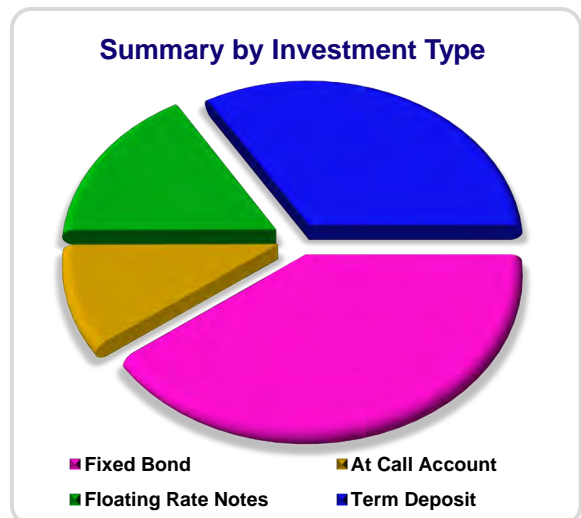
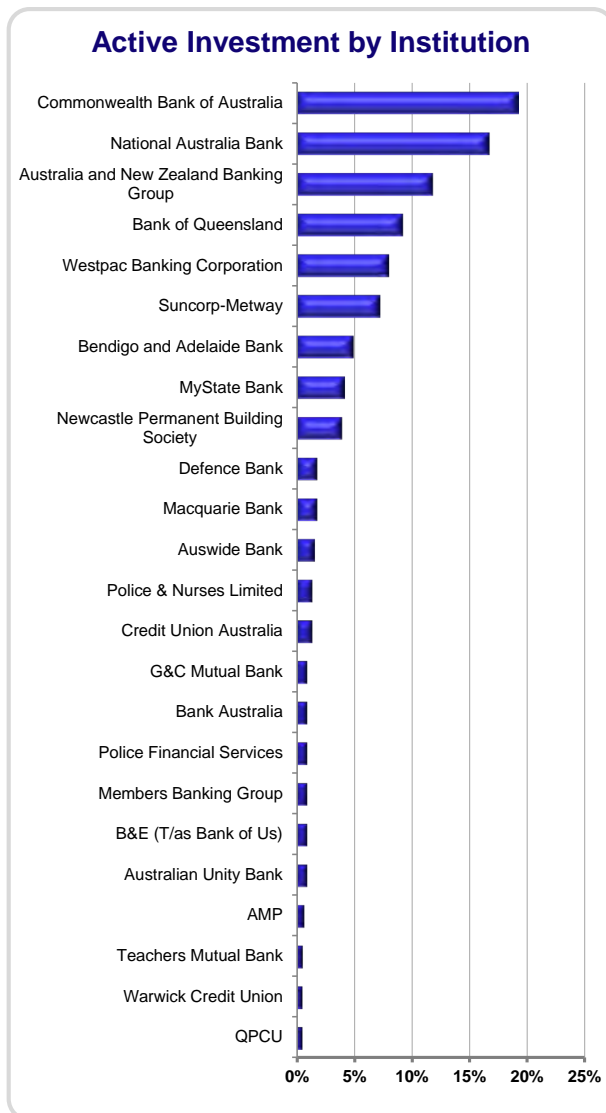
Policy Limits on Maturities



Investment Summary by Rating



ITEM 14 (continued)



	<365 days	>365 days
Cash/TDs	\$85.2M	\$15.0M
FRNs	\$13.0M	\$24.5M
Fixed Bonds	\$18.7M	\$72.3M
	\$116.9M	\$111.8M

Divestment of Fossil Fuel Aligned Financial Institutions

Council uses the entity Market Forces to validate its classes of investments into either fossil fuel or non-fossil fuel aligned institutions. The figures below are conservative and do not include any financial institutions that have not declared if they are fossil fuel or non-fossil fuel aligned.

As at 31 October 2022, Council had a total amount of \$73.78M million invested in non-fossil fuel aligned financial institutions, which is 32.26% of its total investment portfolio.

While all efforts are made to increase Council's proportion of non-fossil fuel aligned financial institutions, a conflict may arise with legislated credit rating requirements. This is because non-fossil fuel investment opportunities are in the main provided by smaller institutions that have lower credit ratings.

ITEM 14 (continued)

Financial Implications

Council's return for the reporting period is 2.84%, which is 0.05% below the benchmark figure of 2.89%. Income from interest on investments is budgeted at \$2,312K and as at 31 October 2022 funds of \$1,868K have been earned.

Summary

Council's investment portfolio continues to perform well and is consistent with Section 625 of the *Local Government Act* 1993, which deals with the investment of surplus funds by Councils.

Certificate of the Chief Financial Officer (Responsible Accounting 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.

Aneesh Zahra
Chief Financial Officer

NOTICES OF MOTION

1 BAN ON FOSSIL FUEL ADVERTISING ON COUNCIL LAND AND INFRASTRUCTURE - Councillor Penny Pedersen

File Number: CLM/22/1/1/6 - BP22/740

MOTION:

- (a) That Council notes that:-
- (i) Council has a duty to ensure that its activities do not adversely impact the health and wellbeing of residents. Because of this, Council restricts the advertising of tobacco and other harmful products on Council controlled land and events.
 - (ii) coal, oil and gas are affecting our health, environment and climate. Air pollution from burning fossil fuels takes 8.7 million lives prematurely each year – more than tobacco. An estimated 150,000 people are dying due to climate change impacts every year.
 - (iii) fossil fuels are the primary cause of global warming, which is impacting our LGA in the form of more intense and frequent heatwaves, storms, bushfires, floods and droughts.
 - (iv) Council has adopted that we are facing a climate emergency and we are aiming to reach net zero. Advertising of companies involved with fossil fuel production or supply or products such as gas, oil and coal on Council property or facilities is inconsistent with this adopted Council position.
- (b) That in recognition of the health and climate impacts of fossil fuels, Council moves that:-
- (i) advertising for fossil fuel products or companies will not be accepted on any Council controlled signage or property.
 - (ii) Council will not partner with sponsors from companies whose main business is the extraction or sale of coal, oil or gas.
 - (iii) that the relevant policies are updated to reflect the above.

**2 MITIGATING WATER DAMAGE ON CHURCH STREET, MEADOWBANK -
Councillor Penny Pedersen**

File Number: CLM/22/1/1/6 - BP22/908

MOTION:

- (a) That Council notes the following:-
- i. that for some years water has been running down the western side of Church Street Meadowbank, most notably between Junction Street and Well Street. It is noted that this area is identified as a natural watercourse on flood maps and has been a site of high density development in recent years, however, the water runs when it has not been raining. even during drought.
 - ii. the constant flow of water damages the footpath, road surface, and cars are forced to drive through water in the lane alongside the gutter. The footpath is stained and the water carries sediment/pollution to our drains and into our waterways.
 - iii. numerous help desk requests have been answered regarding the flow of water and Council's Building Compliance Team and the Environmental Health Team have both conducted investigations in order to address residents concerns over the constant flow.
 - iv. Council's joint-investigation in 2021 determined that the water is not contaminated with sewage and a plumbing report has been obtained by Council staff that confirms the stormwater drainage system (including stormwater, sub-soil and On-Site Detention) is functioning satisfactorily.
 - v. it was noted by staff that on-going seepage water shall continue to discharge from the adjacent properties to the Council land through approved and privately certified discharge points, which staff have indicated is both anticipated and acceptable to them.
 - vi. the issue still concerns residents and most probably presents an ongoing pothole maintenance issue for Transport for NSW.
- (b) That the Chief Executive Officer:-
- i. supply via Councillor Information Bulletin, the detailed reasons why water runs down the western side of Church Street at Meadowbank between Junction Street and Well Street.
 - ii. that Council staff liaise with adjacent land owners and bring back to Council a strategy that:-
 - explores ways to absorb or divert water from the road and the footpath on the western side of Church Street, Meadowbank between Junction and Well Street intersections.
 - that this include options to harvest the runoff for reuse in council parks and gardens.

**3 CITY OF RYDE BATTERY POWER TOOL TRANSITION STRATEGY -
Councillor Penny Pedersen**

File Number: CLM/22/1/1/6 - BP22/909

MOTION:

(a) That Council notes:-

- i. electrifying Council power tools or Small Off-Road Engines (SORE) is a relatively easy way to reduce emissions while offering health and noise benefits. These tools include: hedge and string trimmers, edgers, blowers, mowers, pressure washers and small chainsaws.
- ii. today, most tradies in Australia have voluntarily switches to battery-powered tools. The trend has been accelerated by more-powerful and longer-lasting batteries.
- iii. electrifying tools is a cost effective way to decarbonise Council operations and move forward quickly to net zero. For half the cost of an electric car, the City of Yarra electrified 16 depot tools with their supporting chargers and batteries. If each of those tools were used for 10 hours each week, each year the emissions reduction would be equivalent to avoiding 1.5 million kilometres of car travel – or the average annual travel of one thousand motor vehicles *(CARB).
- iv. for Councils that have recognised the climate emergency and committed to a net zero target, an investment in tool electrification at the depot (and an electrification requirement in street maintenance contracts) is necessary and these are relatively easy first steps.
- v. petrol fuelled tools:
 1. present workplace health issues for the operators, who are at risk due to harmful levels of noise and toxic gases. Operators work in a toxic cloud of burned and unburned fuel and oil.
 2. present risks to our community including:
 - unacceptable noise levels in local streets. This noise is an intrusion as sometimes strong, low-frequency sound penetrates buildings.
 - local pollution which harms community health, potentially contributing to hospitalisations for those with breathing issues and other pre-existing conditions.
 3. contribute to global warming. High global warming potential (GWP) emissions Methane and N²O are 30 and 300 times more warming than CO² and long-lasting Methane and nitrous oxide last in the atmosphere for 100 years.

Example:

- one hour of operation of a 2-stroke leaf blower can produce around the same emissions of a car operated over the same period and as much hydrocarbon as 150 cars operated over the same period.
- one hour of operation of a brush cutter produces around the same emissions of air pollutants as 10 cars operated over the same period. At peak times, non-road, spark ignition engines and equipment (NRSIEE) are estimated to contribute up to 10% of overall air pollutants in Australian urban environments.

(b) That Council staff prepare a strategy:-

- i. to transition all small off road engine tools (hedge and string trimmers and edgers, blowers and mowers, pressure washers and small chainsaws) that are used in Council operations to battery or electricity tools as soon as possible.
- ii. to include the same electrification requirements in all City of Ryde street maintenance contracts.

* (based on Californian air services board CARB modelling)



1 hour lawn mower use



Driving 480 kilometres
Melbourne to Wagga Wagga



1 hour leaf blower use



Driving 1,760 kilometres
Melbourne to Brisbane

Based on CARB

**4 INCLUSION OF ENGLISH STORY TIME IN LIBRARIES IN AUSLAN -
Councillor Roy Maggio**

File Number: CLM/22/1/1/6 - BP22/884

MOTION:

- (a) That staff collaborate with Deaf Connect to facilitate the establishment of Story Time sessions within all our libraries.
- (b) That a report be brought back to the Council meeting in February 2023.

**5 CITY OF RYDE YOUNG ARTS AND CREATIVE AWARDS ANNUAL
COMPETITION - Councillor Roy Maggio**

File Number: CLM/22/1/1/6 - BP22/885

MOTION:

- (a) That Council investigate the establishment of a City of Ryde Young Arts and Creative Awards Annual Competition with writing and art categories across three age groups 10 to 13, 14 to 17 and 18 to 21.
- (b) That a report be brought back to the Council meeting in February 2023 once the investigation has been undertaken.

**6 RYDE AQUATIC LEISURE CENTRE (OLYMPIC PARK) PARKING -
Councillor Roy Maggio**

File Number: CLM/22/1/1/6 - BP22/886

MOTION:

- (a) That Council notes the concerns raised by patrons of the Ryde Aquatic Leisure Centre in finding parking when visiting this facility and that the use of the surrounding road network impacts on the availability of on street parking for local residents.
- (b) That Council staff investigate the feasibility of providing a temporary parking area within the grassy area occupying the southern part of the Ryde Aquatic Leisure Centre site (next to the tennis courts).
- (c) That Council staff report back to Councillors on the outcomes of part (b) within the next three (3) months.
- (d) That all neighbouring residents be consulted of this exploration.

7 EXTENSION OF GRANNY SMITH FESTIVAL TO ROWE STREET (EAST), EASTWOOD - Councillor Charles Song

File Number: CLM/22/1/1/6 - BP22/910

MOTION:

- (a) That Council note the Rowe Street (East), Eastwood has been renowned as Korea Town by unanimous resolution back on 31 January 2022 and the businesses in the area are rapidly growing since then.
- (b) That Council affirms its support for expansion and inclusion of businesses in the Rowe Street (East) Eastwood for the Granny Smith Festival as from year 2023.
- (c) That Council, as soon as practicable, initiate a community consultation with the local residents, business community in the Rowe Street (East) including the Korean Chamber of Commerce in Ryde (KCCR) in respect to their participation of the event from year 2023.
- (d) That Council, within 6 months, following the community consultation prepare a feasibility report with a detailed plan including but not limited to schedules of traffic report, morning parade route and type of stalls etc.

8 ANN THORN PARK FOOTPATH SAFETY LIGHTING, MEADOWBANK - Councillor Katie O'Reilly

File Number: CLM/22/1/1/6 - BP22/911

MOTION:

- (a) That Council notes that Ann Thorn Park Meadowbank has a footpath used as a thoroughfare in a high density residential area.
- (b) That Council acknowledges the increase in commuter foot traffic through Ann Thorn Park and its close proximity to multiple public transport services.
- (c) That Council investigates lighting options for the safe use of Ann Thorn Park, Meadowbank's footpath after dark.

CONFIDENTIAL ITEMS

15 REQUEST FOR TENDER - PICKUP AND LAWFUL DISPOSAL OF WASTE SOIL MATERIAL

Report prepared by: Environmental Engineer - Waste

Report approved by: Manager - Business Infrastructure; Executive Manager - City Life

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

File Number: GRP/09/3 - BP22/874

Page Number: 147

16 MANAGEMENT OF CHRISTIE PARK SYNTHETIC FIELDS - RESPONSE TO REQUEST FOR PROPOSALS

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) (ii) information that would, if disclosed, confer a commercial advantage on a competitor of the council.

Report prepared by: Sportsground Liaison Officer, Sportsgrounds and Recreation

File No.: GRP/22/47 - BP22/889

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