

Council Meeting**AGENDA NO. 17/10****Meeting Date: Tuesday 9 November 2010****Location: Council Chambers, Level 6****Time: 7.30pm****NOTICE OF BUSINESS**

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PRECIS OF CORRESPONDENCE FOR CONSIDERATION

There are no Precises of Correspondence for Consideration

NOTICES OF MOTION

1	CHURCH STREET - Establishment of Market or Fair - The Mayor Councillor Etmedkjian and Councillor Salvestro-Martin.....	152
2	CINEMA IN THE PLAZA - Councillor Li	152

NOTICES OF RESCISSION

There are no Notices of Rescission

1 CONFIRMATION OF MINUTES - Meeting held on 12 October 2010

File No.: GRP/10/3/001/6 - BP10/658

RECOMMENDATION:

That the Minutes of Council Meeting 16/10, held on Tuesday 12 October 2010, be confirmed.

ATTACHMENTS

- 1 Minutes of Meeting held on 12 October 2010

Council Meeting

MINUTES OF MEETING NO. 16/10

Meeting Date: Tuesday 12 October 2010
Location: Council Chambers, Level 6
Time: 7.30pm

Councillors Present: The Mayor, Councillor Etmekdjian and Councillors Butterworth, Campbell, Maggio, O'Donnell, Petch, Perram, Pickering, Salvestro-Martin, Tagg and Yedelian OAM.

Apologies: Councillor Li

Staff Present: General Manager, Group Manager – Community Life, Group Manager - Corporate Services, Acting Group Manager – Environment & Planning, Group Manager - Public Works, Media & Community Relations Officer and Senior Administration Co-ordinator.

PRAYER

Reverend Chris Burgess of St Phillip's Anglican Church was present and offered prayer prior to the commencement of the meeting.

DISCLOSURES OF INTEREST

Councillor Butterworth disclosed a less than significant non-pecuniary interest in Item 4 – CHRISTIAN COMMUNITY AID – Annual Fund Raising Event, of the Council's Report No. 16/10, for the reason that he has previously volunteered with CCA Meals on Wheels program.

Councillor Yedelian OAM disclosed a less than significant non-pecuniary interest in Item 5 - PROGRAM OF FLAG RAISING EVENTS, of the Council's Report No. 16/10, for the reason that he is of Armenian Ancestry and the Armenian language is being mentioned at the meeting in relation to this item.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:-

No.	Name	Representing	Topic
1	Vache Kahramanian	Armenian National Committee of Australia	Item 5 – Program of Flag Raising Events
2	Adam Tupenkjian	Armenian Youth Federation of Australia	Item 5 – Program of Flat Raising Events

Agenda of the Council Meeting No. 17/10, dated Tuesday 9 November 2010.

ITEM 1 (continued)**ATTACHMENT 1****MAYORAL MINUTES**

There were no Mayoral Minutes

COUNCIL REPORTS**1 CONFIRMATION OF MINUTES - Meeting held on 28 September 2010**

RESOLUTION: (Moved by Councillors Petch and Pickering)

That the Minutes of Council Meeting 15/10, held on Tuesday 28 September 2010, be confirmed.

Record of Voting:

For the Motion: Unanimous.

2 MOTIONS PUT WITHOUT DEBATE

RESOLUTION: (Moved by Councillors Petch and Tagg)

That all items be dealt with in seriatim.

Record of Voting:

For the Motion: Unanimous.

**3 AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION
NATIONAL CONFERENCE - 25-27 NOVEMBER 2010**

RESOLUTION: (Moved by Councillors Campbell and Yedelian OAM)

- (a) That Council confirm that all Councillors are welcome to attend the 2010 Australian Local Government Women's Association National Conference being held in Ryde from Thursday 25 November to Saturday 27 November and that Councillors confirm their level of participation at the Conference prior to 25 October 2010 in order to take advantage of the early bird discount.
- (b) That Councillors Campbell and O'Donnell be the City of Ryde's official delegates to the conference.

Record of Voting:

For the Motion: Unanimous.

ITEM 1 (continued)**ATTACHMENT 1****4 CHRISTIAN COMMUNITY AID - ANNUAL FUND RAISING EVENT**

Note: Councillor Butterworth declared a less than significant non-pecuniary interest in this item.

RESOLUTION: (Moved by Councillors Yedelian OAM and Petch)

- (a) That Council provide Brush Farm House Forster Hall to Christian Community to hold its annual fund raising event free of charge to the value of \$144.
- (b) That the Mayor writes to Christian Community Aid to thank them for the service they provide within the City of Ryde and that Councillors are encouraged to support the event.

Record of Voting:

For the Motion: Unanimous.

5 PROGRAM OF FLAG RAISING EVENTS

Note: Councillor Yedelian OAM declared a less than significant non-pecuniary interest in this item

Motion: (Moved by Councillors Petch and Maggio)

- a) That Council endorse the conduct of seven flag raising ceremonies as set out in this report, with the inclusion of Armenia.
- b) That Council approach Bevillesta Pty Ltd to accommodate flag raising events in the plaza area of the Top Ryde City Shopping Centre as part of Council's 20 events agreement.
- (c) That the Community Harmony Reference Group be advised of Council's decision on this matter and that the Committee be requested to advise of the necessary protocols and any additional countries to be included.

Amendment: (Moved by Councillors Butterworth and Salvestro-Martin)

That this matter be referred to the Community Harmony Reference Group for consideration and recommendation back to Council.

Record of Voting:

For the Amendment: Councillors Butterworth, Campbell, O'Donnell, Perram , Salvestro-Martin and Tagg

Against the Amendment: The Mayor, Councillor Etmekdjian, Maggio, Petch, Pickering and Yedelian OAM

The Amendment was therefore declared **CARRIED**, with six (6) votes for and five (5) against. The Amendment then became the Motion.

ITEM 1 (continued)**ATTACHMENT 1**

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

That this matter be referred to the Community Harmony Reference Group for consideration and recommendation back to Council.

Record of Voting:

For the Motion: Unanimous.

6 PECUNIARY INTEREST RETURNS

RESOLUTION: (Moved by Councillors Butterworth and Maggio)

- (a) That the Register of Pecuniary Interest returns lodged as required under Section 449 of the Local Government act be tabled.
- (b) That the Division of Local Government, Department of Premier and Cabinet be advised on this matter and provided with a copy of this report.

Record of Voting:

For the Motion: Unanimous.

PRECIS OF CORRESPONDENCE FOR CONSIDERATION

There were no Precis of Correspondence for Consideration

NOTICES OF MOTION**1 RECOGNITION OF BUSINESSES, ORGANISATIONS AND COMPANIES THAT HAVE BEEN IN LONG TERM SERVICE IN RYDE - Councillor Tagg**

Motion:

That if council is contacted by businesses, companies or organisations that have been in service in Ryde for at least 40 years. If applying to Ryde for recognition that Ryde city Council supplies them with a plaque, the name of the company, business or organisation celebration what ever year eg 40, 45, 50 etc. With the Mayor of the day and the 11 councillors names on the plaque.

WITH THE CONCURRENCE OF THE MOVER THE MOTION WAS AMENDED AND IT WAS RESOLVED AS FOLLOWS:

RESOLUTION: (Moved by Councillors Tagg and Pickering)

- (a) That the General Manager prepares a report on the feasibility of a sponsorship program for businesses within the City of Ryde area.
- (b) That not-for-profit organisations be considered in the report recognising their contribution to the City of Ryde.

ITEM 1 (continued)**ATTACHMENT 1****Record of Voting:**

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Butterworth, Campbell, Maggio, O'Donnell, Petch, Pickering, Salvestro-Martin, Tagg and Yedelian OAM

Against the Motion: Councillor Perram

2 PRAYER MEETINGS AT CIVIC CENTRE - Councillor Tagg**RESOLUTION:** (Moved by Councillors Tagg and Petch)

That the clergy who use the 6th floor (dining section) for prayer meeting over the City of Ryde residents, and its councillors and staff, on the first Friday of the month from 7.30am – 8.30am;

That the 'no charge' to them be returned as was the case for 5.5 years before this year. And also as was asked by the ministers that an invitation to the councillors and staff to attend each month, if they wish.

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Maggio, Perram, Petch, Pickering, Tagg and Yedelian OAM

Against the Motion: Councillors Butterworth, Campbell, O'Donnell and Salvestro-Martin

NOTICES OF RESCISSION

There were no Notices of Rescission

QUESTIONS BY COUNCILLORS AS PER POLICY

There were no Questions by Councillors as per Policy

ITEM 1 (continued)

ATTACHMENT 1

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

No addresses were made to Council.

NATIONAL ANTHEM

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

The meeting closed at 8.56pm.

CONFIRMED THIS 9TH DAY OF NOVEMBER 2010

Chairperson

2 MOTIONS PUT WITHOUT DEBATE**File Number:** GRP/10/3/001/6 - BP10/659

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 the recommendations in respect of items 3 to 10 inclusive, as submitted to Council Meeting 17/10, be adopted with the exception of items as determined by the Council.

3 2009-2010 FINANCIAL STATEMENTS

Report prepared by: Chief Financial Officer**Report dated:** 25/10/2010**File No.:** FIM/07/6/4/2/1 - BP10/653

Report Summary

To present Council's 2009/2010 Annual Financial Statements (including General and Special Purpose Financial Statements) to the public following the public exhibition period and to allow Council's Chief Financial Officer and External Auditor to make a presentation at the meeting.

RECOMMENDATION:

- (a) That in accordance with Section 419 of the Local Government Act, Council receive and note the Auditors Reports on the 2008/2009 Annual Financial Statements for the year ended 30 June 2010.
- (b) That any public submissions on the 2009/2010 Financial Reports be referred to Council's Auditors, Hill Rogers Spencer Steer, Chartered Accountants.
- (c) That Council suspend standing orders to allow a presentation by Council's staff and external auditor, Hill Rogers Spencer Steer, in respect of the 2009-2010 Financial Statements including the Auditor's Reports.

ATTACHMENTS

- 1 Income Statement
- 2 Statement of Comprehensive Income
- 3 Balance Sheet
- 4 Statement of Changes in Equity
- 5 Statement of Cashflows
- 6 Auditors Report - General Purpose Financial Statements
- 7 Auditors Report - Conduct of Audit
- 8 Auditors Report - Special Purpose Financial Statements

Report Prepared By:

John Todd
Chief Financial Officer

Report Approved By:

Roy Newsome
Group Manager - Corporate Services

ITEM 3 (continued)**Background**

Council at the Committee of the Whole meeting of 19 October 2010 resolved to refer the draft Annual Financial Reports for the year ended 30 June 2010 to Audit.

The Council's Audit Committee had previously met on 18 October 2010 to review the 2009/2010 Annual Financial Statements and had recommended to Council that the reports be referred for Audit.

The Council's Auditors, Hill Rogers Spencer Steer, Chartered Accountants, have completed the audit and copies of the Auditors Reports are included in the Annual Financial Statements and were received on 21 October 2010.

The Annual Financial Statements were sent to the Department of Local Government on the 28th October 2010 ahead of the statutory 7th November 2010 timeframe.

The Annual Financial Statements together with the Auditors Reports were placed on public exhibition from 27 October 2010 to 9 November 2010, inviting public submissions with the Annual Financial Statements to be presented to Council at its meeting of 9 November 2010. Submissions in accordance with Section 420 of the Local Government Act 1993, from members of the public regarding any aspect of the Financial Reports or Auditor's Reports will be received up to 16 November 2010, being seven days after the date of this meeting.

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

Report

Council's 2009/2010 Annual Financial Statements are now formally presented to the public as required by Section 419 of the Local Government Act. A copy of the Financial Statements which includes the Auditor's Reports have been **CIRCULATED UNDER SEPARATE COVER** to all Councillors. Attached to this report are Income Statement, Statement of Comprehensive Income, Balance Sheet, Statement of Changes in Equity, Cash Flow Statement and Auditor's Report.

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

The Chief Financial Officer will make a presentation to the Council meeting on 9 November 2010 on Council's financial performance for the year. Council's Auditors will also be present at the Council meeting to provide additional comments and to answer any questions on the Financial Reports and the Auditors Reports.

The Auditor has issued an unqualified opinion with an emphasis of matter in the Audit Report, again relating to Council's investment portfolio, which continues to have exposure to Collateralised Debt Obligations (CDOs). It is understood that this is standard auditing practice where Councils have an exposure to CDOs due to the continued volatility in the financial markets caused by the Global Financial Crisis.

ITEM 3 (continued)

The following summary of the City of Ryde's financial results and key financial performance measures for 2009/2010, demonstrates Council's very good financial position:

Financial Results	2008 000's	2009 000's	2010 000's
Operating Result	\$29,948	\$58,843	\$16,231
Operating Result Before Capital	\$21,351	(\$5,497)	(\$4,215)
Total Cash & Investments	\$82,568	\$66,366	\$63,051
Internal Reserves	\$59,171	\$48,582	\$49,684
Working Capital	\$2,200	\$4,331	\$4,549
Assets under Management	\$2.43B	\$2.51B	\$2.54B

Performance Indicators

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

Note 13 Performance Indicators	2008	2009	2010
Unrestricted Current Ratio	3.65	3.45	4.67
Debt Service Ratio	2.00%	1.40%	0.8%
Rate Coverage Ratio	47.90%	36.50%	54.1%
Rates & Annual Charges Outstanding	2.80%	3.90%	4.1%
Building & Infrastructure Renewal Ratio	119.40%	122.50%	49.2%

The result for 2009/10 is a very good result for the City of Ryde that reflects the efforts of Council, all stakeholders and staff in maintaining Council's financial position.

Working Capital

Working Capital is one of Council's key financial indicators and in 2009/10 it increased to \$4.5 million from \$4.3 million in 2008/09.

Council's 2009/2013 Management Plan was adopted on a projected Working Capital position of \$3.8 million as at 30 June 2010. The 2009/10 actual result is a further improvement on that forecast.

Assets under Management

In 2009/10 Council delivered a \$24.8 million Capital Works Program (\$35.4 million in 2008/09) with major projects including:

- Access \$9.7 million
- Parks \$4.0 million
- Stormwater & Parks Assets \$3.7 million
- Buildings & Property \$3.6 million
- Waste & Fleet \$2.7 million
- Technology Systems \$0.5 million
- Libraries \$0.4 million
- Ryde Aquatic Leisure Centre \$0.2 million

ITEM 3 (continued)

In addition Council brought to account the \$13.6 million of “contributed assets” (2008/09 \$58.0 million) which increased Council's Assets under Management to \$2.54 billion.

Council has revalued all its infrastructure assets to fair value and has depreciated them using the decay model based on the Asset Management Guidelines prepared and endorsed by the seven member Councils of NSROC.

This is the second year since Council adopted Fair Value, with the full impact of depreciation being brought to account in Council's Financial Statements resulting in Council's depreciation expense increasing by \$0.4 million in 2009/10 to \$18.7 million.

Asset Management - Condition of Public Infrastructure

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

As stated earlier in the report, the City of Ryde owns and maintains over \$1.31 billion worth of infrastructure including roads, parks, buildings, stormwater drainage, bridges, footpaths, lighting, seawalls and wharves with a current written down value, after depreciation, of over \$0.95 billion, plus \$1.23 billion in land.

Special Schedule 7 which reports on the condition of infrastructure assets included in the Financial Statements shows that Council would need to spend approximately \$79 million to bring its infrastructure assets to a satisfactory standard. It also shows that we need to spend \$15.6 million per annum to maintain the current standard of the asset; which is approximately the level of maintenance undertaken during the year.

While the 2009/10 results demonstrate Council is in a very good financial position in the short term, there are funding shortfalls to maintain its existing assets in a satisfactory condition as projected in Council's Long Term Financial Plan (LTFP). The strategy provides critical information that fully informs Council of its forecasted financial position and commitments for the City of Ryde.

Council developed a LTFP in 2006 to obtain a financial projection that quantifies the operation of Council services for the next 20 years. The strategy forecasts a cash shortfall based on Council expending \$20 million on asset renewal each year to bring its infrastructure up to a satisfactory standard. As part of the Community Strategic Plan, a revised Asset Management Plan for the period of that plan will be developed.

Information from this revised plan will be utilised in updating Councils LTFP.

Investment Portfolio

Council was pro-active in establishing an \$8 million Financial Security Reserve in October 2008 to protect Council against any future fallout from the global financial crisis.

ITEM 3 (continued)

The impact of the global financial crisis on Council's investment portfolio has been fully reported to Council in both the monthly investment report and additional reports to Council. As resolved by Council, Council has utilised this reserve to write down three (3) investments this financial year, resulting in a balance in the Financial Security Reserve as at the 30th June 2010 of \$140,343. In August Council was able to sell the Flinders CDO, which had been written down for \$301K, and when this is coupled with interest has the balance of the reserve at approximately \$500k as at 30 September 2010.

Consultation

Internal Council business units consulted included:-

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

Internal Workshops held:-

- Not Applicable

City of Ryde Advisory Committees consulted included:-

- Audit Committee

External public consultation included:-

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

Critical Dates

Council's audited Financial Statements (including General and Special Purpose Financial Statements) are required to be submitted to the Department of Local Government by 7th November 2010. Council has met this requirement.

Council is required to hold a Council meeting to present the Audited Financial Statements and the Auditors Reports by no later than 5th December after the end of the financial year. With the presentation of the Annual Financial Statements to the public at its meeting of 9 November 2010, Council will meet this requirement.

Financial Impact

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

The Working Capital result of \$4.54 million as at the 30th June 2010, is one of Council's key financial indicators. This result is an improvement on the forecast of \$3.8 million as detailed in the original 2009/2013 Management Plan.

ITEM 3 (continued)**Policy Implications**

There are no policy implications through the adoption of the recommendation.

Other Options

Not Applicable

Conclusion

While the 2009/2010 result demonstrates Council's very good financial position, the City of Ryde similar to all Local Governments across NSW, will continue to face a number of challenges in the years ahead.

Some of the key challenges will be managing the lingering impacts of the global financial crisis that has resulted in reduced development activity and declines in revenue.

Overall, the most important challenge for Council will be to continue to address maintaining and upgrading its \$1.31 billion of infrastructure and \$1.23 billion of land and a backlog of \$79 million to bring the infrastructure assets up to standard.

Arrangements have been made for a presentation to be made to Council by the Chief Financial Officer and the External Auditor in respect of the 2009/2010 result.

ITEM 3 (continued)

ATTACHMENT 1

City of Ryde

INCOME STATEMENT
for the year ended 30 June 2010

Original Budget* 2010 (\$'000)		Notes	Actual 2010 (\$'000)	Actual 2009 (\$'000)
INCOME FROM CONTINUING OPERATIONS				
Revenue:				
54,261	Rates and Annual Charges	3(a)	54,400	52,159
11,258	User Charges and Fees	3(b)	11,497	10,662
2,113	Interest and Investment Revenue	3(c)	-	3,032
4,991	Other Revenues	3(d)	4,659	5,880
6,317	Grants & Contributions provided for operating purposes	3(e&f)	6,260	6,949
9,901	Grants & Contributions provided for capital purposes	3(e&f)	20,446	64,340
Other Income:				
-	Net gain from the disposal of assets	5	-	-
-	Share of interests in joint ventures and associates using the equity method	19	-	-
88,841	TOTAL INCOME FROM CONTINUING OPERATIONS		97,262	143,022
EXPENSES FROM CONTINUING OPERATIONS				
32,765	Employee Benefits and On-costs	4(a)	32,502	30,611
259	Borrowing Costs	4(b)	202	331
22,136	Materials and Contracts	4(c)	19,525	22,177
16,265	Depreciation, Amortisation and Impairment	4(d)	18,715	18,301
9,578	Other Expenses	4(e)	9,441	8,663
-	Interest and Investment Losses	3(c)	627	-
50	Net Loss from the disposal of assets	5	19	4,096
-	Share of interests in joint ventures and associates	19	-	-
81,053	TOTAL EXPENSES FROM CONTINUING OPERATIONS		81,031	84,179
7,788	OPERATING RESULT FROM CONTINUING OPERATIONS		16,231	58,843
-	Operating result from discontinued operations	24	-	-
7,788	NET OPERATING RESULT FOR THE YEAR	2(a)	16,231	58,843
(2,113)	NET OPERATING RESULT FOR THE YEAR BEFORE GRANTS & CONTRIBUTIONS PROVIDED FOR CAPITAL PURPOSES		(4,215)	(5,497)

* Original budget as approved by Council - Refer Note 16

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

ITEM 3 (continued)

ATTACHMENT 2



STATEMENT OF COMPREHENSIVE INCOME
for the year ended 30 June 2010

	Notes	Actual 2010 (\$'000)	Actual 2009 (\$'000)
Net operating result for the year - from Income Statement		16,231	58,843
Other comprehensive income			
Gain (loss) on revaluation of infrastructure, property, plant and eq	20(a)	-	(8,631)
Gain (loss) on revaluation of available-for-sale investments	20(a)	-	-
Realised available-for-sale investment gains recognised in revenue	20(a)		
De-recognition of land under roads	20(f)		
Adjustment to correct prior period depreciation errors	20(d)	-	-
Total other comprehensive income for the year		16,231	50,212
Total comprehensive income for the year			
Attributable to:			
- Council		16,231	50,212
- Minority Interests			

The above Statement of comprehensive income should be read in conjunction with the accompanying notes.

ITEM 3 (continued)

ATTACHMENT 3

City of Ryde

BALANCE SHEET
As at 30 June 2010

	Notes	2010 (\$'000)	2009 (\$'000)
ASSETS			
Current Assets			
Cash and Cash Equivalent Assets	6(a)	27,806	44,987
Investments	6(b)	28,250	5,885
Receivables	7	6,158	6,288
Inventories	8	467	570
Other	8	405	330
Non-Current assets held for Sale	22	971	-
Total Current Assets		64,057	58,060
Non-Current Assets			
Investments	6(b)	6,995	15,494
Receivables	7	933	488
Inventories	8	-	-
Infrastructure, Property, Plant and Equipment	9	2,183,888	2,166,375
Investments accounted for using equity method	19	-	-
Investment Property	14	2,200	2,315
Intangible assets	25	-	-
Other	8	-	-
Total Non-Current Assets		2,194,016	2,184,672
TOTAL ASSETS		<u>2,258,073</u>	<u>2,242,732</u>
LIABILITIES			
Current Liabilities			
Payables	10(a)	15,437	16,068
Borrowings	10(a)	434	453
Provisions	10(a)	7,205	6,820
Total Current Liabilities		23,076	23,341
Non-Current Liabilities			
Payables	10(a)	-	-
Borrowings	10(a)	4,339	4,747
Provisions	10(a)	164	250
Total Non-Current Liabilities		4,503	4,997
TOTAL LIABILITIES		<u>27,579</u>	<u>28,338</u>
NET ASSETS		<u>2,230,494</u>	<u>2,214,394</u>
EQUITY			
Retained Earnings	20	1,712,118	1,696,018
Revaluation reserves	20	518,376	518,376
Council equity interest		2,230,494	2,214,394
Minority equity interest		-	-
TOTAL EQUITY		<u>2,230,494</u>	<u>2,214,394</u>

The above Balance Sheet should be read in conjunction with the accompanying notes.

ITEM 3 (continued)

ATTACHMENT 4

City of Ryde

STATEMENT OF CHANGES IN EQUITY
for the year ended 30 June 2010

	Notes	2010 (\$'000)							2009 (\$'000)						
		Retained Earnings	Asset Revaluation Reserve	Other Reserves	Council Equity Interest	Minority Interest	Total Equity		Accum Surplus	Asset Revaluation Reserve	Other Reserves	Council Equity Interest	Minority Interest	Total Equity	
Opening Balance	20	1,696,018	518,376		2,214,394	-	2,214,394		1,644,113	527,007		2,171,120	-	2,171,120	
Correction of errors		(131)							(6,938)			(6,938)			(6,938)
Changes in Accounting Policies					(131)		(131)								
Restated Opening Balance	20	1,695,887	518,376	-	2,214,263	-	2,214,263		1,637,175	527,007	-	2,164,182	-	2,164,182	
Total Comprehensive Income	20	16,231	-		16,231		16,231		58,943	(8,631)		50,212		50,212	
Closing Balance	20	1,712,118	518,376	-	2,230,494	-	2,230,494		1,696,018	518,376	-	2,214,394	-	2,214,394	

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

ITEM 3 (continued)

ATTACHMENT 5

City of Ryde

STATEMENT OF CASH FLOWS
for the year ended 30 June 2010

Original Budget* 2010 (\$'000)	Notes	2010 (\$'000)	2009 (\$'000)
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts			
54,228 Rates & Annual Charges		54,249	51,611
12,384 User Charges & Fees		12,487	10,405
2,113 Interest and Investment Revenue		3,006	5,141
17,840 Grants and Contributions		12,944	13,145
5,490 Other		7,209	11,068
Payments			
(36,042) Employee Benefits and on-costs		(32,230)	(30,428)
(24,350) Materials and Contracts		(20,516)	(21,129)
(259) Borrowing Costs		(201)	(332)
(10,591) Other		(10,062)	(15,052)
Net cash provided (or used) in Operating Activities	11(b)	26,886	24,429
CASH FLOWS FROM INVESTING ACTIVITIES			
Receipts			
18,573 Sale of Investments		15,000	26,667
- Sale of Investment Property		-	-
- Sale of Real Estate Assets		-	-
853 Sale of Infrastructure, Property, Plant and Equipment		974	1,904
- Sale of Interests in Joint Ventures/Associates		-	-
- Proceeds from Boundary Adjustment		-	-
- Other		-	-
Payments			
(5,885) Purchase of Investments		(33,000)	(5,993)
- Purchase of Investment property		-	-
(39,738) Purchase of Property, Plant and Equipment		(26,614)	(35,796)
- Purchase of Real Estate		-	-
- Purchase of Interests in Joint Ventures/Associates		-	-
- Other		-	-
Net cash provided by (or used in) Investing Activities		(43,640)	(13,218)
CASH FLOWS FROM FINANCING ACTIVITIES			
Receipts			
- Borrowings and Advances		-	-
- Other		-	-
Payments			
(460) Borrowings and Advances		(427)	(728)
- Lease Liabilities		-	(12)
- Other		-	-
Net cash provided by (or used in) Financing Activities		(427)	(740)
(5,843) Net Increase (Decrease) in Cash & Cash Equivalents		(17,181)	10,471
44,987 Cash & Cash Equivalents at beginning Reporting Pd	11(a)	44,987	34,516
39,144 Cash & Cash Equivalents at end of Reporting Pd	11(a)	27,806	44,987

The above cash flow statement should be read in conjunction with the accompanying notes.

ITEM 3 (continued)

ATTACHMENT 6



CITY OF RYDE

SPECIAL PURPOSE FINANCIAL STATEMENTS

INDEPENDENT AUDITORS' REPORT

REPORT ON THE FINANCIAL STATEMENTS

We have audited the accompanying *special purpose financial statements* of *City of Ryde*, which comprises the Balance Sheet as at 30 June 2010, Income Statement for the year ended on that date, a summary of significant accounting policies and other explanatory notes and the Statement by Councillors and Management.

Responsibility of Council for the Financial Statements

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

Auditors' Responsibility

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

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

Assurance Partners

T: +61 2 9232 5111
F: +61 2 9233 7950

Level 5, 1 Chifley Square
Sydney NSW 2008 Australia

GPO Box 7066
Sydney NSW 2001

www.hr-st.com.au
info@hr-st.com.au

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ITEM 3 (continued)

ATTACHMENT 6



The financial statements have been prepared for distribution to the Council and the Division of Local Government for the purpose of fulfilling the requirements of National Competition Policy reporting. We disclaim any assumption of responsibility for any reliance on this report or on the financial statements to which it relates to any person other than the Council or the Division of Local Government, or for any purpose other than that for which they were prepared.

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

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

Independence

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

Auditor's Opinion

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

HILL ROGERS SPENCER STEER

BRETT HANGER
Partner

Dated at Sydney this 21st day of October 2010

ITEM 3 (continued)

ATTACHMENT 7



21 October 2010

The Mayor
City of Ryde
1 Devlin Street
RYDE NSW 2112

Mayor,

Audit Report - Year Ended 30 June 2010

We are pleased to advise completion of the audit of Council's books and records for the year ended 30 June 2010 and that all information required by us was readily available. We have signed our reports as required under Section 417(1) of the Local Government Act, 1993 and the Local Government Code of Accounting Practice and Financial Reporting to the General and Special Purpose Financial Statements.

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

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

1. RESULTS FOR THE YEAR

1.1 Operating Result

The operating result for the year was a surplus of \$16.231 million as compared with \$58.843 million in the previous year.

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T: +61 2 9232 5111	Level 5, 1 Chifley Square	GPO Box 7066	www.hr-ss.com.au	Practising as Hill Rogers Spencer	ABN 56 435 338 966
F: +61 2 9233 7950	Sydney NSW 2000 Australia	Sydney NSW 2001	info@hr-ss.com.au	Steer Assurance Partners	

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ITEM 3 (continued)

ATTACHMENT 7



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

	2010 \$000	% of Total	2009 \$000	% of Total	Increase (Decrease) \$000
Revenues before capital items					
Rates & annual charges	54,400	68%	52,159	66%	2,241
User charges, fees & other revenues	16,156	20%	16,542	21%	(386)
Grants & contributions provided for operating purposes	6,260	8%	6,949	9%	(689)
Interest & investment revenue	3,373	4%	3,032	4%	341
	80,189	100%	78,682	100%	1,507
Expenses					
Employee benefits & costs	32,502	39%	30,611	36%	1,891
Materials, contracts & other expenses	28,985	34%	34,936	42%	(5,951)
Depreciation, amortisation & impairment	18,715	22%	18,301	22%	414
Impairment of Investments	4,000	5%	-	0%	4,000
Borrowing costs	202	0%	331	0%	(129)
	84,404	100%	84,179	100%	225
Surplus(Deficit) before capital items	(4,215)		(5,497)		1,282
Grants & contributions provided for capital purposes	20,446		64,340		(43,894)
Net Surplus(Deficit) for the year	16,231		58,843		(42,612)

The table above shows an overall decrease over the previous year of \$42.612 million. The variance is mostly attributable to the reduction in the value of contributed assets received for the year (2010 - \$13.617 million, 2009 - \$57.999 million). The other significant variance is the impairment of investments of \$4 million.

1.2 Funding Result

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

ITEM 3 (continued)

ATTACHMENT 7

Hill Rogers
Spencer Steer

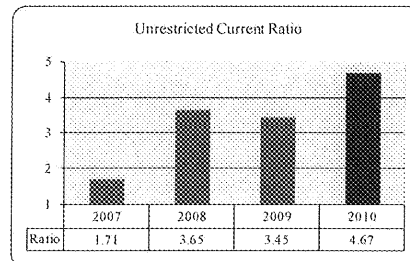
	2010 \$000	2009 \$000
Funds were provided by:-		
Operating Result (as above)	16,231	58,843
Add back non funding items:-		
- Depreciation, amortisation & impairment	18,715	18,301
- Book value of non current assets sold	993	2,090
- Non cash Contributions of assets acquired	(13,617)	(57,999)
- (Gain)Loss of fair value to investment properties	115	(677)
	22,437	20,558
Decrease/Redemption in Non Current Investments	8,499	7,006
Transfers from externally restricted assets (net)	8,809	2,425
Transfers from internal reserves (net)	0	7,611
Net Changes in current/non current assets & liabilities	1,171	0
	40,916	37,600
Funds were applied to:-		
Purchase and construction of assets	(24,709)	(34,586)
Principal repaid on loans	(427)	(728)
Finance lease instalments	0	(12)
Transfers to internal reserves (net)	(15,553)	0
Net Changes in current/non current assets & liabilities	0	(152)
	(40,689)	(35,478)
Increase(Decrease) in Available Working Capital	227	2,122

2. FINANCIAL POSITION

2.1 Unrestricted Current Ratio

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

After eliminating externally restricted assets and current liabilities not expected to be paid within the next 12 months net current assets amounted to \$47.861 million representing a factor of 4.67 to 1.



2.2 Available Working Capital – (Working Funds)

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

ITEM 3 (continued)

ATTACHMENT 7

Hill Rogers
Spencer Steer

At the close of the year the Available Working Capital of Council stood at \$4.549 million as detailed below:

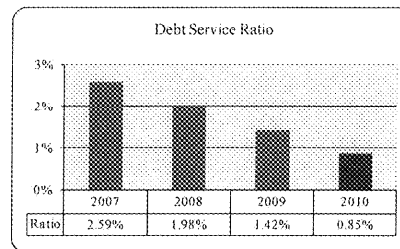
	2010 \$000	2009 \$000	Change \$000
Net Current Assets (Working Capital) as per Accounts	40,981	34,719	6,262
<i>Add:</i> Payables & provisions not expected to be realised in the next 12 months included above	9,569	9,518	51
Adjusted Net Current Assets	50,550	44,237	6,313
<i>Add:</i> Budgeted & expected to pay in the next 12 months			
- Borrowings	434	453	(19)
- Employees leave entitlements	3,450	2,850	600
- Deposits & retention moneys	1,688	1,611	77
<i>Less:</i> Externally restricted assets	(2,689)	(11,498)	8,809
<i>Less:</i> Internally restricted assets	(48,884)	(33,331)	(15,553)
Available Working Capital as at 30 June	4,549	4,322	227

The balance of Available Working Capital should be at a level to manage Council's day to day operations including the financing of hard core debtors, stores and to provide a buffer against unforeseen and unbudgeted expenditures. Taking into consideration the nature and level of the internally restricted assets (Reserves) set aside we are of the opinion that Available Working Capital as at 30 June 2010 was sound.

2.3 Debt

Operating revenue (excluding special purpose grants and contributions) required to service these repayments was 0.85%.

Total debt at 30 June 2010 amounted to \$4.773 million.



2.4 Summary

Council's overall financial position, when taking into account the above financial indicators is, in our opinion, sound.

ITEM 3 (continued)

ATTACHMENT 7

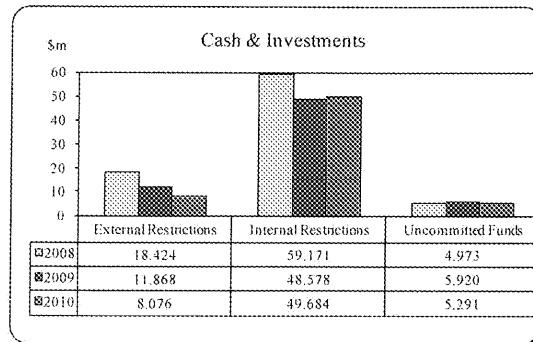
Hill Rogers
Spencer Steer

3. CASH ASSETS

3.1 Cash & Investments

Cash and investments held at the close of the year amounted to \$63.051 million as compared with \$66.366 million and \$82.568 million at the close of financial years 2009 and 2008 respectively.

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



Externally restricted cash and investments are restricted in their use by externally imposed requirements and consisted of unexpended development contributions under Section 94 of \$1.565 million, domestic waste management charges of \$3.338 million and specific purpose grants, contributions and levies of \$3.173 million.

Internally restricted cash and investments have been restricted in their use by resolution or policy of Council to reflect forward plans, identified programs of works, and are, in fact, Council's "Reserves". These Reserves totalled \$49.684 million and their purposes are more fully disclosed in Note 6 of the financial statements.

Unrestricted cash and investments amounted to \$5.291 million, which are available to provide liquidity for day to day operations.

3.2 Cash Flows

The Statement of Cash Flows illustrates the flow of cash (highly liquid cash and investments) moving in and out of Council during the year and reveals that cash decreased by \$17.181 million to \$27.806 million at the close of the year.

In addition to operating activities which contributed net cash of \$26.886 million were the proceeds from the sale of investments (\$15 million) and other assets (\$974,000). Cash outflows other than operating activities were used to purchase investments (\$33 million), repay loans (\$427,000) and to purchase and construct assets (\$26.614 million).

ITEM 3 (continued)

ATTACHMENT 7

Hill Rogers
Spencer Steer

4. RECEIVABLES

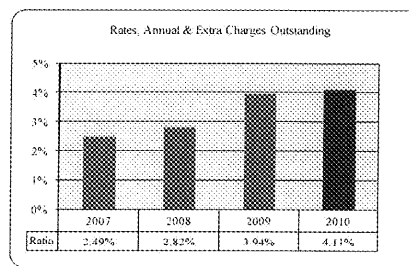
4.1 Rates & Annual Charges (excluding interest & extra charges)

Net rates and annual charges levied during the year totalled \$54.400 million and represented 54% (2009 – 36%) of Council's total revenues.

Including arrears, the total rates and annual charges collectible was \$56.328 million of which \$54.249 million (96%) was collected.

4.2 Rates, Annual & Extra Charges

Arrears of rates, annual & extra charges stood at \$2.331 million at the end of the year and represented 4.11% of those receivables.



4.3 Other Receivables

Receivables (other than rates, annual & extra charges) totalled \$4.874 million and mainly consisted of user charges and fees (\$667,000), contributions to works (\$1.142) million, accrued interest on investments (\$787,000) and amounts due from government departments (\$1.842 million).

Those considered to be uncertain of collection have been provided for as doubtful debts and this provision amounted to \$114,000.

5. PAYABLES

5.1 Employees Leave Entitlements

Council's provision for its liability toward employees leave entitlements and associated on costs amounted to \$7.369 million.

A cash reserve of \$2.222 million was held at year end representing 30% of this liability and was, in our opinion, sufficient to meet unbudgeted and unanticipated retirements.

5.2 Deposits, Retentions & Bonds

Deposits, retentions and bonds held at year end amounted to \$7.502 million which was fully funded by internally restricted cash and investments.

ITEM 3 (continued)**ATTACHMENT 7****6. REVALUATION OF ASSETS**

The valuation at 'fair value' of Council's infrastructure, property, plant and equipment has been introduced in a staged approach. In previous years, Council has revalued the majority of its asset categories, including land and buildings, plant and equipment, infrastructure and other structures.

The fair valuation of the remaining asset categories will be required in the next reporting period.

7. CONCLUSION

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

Yours faithfully,


HILL ROGERS SPENCER STEER



BRETT HANGER
Partner

ITEM 3 (continued)

ATTACHMENT 8



CITY OF RYDE

GENERAL PURPOSE FINANCIAL STATEMENTS

INDEPENDENT AUDITORS' REPORT

REPORT ON THE FINANCIAL STATEMENTS

We have audited the accompanying *general purpose financial statements* of the *City of Ryde*, which comprises the Balance Sheet as at 30 June 2010, Income Statement, Statement of Comprehensive Income, Statement of Changes in Equity and Statement of Cash Flows for the year ended on that date, a summary of significant accounting policies and other explanatory notes and the Statement by Councillors and Management. The financial statements include the consolidated financial statements of the economic entity and the entities it controlled at year end or from time to time during the year.

Responsibility of Council for the Financial Statements

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

Auditors' Responsibility

Our responsibility is to express an opinion on the financial statements based on our audit. We conducted our audit in accordance with Australian Auditing Standards. These Auditing Standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial statements are free from material misstatement. Our audit responsibility does not extend to the original budget information disclosed in the Income Statement, Statement of Cash Flows, and Note 2(a) or the budget variation explanations disclosed in Note 16. Nor does our responsibility extend to the additional commentary in Note 13 or the projected future developer contributions and costs disclosed in Note 17. Accordingly, no opinion is expressed on these matters.

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

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T. +61 2 9232 5111	Level 5, 1 Chifley Square	GPO Box 7066	www.hr-ss.com.au	Practising as Hill Rogers Spencer	ABN 56 435 338 966
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ITEM 3 (continued)

ATTACHMENT 8



policies used and the reasonableness of accounting estimates made by the Council, as well as evaluating the overall presentation of the financial statements.

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

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

Independence

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

Auditor's Opinion

In our opinion,

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

Emphasis of Matter

Without qualification to the opinion expressed above, we draw attention to following matter.

Since July 2007, global financial markets have experienced a period of high volatility led by events in the US housing market, particularly sub-prime loans, which has impacted the value, recoverability, liquidity, cash flows and rates of return of most financial assets including Collateralised Debt Obligations (CDOs) and some Managed Funds.

At 30 June 2010, Council's investment portfolio totalled \$62.314 million and included securities that have been impacted by this market volatility. The impact on individual securities varies depending on their degree of exposure to affected markets. Some of these securities do not have market values that are independently quoted and they are not widely traded. Independent market valuations are not readily available and in many cases, values have been assessed based on estimates from issuers and/or other available market information. Based on available information, Council has restated the carrying amount of some of these investments as at 30 June 2010, resulting in a write down of \$4.135 million. The limited

ITEM 3 (continued)

ATTACHMENT 8



availability of reliable market values and the ongoing volatility of financial markets introduce uncertainty to the valuation process. Accordingly, further changes to the carrying values, recoverability, liquidity, cash flows and rates of return may arise as investments are disposed of and/or new information comes to hand.

As a consequence of the above, and the continuing instability of the current investment environment, there is some uncertainty regarding the value, recoverability, liquidity, cash flow and rates of return, the resolution of which is dependent upon future events and which may materially affect the financial statements.

HILL ROGERS SPENCER STEER



BRETT HANGER
Partner

Dated at Sydney this 21st day of October 2010

4 INVESTMENT REPORT - September 2010

Report prepared by: Chief Financial Officer

Report dated: 5/10/2010

File No.: GRP/09/6/1/7 - BP10/611

Report Summary

This report provides details of Council's performance against the benchmark for returns of its investment portfolio for the month of September 2010, and the performance of Council's investments for the previous 12 months.

Council's financial year to date return is 6.20%, 1.35% above benchmark. Income from investments totals \$1.32M, being \$279K above budget projections as per the 2010-2014 Management Plan. At the Quarterly Review for September the investment interest will be assessed and reflect any adjustment incorporated into the Budget Review to the increase in return on our investments.

To date, \$301K relates to the sale of the Lehmans/ Grange IMP - Flinders, with the proceeds from this sale being held in the Financial Security Reserve. The Financial Security Reserve, following these additional funds will have a balance of \$508K, including interest.

Council continues to invest in term deposits to take advantage of the Federal Government's guarantee which expires in October 2011.

As indicated to Council in previous Investment Reports, Council has undertaken discussion with Oakvale Capital Limited, Council's investment advisor, in recommending a revised investment strategy. The revised recommended strategy is detailed in the report.

The report includes the estimated market valuation of Council's investment portfolio with a commentary on significant events in the global financial markets. The report also details Council's current loan liability with the average return on Council's term deposits being greater than the current interest rate applying to Council's loans.

RECOMMENDATION:

- (a) That the report of the Chief Financial Officer, dated 05/10/2010 on INVESTMENT REPORT – September 2010, be endorsed.
- (b) That the Investment Strategy from Oakvale Capital Limited be endorsed.

ATTACHMENTS

- 1 Oakvale Capital Limited - Investment Strategy

Report Prepared By:

John Todd

Chief Financial Officer

Report Approved By:

Roy Newsome

Group Manager - Corporate Services

ITEM 4 (continued)**Report**

The Acting Chief Financial Officer as Council's Responsible Accounting Officer is required to report to Council on a monthly basis on Council's Investment Portfolio and to certify that the Investments are held in accordance with Council's Investment Policy and Section 625 of the Local Government Act.

All Council's investments complied with the Minister for Local Government's Investment Order dated 15 August 2008 and Council's Investment Policy when acquired, however the following investment's credit ratings are now below the Minister's Order:

Investment	Rating	Maturity
• Grange IMP - Quartz CDO	CCC-	20/12/2010
- Merimbula CDO	N/R	20/06/2013
- Torquay CDO	CCC-	20/06/2013
- Scarborough CDO	CCC-	23/06/2014
- Global Bank Note CDO	N/R	20/09/2014
- Glenelg CDO	CCC	22/12/2014
• Alpha CDO *	CCC-	20/03/2012
• Covent Garden CDO *	C	20/09/2012
• Oasis CDO *	CCC-	04/09/2014

(Note * Council at its meeting of 25 May 2010 wrote down/ impaired the Alpha, Covent Garden and Oasis CDOs to a nominal value and this was funded from the Financial Security Reserve.)

Under the Minister's Order, Council is required to divest itself of these investments as soon as practicable. With the exception of the investments in the Grange IMP, these investments were purchased with the intention of holding them to maturity.

Council Officers have been looking for opportunities to sell certain capital protected and structured investments where prices are competitive and advantageous to Council.

Following a meeting with Oakvale Capital Limited, Council has received an updated investment strategy report with recommendations. A copy is **ATTACHED**.

As indicated to Council in previous reports, Council has undertaken discussion with Council's investment advisor, Oakvale Capital Limited on the City of Ryde's investment strategy. The key points recommended in the advice from Oakvale is for Council to:

- Allow investments in rated Authorised Deposit taking Institutions (ADIs) up to Council's Investment Policy Units.
- Continue to limit investment in unrated ADIs to \$1 million, to benefit from the current Governance available.
- Take advantage of opportunities in the 3-5 year time horizon.
- Increase deposits in the 6 month area, which is providing good value in returns.

ITEM 4 (continued)

This report recommends the adoption of this investment strategy.

Investment Performance Commentary

Council's performance against the benchmark for returns of its investment portfolio for the month of September 2010 and the financial year to date are as follows:

	Sep 2010	12 Month	FY2011
Council Return	6.16	5.56	6.20
Benchmark	4.61	4.30	4.85
Variance	1.55	1.26	1.35

Council's year to date return has outperformed the benchmark and at 6.20% in September is 1.35% above benchmark.

There has been one new notified credit event within Council's investment portfolio since the last Investment Report, which was submitted to Council on 28 September 2010. Information was received on 12 October 2010 that a bankruptcy event had occurred for Takefuji. This will trigger a credit event within the "Glenelg" investment, which Council holds \$500K face value, as part of its Grange IMP holdings, which matures in Dec 2014. This investment has been previously written down to nominal value, and can withstand 2 more credit events before defaulting.

Council's investment portfolio as at 30 September 2010 was as follows:

Cash/Term Deposits	\$58.4M	70.6%
Floating Rate Notes	\$1.0M	1.2%
CDOs	\$2.0M	2.4%
Managed Funds	\$0.8M	0.9%
Other Financial Products	\$5.5M	6.6%
Total Cash Investments	<u>\$67.7M</u>	
Property	<u>\$15.1M</u>	18.3%
Total Investment Portfolio	<u>\$82.8M</u>	

Council continues to utilise the Federal Government's guarantee investing in Term Deposits with a range of Approved Deposit Taking Institutions (ADIs) on short to medium term investments (generally 30 days to 6 months maturity) where more competitive rates are available. The Federal Government's guarantee expires on 12 October 2011, and it is anticipated that any changes to the scheme will be announced well in advance of its expiry, to avoid any sudden cash outflows from regional banks and credit unions.

Financial Security Reserve (FSR)

The Financial Security Reserve currently has a balance of \$508K as at 30 September 2010 which includes \$117K of interest from these at risk investments and \$301K from proceeds from the sale of the Flinders CDO and interest to date.

ITEM 4 (continued)**Economic Commentary**

Locally, the RBA left rates unchanged at their board meeting in October, with released minutes continuing to show a definite tightening bias, with the Australian economy growing at around trend pace, and CPI inflation expected to be slightly higher than the target range for a few quarters due to the impact of the tobacco tax changes. It was also expressed that the outlook for the global economy remains fragile, with the banking system of some smaller European countries strained.

The Reserve Bank's mandate has been broadened to explicitly take into account the stability of the nation's financial system.

In the US, housing stats are at a depressed level and bank lending has continued to contract. Prompted by comments from US Federal Reserve chairman Ben Bernanke about the possible need for further stimulus, the Australian dollar hit above parity overnight on the 15 October, the highest level since 1983.

In the Eurozone, data remained weak with competitive devaluations and trade wars looming as a big risk to the global economy over the longer term.

Legal Issues

As previously reported to Council, Piper Alderman have been engaged to provide advice on legal options available to Council in relation to its investments. Council's General Counsel provided an update to the Committee of the Whole on 20 July 2010, and a further update will be provided to Council as developments occur.

Council's Property Investment Portfolio

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

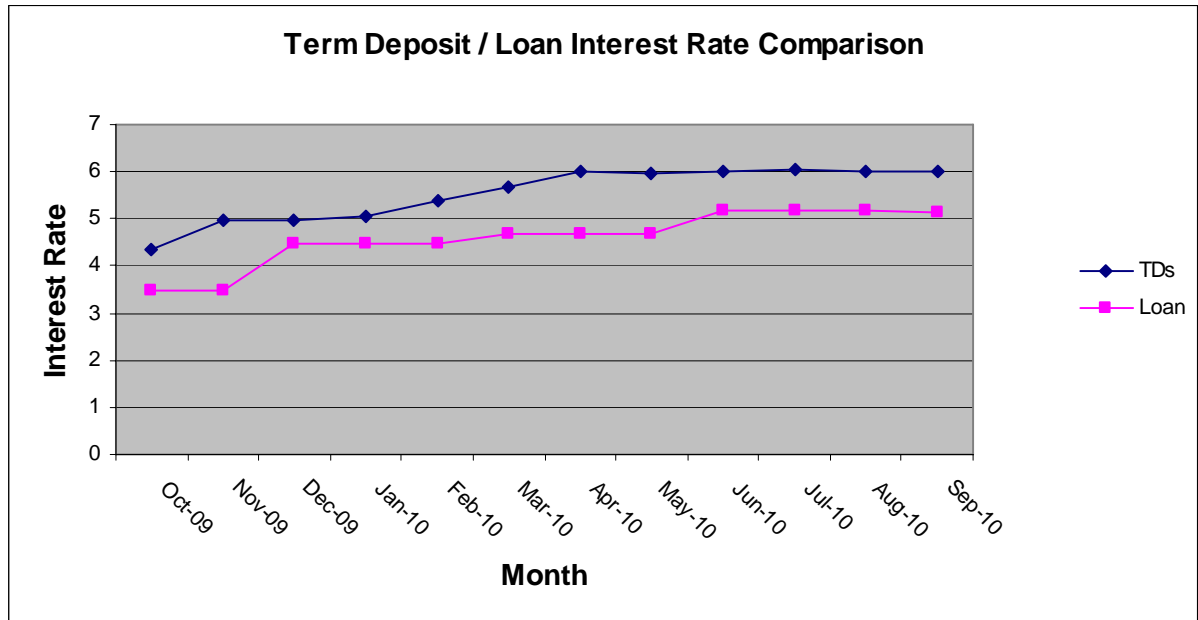
2 Dickson Avenue, West Ryde
1a Station St, West Ryde
8 Chatham Road, West Ryde
202 Rowe St, Eastwood (commercial)
226 Victoria Rd, Gladesville (commercial)
West Ryde Car Park Site
Herring Road Air Space Rights

Loan Liability

Council's loan liability as at 30 September 2010 was \$4.6 million which represents the balance of one (1) loan taken out in 2004 for the Civic Centre Redevelopment and refinancing the West Ryde Tunnel. This loan was for 15 years and was negotiated at a very attractive rate for Council at BBSW + 20 basis points and is reset every 90 days.

ITEM 4 (continued)

The following graph shows the average interest rate earned on Council term deposits compared to the interest rate applying to this loan.

**Comparative Financial Data****Council Loan Current interest rate**

Current interest rate	5.13%
-----------------------	-------

Term Deposit

Current average interest rate	6.01%
-------------------------------	-------

Debt Service Ratio

Category 3 Councils 2007/08	3.13%
City of Ryde 2009/10	0.90%

Due to the favourable terms negotiated with this loan, and the current economic climate, Council is earning a higher rate of return in investing these funds than it is paying as loan interest – i.e. it produces a positive cash inflow to Council.

On this basis, there is no advantage to Council in changing these arrangements or repaying this loan earlier than planned.

Types of Investments:

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

ITEM 4 (continued)

A **Floating Rate Note (FRN)** is a longer term investment issued by a financial institution with a variable interest rate. The adjustments to the interest rate are usually made quarterly, and are tied to a certain money market index such as the Bank Bill Swap Rate.

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

Credit Rating Information

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

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

AAA:	the best quality companies, reliable and stable
AA:	quality companies, a bit higher risk than AAA
A:	economic situation can affect finance
BBB:	medium class companies, which are satisfactory at the moment
BB:	more prone to changes in the economy
B:	financial situation varies noticeably
CCC:	currently vulnerable and dependent on favourable economic conditions to meet its commitments
CC:	highly vulnerable, very speculative bonds
C:	highly vulnerable, perhaps in bankruptcy or in arrears but still continuing to pay out on obligations
D:	has defaulted on obligations and it is believed that it will generally default on most or all obligations

ITEM 4 (continued)

INVESTMENT SUMMARY AS AT 30 SEPTEMBER 2010

Issuer	Investment Name	Investment Rating	Invested at 30-Sep-10 \$000's	Annualised Period Return (%)	12 Month Average Return on Current Investments (%)	Return since 01 July 2010	% of Total Invested	Indicative Market Value ** \$000's	% Market Value
CBA	1. Shield Series 21	AA	500	5.45	4.53	5.17	0.74	603	120.68%
Select Access Investments (no 2) Ltd	2. Titanium AAA	A+	2,000	5.78	5.23	5.81	2.96	1,987	99.34%
Alpha Financial Products	3. Alpha	CCC-	0	1.55	1.31	1.55	0.00	0	0.00%
Helix Capital	4. OASIS	CCC-	0	6.29	5.75	6.35	0.00	0	0.00%
Westpac	5. FOCUS Note	AA	500	0.00	0.00	0.00	0.74	467	93.48%
Westpac	6. Camelotfund	AA	500	0.00	0.00	0.00	0.74	471	94.18%
Grange	7. Grange JIMP	Unrated	750	22.66	7.20	22.26	1.11	750	100.00%
AB Svensk Exportkredit	8. Global Protected Property Note VII	AA+	1,000	0.00	0.00	0.00	1.48	924	92.39%
Longreach	9. Longreach CPWF	AAA	2,000	2.01	1.99	1.94	2.96	1,913	95.64%
Obelisk Trust 2007-3	10. Covent Garden	C	0	1.06	2.09	1.06	0.00	0	0.00%
Credit Suisse First	11. Trident	A+	1,000	42.29	19.96	42.43	1.48	1,119	111.91%
Westpac	12. Westpac At Call	AA	5,411	4.65	4.32	4.68	8.00	5,411	100.00%
CBA	13. CBA TCD 5 Yr (Floating)	AAA	1,000	6.19	5.52	6.20	1.48	1,026	102.59%
CBA	14. CBA TCD 5 Yr (Fixed)	AAA	995	6.03	6.03	6.02	1.47	1,005	101.00%
BoQ	15. Bank of Queensland TD	AAA	1,000	6.29	4.88	6.29	1.48	1,000	100.00%
ANZ	16. ANZ TD	AA	1,000	5.97	4.65	5.43	1.48	1,000	100.00%
ANZ	17. ANZ Term Deposit	AA	1,000	5.84	4.49	5.84	1.48	1,000	100.00%
NAB	18. NAB Term Deposit	AA	1,000	6.17	4.85	6.17	1.48	1,000	100.00%
Police & Nurses Credit Union	19. Police & Nurses Credit Union	AAA	1,000	5.93	6.12	6.01	1.48	1,000	100.00%
NSW Teachers CU	20. NSW Teachers CU TD	AAA	1,000	5.97	6.00	5.97	1.48	1,000	100.00%
Bankwest	21. Bankwest TD	AA	1,000	5.73	5.41	5.73	1.48	1,000	100.00%
DefCredit	22. Defence Credit Union TD	AAA	1,000	6.08	6.28	6.17	1.48	1,000	100.00%
Railways CU	23. Railways CU	AAA	1,000	5.88	6.01	5.90	1.48	1,000	100.00%
New England Credit Union	24. New England CU TD	AAA	1,000	6.20	6.06	6.11	1.48	1,000	100.00%
Old Police CU	25. Old Police CU TD	AAA	1,000	6.14	6.06	6.13	1.48	1,000	100.00%
Old Country CU	26. Old Country Credit Union	AAA	1,000	5.66	6.00	6.01	1.48	1,000	100.00%
Community CPS	27. Community CPS TD	AAA	1,000	6.25	6.20	6.25	1.48	1,000	100.00%
Hunter United Credit Union	28. Hunter United Credit Union TD	AAA	1,000	6.03	6.00	6.03	1.48	1,000	100.00%
CUA	29. Credit Union Australia TD	AAA	1,000	6.24	6.11	6.24	1.48	1,000	100.00%
Coastline CU	30. Coastline Credit Union TD	AAA	1,000	6.30	6.29	6.30	1.48	1,000	100.00%
Savings & Loans CU	31. Savings & Loans CU	AAA	1,000	6.08	6.24	6.15	1.48	1,000	100.00%
Bank of Cyprus (Aust)	32. Bank of Cyprus (Aust) TD	AAA	1,000	7.12	7.12	7.12	1.48	1,000	100.00%
Australian Defence Credit Union	33. Australian Defence CU TD	AAA	1,000	5.87	5.91	5.87	1.48	1,000	100.00%
Rural Bank	34. Rural Bank	AAA	1,000	6.55	6.46	6.48	1.48	1,000	100.00%
Banana Coast CU	35. Banana Coast CU TD	AAA	1,000	6.25	6.39	6.34	1.48	1,000	100.00%
Qantas Staff CU	36. Qantas Staff CU TD	AAA	1,000	5.94	6.09	6.01	1.48	1,000	100.00%
Southern Cross CU	37. Southern Cross CU TD	AAA	1,000	5.98	5.94	5.98	1.48	1,000	100.00%
SGE CU	38. SGE Credit Union TD	AAA	1,000	5.98	5.83	5.98	1.48	1,000	100.00%
B&E Ltd	39. B & E Building Soc TD	AAA	1,000	5.88	5.93	5.95	1.48	1,000	100.00%
Victoria Teachers CU	40. Victoria Teachers CU	AAA	1,000	6.19	6.41	6.36	1.48	1,000	100.00%
CBA	41. CBA TD	AAA	1,000	6.14	6.06	6.07	1.48	1,000	100.00%
Me Bank	42. ME Bank TD	AAA	1,000	6.26	6.14	6.20	1.48	1,000	100.00%
IMB	43. IMB TD	AAA	1,000	6.19	6.19	6.19	1.48	1,000	100.00%
Bankwest	44. Bankwest TD	AAA	1,000	6.30	5.25	6.30	1.48	1,000	100.00%
Sutherland CU	45. Sutherland CU TD	AAA	1,000	6.40	6.40	6.40	1.48	1,000	100.00%
Summerland CU	46. Summerland CU TD	AAA	1,000	6.30	6.30	6.30	1.48	1,000	100.00%
Wide Bay CU	47. Wide Bay CU TD	AAA	1,000	6.30	6.30	6.30	1.48	1,000	100.00%
Manly Warringah CU	48. Manly Warringah CU TD	AAA	1,000	6.14	6.18	6.14	1.48	1,000	100.00%
Queenslanders CU	49. Queenslanders CU TD	AAA	1,000	6.56	6.56	6.56	1.48	1,000	100.00%
HBS	50. Heritage Bldg Soc TD	AAA	1,000	6.24	6.24	6.24	1.48	1,000	100.00%
Warwick CU	51. Warwick CU TD	AAA	1,000	5.67	5.83	5.77	1.48	1,000	100.00%
Arab Bank Australia	52. Arab Bank Australia TD	AAA	1,000	6.25	6.25	6.25	1.48	1,000	100.00%
Maitland Mutual	53. Maitland Mutual Bldg Soc TD	AAA	1,000	5.93	5.91	5.91	1.48	1,000	100.00%
Bankwest	54. Bankwest TD	AA	1,000	5.93	5.20	5.98	1.48	1,000	100.00%
AMP	55. AMP eASYSaver	AAA	984	5.50	5.54	5.50	1.45	984	100.00%
South West CU	56. South West CU TD	AAA	1,000	5.96	6.24	6.14	1.48	1,000	100.00%
CBA	57. CBA Term Deposit	AA	1,000	5.56	5.58	5.56	1.48	1,000	100.00%
Gateway CU	58. Gateway CU TD	AAA	1,000	6.40	6.40	6.40	1.48	1,000	100.00%
Rabobank	59. Rabobank TD	AAA	500	6.00	6.00	6.00	0.74	500	100.00%
Rabobank	60. Rabobank TD	AAA	500	6.00	6.00	6.00	0.74	500	100.00%
Suncorp-Metway	61. Suncorp-Metway TD	AAA	1,000	6.40	6.40	6.40	1.48	1,000	100.00%
Bankwest	62. Bankwest TD	AA	1,000	6.35	5.23	6.35	1.48	1,000	100.00%
Newcastle Perm Bldg Soc	63. Newcastle Perm Bldg Soc	AAA	1,000	6.07	6.07	6.07	1.48	1,000	100.00%
Queensland Teachers CU	64. Queensland Teachers CU	AAA	1,000	5.89	5.86	5.86	1.48	1,000	100.00%
ING	65. ING TD	AAA	1,000	6.46	6.46	6.46	1.48	1,000	100.00%
Greater Bldg Soc	66. Greater Bldg Soc TD	AAA	1,000	6.25	6.25	6.25	1.48	1,000	100.00%
Holidaycoast CU	67. Holidaycoast CU TD	AAA	1,000	6.19	6.19	6.19	1.48	1,000	100.00%
TOTALS/WEIGHTED AVERAGES			67,640	6.17	5.58	6.22	100	67,660	

*Monthly returns when annualised can appear to exaggerate performance

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

ITEM 4 (continued)**Certificate of the Chief Financial Officer**

	Annualised Period Return (%)	12 Month Average Return on Current Investments (%)	Return since 01 July 2010
Return including Matured/Traded Investments Weighted Average Return	6.16	5.56	6.20
Benchmark Return: UBSA 1 Year Bank Bill Index (%)	4.61	4.30	4.85
Variance From Benchmark (%)	1.55	1.26	1.35

Investment Income

	\$000's
This Period	384
Financial Year To Date	1,329
Budget Profile	1,050
Variance from Budget - \$	279

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

Grange IMP	- Quartz CDO	CCC-
	- Merimbula CDO	NR
	- Glenelg CDO	CCC
	- Scarborough CDO	CCC-
	- Torquay CDO	CCC-
	- Global Bank Note CDO	NR
Oasis CDO		CCC-
ALPHA CDO		CCC-
Covent Garden		C



John Todd Date: 05/10/2010

Council's Investment Powers

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

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

ITEM 4 (continued)

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

- Local Government Act 1993 - Section 625
- Local Government Act 1993 - Order (of the Minister) dated 31 July 2008
- The Trustee Amendment (Discretionary Investments) Act 1997 – Sections 14A(2), 14C(1) & (2)
- Local Government (Financial Management) Regulation 1993
- Investment Guidelines issued by the Department of Local Government

The Department of Local Government has released new guidelines aimed at assisting Councils in developing a comprehensive investment policy.

Council Officers, working with its investment advisor, Oakvale Capital Limited have developed a revised Investment Policy based on the new DLG Investment Guidelines and the revised Investment Policy was approved by Council at its meeting on 28 September 2010.

Overview of Investments

A brief overview of all investments held by the City of Ryde is provided;

1. **CBA - Shield Capital Protected Series 21 (AAp):** Council invested in the Shield Capital Protected Hedge Fund Note on 24 March 2004. This is a medium to long term investment (3-7 years) and matures on 28 February 2011. The investment is capital guaranteed by CBA on maturity. The note is linked to the performance of a diversified fund of hedge funds, being Colonial First State Wholesale Global Diversified Strategies Fund. The target return at maturity is anticipated to be over 10% pa annualised. This is a volatile investment that has active market exposure. No fees are payable by Council on this investment.
2. **Titanium (Originally AAA now A):** CDO with a portfolio of a minimum of 100 investment grade names, paying 80 bps over 90 days BBSW. This investment was purchased on 14 June 2005. The investment is for 5.5 years and matures on 14 December 2010. This CDO was downgraded to A with advice being received in late December 2009. No fees are payable by Council on this investment.
3. **FRN Alpha (Originally AA now CCC-):** This is a CDO that pays 250 bps above 180 day BBSW. This investment was purchased on 11 April 2006. The investment is for 6 years and matures on 20 March 2012. The CDO containing 2 separate portfolios, a capital portfolio and an income portfolio. The 2 portfolios are managed to maintain ratings stability. The CDO was previously downgraded to A- on 25 September 2008 and has now been downgraded to BBB watch negative on 31 October 2008, downgraded to B+ on 5 February 2009, to CCC in August 2009, and subsequently to CCC- in March 2010. No fees are payable by Council on this investment. Council impaired this investment to a nominal value at its meeting of 25 May 2010 with such being funded from the Financial Security Reserve.

ITEM 4 (continued)

- 4. OASIS (Originally AA now CCC-):** This is a CDO that pays 140 bps above 90 day BBSW. This investment was purchased on 4 September 2006. The investment is for 8 years and matures on 4 September 2014. This is a CDO that is actively managed by Société Générale. The CDO was downgraded to BBB- on 29 September 2008 with advice being received in early April 2009 that this investment has been further downgraded to CCC-. No fees are payable by Council on this investment. Council impaired this investment to a nominal value at its meeting of 25 May 2010 with such being funded from the Financial Security Reserve.
- 5. FOCUS Note (AAp):** This investment was purchased on 20 December 2006. This is a medium to long term investment (3-7 years) and matures on 20 December 2012. The capital of the investment is guaranteed by Westpac on maturity. This investment consists of a dynamically managed portfolio comprising investments in the BT Focus Australian Share Fund, and aims to outperform the S&P/ASX 300 Accumulation Index by 5% over a 3 to 5 year horizon. This note has had an annualised return of 3.62% since inception, with short term returns anticipated to be volatile. This note also pays a biannual contingent coupon of 180 day Bank Bill swap rate (currently approximately 8.00%). Westpac receive a principal protection fee of 0.90 p.a., an upfront structuring and distribution fee of 2.50%. BT Financial Group receives a management fee of 0.60% p.a., and a performance fee of 15%. The performance fee is only paid if the performance of the fund before fees exceeds the S&P/ASX Accumulation index plus the management fee. On 28 October 2008 advice was received that the recent volatility in the global financial markets had triggered the capital protection mechanism in this investment with 100% of the portfolio now invested in a zero coupon bond. Council will not receive any further coupon payments between now and the December 2012 maturity date but will receive the full face value of the investment at maturity.
- 6. Camelotfund (AAp):** This investment was purchased on 1 March 2007. The investment is for 5 years and matures 25 January 2012. This investment is in a fund that provides opportunity to diversify into a foreign exchange strategy with low correlation to other products and asset classes. Short term (i.e. monthly) returns on this note will be volatile. The SPV set up by Westpac receives a distribution fee of 2% of the note value, and the manager receives a management fee of 1% p.a., and a performance fee of 15% above 6M BBSW. Westpac receives a capital protection fee of 1% p.a. times NAV. This investment is capital protected by Westpac.

ITEM 4 (continued)

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

<i>Investment</i>	<i>Maturing</i>	<i>Call Date</i>
Quartz CDO	20/10/2010	20/12/2008
Flinders CDO	20/03/2012	20/03/2009
Torquay CDO *	20/06/2013	20/06/2009
Merimbula CDO	20/06/2013	
Scarborough CDO *	23/06/2014	23/06/2009
Glenelg CDO *	22/12/2014	22/06/2009
AAA (Berryll) Global Bank Note CDO	20/09/2014	
HSBC FRN *	22/09/2016	22/09/2011

* If not called an additional margin paid

- 8. Global Protected Property Note VII (AAp+):** This investment was purchased on 13 March 2007. The investment is for 4.5 years and matures on 20 September 2011. It is a capital guaranteed investment which provides Council with a return on maturity based on the performance of three international property funds. It is anticipated that performance at the commencement of this investment will be low, with returns geared heavily towards the end life of the investment. This note was invested in as a result of a swap out of the earlier series VI note, in which Council realised a profit of \$237K capital profit after 9 months. Capital protection fee of 1.1% to Svensk Export Kredit.
- 9. Longreach Capital Protected Wholesale Fund (AAAp):** This investment is in property, infrastructure and utilities. This investment was purchased on 16 May 2007. The investment is for 5 years and matures on 16 May 2012. The Fund Manager's expectation is a target range of 8% to 10% pa over the life of the investment. Council receives a minimum coupon of 2% pa. There is a fee of 0.95% pa payable of the capital protection amount, plus a performance fee of 25% if the fund performs at or above UBS Bank Bill Index + 4%.
- 10. Covent Garden (Originally AA now C):** This is a managed CDO paying 120 bps over 90 day BBSW. This investment was purchased on 6 July 2007. The investment is for 5 years and matures on 20 September 2012. Advice was received on 11 November 2008 that this investment has been downgraded to CCC and then to C. No fees are payable by Council on this investment. Council impaired this investment to a nominal value at its meeting of 25 May 2010 with such being funded from the Financial Security Reserve.
- 11. Trident (Originally AA now Ap+):** This investment was purchased on 30 May 2007. The investment is for 4 years and matures on 30 May 2011. The investment which is capital protected has exposure to a basket of bond funds, with a coupon paid 6 monthly of 50% of the positive performance of the funds, with the other 50% being reinvested.

ITEM 4 (continued)

There is a distribution fee charged upfront of 2%, plus a principal protection fee of 0.95% p.a. of the portfolio value, plus a leverage charge of USD 30 day LIBOR +0.50% p.a. on any leverage amount.

- 12. Westpac At Call Account (AA):** This investment is an at call account, paying the short term money market rate. These funds are used for operational purposes.
- 13. CBA TCD 5 Yr (Floating) (AAA):** This is a floating rate note issued at a margin of 120 points above 90 day BBSW, maturing 17 December 2013. Council took up the optional government guarantee on this investment at a fee of 70 basis points.
- 14. CBA TCD 5 Yr (Fixed) (AAA):** This is a fixed rate note issued at 5.75% above 90 day BBSW, maturing 17 December 2013. Council took up the optional government guarantee on this investment at a fee of 70 basis points.
- 15. Bank of Queensland Term Deposit (AAA):** This investment is a 180 day term deposit paying 6.13% (6.29% annualised) and matures on 25 January 2010. No fees are payable by Council on this investment.
- 16. ANZ Term Deposit (AA):** This investment is a 120 day term deposit paying 5.85% (5.97% annualised) and matures on 16 December 2010. No fees are payable by Council on this investment.
- 17. ANZ Term Deposit (AA):** This investment is a 90 day term deposit paying 5.72% (5.84% annualised) and matures on 1 November 2010. No fees are payable by Council on this investment.
- 18. NAB Term Deposit (AAA):** This investment is a 180 day term deposit, paying 6.08% (6.17% annualised) and matures on 25 February 2011. No fees are payable by Council on this investment.
- 19. Police & Nurses Credit Union (AAA):** This investment is a 900 day term deposit, paying 5.80% (5.93% annualised) and matures on 25 February 2011. No fees are payable by Council on this investment.
- 20. NSW Teachers Credit Union Term Deposit (AAA):** This investment is a 180 day term deposit paying 5.88% (5.97% annualised) and matures on 4 November 2010. No fees are payable by Council on this investment.
- 21. Bankwest Term Deposit (AA):** This investment is a 60 day term deposit paying 5.60% (5.73% annualised) and matures on 5 October 2010. No fees are payable by Council on this investment.
- 22. Defcredit Credit Union Term Deposit (AAA):** This investment is a 90 day term deposit paying 5.95% (6.08% annualised) and matures on 1 November 2010. No fees are payable by Council on this investment.

ITEM 4 (continued)

- 23. Railways Credit Union Term Deposit (AAA):** This investment is a 60 day term deposit paying 5.74% (5.88% annualised) and matures on 5 November 2010. No fees are payable by Council on this investment.
- 24. New England Credit Union Term Deposit (AAA):** This investment is a 180 day term deposit paying 6.11% (6.20% annualised) and matures on 9 March 2011. No fees are payable by Council on this investment.
- 25. Queensland Police Credit Union Term Deposit (AAA):** This investment is a 183 day term deposit paying 6.05% (6.14% annualised) and matures on 15 February 2011. No fees are payable by Council on this investment.
- 26. Queensland Country Credit Union Term Deposit (AAA):** This investment is a 62 day term deposit paying 5.53% (5.66% annualised) and matures on 15 November 2010. No fees are payable by Council on this investment.
- 27. Community CPS Credit Union Term Deposit (AAA):** This investment is a 182 day term deposit paying 6.25% (6.35% annualised) and matures on 18 October 2010. No fees are payable by Council on this investment.
- 28. Hunter United Employees CU Term Deposit (AAA):** This investment is a 90 day term deposit paying 5.90% (6.03% annualised) and matures on 21 October 2010. No fees are payable by Council on this investment.
- 29. Credit Union Australia Term Deposit (AAA):** This investment is a 182 day term deposit paying 6.15% (6.24% annualised) and matures on 10 January 2011. No fees are payable by Council on this investment.
- 30. Coastline Credit Union Term Deposit (AAA):** This investment is a 180 day term deposit paying 6.20% (6.30% annualised) and matures on 21 December 2010. No fees are payable by Council on this investment.
- 31. Savings & Loans CU Term Deposit (AAA):** This investment is a 91 day term deposit paying 5.95% (6.08% annualised) and matures on 30 November 2010. No fees are payable by Council on this investment.
- 32. Bank of Cyprus (Aust) Term Deposit (AAA):** This investment is a 19 month term deposit paying 7.00% (7.12% annualised) and matures on 30 September 2011. No fees are payable by Council on this investment.
- 33. Australian Defence Force CU Term Deposit (AAA):** This investment is a 92 day term deposit paying 5.75% (5.87% annualised) and matures on 5 October 2010. No fees are payable by Council on this investment.
- 34. Rural Bank Term Deposit (AAA):** This investment is a 6 month term deposit paying 6.45% (6.55% annualised) and matures on 7 March 2010. No fees are payable by Council on this investment.

ITEM 4 (continued)

- 35. Banana Coast Credit Union (AAA):** This investment is a 6 month term deposit paying 6.15% (6.25% annualised) and matures on 1 March 2011. No fees are payable by Council on this investment.
- 36. Qantas Staff CU Term Deposit (AAA):** This investment is a 63 day term deposit paying 5.80% (5.94% annualised) and matures on 11 October 2010. No fees are payable by Council on this investment.
- 37. Southern Cross CU Term Deposit (AAA):** This investment is a 90 day term deposit paying 5.85% (5.98% annualised) and matures on 14 December 2010. No fees are payable by Council on this investment.
- 38. SGE Credit Union Term Deposit (AAA):** This investment is a 92 day term deposit paying 5.85% (5.98% annualised) and matures on 19 October 2010. No fees are payable by Council on this investment.
- 39. B & E Ltd Building Society Term Deposit (AAA):** This investment is a 90 day term deposit paying 5.75% (5.88% annualised) and matures on 14 December 2010. No fees are payable by Council on this investment.
- 40. Victoria Teachers CU Term Deposit (AAA):** This investment is a 6 month term deposit paying 6.10% (6.19% annualised) and matures on 21 March 2011. No fees are payable by Council on this investment.
- 41. CBA Term Deposit (AAA):** This investment is a 6 month term deposit paying 6.05% (6.14% annualised) and matures on 21 March 2011. No fees are payable by Council on this investment.
- 42. Members Equity Bank Term Deposit (AAA):** This investment is a 180 day term deposit paying 6.16% (6.26% annualised) and matures on 31 January 2011. No fees are payable by Council on this investment.
- 43. IMB Building Society Term Deposit (AAA):** This investment is a 6 month term deposit paying 6.10% (6.19% annualised) and matures on 4 October 2010. No fees are payable by Council on this investment.
- 44. Bankwest Term Deposit (AAA):** This investment is a 182 day term deposit paying 6.20% (6.30% annualised) and matures on 10 January 2011. No fees are payable by Council on this investment.
- 45. Sutherland Credit Union Term Deposit (AAA):** This investment is a 6 month term deposit paying 6.30% (6.40% annualised) and matures on 11 October 2010. No fees are payable by Council on this investment.
- 46. Summerland Credit Union Term Deposit (AAA):** This investment is a 6 month term deposit paying 6.20% (6.30% annualised) and matures on 12 October 2010. No fees are payable by Council on this investment.

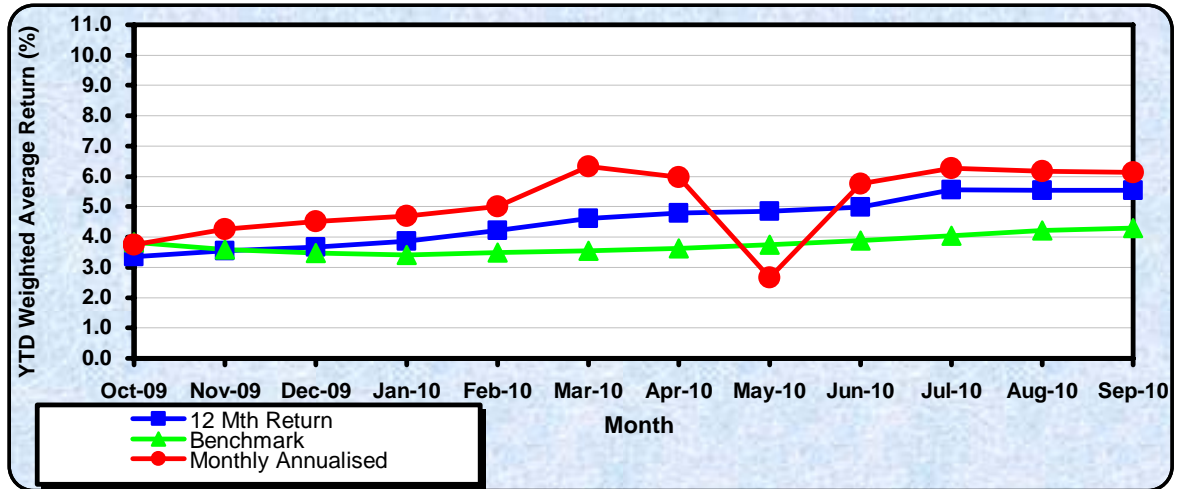
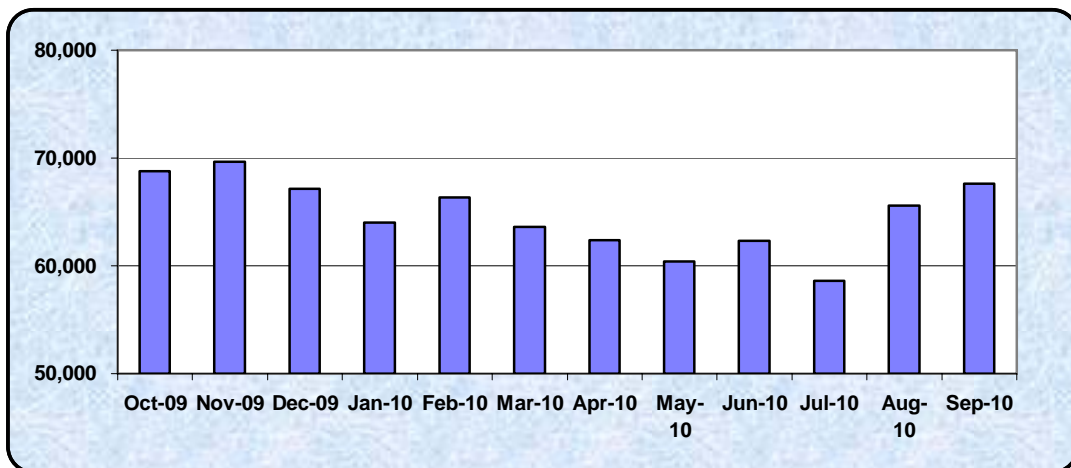
ITEM 4 (continued)

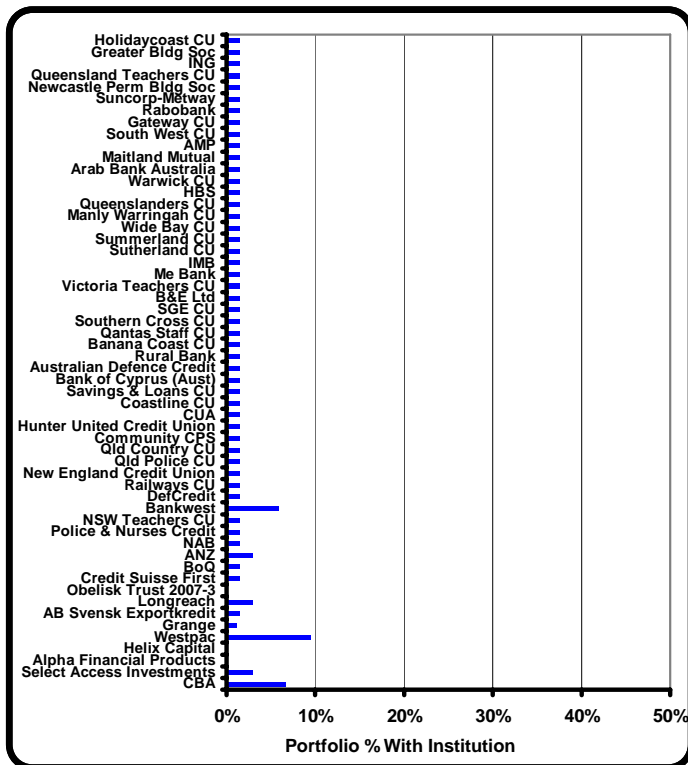
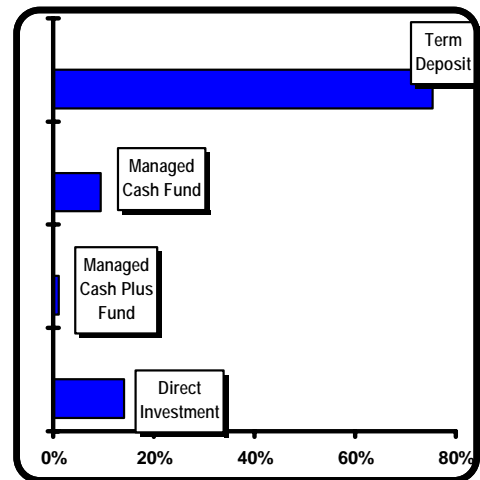
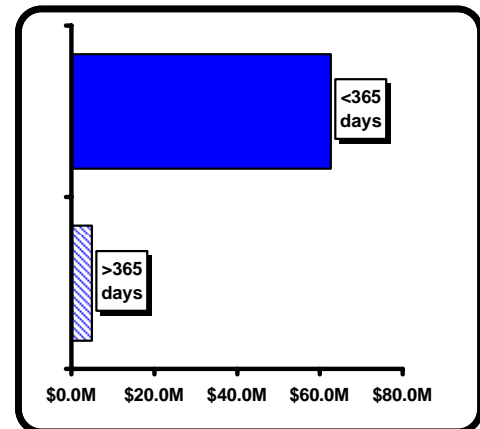
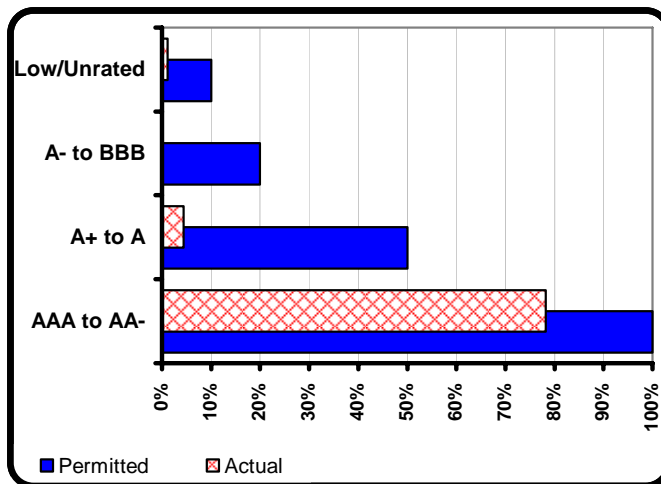
- 47. Wide Bay Credit Union Term Deposit (AAA):** This investment is a 6 month term deposit paying 6.20% (6.30% annualised) and matures on 12 October 2010. No fees are payable by Council on this investment.
- 48. Manly Warringah Credit Union Term Deposit (AAA):** This investment is a 92 day term deposit paying 6.00% (6.14% annualised) and matures on 19 October 2010. No fees are payable by Council on this investment.
- 49. Queenslanders Credit Union Term Deposit (AAA):** This investment is a 6 month term deposit paying 6.45% (6.56% annualised) and matures on 20 October 2010. No fees are payable by Council on this investment.
- 50. Heritage Building Society Term Deposit (AAA):** This investment is a 6 month term deposit paying 6.15% (6.24% annualised) and matures on 29 October 2010. No fees are payable by Council on this investment.
- 51. Warwick Credit Union Term Deposit (AAA):** This investment is a 31 day term deposit paying 5.53% (5.67% annualised) and matures on 18 October 2010. No fees are payable by Council on this investment.
- 52. Arab Bank (Australia) Term Deposit (AAA):** This investment is a 6 month term deposit paying 6.15% (6.25% annualised) and matures on 27 October 2010. No fees are payable by Council on this investment.
- 53. Maitland Mutual Building Society Term Deposit (AAA):** This investment is a 90 day term deposit paying 5.80% (5.93% annualised) and matures on 1 November 2010. No fees are payable by Council on this investment.
- 54. Bankwest Term Deposit (AA):** This investment is a 90 day term deposit paying 5.80% (5.93% annualised) and matures on 16 November 2010. No fees are payable by Council on this investment.
- 55. AMP eASYSaver at call account (AAA):** This investment is an at-call account earning 5.50%. No fees are payable by Council on this investment.
- 56. South West Credit Union Term Deposit (AAA):** This investment is a 92 day term deposit paying 5.83% (5.96% annualised) and matures on 24 November 2010. No fees are payable by Council on this investment.
- 57. Gateway Credit Union Term Deposit (AAA):** This investment is a 180 day term deposit paying 6.30% (6.40% annualised) and matures on 14 December 2010. No fees are payable by Council on this investment.
- 58. CBA Term Deposit (AA):** This investment is a 33 day term deposit paying 5.42% (5.56% annualised) and matures on 5 October 2010. No fees are payable by Council on this investment.

ITEM 4 (continued)

- 59. Rabobank Term Deposit (AAA):** This investment is a 187 day term deposit paying 5.91% (6.00% annualised) and matures on 22 December 2010. No fees are payable by Council on this investment.
- 60. Rabobank Term Deposit (AAA):** This investment is a 180 day term deposit paying 5.91% (6.00% annualised) and matures on 15 December 2010. No fees are payable by Council on this investment.
- 61. Suncorp-Metway Term Deposit (AAA):** This investment is a 180 day term deposit paying 6.30% (6.40% annualised) and matures on 24 Jan 2011. No fees are payable by Council on this investment.
- 62. Bankwest Term Deposit (AA):** This investment is a 180 day term deposit paying 6.25% (6.35% annualised) and matures on 27 Jan 2011. No fees are payable by Council on this investment.
- 63. Newcastle Permanent Building Society (AAA):** This investment is a 90 day term deposit paying 5.94% (6.07% annualised) and matures on 27 Jan 2011. No fees are payable by Council on this investment.
- 64. Queensland Teachers CU (AAA):** This investment is a 63 day term deposit paying 5.75% (5.89% annualised) and matures on 15 Nov 2010. No fees are payable by Council on this investment.
- 65. ING Term Deposit (AAA):** This investment is a 181 day term deposit paying 6.36% (6.46% annualised) and matures on 17 Feb 2011. No fees are payable by Council on this investment.
- 66. Greater Building Society (AAA):** This investment is a 181 day term deposit paying 6.15% (6.25% annualised) and matures on 14 March 2011. No fees are payable by Council on this investment.
- 67. Holiday Coast Credit Union (AAA):** This investment is a 181 day term deposit paying 6.10% (6.19% annualised) and matures on 15 March 2011. No fees are payable by Council on this investment.

ITEM 4 (continued)

Investment Performance - All Investments**Total Funds Invested**

ITEM 4 (continued)**Active Investment Summary By Institution****Summary By Investment Type****Summary By Duration****Active Investment Summary By Credit Rating**

	>365 days	<365 days
FRN's	\$1.0M	\$0.0M
CDO's	\$0.0M	\$2.0M
Other	\$3.0M	\$2.5M
Mgd Funds	\$0.0M	\$0.8M
Cash/TDs	\$1.0M	\$57.4M
	\$5.0M	\$62.6M

Consultation

Council business units consulted included:-

- Finance Unit

Internal Workshops held:-

- Nil

External public consultation included:-

- Nil

ITEM 4 (continued)

Council officers have regular discussions and meetings with Investment Issuers and Council's Investment Advisor Oakvale Capital Limited to monitor the impact of market conditions on the performance of Council's investments and the economic outlook.

Critical Dates

The Chief Financial Officer as Council's Responsible Accounting Officer is required to report to Council on a monthly basis on Council's Investment Portfolio and to certify that the Investments are held in accordance with Council's Investment Policy and Section 625 of the Local Government Act.

Financial Impact

Income from interest on investments totals \$1.32M, being \$279K above budget projections as per the 2010-2014 Management Plan which has improved Council's financial position.

Of this amount \$301K relates to the sale of the Lehmans/ Grange IMP - Flinders CDO with these proceeds being held in Council's Financial Security Reserve. The Financial Security Reserve currently has a balance of \$508K.

Council is projecting an income from interest on investments of \$2.4M for the 2010/11 year, which will be reviewed in each Quarterly Review of the Budget/Management Plan.

Policy Implications

There are no policy implications through the adoption of the recommendation.

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

Other Options

Not applicable

Conclusion

Council's year to date return to September 2010 is 6.20%, which is 1.35% above the benchmark.

Council has improved its financial position by \$301K through the proposed sale of the Flinders CDO and in doing so has also reduced its exposure and level of risk in its investment portfolio.

Council continues to invest under the Federal Government's guarantee in Term Deposits with a range of Approved Deposit Taking Institutions (ADIs) for periods ranging from 30 days up to 6 months, to take advantage of the competitive rates that are available.

ITEM 4 (continued)

ATTACHMENT 1

**Oakvale Capital
Limited**

ABN 72 009 070 884

Financial Risk Managers
www.oakvale.com

AFS Licence No. 229842

Sydney Office:Level 2, 10 Barrack Street
Sydney NSW 2000**Telephone** (02) 8823 6208
Facsimile (02) 9299 4841**Perth Office:****Telephone** (08) 9460 5300
Facsimile (08) 9321 3468

13 October 2010

Mr John Todd
Acting Chief Financial Officer
City of Ryde
Civic Centre, 1 Devlin Street
Ryde NSW 2112

Dear John,

Investment Strategy – City of Ryde

Following the Investment Strategy discussions at our recent meeting, please find enclosed an updated Investment Strategy for the City of Ryde.

In brief, recommendations include:

- **Allow investments in rated Authorised Deposit taking Institutions (ADIs) up to Council's investment policy limits;**
- **Continue to limit investment in unrated ADIs to \$1m, so as to benefit from the current Government Guarantee on deposits.**
- **Take advantage of opportunities in the 3 to 5 year time horizon.**
- **Increase deposits in the 6 month area which is currently providing good value.**

If the strategic recommendations are agreed upon we will follow up with individual security recommendations taking into account prevailing investment opportunities. In the meantime, please call either Brian or me with any questions.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Erik Gates'.

Erik Gates
Divisional Director
Asset Consultingcc: Roy Newsome
Barry Gibb

ITEM 4 (continued)

ATTACHMENT 1

**Investment Strategy – City of Ryde****Background**

Over the past two years market conditions have strongly favoured conservative investment strategies. While many economists are now stating that the worst of the global financial crisis has passed, we continue to recommend a conservative investment strategy.

Australian Authorised Deposit taking Institution (ADI) deposits and securities continue to be the most prudent, and best returning, investment options available for Council at this stage of the cycle.

The yields on State and Commonwealth Government bonds are considerably lower than that achievable from ADI deposits and securities. As up to \$1m is government guaranteed with each Australian ADI in any case, it has been more advantageous, and just as safe, to make use of the deposit guarantee rather than invest directly in government debt.

Investment Market Conditions

Strong Australian GDP, jobs data and business outlook/confidence data saw swap rates increase significantly during September. While 90 day BBSW only increased by 0.25% last month, 3 year swaps increased by 0.50% and 5 yr swaps increased by 0.40% as the market priced in expected interest rate hikes over late 2010/early 2011.

Longer term deposit rates have increased as a consequence. Two year rates are still only slightly higher than one year rates, however 3 & 5 year rates have risen significantly - meaning there is now some value in investing funds between 3 and 5 years.

Three year forward curve analysis (following page) shows that 90 day BBSW significantly increases over the third year, so floating rate term deposits (e.g. Flexi TDs with floating rates up front) are at this stage likely to underperform bonds in years one and two.

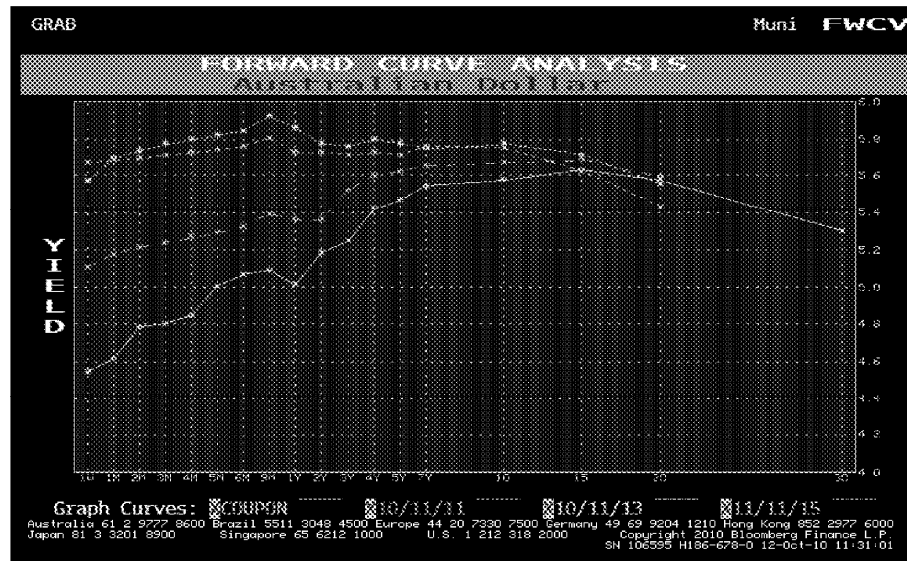
Following the RBA's decision not to raise the official cash rate at its October meeting the 3 month BBSW has fallen 20 basis points over the past week, whereas swap rates have broadly remained steady or increased slightly.

ITEM 4 (continued)

ATTACHMENT 1



The following chart shows the market's interest rate expectations over the next three years. The orange line at the bottom is the current yield curve, the lines above the orange are where the market is currently anticipating interest rates to be in 1 year, 3 years and 5 years.



As the chart above shows, most of the interest rate movement over the next five years is expected to occur at the short end of the yield curve. While there is expected to be some further upward movement in longer dated rates, much of the movement has already been priced in by the 5 year time horizon.

Short term market rates (less than 1 year) are currently peaking at the 6 to 9 month area, consequently term deposits in the 6 month area are paying inline with, or only a little less than, 9 and 12 month term deposits. Therefore, 6 month term deposits are currently recommended for short term holdings that are available for that time frame.

ITEM 4 (continued)

ATTACHMENT 1

**Strategic Recommendations:**

It is recommended the Council move toward strategic targets as per the following:

City of Ryde - Investment Strategy				
Investment Time Horizon	Sample Investment Types	Target Weighting	Current Weighting	
Short Dated (up to 1 year)	Cash; Term Deposits	60%	74%	
Med/Long Term (1 to 5 years) *	ADI issued Snr debt; semi-govt bonds; Term Deposits	40%	5%	
	Structured Securities (Alt Inv, CDOs, MBS)	0%	20%	
	ADI subordinated debt; non-ADI debt (HSBC Finance)	0%	1%	
* includes securities due to mature in less than 12 months but purchased as a > 12 month security				

Institution Limits:

- **Australian ADI issued deposits and senior ranked securities from institutions rated in the 'BBB' category or better, up to Council's investment policy limits.** Restricting deposits to the automatic \$1m is not regarded as necessary for rated Australian ADIs which are considered among the soundest banking institutions in the world;
- **\$1m limit per unrated Australian, such as credit unions.** Council utilises a wide range of unrated credit unions. While there is no immediate concern regarding these institutions, it is recommended to continue to take advantage of the automatic government guarantee on these deposits, but not to exceed the \$1m cover.

Time Horizon:

- Council's portfolio is currently heavily weighted to short dated holdings. It is recommended to take advantage of opportunities in the 3 to 5 year time frame by investing up to \$8m in fixed and/or floating rate senior debt obligations (including term deposits) from Australian ADIs.
- For short term holdings not immediately required, it is recommended to increase deposits in the 6 month area which is currently providing good value among many institutions.

Disclaimer: The statements and opinions contained in this report are based on currently prevailing conditions in financial markets and are so contained in good faith and in the belief that such statements and opinion are not false or misleading. In preparing this report, Oakvale Capital Limited has relied upon information which it believes to be reliable and accurate. Oakvale Capital Limited believes that this report and the opinions expressed in this report are accurate, but no warranty of accuracy or reliability is given. Oakvale Capital Limited does not warrant that its investigation has revealed all of the matters which a more extensive examination might disclose. This report may not be reproduced, transmitted, or made available either in part or in whole to any third party without the prior written consent of Oakvale Capital Limited. AFS Licence No. 229842.

5 82 CULLODEN ROAD, MARSFIELD. Lot 3 DP 1046402. - Local Development Application for internal alterations to existing dwelling and change of use of building to a boarding house containing five bedrooms. LDA2009/0722.

Report prepared by: Team Leader - Assessment

Report dated: 29/10/2010

File No.: GRP/10/4/001/6 - BP10/660

Planning and Environment Committee, at its meeting on 19 October 2010, resolved that the matter be referred to the Ordinary Council meeting to be held on 09 November 2010. Therefore this matter is submitted for consideration.

1. Report Summary

Applicant: P Wu.

Owner: P Wu & Y Li.

Date lodged: 22 December 2009

Council is in receipt of an application seeking development consent for a change of use and modifications at 82 Culloden Road, Marsfield for the purposes of creating a boarding house. The internal modifications comprise new walls and new door openings to create 5 boarding rooms and shared facilities (kitchen, laundry, bathrooms and games room) in connection with the proposed usage. The external modifications involve replacing the garage door with a window and wall as the existing garage is proposed to be used as a boarding room.

RECOMMENDATION:

- (a) That Local Development Application No. 2009/722 at 82 Culloden Road Marsfield be approved subject to the **ATTACHED** conditions (Attachment 1).
- (b) That the persons who made submissions be advised of Council's decision.

ATTACHMENTS

- 1 Recommended conditions of consent
- 2 Map
- 3 Plans

Report Prepared By:

Chris Young

Team Leader - Assessment

Report Approved By:

Liz Coad

Manager Assessment

Dominic Johnson

Group Manager Environment & Planning

ITEM 5 (continued)

The subject site is zoned R2 Low Density Residential under Ryde LEP 2010 (previously Residential 2A under the Ryde Planning Scheme) under the Ryde Planning Scheme Ordinance within which 'boarding houses' are a prohibited form of development. However, since the introduction of *State Environmental Planning Policy (Affordable Rental Housing) 2009* ("SEPP 2009") on 18 September 2009, the proposal is permissible as boarding houses have become a permissible form of development within most residential zones including the 2(A) zone.

The original plans and the amended plans have been notified to neighbouring property owners, and submissions were received from a total of 27 residents:

- (a) 17 submissions were received to the original DA plans.
- (b) A further 10 submissions received following re-notification of amended plans (July 2010)

The issues raised in the submissions relate to inadequate care and maintenance of existing unauthorised boarding houses, inadequate care and maintenance of the proposed boarding house, boarding houses are an inappropriate form of development within a low density residential area, inadequate waste management, insufficient parking, unacceptable noise, inadequate bathroom facilities and overcrowded accommodation.

SEPP 2009 includes various standards that Council cannot use to refuse consent for a boarding house application. SEPP 2009 also contains development standards that the proposed boarding house is required to satisfy.

On balanced consideration of the subject proposal against the requirements of SEPP 2009 the application meets the necessary standards and also falls within the requirements of a number of standards that cannot be used as reasons for refusal. Accordingly, the application is recommended for approval subject to conditions which address, where appropriate, the objectors' concerns. In particular, the conditions require the submission and approval of a Plan of Management that will address various matters regarding the operation of the boarding house.

Reason for Referral to Planning and Environment Committee: Requested by the Mayor, Councillor Etmekdjian, Councillor Butterworth, Councillor Perram, Councillor Yedelian OAM, and Councillor Pickering.

Public Submissions: As detailed in the "Summary of submissions"
CIRCULATED UNDER SEPARATE COVER to
Councillors, a total of 27 submissions (17 to the original
notification and 10 when amended plans were re-notified).

SEPP1 Objection received? Not required

Value of works? \$3000

ITEM 5 (continued)**2. Site** (*Refer to attached map.*)

Address	82 Culloden Road Marsfield
Site Area	588.1m ² Frontage: 15.24m to Culloden Rd, 24.43m to Karingal Court
Topography and Vegetation	The land generally slopes down (gentle slope) towards the eastern corner and contains a number of trees/shrubs. Some of these shrubs would need removing to accommodate the bicycle/motorcycle parking area
Existing Buildings	Dwelling House
Planning Controls	
Zoning	Residential 'A' (Ryde Planning Scheme)
Other	State Environmental Planning Policy (Affordable Rental Housing) 2009 Ryde LEP 2010 (R2 Low Density Residential) Ryde DCP 2010



ITEM 5 (continued)**3. Councillor Representations:**

1. Name of Councillor: The Mayor, Councillor Etmekdjian.

Nature of the representation: Call-up to Council's Planning and Environment Committee.

Dates: 10 February 2010.

Form of the representation (e.g. via email, meeting, phone call): Email via Councillor Helpdesk.

On behalf of applicant or objectors? Objectors.

Any other persons (e.g. consultants) involved in or part of the representation: Unknown.

2. Name of Councillor: Councillor Butterworth.

Nature of the representation: Request the application be considered at Council's Planning and Environment Committee.

Dates: 12 February 2010.

Form of the representation (e.g. via email, meeting, phone call): Email via Councillor Helpdesk.

On behalf of applicant or objectors? Objector.

Any other persons (e.g. consultants) involved in or part of the representation: Unknown.

ITEM 5 (continued)

3. Name of Councillor: Councillor Perram.

Nature of the representation: Request the application be considered at Council's Planning and Environment Committee.

Dates: 15 February 2010.

Form of the representation (e.g. via email, meeting, phone call): Email via Councillor Helpdesk.

On behalf of applicant or objectors? Objector.

Any other persons (e.g. consultants) involved in or part of the representation: Unknown.

4. Name of Councillor: Councillor Yedelian OAM.

Nature of the representation: Request the application be considered at Council's Planning and Environment Committee.

Dates: 12 July 2010.

Form of the representation (e.g. via email, meeting, phone call): Email via Councillor Helpdesk.

On behalf of applicant or objectors? Objector.

Any other persons (e.g. consultants) involved in or part of the representation: Unknown.

5. Name of Councillor: Councillor Pickering.

Nature of the representation: Request the application be considered at Council's Planning and Environment Committee.

Dates: 15 July 2010.

Form of the representation (e.g. via email, meeting, phone call): Email via Councillor Helpdesk.

On behalf of applicant or objectors? Objector.

Any other persons (e.g. consultants) involved in or part of the representation: Unknown.

ITEM 5 (continued)**4. Political Donations or Gifts**

None disclosed in applicant's DA documentation or in any submissions received.

5. Proposal

The original proposal involved internal alterations and change of use to a boarding house containing 7 bedrooms.

There were concerns about the size of some of the boarding rooms and also internal amenity within the development and fire safety issues. Following these concerns, the applicant amended the proposal on 16 June 2010 to include the following changes:

- reduce the number of boarding rooms from 7 to 5
- replace the existing garage door with a window (the existing garage is to be converted into a boarding room)
- re-instate the existing entry foyer from what was previously proposed to be a boarding room
- change former boarding room to games room.

The original plans and amended plans are **CIRCULATED UNDER SEPARATE COVER** to Councillors for perusal as part of the consideration of this DA.

6. BackgroundRelevant Site History:

In early 2009, officers in Council's Health and Building Unit received complaints regarding the use of this property as an illegal boarding house. Investigation and enforcement actions were undertaken following these complaints.

Notices and Orders were served on the property owners in April 2009, particularly in relation to the unauthorised internal partitioning work that had been undertaken. A Penalty Infringement Notice of \$1500 was issued for non-compliance with Council's orders.

Following the introduction of SEPP Affordable Rental Housing, the subject DA was lodged and further compliance action has been withheld pending the resolution of this DA.

Subject DA:

The DA was lodged on 22 December 2009. Shortly thereafter, it underwent a preliminary assessment, referral to various departments within Council, neighbour notification and allocation to the assessment officer.

On 3 February 2010, neighbour notification and advertisement of this DA commenced (closing date for submissions - 18 February 2010). Numerous submissions were received from adjoining/nearby property owners.

ITEM 5 (continued)

These submissions raised particular concerns about this DA (LDA2009/722) and also concerns about other DAs received by Council around the same time period for boarding houses in the Marsfield area. The issues raised in the submissions are discussed in the Submissions section of this report.

After the DA was advertised and notified to neighbours, a number of the Councillors requested that this DA (and other boarding house DAs in the Marsfield area) be referred to the Planning and Environment Committee as outlined in Councillor representations above.

On 16 June 2010, amended plans were received from the applicant on this DA. These plans were submitted following a request from Council to address issues of concern regarding the size of 2 of the boarding rooms and the internal design layout in the boarding house, in particular, the existing front entry room had been converted into a boarding room and therefore the house no longer had a front entry.

The amended plans, as discussed in the Proposal section of this report above, were re-advertised and re-notified to neighbouring property owners between 5 July and 22 July 2010. Further submissions were received as discussed in the Submissions section of this report.

7. Submissions

The proposal was advertised and notified in accordance with Development Control Plan 2006 (now replaced by DCP 2010) – Part 2.1, Notification of Development Applications. The application was advertised on 3 February 2010, and notification of the proposal was from 29 January to 18 February 2010.

Upon receipt of the amended plans (as discussed in the “Proposal” section of this report), the DA was re-advertised and notified from 5 July 2010 to 22 July 2010.

In response to this notification/advertising process, submissions were received from a total of **27 residents**:

- (a) 17 submissions were received to the original DA plans.
- (b) A further 10 submissions were received following re-notification of amended plans.

A summary table of the submissions received has been prepared and is **CIRCULATED UNDER SEPARATE COVER** to Councillors for perusal as part of the consideration of this DA.

NOTE: One of these submissions includes a lengthy submission from a group called “MARS” (Marsfield Against Residential Suffocation). A full copy of this submission is also **CIRCULATED UNDER SEPARATE COVER**.

ITEM 5 (continued)

The issues of concern raised in the submissions are summarised and discussed as follows:

1. *Boarding houses both existing unauthorised and those proposed detract from the appearance of residential properties within the area. Concerns are raised regarding the deterioration of the suburb of Marsfield as a result of student accommodation not being adequately maintained and the deterioration of those properties (i.e. paint work flaking, lawns not being mowed, newspapers left on footpath, shopping trolleys left in the street, untidy and overgrown gardens).*

Comment: Concerns regarding the operation of existing unauthorised boarding houses are not a relevant consideration for the subject application. The Land and Environment Court have said that the fact that there was a previous unauthorised use is in itself irrelevant.

The subject application seeks consent for internal and minor external alterations and change of use of an existing dwelling to a boarding house.

Council's Health and Building Team has recommended conditions of consent relating to the ongoing cleaning and maintenance of the proposed boarding house. These conditions have been included in the recommendation of this report and the ongoing compliance with these conditions would be required should consent be granted (see conditions – Part 1 Condition 1; Part 2 Condition 16-17). Council is unable to predict or make assumptions regarding the future maintenance of the proposed boarding house. Compliance with the conditions of consent is the responsibility of the property owner/s and Council will be able to take any necessary enforcement action should any condition not be satisfied.

General concerns regarding the ongoing maintenance of existing unauthorised boarding houses are noted. It is understood that Council's Building Compliance Team has been involved in enforcement action against number of unauthorised boarding houses within the Marsfield area.

2. *Parking - Insufficient parking existing in the immediate area with streets congested.*

Comment: The concerns regarding the inadequate provision of on-site parking for the proposed boarding house are acknowledged. Council's DCP 2010 (Part 9.3 Car Parking) specifies that boarding houses are required to provide one (1) parking space per two (2) bedrooms. To accord with Council's parking requirements the proposed 5 bedroom boarding house would require the provision of 2.5 (say 3) car parking spaces. In this development, only one parking space (in front of the existing garage that is proposed to be converted into a boarding room) is proposed.

ITEM 5 (continued)

Notwithstanding the above, Clause 29 of the SEPP (Affordable Rental Housing) 2009 specifies standards that Council cannot use to refuse consent for a boarding house which include:

“Parking if not more than:

- (i) one parking space is provided for each 10 boarding rooms or part thereof, and*
- (ii) one parking space is provided for each person employed in connection with the development and who is a resident on site,*

The proposal for one space in front of the existing garage satisfies the minimum requirements of the SEPP, accordingly parking is not a ground on which Council would be able to refuse consent. It is noted the SEPP requires the provision of a formal bicycle and motorbike parking space for each five boarding rooms and there is an assumption within the SEPP that these are to be a more likely form of transport for a lodger within a boarding house. There is space available on the western side of the dwelling for such bicycle/motorcycle parking, however this space is presently landscaped, which would need to be removed. This is addressed via condition – Part 1 Conditions 1-2.

3. *The proposal will increase the number of vehicles within the cul-de-sac within an already congested area.*

Comment: It appears one of the assumptions for the parking requirements of SEPP 2009 is that, given the demographic profile of the average boarding house lodger and the semi-permanent nature of their occupation, car ownership and usage is relatively low. It is considered the proposed boarding house will not result in a significant increase in the number of vehicle movements that exceed the capacity of the local road network.

4. *This is a residential area and the multiple boarding houses proposed will spoil the residential amenity of the area reducing the amount of larger family accommodation.*

Comment: The supply of single residential dwellings within the area will not be significantly reduced by the conversion of the existing dwelling into a boarding house and each individual application has to be assessed on its merits. Conditions have been recommended to deal with waste management, excessive noise and maintenance (see conditions – Part 1 Conditions 1-2; Part 2 conditions 18-19 and conditions 12-15).

The proposed boarding house provides accommodation like any other residential dwelling, and given that there are no significant external changes proposed (other than replacement of the existing garage door with a window/wall to make good), it is not considered that the proposal will cause adverse amenity impacts.

ITEM 5 (continued)

5. *The proposal is out of character with the existing street and not compatible. Objection to the proposed boarding house being located within Low Density Residential zone/area.*

Comment: The proposal seeks only to make internal and minor external alterations to the existing dwelling. When viewed from the street and adjacent properties there will be no significant change in the physical appearance of the premises and it will continue to appear as a residential dwelling.

6. *Waste/refuse Management – Boarding houses result in garbage storage bins being overloaded, left on roads and footpaths. Garbage scattered on property, the unacceptable condition of rubbish bins could attract vermin and cause health problems for neighbouring families.*

Comment: With regard to waste management Council's Environmental Health Team has noted that Council's Draft Waste Minimisation DCP recommends 60 litres of garbage storage per person (per week) and 20 litres of recycling storage per person (per week).

For this application garbage storage capacity of 420 litres per week and recycling storage of 140 litres per week are to be provided for the premises. With regard to garbage storage these requirements significantly exceed the waste storage requirements for a single dwelling house which requires only 140 litres garbage per week and 120 recycling per week.

Appropriate conditions from Council's Environmental Health Team have been included in the recommendation of this report to require that garbage bins with a capacity of 420 litres and recycling bin/s with a capacity of 140 litres are provided. Conditions have also been included within the recommendation of this report to require that all wastes generated on the premises are stored and disposed of in an environmentally acceptable manner (see conditions – Part 1 Conditions 1-2 and Part 2 Conditions 12-15).

7. *Essential Services - Existing drainage and sewerage infrastructure were not constructed to cope with houses containing such large numbers of occupants. The proposal would also place strain on water, gas and electricity services.*

Comment: The proposed conversion of the existing dwelling into a boarding house does not necessarily increase the number of people capable of living on the subject site. It is also noted that the subject site is located within the R2 Low Density Residential under Ryde LEP 2010 (previously Residential 2A under the Ryde Planning Scheme) zone in which there is no specific control limiting number of bedrooms or the number of people living within dwellings.

ITEM 5 (continued)

8. *The proposal fails to provide adequate bathroom facilities in accordance with Division 3 Clause 30(1)(d) of SEPP 2009.*

Comment: The applicant submitted a BCA Audit Report prepared by BCA Insight Pty Ltd, and Council's Building Surveyor has raised no objection to the proposal with regard to compliance with the provisions of the BCA relating to sanitary facilities.

9. *The proposal represents an overdevelopment in terms of the people to be accommodated on the site.*

Comment: Conditions have been included within the recommendation of this report (see Part 2 Conditions 7-8) to limit the number of lodgers to a maximum of 7 adults within the proposed boarding house, based on the individual size of each particular bedroom. SEPP 2009 does not specifically set a maximum limit on the number of lodgers for any particular boarding house subject to the boarding house being able to meet all other relevant standards.

10. *Concerns regarding noise pollution from student occupiers of illegal boarding houses. The approval of boarding houses will perpetuate noise pollution in the area.*

Comment: Concerns regarding the operation of existing unauthorised boarding houses are not a relevant consideration for the subject application.

The use of the premises must not cause the emission of 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997*. Conditions have also been included in the recommendation of this report to limit noise from plant or equipment as recommended by Council's Environmental Health Officer. It is noted that Council may also require the submission of an acoustic report to assess compliance with the relevant noise controls (see conditions – Part 2 Conditions 18-19).

11. *The applicant is seeking to exploit Macquarie University's failure to provide adequate student accommodation within the confines of the University site, and also exploit the tax advantages of renting to international students.*

Comment: The applicant is seeking approval for a use that is permissible within Residential zones in accordance with the NSW State Government's planning controls (SEPP Affordable Housing 2009). Information ("Fact Sheets" prepared by the NSW Department of Planning as part of the "roll-out" of this new legislation) indicates that there is a strong demand for affordable housing throughout NSW, and the SEPP aims to help create new affordable boarding house accommodation, and the applicant is seeking approval for this type of development in accordance with the planning controls currently in force.

ITEM 5 (continued)

12. *Many boarding houses are a “fire trap” because they have illegal internal alterations and illegal conversion of more bedrooms. This creates a “rabbit warren” effect and overcrowding that is dangerous to occupants.*

Comment: This proposal has been assessed by Council’s Building Inspectors as being satisfactory in terms of fire safety and egress for occupants. The proposal has been amended to re-instate the entry foyer (previously converted to a bedroom) to help ensure there is adequate egress for occupants.

13. *The subject DA should not be approved in the absence of a Boarding House Policy adopted by Council.*

Comment: The absence of a Council Policy on boarding houses is not considered to be a valid reason not to determine the current DA. The legislative framework for the consideration of boarding house applications exists (including SEPP Affordable Rental Housing 2009), as discussed throughout this report.

14. *The affordable rental housing SEPP does not render irrelevant the provisions of Section 79C of the Environmental Planning and Assessment Act 1979.*

Comment: Agreed. Council is required to have regard for the Heads of Consideration listed in Section 79C of the Act in determining all Development Applications. The Section 79C Assessment appears elsewhere in this report. One of the Heads of Consideration is the provisions of environmental planning instruments including, in this case, the provisions of SEPP Affordable Rental Housing 2009.

15. *The applicant has not discharged the onus of establishing entitlement under the SEPP 2009 for the DA to be approved.*

Comment: Another way of expressing this concern appears to be that developments approved under the SEPP must provide affordable housing. The SEPP does not contain any requirement for boarding houses to provide affordable housing. The cost of the housing (e.g. rental costs for the occupants) will be dictated by market forces.

16. *Council cannot be certain that the conditions on any approval will not be flouted and cannot be satisfied that the development complies with clause 30(1) of the SEPP.*

Comment: Council has powers under the Environmental Planning and Assessment Act 1979 to enforce conditions of any approval granted. An assessment of this development’s compliance with the requirements in Clause 30(1) of the SEPP appears elsewhere in this report.

ITEM 5 (continued)

17. *The likely detrimental social impacts that the proliferation of boarding houses will have on the suburb of Marsfield.*

Comment: These concerns are linked to concerns about impacts on the character of the area and amenity impacts that have been discussed previously. This development involves mostly internal modifications (with minor external work) to the existing dwelling and will continue to be used for residential accommodation. In terms of social impacts, it is arguable that this and other boarding houses serve a social and community need for accommodation. As noted previously, there is a shortage of affordable housing, which is one of the reasons why SEPP 2009 was introduced by the NSW State Government. The current application is seeking approval in accordance with the SEPP.

18. *Consent to the DA would be contrary to the public interest.*

Comment: Public interest encapsulates many things. Whilst it is clear that there is a large amount of community opposition to boarding houses in the area, Council must also consider the interests of the applicant who has lodged an application for a permissible form of residential development within a residential area. It is necessary to undertake a balanced assessment of all relevant matters for consideration, and on balance the development is considered acceptable subject to conditions which manage the concerns of the residents where appropriate.

19. *SEPP 2009 was not intended to benefit international full-fee paying students.*

Comment: The SEPP was introduced to address a community need for affordable housing. The current application seeks approval in accordance with the SEPP.

20. *The scheduled review of the SEPP may give the applicant an underserved windfall.*

Comment: This objection seems to foreshadow a future review and possible repeal of the SEPP, and promotes the view that it would be inappropriate to consider and approve the subject application in advance of the review. It is not considered appropriate to pre-empt any such future legislative review, and Council has a duty to consider any and all DAs in accordance with the legislation prevailing at the time. Council has not been formally notified by the NSW Department of Planning that a review of the SEPP is underway.

8. SEPP1 Objection received?

This application does not require submission of a SEPP 1 objection.

ITEM 5 (continued)**9. Policy Implications****Relevant Provisions of Environmental Planning Instruments etc:****(a) Ryde Local Environmental Plan 2010**

Ryde LEP 2010 commenced on 30 June 2010 as the new environmental planning instrument applicable to the City of Ryde. This instrument contains a Savings Provision (clause 1.8A), which states:

If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Plan had not commenced.

The DA was made (lodged) on 22 December 2009, before the commencement of this Plan and so it may be determined as if Ryde LEP 2010 had not commenced. What this means is that LEP 2010 is treated as a draft (see below).

Ryde Planning Scheme Ordinance*Zoning*

The subject land is zoned R2 Low Density Residential under Ryde LEP 2010 (previously Residential 2A under the Ryde Planning Scheme) zone. Within this zoning, 'boarding houses' are a prohibited form of development. However as discussed below in the 'Relevant SEPPs' section of this report since the introduction of SEPP 2009 boarding houses have become a permissible form of development within the R2 Low Density Residential under Ryde LEP 2010 (previously Residential 2A under the Ryde Planning Scheme) zone.

(b) Relevant SEPPs**State Environmental Planning Policy (Affordable Rental Housing) 2009**Clause 8 Relationship with other environmental planning instruments

If there is an inconsistency between this Policy and any other environmental planning instrument, whether made before or after the commencement of the SEPP, the SEPP prevails to the extent of the inconsistency.

Division 3 of the SEPP specifies in part that boarding house development may be carried out within the R2 Low Density Residential Zone or equivalent, such as the R2 Low Density Residential under Ryde LEP 2010 (previously Residential 2A under the Ryde Planning Scheme) zone of the Ryde Planning Scheme Ordinance.

ITEM 5 (continued)

Section 30 sets out Standards for boarding houses and Council must not consent to a boarding house unless it is satisfied with each of the following:

Standards for boarding houses		
Standard	Proposed	Compliance
A consent authority must not consent to development to which this Division applies unless it is satisfied of each of the following:		
(a) if a boarding house has 5 or more boarding rooms, at least one communal living room will be provided,	This boarding house contains 5 boarding rooms. The boarding house includes a "games room" measuring 2.6m x 2.72m, and a sunroom measuring 3.5m x 2.2m to be available to all residents.	Yes
(b) no boarding room will have a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of more than 25 square metres,	The largest boarding room is 18.36m ² .	Yes
(c) no boarding room will be occupied by more than 2 adult lodgers,	Only 2 of the proposed bedrooms have an area of more than 16m ² and may be occupied by two adult lodgers. A condition has been included in the recommendation of this report to limit the number of adult lodgers to 2 within the proposed bedrooms with an area exceeding 16m ² .	See condition at Part 2 Conditions 7-8.
(d) adequate bathroom and kitchen facilities will be available within the boarding house for the use of each lodger,	The boarding house is provided with a kitchen and 2 bathrooms and 2 toilets. Council's Environmental Health Officer and Building	Yes

ITEM 5 (continued)

Standards for boarding houses		
Standard	Proposed	Compliance
	Surveyor have raised no objection to the proposed bathroom and kitchen facilities.	
(e) if the boarding house has capacity to accommodate 20 or more lodgers, a boarding room or on site dwelling will be provided for a boarding house manager,	In accordance with the provisions of the SEPP 2009 this boarding house has a maximum capacity of 7 adult lodgers. A boarding house manager is not required in this instance and is not proposed.	Yes
(f) if the boarding house is on land within a zone where residential flat buildings are permissible, no new car parking for lodgers will be provided on the site,	The subject site is within the R2 Low Density Residential under Ryde LEP 2010 (previously Residential 2A under the Ryde Planning Scheme) zone. Within the R2 Low Density Residential under Ryde LEP 2010 (previously Residential 2A under the Ryde Planning Scheme) zone residential flat buildings are not permissible. No new car parking for lodgers is proposed.	Yes
(g) if the boarding house is on land zoned primarily for commercial purposes, no part of the ground floor of the boarding house that fronts a street will be used for residential purposes unless another environmental planning instrument permits such a use,	The site is within the R2 Low Density Residential under Ryde LEP 2010 (previously Residential 2A under the Ryde Planning Scheme) zone.	N/A
(h) at least one parking space will be provided for a bicycle, and one will be provided for a motorcycle,	Parking space for 2 bicycles and 2 motorcycles is available to the western side of the dwelling.	Yes

ITEM 5 (continued)

Standards for boarding houses		
Standard	Proposed	Compliance
for every 5 boarding rooms.		

Standards that cannot be used to refuse consent

Clause 29 of the SEPP specifies the following standards that the consent authority cannot use to refuse consent for a boarding house:

Standards that cannot be used to refuse consent	Comment
A consent authority must not refuse consent to development to which this Division applies on the grounds of density or scale if the density and scale of the buildings when expressed as a floor space ratio are not more than the existing maximum floor space ratio for any form of residential accommodation permitted on the land.	Existing building; no additional floor space proposed. Existing FSR calculated as approximately 0.26:1 which complies with Council's DCP 2010.
In addition a consent authority must not refuse consent to development to which this Division applies on any of the following grounds:	
Building height if the building height of all proposed buildings is not more than the maximum building height permitted under another environmental planning instrument for any building on the land,	Existing dwelling is single storey and no increase in height is proposed.
Landscaped area if the landscape treatment of the front setback area is compatible with the streetscape in which the building is located,	Front setback landscaping is unaffected. The bicycle/motorcycle parking area would require removal of some landscaping to the side of the dwelling.
Solar access where the development provides	The proposed sunroom on the

ITEM 5 (continued)

Standards that cannot be used to refuse consent	Comment
for one or more communal living rooms, if at least one of those rooms receives a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter,	northern side of the proposal receives the required amount of sunlight in mid-winter.
Private open space if at least the following private open space areas are provided (other than the front setback area): <ul style="list-style-type: none"> (i) one area of at least 20 square metres with a minimum dimension of 3 metres is provided for the use of the lodgers, (ii) if accommodation is provided on site for a boarding house manager—one area of at least 8 square metres with a minimum dimension of 2.5 metres is provided adjacent to that accommodation, 	<p>Rear yard private open space approximately 93.6m².</p> <p>A boarding house manager is not proposed. Proposed boarding house capacity of 7 adult lodgers does not require an on site boarding house manager.</p>
Parking if not more than: <ul style="list-style-type: none"> (i) one parking space is provided for each 10 boarding rooms or part thereof, and (ii) one parking space is provided for each person employed in connection with the development and who is a resident on site, 	Proposed boarding house comprises 5 boarding rooms and does not include any employees. The proposal requires 1 parking space to be provided. This is provided as an uncovered space in front of the existing garage.
Accommodation size if each boarding room has a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of at least: <ul style="list-style-type: none"> (i) 12 square metres in the case of a boarding room intended to be used by a single lodger, or (ii) 16 square metres in any other case. 	<p>The area of each proposed bedroom room is as follows:</p> <p>Room 1 – 18.36m² Room 2 – 12.36m² (single lodger) Room 3 – 14.72m² (single lodger) Room 4 - 12.69m² (single lodger) Room 5 – 16.4m²</p>

ITEM 5 (continued)

Standards that cannot be used to refuse consent	Comment
	Rooms 2-4 inclusive meet the minimum requirements for a single lodger only. Rooms 1 and 5 each have an area sufficient for two adult lodgers.
(3) A boarding house may have private kitchen or bathroom facilities in each boarding room but is not required to have those facilities in any boarding room.	None of the proposed rooms is to have a private ensuite. The ground floor has a bathroom including toilet. The boarding house has 2 bathrooms and 2 toilets.
(4) A consent authority may consent to development to which this Division applies whether or not the development complies with the standards set out in subclause (1) or (2).	Noted.

(c) Any draft LEPs

Ryde LEP 2010 is considered as a Draft given that the DA was lodged before the date of commencement of the LEP. Under Ryde LEP 2010, the property is zoned R2 Low Density Residential. The proposed development is permissible with consent within this zoning under Ryde LEP 2010.

(e) Any DCP (e.g. dwelling house, villa)**City of Ryde Development Control Plan 2010:**

Prior to the commencement of SEPP 2009 boarding houses were not a permissible form of development within the R2 Low Density Residential under Ryde LEP 2010 (previously Residential 2A under the Ryde Planning Scheme) zone within the City of Ryde. Under the Ryde Planning Scheme Ordinance 'boarding houses' are permissible with Council's consent within some 2(C) and all 2(D) Residential zones. Council does not have any development controls which specifically relate to boarding houses (other than the car parking requirement contained in Part 9.3, detailed below).

There are no relevant provisions within DCP 2010, Part 3.3 Dwelling Houses and Dual Occupancy (Attached) which are considered to be relevant to the proposed conversion of the existing dwelling into a boarding house.

ITEM 5 (continued)**Ryde DCP 2010 Part 9.3 Car Parking**

Section 4 specifies, in part:

4 Parking required in respect of specific uses

4.1 Residential

- (i) Boarding houses: one (1) space / two (2) bedrooms, and one (1) space per manager / one (1) space per two (2) employees*

Comparison of car parking requirements for the proposed 2 x 5 bedroom boarding houses at 82 Culloden Rd Marsfield	
Policy	Number of car parking spaces required
SEPP (Affordable Rental Housing) 2009	1
City of Ryde Development Control Plan 2010	2.5 (say 3)

Council's DCP 2010 Part 9.3 specifies that the proposed boarding house is required to provide a total of 2.5 (say 3) on-site parking spaces. The proposal makes provision for 1 formal car parking space in front of the existing garage, which would not comply with what is required by Council's DCP 2010 Part 9.3. Notwithstanding this, it is again noted that SEPP 2009 specifies the grounds that cannot be used to refuse consent for boarding houses which include:

*(e) **parking** if not more than:*

- (i) one parking space is provided for each 10 boarding rooms or part thereof, and*
- (ii) one parking space is provided for each person employed in connection with the development and who is a resident on site,*

Accordingly the 1 parking space proposed satisfies the above minimum requirement of the SEPP, and cannot be used as a ground to refuse the application.

10. Likely impacts of the Development**(a) Built Environment**

The only external modification proposed for the existing building is the replacement of the front garage door with a window and wall to be made good. The development would have minimal impact in terms of built environment and streetscape.

ITEM 5 (continued)**(b) Natural Environment**

It is anticipated that the proposed development should have no significant impacts on the natural environment.

11. Suitability of the site for the development

A review of Council's Land Information mapping system shows that there are no constraints (such as overland stormwater flow, bushfire affectation etc.) that would render the land as unsuitable for the proposed development.

12. The Public Interest

Subject to the conditions included in the recommendation of this report, there are no issues with regard to public interest that should preclude a favourable determination of this application.

13. Consultation – Internal and ExternalInternal Referrals

Building Surveyor: Council's Team Leader – Building Compliance noted that the property was the subject of complaints regarding previous unauthorised use. Concerns were raised regarding the following aspects of the original plans:

- isolation of boarding room 7 (former garage) which was originally only to have external access (i.e. no access from within the house)
- replacement of the front door access with a boarding room
- minimal internal living areas and the possibility that this would lead to greater use of the external yard.

These issues have since been addressed via amended plans.

The Team Leader – Building Compliance advises that a review of the details provided would suggest that the requirements of the Building Code of Australia can be achieved.

Environmental Health Officer: Has provided the following comments

We know from practical experience that two main issues have arisen with the use of residences as boarding houses. These are the maintenance of the external areas of the property and the adequacy of the standard garbage service.

Council's draft waste minimisation DCP recommends 60L/person/week should be allocated for garbage and 20L/person/week for recycling. For this application that is a total of 420L/week for garbage and 140L/week for recycling per premises. The submitted waste management plan expects only 100L/week in total, barely 14L/ person. This is clearly inadequate.

ITEM 5 (continued)

As for maintenance of the external areas, (or perhaps any common areas for that matter), a group of unrelated and somewhat short term boarders feel no responsibility to the maintenance of the property and in particular those areas shared by others. As a consequence we see lawns & gardens becoming overgrown and accumulation of rubbish or disused items.

It has also been found that the numbers of lodgers accommodated has increased over time.

It is therefore necessary to include conditions that specifically control these issues and allow for subsequent checks and enforcement where necessary.

External Referrals

Nil.

14. Critical Dates

There are no critical dates or deadlines to be met.

15. Financial Impact

Adoption of the option(s) outlined in this report will have no financial impact.

16. Other Options

The alternative of refusing the subject application is a matter for Council but has not been recommended having regard to compliance of the proposal with the relevant planning controls.

17. Conclusion:

The proposal has been assessed using the Heads of Consideration listed in Section 79C of the Environmental Planning and Assessment Act 1979. Although the proposal is prohibited within the R2 Low Density Residential under Ryde LEP 2010 (previously Residential 2A under the Ryde Planning Scheme) zoning of the property under the provisions of the Ryde Planning Scheme, since the NSW State Government's introduction of the State Environmental Planning Policy (Affordable Rental Housing) in 2009 (SEPP 2009), boarding houses have become a permissible form of development within most residential zones including the R2 Low Density Residential under Ryde LEP 2010 (previously Residential 2A under the Ryde Planning Scheme) zone.

ITEM 5 (continued)

In response to the public notification/advertising periods 27 submissions were received raising objections to the proposal. The issues raised in the submissions relate to inadequate care and maintenance of existing unauthorised boarding houses, inadequate care and maintenance of the proposed boarding house, boarding houses are an inappropriate form of development within a low density residential area, inadequate waste management, insufficient parking, unacceptable noise, inadequate bathroom facilities and overcrowded accommodation.

SEPP 2009 includes various standards that Council cannot use to refuse consent for a boarding house application. SEPP 2009 also contains development standards that the proposed boarding house is required to satisfy.

On balanced consideration of the subject proposal against the requirements of SEPP 2009 the application meets the necessary standards and also falls within the requirements of a number of standards that cannot be used as reasons for refusal. Accordingly, the application is recommended for approval subject to conditions which address, where appropriate, the objectors' concerns.

ITEM 5 (continued)**ATTACHMENT 1****ATTACHMENT 1
CONDITIONS OF CONSENT FOR 82 CULLODEN ROAD MARSFIELD
LDA 2009/722****Part 1 - Conditions Relating to a Deferred Commencement Consent
pursuant to Section 80(3) of the Environmental Planning and
Assessment Act 1979:**

1. A Plan of Management is to be provided for the operation of the boarding house. The Plan of Management is to address, but not be limited to, the following matters:
 - (a) Specification of the number of lodgers permitted in each boarding room and in total within the boarding house.
 - (b) Specification that the boarding house is to be managed by an off-site manager who is contactable during normal office hours and on Saturdays, who will be responsible for:
 - i. overseeing all residential leases,
 - ii. enforcing the minimum occupancy period,
 - iii. organising cleaning and maintenance of common areas,
 - iv. enforcing maximum occupancy levels,
 - v. providing lodgers with appropriate information prior to commencement of occupation,
 - vi. carrying out inspections on a regular basis (minimum once every 3 months) to ensure premises are clean and tidy and all facilities and fittings are appropriately maintained,
 - vii. record all inspections in a log book which must be made available to Council on request.
 - viii. organising bins to be placed out for collection and replaced in storage area at the end of collection and cleaned, and
 - ix. maintaining an incidents register, and
 - x. notify the council in writing of any change in management and provide contact details for the new management
 - (c) Require each lodger to be provided with a resident information brochure prior to occupation to include the following information:
 - i. Maximum occupancy of their boarding room,
 - ii. Expected behaviour and need to ensure appropriate amenity is maintained for other boarders and neighbours,
 - iii. Emergency contact details, including for manager,
 - iv. Identifying that the bicycle parking and motorcycle parking spaces are to be available on the basis of first come first use,
 - v. Identifying that an incidents register is to be kept by the manager and will be referred to prior to renewing any lease,
 - vi. Identifying that it is the responsibility of the boarder to sort garbage and place it in the specified garbage or recycle bin.

ITEM 5 (continued)**ATTACHMENT 1**

- vii. Identifying that at no time are external verandahs, porches or the like to be used for drying clothing.
 - viii. Common areas are to be left in a clean and tidy state after use,
 - ix. The use of illicit drugs is prohibited on the premises.
- (d) Specify the frequency of cleaning and maintenance (eg gardening) to occur as required by conditions of consent and specify that boarders are responsible for cleaning their boarding room.
- (e) Specifying the furnishings provided for each boarding room.
- (f) Specifying that the kitchen is to be provided with a sink, one stove (or an oven and cooktop) and a large fridge/freezer and that the laundry is to be provided with at least one washing machine.
- (g) Specifying that each boarding room will be provided with a phone line which the boarder may activate.
- (h) Specifying that a broom, bucket and mop are to be made available for use by boarders as necessary.
- (i) Specifying that the front and rear entrance doors and the side gates are to be locked and boarders provided with a key. Each bedroom is to be fitted with a class room latch (deadlock) which can be locked by the residents, but can be opened from inside the room with one motion.
2. Amended plans are to be provided showing the following:
- (a) Visual and acoustic privacy treatment window of boarding rooms 2-4 to ensure the privacy of the room from persons using the front entrance to the boarding house.
 - (b) Provision of a minimum of 2 bicycle spaces with rail and 2 motorcycle spaces, to be located in the specified area as shown on the approved DA plan. This area is to be provided with a suitable impervious surface.
 - (c) Provision of a screened waste storage and recycling area for the boarding house capable of containing the storage bins required by the conditions of this consent. The garbage storage area is to be fitted with a tap to allow ease of cleaning of the storage area and bins.
 - (d) The provision of access for people with disabilities to and from the street via a continuous path of travel (including the provision of ramps compliant with the relevant Australian standard where required).

Part 2 – General Conditions of Consent

The following requirements shall apply upon satisfactory completion of the requirements outlined in Part 1 of this consent (above).

ITEM 5 (continued)**ATTACHMENT 1****General**

1. Development is to be carried out in accordance with plan references:

Plans

Drawing No.	Title	Author	Date
YZ0909.02 / da01B	Site Plan/Floor Plan	Y & Z Design	16 June 2010
YZ0909.02 / da02B	Elevations and Sections	Y & Z Design	16 June 2010

All plans as amended by any other condition of this consent.

2. Compliance with the Building Code of Australia
 - (a) All building work (other than work relating to the temporary building) must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date of the application for the relevant construction certificate was made)
 - (b) This clause does not apply to the extent to which an exemption is in force under clause 187 or 188, in the Environmental Planning and Assessment Regulations 2000, subject to any terms of any condition or requirement referred to in Clause 187(6) or 188(4).
3. Prior to commencing any construction works, the following provisions of the Environmental Planning and Assessment Act 1979 are to be complied with:
 - (a) A Construction Certificate is to be obtained in accordance with Section 81A (2)(a) of the Act.
 - (b) A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A (2)(b) of the Act and Form 7 of Schedule 1 to the Regulations.
 - (c) Council is to be notified at least two (2) days prior to the intention to commence building works, in accordance with Section 81A (2)(c) of the Act and Form 7 of Schedule 1 to the Regulations.
4. The applicant may apply to the Council or an accredited certifier for the issuing of a Construction Certificate and to Council or an accredited certifier to monitor compliance with the approval and issue any relevant documentary evidence or certificate/s.

Council Officers can provide these services and further information can be obtained from Council by telephoning 9952 8222 (Customer Service).

5. Changes in building use

ITEM 5 (continued)**ATTACHMENT 1**

A building in respect of which there is a change of building use must comply with the Category 1 fire safety provisions applicable to the proposed new use.

NOTE: The obligation under this clause to comply with Category 1 fire safety provisions may require building work to be carried out even though none is proposed or required in the relevant development consent.

- (a) This clause does not apply to the extent to which an exemption is in force under clause 187 and 188 in the Environmental Planning and Assessment Regulations 2000.
- (b) In this case clause, "Category 1 fire safety provision" has the same meaning as it has in Clause 3 in the Environmental Planning and Assessment Regulations 2000 subject to any terms of any condition or requirement referred to in Clause 187(6) or 188(4).

Accommodation:

- 6. A boarding room used by a single lodger must have a floor area of at least 12m². Bedrooms 2, 3, & 4 of the boarding house are to be used by only one (1) lodger.
- 7. A boarding room used by 2 lodgers must have a floor area of at least 16m². Bedrooms 1 and 5 of the boarding house is to be occupied by no more than 2 adult lodgers.
- 8. No boarding room is to be occupied by more than 2 adult lodgers and the boarding house is to be occupied by no more than 7 lodgers.

Notices:

- 9. A schedule showing the numeral designating each bedroom and the number of lodgers permitted to be accommodated in each must be conspicuously displayed near the entrance of the premises.
- 10. The schedule shall also include the name and contact telephone number of the owner or the current person responsible for management of the premises.
- 11. Each bedroom must be clearly numbered in accordance with the schedule.

Waste Storage and Handling Facilities:

- 12. All wastes generated on the premises must be stored and disposed of in an environmentally acceptable manner.
- 13. An adequate number of suitable waste containers must be kept on the premises for the storage of all garbage and recycling wastes generated between collections. In this regard, provision for at least 60

ITEM 5 (continued)**ATTACHMENT 1**

litres/lodger/week for garbage and 20 litres/lodger/week for recycling must be made.

14. Waste storage areas and waste containers must be maintained in a clean and tidy condition at all times.
15. Waste containers must be returned to the storage area as soon as possible after servicing.

Cleaning and Maintenance:

16. The premises and all fixtures, furnishings and equipment must be maintained in a clean, sanitary condition and kept in good repair at all times. All common areas within the boarding house, including the common room and bathrooms and their fixtures, are to be cleaned on a weekly basis.
17. Open space areas, including any lawns, gardens, or landscaped areas must be maintained on a fortnightly basis and kept in a clean and tidy condition at all times.

Noise Pollution:

18. The use of the premises must not cause the emission of 'offensive noise' as defined in the Protection of the Environment Operations Act 1997.
19. Unless otherwise provided in this consent, the operation of any plant or equipment installed on the premises must not cause:
 - (a) The emission of noise that exceeds the background noise level by more than 5dBA when measured at, or computed for, the most affected point, on or within the boundary of the most affected receiver. Modifying factor corrections must be applied for tonal, impulsive, low frequency or intermittent noise in accordance with the New South Wales Industrial Noise Policy (EPA, 2000).
 - (b) An internal noise level in any adjoining occupancy that exceeds the recommended design sound levels specified in Australian/New Zealand Standard AS/NZS 2107:2000 Acoustics – Recommended design sound levels and reverberation times for building interiors.
 - (c) The transmission of vibration to any place of different occupancy.

Council may require the submission of a report from an appropriately qualified acoustical consultant demonstrating compliance with the relevant noise and vibration criteria.

PRIOR TO CONSTRUCTION CERTIFICATE

ITEM 5 (continued)**ATTACHMENT 1**

20. A security deposit (category: dwelling houses with delivery of bricks or concrete or machine excavation) is to be paid to Council (Public Works and Services Group) as well as the Infrastructure Restoration and Administration Fee. Please refer to Council's Management Plan for the current fee amounts.
21. An Enforcement levy is to be paid to Council on lodgement of the Construction Certificate application in accordance with the requirements of Council's Management Plan (scheduled fees).
22. Documentary evidence of compliance with Conditions 20-21 to the satisfaction of Council or an accredited certifier is to be submitted to the Council prior to the issuing of the Construction Certificate.
23. Waste Management Details - Should you wish to vary the information provided in the Waste Management Plan you submitted to Council with your Development Application involving demolition and construction works, you are required to give written advice to Council of any changes. Council's DCP 2006, Part 7.2 – Waste Minimisation and Management, sets out your obligations for waste management.
24. A site works plan indicating compliance with Council's DCP 2006, Part 8.1 – Construction Activities, in relation to builder's identification signage and demolition in progress signage to the satisfaction of Council or an accredited certifier is to be submitted to Council with the Construction Certificate.
25. Essential fire services. A "Fire Safety Schedule" specifying the fire safety measures that are currently implemented in the building premises and the fire safety measures proposed or required to be implemented in the building premises as required by Clause 168 - Environmental Planning & Assessment Regulation 2000 are to be submitted and approved prior to the issue of the Construction Certificate.

DURING CONSTRUCTION

26. Signage is to be provided on the site as follows:
 - (a) During the demolition process notices lettered in accordance with AS1319 displaying the words "DANGER - DEMOLITION IN PROGRESS" or a similar message shall be fixed to the security fencing at appropriate places to warn the public.
 - (b) During the entire construction phase signage shall be fixed on site identifying the PCA and principal contractor (the coordinator of the building work), and providing phone numbers.
27. The Principal Certifying Authority is required to ensure that adequate provisions are made for the following measures at each stage of

ITEM 5 (continued)**ATTACHMENT 1**

construction, to ensure compliance with the approval and City of Ryde's DCP 2006, Part 8.1 - "Construction Activities":

- (a) Tree Preservation and protection measures.
- (b) Security fencing.
- (c) Materials or waste containers upon the footway or road.
- (d) PCA and principal contractor (the coordinator of the building work) signage and site toilets.

- 28. Only unpolluted water is to be discharged to Council's stormwater drainage system.
- 29. The L10 noise level measured for a period of not less than 15 minutes while demolition and construction work is in progress must not exceed the background noise level by more than 20 dB(A) at the nearest affected residential premises.
- 30. All demolition and all construction and associated work is to be restricted to between the hours of 7.00am and 7.00pm Monday to Friday (other than public holidays) and between 8.00am and 4.00pm on Saturday. No work is to be carried out on Sunday or public holidays.
- 31. No spoil, stockpiles, building or demolition material is to be placed on any public road, footpath, park or Council owned land.

PRIOR TO OCCUPATION CERTIFICATE

- 32. An Occupation Certificate must be obtained from the Principal Certifying Authority (PCA) and a copy furnished to Council in accordance with Clause 151 of the Environmental Planning and Assessment Regulation 2000 prior to commencement of occupation or use of the whole or any part of a new building, an altered portion of, or an extension to an existing building.
- 33. Essential fire services. A Fire Safety Certificate/s from a suitably qualified person/s is to be submitted to Council or an accredited certifier (and Council, if Council is not the PCA or an accredited certifier) for all the essential services installed in the building in accordance with Clauses 170 and 171 of the Environmental Planning and Assessment Regulation 2000.
- 34. All works shown on the amended plans required by the deferred commencement conditions of consent and by the conditions of this consent are to be completed prior to issue of an occupation certificate.
- 35. Signage is to be provided on the front façade adjoining the entrance door to the boarding house identifying the name and telephone number of the manager of the premises that can be contactable between 9am and 5pm Monday to Friday and between 9am and 4pm on Saturdays, excluding public holidays.

ITEM 5 (continued)**ATTACHMENT 1**

36. Prior to occupation a certificate must be provided to the principal certifying authority that states:

- (a) the condition of existing fittings and fixtures has been inspected and any existing faults and defects have been repaired.
- (b) all works have been carried out in a satisfactory workmanlike manner.
- (c) all walls and ceilings have been repaired (where necessary) and painted.
- (d) Any broken tiles have been replaced.

ONGOING USE OF PREMISES

37. No occupation of the premises is to occur without each boarder having a current residential lease agreement for a period of at least 3 months. The lease is to include (or have attached) information informing the tenant of the risks of leaving personal property in common areas and not securing private rooms while attending common areas.

38. At no time are external verandahs, porches or the like to be used for the drying of clothes.

39. The manager of each boarding house is to keep and maintain an incidents register which is to detail any adverse incidents such as disturbances that occur at the premises and the response to the incident. The incidents register is to be made available to Council for review upon request. The incidents register is to be reviewed by the manager prior to renewing any leases.

40. The Boarding House must be operated in accordance with the Plan of Management approved subject to Part 1 Condition 1 of this consent. The Plan of Management can only be amended with the agreement of Council in writing.

ADVISORY NOTESHealth Inspections:

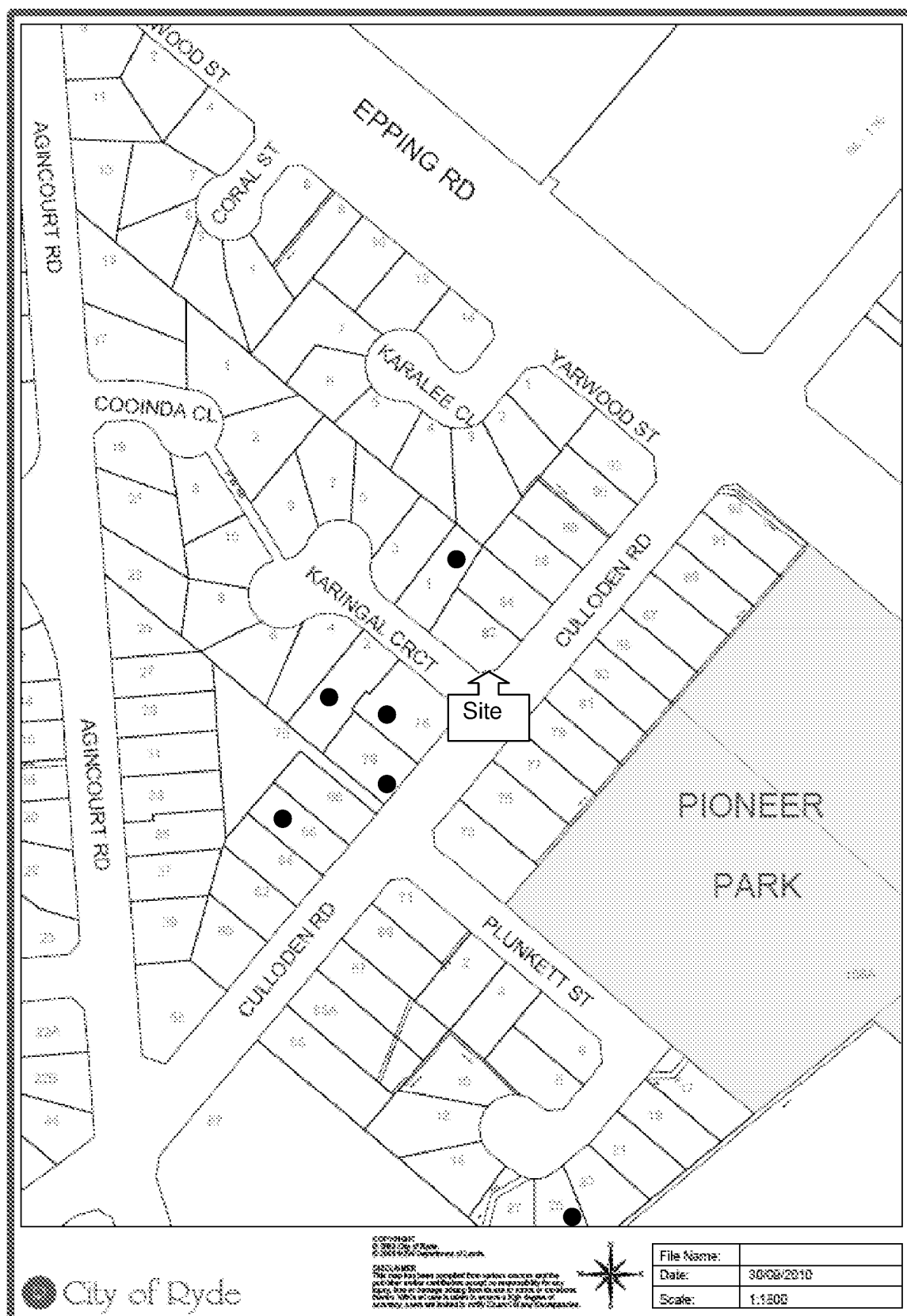
Council officers may carry out periodic inspections of the premises to ensure compliance with relevant environmental health standards and Council may charge an approved fee for this service in accordance with Section 608 of the Local Government Act 1993.

The approved fees are contained in Council's Management Plan and may be viewed or downloaded at www.ryde.nsw.gov.au.

ITEM 5 (continued)

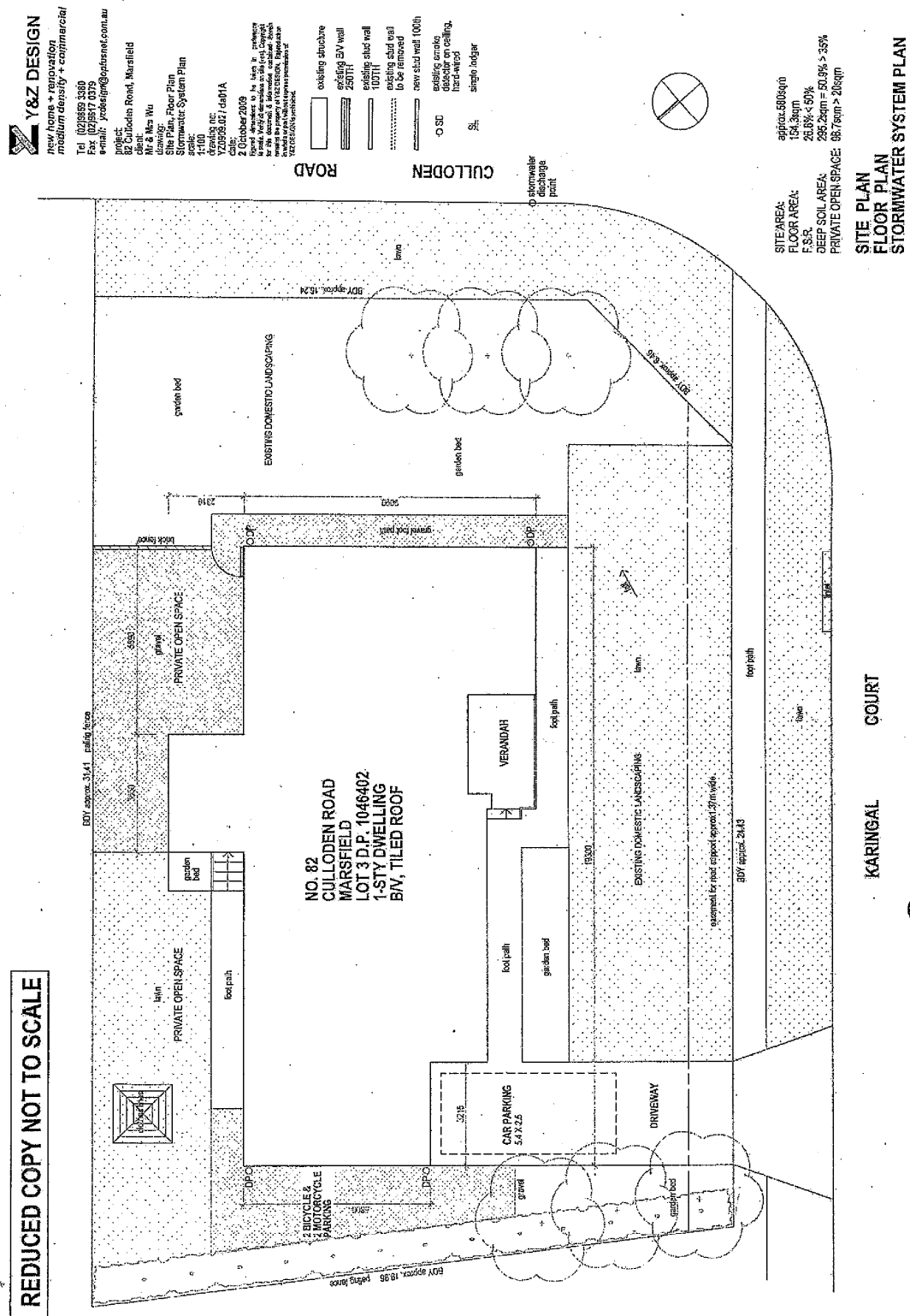
ATTACHMENT 2

● Indicates submissions receive
 Submissions received outside map are



ITEM 5 (continued)

ATTACHMENT 3



ITEM 5 (continued)

ATTACHMENT 3



Y&Z DESIGN
new home + renovation
medium density + commercial

Tel: 02 9886 3380
Fax: 02 988 17 0379
e-mail: yzdesign@optusnet.com.au

project:
client:
designer:
drawn:
elevations:
section A-A:
scale:
1:100
drawing no:
YZ0931.02 / dA02B
date:
18 June 2010

82 Culloiden Road, Marsfield
Sydney NSW 1585
Gina Wu

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elevations:
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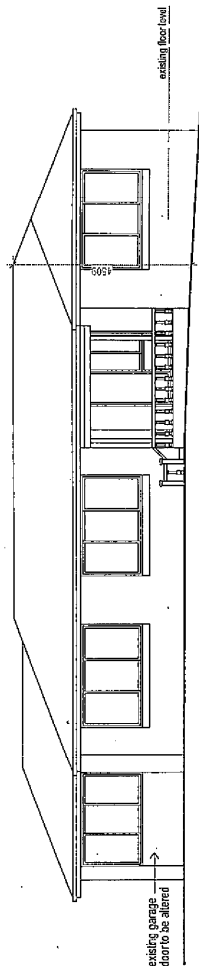
82 Culloiden Road, Marsfield
Sydney NSW 1585
Gina Wu

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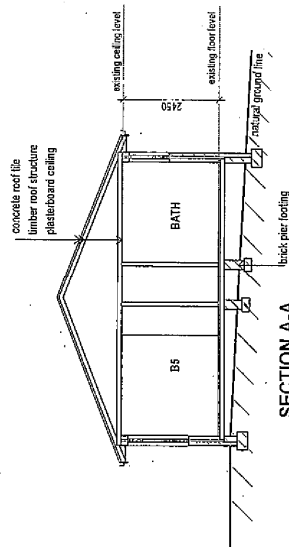
82 Culloiden Road, Marsfield
Sydney NSW 1585
Gina Wu

18 June 2010
This drawing is the property of Y&Z DESIGN. It is to be used for the project only and is not to be reproduced or used for any other purpose without the written consent of Y&Z DESIGN. The client acknowledges that Y&Z DESIGN is not responsible for the accuracy of the information provided by the client or for the consequences of any action taken based on the information provided.

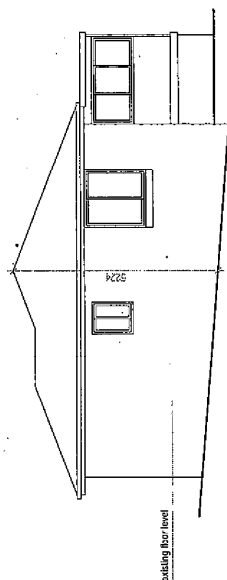
existing BV wall
230TH
existing stud wall
200TH
existing stud wall
to be removed
new stud wall 100TH



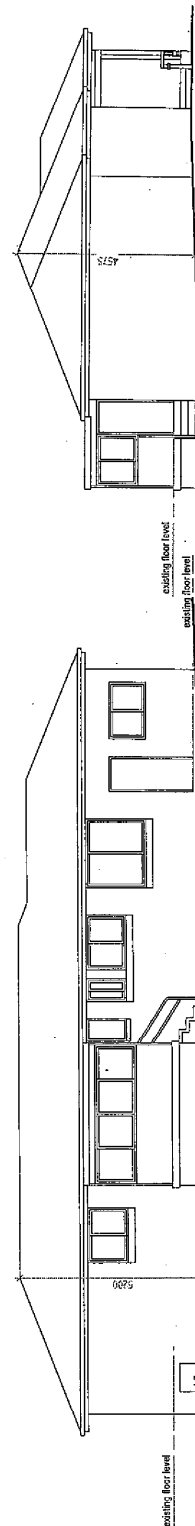
SOUTH-WEST ELEVATION
(KARINGAL COURT VIEW)



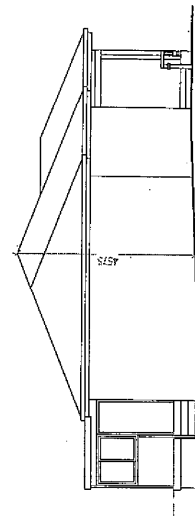
SECTION A-A



SOUTH-EAST ELEVATION
(CULLODEN ROAD VIEW)



NORTH-EAST ELEVATION



NORTH-WEST ELEVATION

6 GLEN RESERVE - CRIME PREVENTION ACTIONS

Report prepared by: Road and Community Safety Projects Officer**Report dated:** 27/10/2010**File No.:** GRP/09/6/1/3 - BP10/656

Report Summary

This report details recommended and prioritised actions to increase community safety in Glen Reserve, Eastwood. The report concludes the best, and most cost effective means to increasing community safety is to:

- engage a lighting consultant to review lighting options
- relocate picnic settings closer to Glen Street where there is increased passive surveillance
- request increased policing in the Reserve.

RECOMMENDATION:

- (a) That Council allocate \$5,000 in the December Quarterly Review to improving Glen Reserve, Eastwood through the engagement of a lighting consultant and the relocation of picnic settings and that a further report will come back to Council on the costs and on-going costs resulting from the recommendations of the lighting consultant.
- (b) That Council staff write to the Eastwood Local Area Command to request increased patrols in Glen Reserve, during times when anti-social behaviour is common.
- (c) That a report to Council be prepared after the findings of the lighting consultant's report are available.
- (d) That Tzu Chi Foundation Eastwood, Eastwood Chamber of Commerce and the Australian Asian Association of Bennelong are notified of Council's decision.

ATTACHMENTS

- 1 Map: Glen Reserve

Report Prepared By:

Chris Hellmundt**Road and Community Safety Projects Officer**

Report Approved By:

Jonathan Nanlohy**Social Policy and Planning Co-Ordinator****Baharak Sahebekhtiari****Manager - Community and Culture****Simone Schwarz****Group Manager - Community Life**

ITEM 6 (continued)**Background**

Following a Council resolution at the Council meeting held on 12 May 2010, Police representatives, Council's Park Assets Team and the Road and Community Safety Project Officer conducted a day and night audit of Glen Reserve to examine measures to improve security and prevent anti-social behaviour. The measures recommended by the audit team were endorsed by the Crime Prevention Advisory Committee meeting held on 19 August 2010 and were reviewed at the Council meeting on 24 August 2010. At the Council meeting on 24 August 2010, Council resolved:

- (a) *That Council officers approach businesses, community groups and the Chamber of Commerce to seek contributions for new lighting and other works in Glen Reserve.*
- (b) *That a further report on total costing for new lighting and other works be provided to Council after discussions with businesses and the Chamber of Commerce.*
- (c) *That the issue of anti-social behaviour in other reserves be considered and dealt with a part of the Crime Prevention Plan and the Integrated Open Space Strategy.*

ReportConsultation

Council staff consulted with Eastwood Chamber of Commerce (the peak economic group in Eastwood), the Australian Asian Association of Bennelong (the peak community group in Eastwood) and Tzu Chi Foundation, Eastwood (the main organisation affected with a common fence adjoining the park). Unfortunately, both the Eastwood Chamber of Commerce and Australian Asian Association of Bennelong declined to be involved with the project.

However, Tzu Chi agreed to be involved. Representatives from Tzu Chi appreciated Council's vegetation maintenance in August 2010 after the initial request for improvements. The vegetation maintenance has increased lighting from existing sources (on the north side of Glen Reserve) and increased sightlines from Shaftsbury Road to the carpark. Tzu Chi will install lighting from their stairwell at their own cost, which will be in use whenever their members exit the building at night.

Representatives from Tzu Chi also agreed with the audit team's recommendation that moving the seating in the North side of the Reserve would be the best way to decrease anti-social behaviour at night. The organisation also suggested increasing lighting from existing polls on the north side of Glen Reserve for those people who wish to use the Reserve and are not exiting the Tzu Chi building.

Council's Parks Assets team were consulted regarding lighting options and total costs. The team recommended engaging a lighting consultant to determine the best options for Council, including value for money.

ITEM 6 (continued)

The lighting consultant has the expertise to assess and provide advice on the correct lighting luminaires and can accurately calculate the distance between lighting poles to allow for the correct lighting ambience. Currently council does not have the expertise in-house to provide this type of lighting information.

Actions

From consultations, actions are prioritised below. It is also recommended that Council write to the Eastwood Local Area Command to request increased patrols in Glen Reserve, during peak times of anti-social behaviour.

Action	Cost	Funding source
Engage a lighting consultant to provide advice on the best options balancing the existing concerns and value for money	\$1,000	December Quarterly Review
Relocate picnic settings to playground surrounds (so there is clear visibility from Shaftesbury Road and/or Glen Street), where there is greater visibility and passive surveillance	\$4,000	December Quarterly Review
Move floodway signage behind 22 Glen St to the other side of the path, to increase sightlines from car park	\$500	Addition to Future Management Plan
Council staff will write to Eastwood Local Area Command requesting increasing patrolling through the area at peak times, as identified by local business and community groups, such as Tzu Chi	N/A	N/A
Change the orange sodium lighting on the opposite side of Glen Reserve to a white light with brighter luminescence	On-going maintenance budget	
Under prune trees along boundary of adjacent buildings to allow for clear sightlines, particularly sightlines at building entry points	Completed mid 2010	
Possibly plant a low growing understorey (maximum height of 1m) along boundary of adjacent buildings to provide an aesthetic screen without compromising clear sightlines of buildings and their entries.	Completed mid 2010	
Remove shrubbery, <i>Callistemons</i> (x3); <i>Syzigium</i> (x1) and <i>Murrayas</i> (x4) at path entry to park from car park to allow for clear sightlines into the park	Completed mid 2010	
Plant either side of this entry with low growing groundcovers (to maximum height of 0.5m)	Completed mid 2010	

ITEM 6 (continued)

Under prune any trees currently in garden beds next to path and mulch around drip line. Return the rest of the garden bed to grass.	Completed mid 2010
Define garden beds and remove garden beds from beside pathway	Completed mid 2010
Under prune <i>Agonis flexuosa</i> overhanging the path and the canal	Completed mid 2010
Under prune trees around existing lights	Completed mid 2010
Mulch around trees and garden beds	Completed mid 2010

Consultation

Internal Council business units consulted included:-

- Park Assets

Internal Workshops held:-

- Not Applicable

City of Ryde Advisory Committees consulted included:-

- Crime Prevention Advisory Committee

External public consultation included:-

- Eastwood Chamber of Commerce
- Australian Asian Association of Bennelong
- Tzu Chi Foundation, Eastwood

Comments

Feedback highlighted above.

Critical Dates

The following deadlines are required to be met:

There are no critical dates or deadlines to be met.

Financial Impact

It is estimated that the total cost of the proposal is \$5,000.

This proposal is not provided for in the current budget 2010/11 and could be funded from revenue allocation by an adjustment in the next Quarterly review.

The on-going cost of maintaining this proposal is minimal.

It is anticipated that the proposal could be complete in this financial year 2010/11.

Policy Implications

There are no policy implications through adoption of the recommendation.

ITEM 6 (continued)**Other Options**

There are two other options.

The first is that Council monitors the situation for 12 months to determine whether the works are justified.

Another option is that Council does not hire a lighting consultant and instead supports funding the estimated \$40,000 cost of new lighting. However, this is not recommended as engaging a lighting consultant is a relatively small cost to pay to determine the best value for Council.

Conclusion

This report details cost effective actions based on an audit and consultation with the community to decrease anti-social behaviour in Glen Reserve, Eastwood. These actions compliment the vegetation maintenance already completed and are supported by the main organisation affected.

ITEM 6 (continued)

ATTACHMENT 1

Page 1 of 2

Eastwood, New South Wales - Google Maps

Google maps
Australia

Print Send Link



2/1/2010

<http://maps.google.com.au/maps?hl=en&tab=wl>

7 ALCOHOL FREE ZONE IN EASTWOOD

Report prepared by: Road and Community Safety Projects Officer**Report dated:** 15/10/2010**File No.:** GRP/10/2/001/6 - BP10/639

Report Summary

Following a Council resolution and requests from the community, information was sought from the Police on whether Eastwood requires the establishment of an Alcohol Free Zone in the Town Centre. Analysis of current crime statistics, trends and environmental factors has shown there is reason to establish Alcohol Free Zones. This report recommends the initiation of a process, determined by Ministerial Guidelines, to establish Alcohol Free Zones in Eastwood Town Centre.

RECOMMENDATION:

- (a) That Council accept the proposal for Alcohol Free Zones (ATTACHED).
- (b) That Council agree to public consultation on the matter, as stated in the Ministerial Guidelines.
- (c) That if no adverse public comments are received on the proposal, the Alcohol Free Zones as outlined in the report be adopted.
- (d) That Council receive a further report on the proposed Alcohol Free Zones if any adverse comment is received during the public consultation.
- (e) That \$5,000 be allocated to this project next financial year.

ATTACHMENTS

- 1 Chamber of Commerce Request
- 2 Australian Asian Association of Bennelong Request
- 3 Proposal to establish alcohol free zones in Eastwood
- 4 Ministerial Guidelines Alcohol Free Zones

Report Prepared By:

Chris Hellmundt**Road and Community Safety Projects Officer**

Report Approved By:

Jonathan Nanlohy**Social Policy and Planning Co-Ordinator****Baharak Sahebekhtiari****Manager - Community and Culture****Simone Schwarz****Group Manager - Community Life**

ITEM 7 (continued)**Background**

At the Council meeting on 28 September 2010, Council resolved:

That the General Manager prepare a report in consultation with Eastwood Police and other stakeholders to consider the merits of establishing an ongoing alcohol free zone in the Eastwood Town Centre area.

This resolution follows requests from the Eastwood Local Area Command, Australian Asian Association of Bennelong, and Eastwood Chamber of Commerce.

Report

The process of establishing an Alcohol Free Zone (AFZ) is governed by Section 646 of the *Local Government Act*. Ministerial Guidelines have been prepared by the Department of Local Government and must be used by councils when establishing an Alcohol Free Zone.

The Ministerial Guidelines (ATTACHED) require Council to prepare a Proposal (ATTACHED) and undertake a consultation regime before considering establishing AFZs.

A letter was received from the Eastwood Commander (ATTACHED UNDER A SEPARATE COVER) As this letter contains police intelligence and statistics, the Police have requested this letter remain confidential. The proposal has subsequently been prepared.

NSW Police would like to capitalise on the success of having Alcohol Free Zones as part of the Granny Smith Festival and have indicated an increasing trend in minor alcohol related crime within Eastwood Town Centre over the past five years. There are 40 licensed venues in Eastwood and this number is growing.

It is considered appropriate to establish an Alcohol Free Zone based on Police recommendations to provide a deterrent to anti-social behaviours and alcohol related crime in the proposed area and to allow Police to seize and dispose of alcohol from persons who choose to consume alcohol on the street.

Letters in support of the zones have also been received by the Australian Asian Association of Bennelong (ATTACHED) and the Eastwood Chamber of Commerce (ATTACHED).

The proposed Alcohol Free Zone would be located at Glen Street, Lakeside Road, Wingate Avenue, West Parade, Coolgun Lane, Progress Avenue, Hillview Lane, Rowe Street, Trelawney Street, Shaftsbury Road, Rutledge Street, First Avenue, East Parade, Railway Parade, Rowe Lane, Station Lane, Ethel Street, Ethel Lane, May Lane, May Street and the Western Side of Blaxland Road.

As discussed above, Council must conduct a consultation regime as indicated in the Ministerial Guidelines. The consultation regime includes the following parts:

- Publish a notice in newspaper allowing inspection of the proposal and invite representations or objections within 30 days.

ITEM 7 (continued)

- Exhibit the proposal at key customer service locations during the abovementioned 30 days, including customer service centres and Advisory Committees.
- Send the proposal to:
 - Police Local Area Commander and officer in charge.
 - Liquor licensees and secretaries of registered clubs whose premises border on or adjoin or are adjacent to the proposed zone.
 - Any known organisation representing or able to speak on behalf of an identifiable Aboriginal or culturally and linguistically diverse group.

Consultation

Internal Council business units consulted included:-

- Not Applicable

Internal Workshops held:-

- Not Applicable

City of Ryde Advisory Committees consulted included:-

- Crime Prevention Advisory Committee

External public consultation included:-

- Not Applicable

Comments

Crime Prevention Advisory Committee endorsed the recommendations this report to Council at its meeting on Thursday, 21 October 2010. The Committee commented that there was a need in Eastwood due to the number of licensed venues and recommends the Zones to Council.

Critical Dates

There are no critical dates or deadlines to be met.

Financial Impact

It is estimated that the total cost of the proposal is \$5,000

This proposal is not provided for in the current budget 2010/11) and could be funded from:

(II) revenue allocation by an adjustment in the next Quarterly review

There will be no on-going costs of maintaining this proposal.

It is anticipated that the proposal could be completed in this financial year (2010/11).

Policy Implications

There are no policy implications through adoption of the recommendation.

ITEM 7 (continued)**Other Options**

Council may choose not to establish the Alcohol Free Zones and monitor activities in these locations instead.

Conclusion

There is strong support for the Alcohol Free Zones from the Eastwood Local Area Commander combined with Police evidence and support from peak groups within the community. Staff support the Police and believe the Alcohol Free Zones are effective in these locations.

ITEM 7 (continued)

ATTACHMENT 1

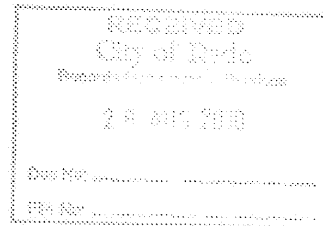
Eastwood Chamber of Commerce Inc

ABN 84 029 967 545
PO Box 60 Eastwood NSW 2122 (T) 02 9801 3330 (F) 02 8819 2077
Email: info@eastwoodchamber.com.au
Website: www.eastwoodchamber.com.au



25 August 2010

Mr John Neish
General Manager
City of Ryde
Locked Bag 2069
North Ryde NSW 1670

**ALCOHOL FREE ZONES**

Dear John,

We refer to the proposal to extend the alcohol free zone within the Eastwood town centre on the day of the Granny Smith Festival for a further three years.

On behalf of its members the Eastwood Chamber of Commerce would like to support this proposal.

Furthermore, we propose that the introduction of an alcohol free zone for the Eastwood town centre be introduced all year round. We have observed instances of public alcohol consumption within Glen Reserve Eastwood over the past few months where refuse is left for days before being taken away. The most recent occurrence was midweek in daylight hours when children and shoppers were using the pathways as a thoroughfare.

We request that council give consideration to an extension of their current proposal and that, for a trial period of three years, a 24/7 alcohol free zone be introduced in the Eastwood town centre.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Peter Sullivan'.

Peter Sullivan

ITEM 7 (continued)

ATTACHMENT 2



AUSTRALIAN ASIAN
ASSOCIATION OF BENNELONG
大堡士亞細亞協會 • 澳洲華人互助會

INC 9889038
www.aaab.org.au

30 August 2010

Mr John Neish
General Manager
City of Ryde
Locked Bag 2069
North Ryde NSW 1670



Dear John,

RE: EASTWOOD TOWN CENTRE – ALCOHOL FREE ZONES

The Australian Asian Association of Bennelong is not-for-profit, non-political community organisation made up of community group leaders and individuals with the aim of achieving greater harmony amongst different cultures. Our members include representative organisations such as the Sydney Korean Women's Association, Eastwood Chinese Senior Citizens Club, Feng Hua Chinese School and Meadowbank Chinese Neighbourhood Association.

We refer to the proposal to extend the alcohol free zone during the Granny Smith Festival in Eastwood Town Centre and confirm our support for this proposal.

We would like to also request that Ryde Council consider extending the alcohol free zone in Eastwood Town Centre to all times, not just during the Granny Smith Festival. We feel that this action will help alleviate some of the problems currently occurring in the Eastwood Town Centre including rubbish (such as alcohol) being left in public areas as well as the congregation of youths late at night. This will also assist in maintaining Eastwood as a safe and attractive location.

We thank you for your consideration of this matter and look forward to hearing from you in the future. Please feel free to contact myself on (02) 9804 6066 or our Secretary, Cherry Cheong on 0425 305 678 should you have any queries.

Yours faithfully,

Australian Asian Association of Bennelong

Brad Chan
President

Cherry Cheong
Secretary

Kon Hofstetter
Treasurer

Agnes Shim
Sydney Korean Womens Assoc

Hugh Lee
Eastwood Chinese Senior Citizens Club

PO Box 232, Eastwood NSW 2122

F: 02 9804 6160

info@aaab.org.au

ITEM 7 (continued)

ATTACHMENT 3

PROPOSAL TO ESTABLISH ALCOHOL FREE ZONES IN EASTWOOD

Background

The City of Ryde Council has received a request from Eastwood Local Area Command and community members to establish Alcohol Free Zones in the City of Ryde.

The proposed Alcohol Free Zones would be located within Eastwood Town Centre as indicated in the map below.

The City of Ryde can establish Alcohol Free Zones in the Council area under Section 646, of the *Local Government Act 1993* and in accordance with NSW Ministerial Guidelines. Council is required to comply with the procedures outlined in the Guidelines and the legislation in relation to the proposal to establish Alcohol Free Zones.

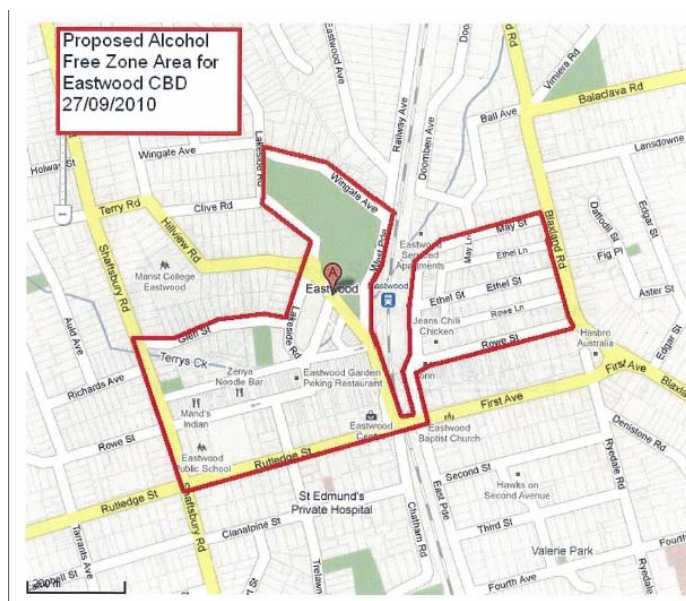
1. Reasons

The City of Ryde Council has received a request from the Eastwood Local Area Command for Alcohol Free Zones within the City of Ryde jurisdiction and the Eastwood Local Area Command. NSW Police would like to capitalise on the success of having Alcohol Free Zones as part of the Granny Smith Festival and have indicated an increasing trend in minor alcohol related crime within Eastwood Town Centre over the past five years. There are also a large number of licensed venues in Eastwood and this number is growing.

It is considered appropriate to establish an Alcohol Free Zone to provide a deterrent to anti-social behaviours and alcohol related crime in the proposed area and to allow Police to seize and dispose of alcohol from persons who choose to consume alcohol on the street.

2. Location

The proposed Alcohol Zone would be located Glen Street, Lakeside Wingate Avenue, West Parade, Coolgun Lane, Progress Avenue, Hillview Lane, Rowe Trelawney Street, Shaftsbury Road, Rutledge Street, First Avenue, East Parade, Railway Parade, Rowe Station Lane, Ethel Lane, May Lane, Street and the Western Blaxland Road.



Free
at
Road,

Street,

Lane,
Street,
May
Side of

ITEM 7 (continued)**ATTACHMENT 3****3. Duration of Operation**

The Ministerial Guidelines state that an Alcohol Free Zone may only operate for a maximum of three years. It is proposed therefore that this zone operates for three years.

PUBLIC CONSULTATION

All representations and comments are invited and must clearly state support or objection to the specific Alcohol Free Zone with reasons.

Submissions marked "Alcohol Free Zones" may be sent to:

City of Ryde
Attention: Chris Hellmundt
Road and Community Safety Project Officer
Locked Bag 2069
North Ryde NSW 1670

Or via email to: cityofryde@ryde.nsw.gov.au
Subject – Alcohol Free Zones

For telephone enquiries, please contact 9952 8222 during business hours.

Public Submissions must be received by Friday, 17 December 2010.

Organisations that were consulted on this process must respond with any comments or representations in writing within 30 days from receipt of the letter of proposal.

ITEM 7 (continued)

ATTACHMENT 4

**Ministerial
Guidelines
on
Alcohol - Free
Zones**

February 2009

ITEM 7 (continued)**ATTACHMENT 4****ACCESS TO SERVICES**

The Department of Local Government is located at:

Levels 1 & 2

5 O'Keefe Avenue
NOWRA NSW 2541

Locked Bag 3015
NOWRA NSW 2541

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

Level 9, 323 Castlereagh Street
SYDNEY NSW 2000

Locked Bag A5045
SYDNEY SOUTH NSW 1235

Phone 02 9289 4000
Fax 02 9289 4099

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

OFFICE HOURS

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(Special arrangements may be made if these hours are unsuitable)

All offices are wheelchair accessible.

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ITEM 7 (continued)

ATTACHMENT 4

FOREWORD

The NSW Government has made clear its determination to tackle the growing problem of anti-social behaviour and alcohol-related violence in our community. The Government has introduced a comprehensive package of initiatives to help address this issue, including amendments to the alcohol-free zone provisions in the *Local Government Act 1993* to give Police and local council enforcement officers more power to enforce alcohol-free zones.

These Ministerial Guidelines have been prepared under section 646(1) of the Local Government Act. The Guidelines take effect on 5 February 2009 replacing the previous Guidelines issued in 1995.

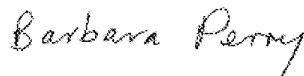
The principal object of an alcohol-free zone is to prevent disorderly behaviour caused by the consumption of alcohol in public areas in order to improve public safety.

Alcohol-free zones are most effective if they form part of a larger program in which the local community is actively involved directed at irresponsible alcohol consumption. Used in isolation they may only move the problem from one place to another.

The Guidelines provide councils with detailed procedures to be followed when considering the establishment of alcohol-free zones. The guidelines include details on the application process, consultation and operational requirements, as well as guidance on enforcing alcohol-free zones. Councils are encouraged to establish a good working relationship with their Police local area command to enhance the effectiveness of alcohol-free zones.

There is evidence that when alcohol-free zones are established in appropriate areas and operated with the required level of resources to promote and enforce the zones, they are an effective tool in assisting Police and councils manage public safety.

I encourage all councils to consider the appropriate use of alcohol-free zones to manage alcohol related anti-social behaviour in their community.



The Hon. Barbara Perry, MP
Minister for Local Government
5 February 2009

ITEM 7 (continued)**ATTACHMENT 4**

Ministerial Guidelines on Alcohol-Free Zones

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ITEM 7 (continued)**ATTACHMENT 4**

Ministerial Guidelines on Alcohol-Free Zones

INTRODUCTION

The object of alcohol-free zones is an early intervention measure to prevent the escalation of irresponsible street drinking to incidents involving serious crime.

The drinking of alcohol is prohibited in an alcohol-free zone that has been established by a council. Public places that are public roads, footpaths or public carparks may be included in a zone. Alcohol-free zones promote the use of these roads, footpaths and carparks in safety and without interference from irresponsible street drinkers.

Any person living or working within an area, the local police or a local community group may ask a council to establish an alcohol-free zone or a council itself may decide to do so. A proposal to establish an alcohol-free zone must in all cases be supported by evidence that the public's use of those roads, footpaths or public carparks has been compromised by street drinkers. For example, there could be instances of malicious damage to property, littering, offensive behaviour or other crimes.

The council must undertake a consultation process to decide if an alcohol-free zone is appropriate. Once established by council resolution, the roads, footpaths and public carparks within the zone must be signposted and notice of the zone must appear in the local press. The maximum duration of an alcohol-free zone is four years, although it may be re-established at the conclusion of the original period, following a review by council of its continuing applicability. Alcohol-free zones may also be established for special events only.

Alcohol-free zones are enforced by the police or by council enforcement officers where the Commissioner of Police gives written authorisation. Any person observed to be drinking in an alcohol-free zone may have the alcohol in their possession immediately seized and tipped out or otherwise disposed of.

Alcohol-free zones are most effective if they are part of a larger program directed at irresponsible alcohol consumption in which the local community is actively involved. Used in isolation they may only move the problem from one place to another.

These Ministerial Guidelines provide local councils with detailed procedures which must be followed in the establishment of an alcohol-free zone. They supplement the relevant provisions of the *Local Government Act 1993*.

Each of the paragraphs of these Guidelines are accompanied by the relevant section reference in the Act. As set out in section 646 of the Local Government Act, the Ministerial Guidelines must be used by councils when establishing an alcohol-free zone.

The Commissioner of Police may separately issue directions relating to the enforcement of alcohol-free zones.

ITEM 7 (continued)**ATTACHMENT 4**

Ministerial Guidelines on Alcohol-Free Zones

GUIDELINES FOR COUNCILS**VALID ESTABLISHMENT OF AN ALCOHOL-FREE ZONE****sections 644, 644A, 644B, 644C and 646**

To validly establish an alcohol-free zone a council must comply with the procedures in sections 644 to 644C of the Local Government Act as well as those set out in these Guidelines.

The Act identifies that alcohol-free zones can be established in those areas which have identified problems with regard to street drinking.

APPLICATION FOR AN ALCOHOL-FREE ZONE**section 644 (1) and (2)**

One or more of the following people may make application to a local council to establish an alcohol-free zone:

- a person who is a representative of a community group active in the area,
- a police officer, or
- a person who lives or works in the area.

An application to the relevant council is to be made in the form set out at Appendix 1 to these Guidelines. A council may adapt the form, provided the same information is required as a minimum. Councils may consider making the application form available on their website.

An application fee is not appropriate.

If council receives more than one application referring to the same roads, footpaths or public carparks, they may be joined in a single alcohol-free zone proposal.

PROPOSAL FOR THE ESTABLISHMENT OF AN ALCOHOL-FREE ZONE**section 644**

A council may prepare a proposal for the establishment of an alcohol-free zone. In this case, receipt of an application is not necessary as the council itself is initiating action for a zone.

A proposal must be prepared in respect of every proposed alcohol-free zone.

An alcohol-free zone is a means by which a council may limit the locations within its area where the consumption of alcohol is permitted. Because it will impose restrictions on the personal freedom of citizens, a proposal to establish a zone must adequately address the following matters:

ITEM 7 (continued)**ATTACHMENT 4****Ministerial Guidelines on Alcohol-Free Zones****1 Reasons to Support an Alcohol-Free Zone**

The irresponsible consumption of alcohol on roads and footpaths and in public carparks can compromise their safe use by members of the public without interference. Each individual zoning is to be considered according to its particular circumstances.

Reasons for supporting alcohol-free zones must be included and must reflect the fact that irresponsible behaviour arising from the consumption of alcohol is occurring on those roads and footpaths and in those public carparks included in the proposal. This could involve instances of obstruction, littering, the actual commission of, or police intervention to avoid the commission of, more serious offences under the *Law Enforcement (Powers and Responsibilities) Act 2002*, *Summary Offences Act 1988* or the *Crimes Act 1900*, such as malicious damage, etc.

It is not appropriate to consider an alcohol-free zone for reasons that are unrelated to the irresponsible behaviour of drinkers, for example, the congregation of drinkers where irresponsible behaviour does not occur, general conduciveness to business or tourist activities or the personal beliefs of particular citizens.

2 Location of an Alcohol-Free Zone

An alcohol-free zone may only be established to include a public road, footpath or a public place that is a carpark (ie carparks on public land or Crown land). Private carparks (being on private land and not under the control of the council) may not be included.

Generally, an alcohol-free zone should be as small as is possible and must only extend to areas which can be supported by reasons as set out in point 1 above. However, larger alcohol-free zones, sometimes known as 'whole-town' alcohol-free zones may be effective in some rural and remote towns where they are supported generally by all stakeholder groups in that community. There are legal issues that need to be considered by councils when such 'whole-town' zones are proposed, as some relevant areas of a town will not be public roads, footpaths or public carparks.

Large alcohol-free zones need to be established in a way which is complementary with public places signposted under section 632 of the *Local Government Act 1993*. It is not usually appropriate to establish an entire local government area, or a substantial part of that area, as an alcohol-free zone. Similarly, it would usually be inappropriate to zone the greater part of a town, suburb or urban area as alcohol-free.

Alcohol-free zones should primarily be located adjacent to outlets supplying alcohol where drinkers congregate. In the absence of such an outlet a zoning should be considered only in exceptional circumstances. For example, a known hot spot for inappropriate street drinking may be in a public carpark adjacent to a beach or public reserve, but which is many kilometres from an outlet supplying alcohol.

ITEM 7 (continued)**ATTACHMENT 4****Ministerial Guidelines on Alcohol-Free Zones*****Alcohol-free zones and alfresco dining***

In some circumstances an alcohol-free zone may be proposed for an area that includes footpath alfresco dining areas for cafés and restaurants which fall within the zone. When a council issues a licence for the use of public footpaths for such dining use in an alcohol-free zone, it must impose conditions on the licensee (eg restaurant operator) about the requirements of the zone, including clear delineation and control of the licensed area from the alcohol-free zone.

3 Duration of an Alcohol-Free Zone

An alcohol-free zone may be established for a maximum period of four years. Once established, it applies twenty-four hours per day.

Where a problem with irresponsible street drinking exists only in relation to a special event within the local area, an alcohol-free zone may be established only for that special event. A "special event" is not defined in the Local Government Act. It could be applied to any event that is of significance to the local area, for example, a local show day, a cultural event such as Tamworth's Country Music Festival, or a particular time of year such as New Year's Eve celebrations. It is for the relevant council to decide what is a "special event" for the purposes of establishing an alcohol-free zone.

An alcohol-free zone declared for a special event also has a maximum duration of four consecutive years. The proposal and related signage needs to define the special event that the alcohol-free zone relates to.

The duration of an alcohol-free zone established prior to 3 December 2008 is not extended.

4 Consultation with the Police

In preparing a proposal to establish an alcohol-free zone a council must consult with the relevant Police Local Area Commander about the appropriate number and location of alcohol-free zones.

COUNCIL CONSULTATION WITH INTERESTED PARTIES**section 644A**

After preparing a proposal to establish an alcohol-free zone a council is required to undertake a public consultation process. The process under the Act involves all of the following:

1. Publish a notice of the proposal in a newspaper circulating in the area of the proposed alcohol-free zone, allow inspection of the proposal and invite representations or objections within 30 days from the date of publication. The notice should state the exact location of the proposed alcohol-free zone, and the place and time at which the proposal may be inspected.

ITEM 7 (continued)**ATTACHMENT 4****Ministerial Guidelines on Alcohol-Free Zones**

2. Send a copy of the proposal to:

- a) the Police Local Area Commander and the officer in charge of the police station within or nearest to the proposed zone,
- b) liquor licensees and secretaries of registered clubs whose premises border on, or adjoin or are adjacent to, the proposed zone,

and invite representations or objections within 30 days from the date of sending the copy of the proposal, AND

3. Send a copy of the proposal to the NSW Anti-Discrimination Board, if the local area is listed in Appendix 2 to these Guidelines, and invite representations or objections within 30 days from the date of sending the copy of the proposal. Other councils have the option of advising the Board if they wish to seek the Board's views on the proposed alcohol-free zone.

In addition to these statutory requirements there are other consultative avenues that may enhance the effectiveness of any alcohol-free zone that is subsequently established. Accordingly, a council is also required to:

4. Send a copy of the proposal to any known organisation representing or able to speak on behalf of an identifiable Aboriginal or culturally and linguistically diverse group within the local area and invite representations or objections within 30 days from the date of sending the copy of the proposal.

A council is to give proper consideration to any representations, submissions or objections received and as a result may amend or withdraw a proposal to establish an alcohol-free zone. However, any amendment that extends the location of the proposed alcohol-free zone must be supported by reasons (as outlined above).

COUNCIL RESOLUTION TO ESTABLISH AN ALCOHOL-FREE ZONE**section 644B (1) and (2)**

After complying with the procedures a council may, by resolution, adopt a proposal to establish an alcohol-free zone. The resolution itself will establish the zone.

After resolution, a council's usual administrative processes would apply in informing interested parties including any applicant, the Anti-Discrimination Board (if applicable), the relevant police Local Area Commander and officer in charge of the local police station (if different), affected liquor licensees and club secretaries and other organisations advised of the original proposal.

OPERATION OF AN ALCOHOL-FREE ZONE**section 644B (3) and (4)**

A council must publicly advise the establishment of an alcohol-free zone by notice published in a newspaper circulating in the area that includes the zone.

An alcohol-free zone will not operate until 7 days after publication of the notice AND until the roads, footpaths and public carparks affected are adequately signposted.

ITEM 7 (continued)**ATTACHMENT 4****Ministerial Guidelines on Alcohol-Free Zones****Signage for Alcohol-Free Zones**

A council is required to consult with the police regarding the placement of signs.

As a minimum, signs are to be placed at the outer limits of the zone, at the site of specific trouble spots (as indicated by the police) and at other suitable intervals within the zone.

Signs designating an alcohol-free zone must indicate that the drinking of alcohol is prohibited in the zone. Signs should note that alcohol may be seized and disposed of if alcohol is being consumed in the zone. Starting and finishing dates for the operation of the zone should also be included.

It is recommended that signs use consistent, easily recognisable symbols and include a map of the area defining the location of the zone. Some councils may choose to complement erected notices with spray-painted no-alcohol symbols on the footpaths.

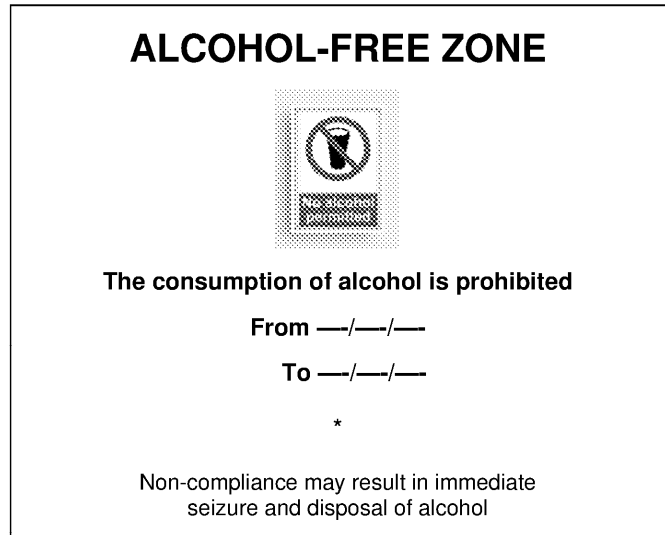
Graphic representation on signs is an option. However, Standards Australia does not have an internationally recognised symbol for alcohol and considers that depiction of a bottle, glass AND can would be ideal to avoid confusion. The International Organisation for Standardisation (ISO) provides advice on methods that can be used to create different types of prohibition signs (ISO 7010-2003 *Safety Signs used in Workplaces and Public Areas*). This can be read with ISO 3864.3-2006 (*Design Principles for Graphical Symbols for use in Safety Signs*) which is used to ensure symbols and signs have the intended meaning and can be comprehended by persons as they enter the area the sign applies to. The Standard provides sizing requirements and font sizes for letters used in symbols.

Councils are encouraged to utilise symbols on their signage which don't rely on high levels of literacy.

The local Aboriginal community may be engaged to design signs which are also appropriate for their community.

ITEM 7 (continued)**ATTACHMENT 4****Ministerial Guidelines on Alcohol-Free Zones**

The content of the sign below is considered a minimum standard.



** Insert appropriate directional arrow or map*

On such signs the dates may be inserted in a manner that allows re-use of the sign, provided the dates cannot be removed during the period of operation.

Signs are to be removed as soon as practicable, but no longer than 30 days, after the end date of an alcohol-free zone.

SUSPENSION OR CANCELLATION OF AN ALCOHOL-FREE ZONE**section 645**

The power to suspend or cancel an alcohol-free zone during its period of operation is provided so that a council may respond to more immediate situations that arise within the area of the zone.

A council must pass a valid resolution to suspend or cancel a particular alcohol-free zone. Such action may be taken as a result of a request received from any person or body, or at a council's own initiative.

Liaison with the local police, before and after the council resolution, is essential to ensure that both groups are informed and action is coordinated. Additionally, a council may undertake any other consultation that it considers necessary.

A council must publish notice of a suspension or cancellation as required under section 645 (1) and (3). In the case of cancellation of an alcohol-free zone the signs should be removed immediately.

ITEM 7 (continued)**ATTACHMENT 4****Ministerial Guidelines on Alcohol-Free Zones**

A council is not limited in the reasons for which it may suspend or cancel an alcohol-free zone. A suspension would not usually be appropriate for any period longer than one month, and generally would be of a much shorter duration eg. to accommodate a specific community event. Alcohol-free zone signage should be removed for the duration of any suspension of the zone.

The four year operation of an alcohol-free zone is not extended by any suspension occurring within that period.

RE-ESTABLISHMENT OF AN ALCOHOL-FREE ZONE**section 644B(4)**

An alcohol-free zone is essentially a short-term control measure and in many instances a zone will achieve the desired objectives within its operational period.

There is no general provision for an alcohol-free zone to be extended. However, the roads, footpaths or public car parks comprising a zone may be included in another alcohol-free zone of the same or different configuration, immediately following the cessation of the existing zone or at any future time.

All the requirements for the valid establishment of a zone apply whether or not any of the roads, footpaths or car parks concerned have previously been zoned as alcohol-free.

Where a proposal for an alcohol-free zone includes roads, footpaths or public car parks that have previously been zoned as alcohol-free, a council is to have regard to that previous zoning.

The evaluation criteria that councils use when considering the re-establishment of an alcohol free zone should include the following:

- what were the factors which originally supported a zoning in that area?
- how successful was the previous alcohol-free zone in achieving a reduction in unacceptable street drinking?
- what do police statistics indicate about the value of re-establishing an alcohol-free zone in that area?
- what other measures may need to be considered (eg a community education program) if unacceptable street drinking is still of concern in that area?
- has the community's perceptions of safety improved?

The re-establishment procedure provides a council with the opportunity to focus again on any community problems associated with irresponsible alcohol consumption and the range of strategies that may be implemented to address these problems.

ITEM 7 (continued)**ATTACHMENT 4**

Ministerial Guidelines on Alcohol-Free Zones

RECORDING OF ALCOHOL-FREE ZONES

The maintenance of appropriate records is essential for established alcohol-free zones. As a minimum, records need to be kept in sufficient detail:

- to document that all the steps for valid establishment have been undertaken
- to provide for removal of signs at the conclusion of the zone's operation
- to identify suspensions or cancellations of alcohol-free zones
- to avoid overlap in the establishment of alcohol-free zones
- to provide a reference base where re-establishment of an alcohol-free zone is sought.

ENFORCEMENT OF ALCOHOL-FREE ZONES**sections 642 and 648**

Alcohol-free zones may be enforced by any officer of the NSW Police Force or an enforcement officer. An enforcement officer means an employee of a council authorised in writing by the Commissioner of Police to be an enforcement officer for the purpose of section 642 of the Local Government Act.

The legislation applies to all persons, including minors.

The power to seize and tip out or otherwise dispose of alcohol without the need to issue a warning applies within an alcohol-free zone.

Where a council has authorised enforcement officers, the council will be required to adopt a procedure regarding the disposal of any alcohol that is seized.

A Police officer or authorised council enforcement officer may use their discretion to issue a warning to a person who is drinking in an alcohol free zone, for example, where the person may be unaware of the zone.

It should also be noted that in circumstances where a person does not co-operate with a Police officer or authorised council enforcement officer, they can be charged with obstruction under section 660 of the Local Government Act which carries a maximum penalty of \$2,200.

The Commissioner of Police has the power to authorise council officers to enforce alcohol-free zones. The Commissioner may delegate his or her authority to Police Local Area Commanders. Where councils identify benefits to their communities for their officers to enforce alcohol free zones, the general manager will need to liaise with the Local Area Commander to ensure that council officers are suitable for this enforcement role.

Only authorised employees of a council and not contractors, who may be otherwise engaged by a council to provide regulatory services, may be authorised for this purpose.

Councils are responsible for ensuring that their authorised enforcement officers have appropriate identification to support this enforcement role.

ITEM 7 (continued)**ATTACHMENT 4****Ministerial Guidelines on Alcohol-Free Zones**

Councils with authorised council enforcement officers need to establish a system to record the number of occasions that these officers enforce the Alcohol-Free Zone legislation in their area. This should include monitoring the number of authorised council enforcement officers and how often alcohol is tipped out or otherwise disposed of. Councils may from time to time be required to report this data to the Department of Local Government to inform the evaluation of the usage of the Alcohol-Free Zone powers by councils.

It is important that the Police Local Area Commander and the officer-in-charge of the local police station (if different) are involved in the establishment procedure so that the zone operates and is enforced most effectively.

ALCOHOL-FREE ZONES AND COMMUNITY EDUCATION

As well as the requirement to publish information in the local media about the establishment of an alcohol-free zone, the community will be better educated about the intent of the alcohol-free zone if a community education campaign is run in line with the establishment of the zone.

Councils may wish to engage their local Community Drug Action Team or Drug and Alcohol Service within their Area Health Service so that responsible drinking messages can be promoted within the community to coincide with the establishment of the alcohol-free zone.

Posters and other information about the consequences of irresponsible street drinking may be displayed in local licensed premises and bottle shops. Collaboration between council, the police and stakeholders including liquor licensees may be assisted through a local Liquor Accord. Further information on Liquor Accords is available on the Office of Liquor, Gaming and Racing website at www.olgr.nsw.gov.au.

ITEM 7 (continued)**ATTACHMENT 4**

Ministerial Guidelines on Alcohol-Free Zones

CONTACTS**Department of Local Government**

Level 1, 5 O'Keefe Avenue
(Locked Bag 3015)
Nowra, 2541

Telephone: (02) 4428 4100

Website: www.dlg.nsw.gov.au

Anti-Discrimination Board

Level 4, 175 Castlereagh Street,
Sydney
(PO Box A2122, Sydney South, 1235)

Telephone:

General Enquiry Service & Employers Advisory Service (02) 9268 5544
For rural and regional New South Wales only 1800 670 812

Website: www.lawlink.nsw.gov.au/adb

NSW Police Service

1 Charles Street
(Locked Bag 5102)
Parramatta, 2150

Telephone: 1800 622 571

Website: www.police.nsw.gov.au

ITEM 7 (continued)**ATTACHMENT 4**

Ministerial Guidelines on Alcohol-Free Zones

Appendix 1

APPLICATION FOR ALCOHOL-FREE ZONE

(Local Government Act 1993, section 644)

To(Name of Council)

1 I
(Full Name)2 of
(Address) (Telephone No.)3 **Being** (tick appropriate box):(a) ☐ a representative of
(Name of Community Group in area)(b) ☐ a police officer stationed at(c) ☐ a person living in the area(d) ☐ a person working in the area at
(work address)

apply to the Council to establish an alcohol-free zone.

4 **Roads or parts of roads ('roads' includes 'footpaths') and/ or public car parks to be included in the alcohol-free zone:**.....
.....
.....
(Specify exactly by referring to street numbers or other landmarks)5 **Reasons for requesting the alcohol-free zone:**.....
.....
.....

(Give details of obstruction, littering, personal injury, property damage, police intervention, etc. that have occurred on those roads or in those car parks)

Signed.....

Date.....

Documents supporting the information on this form may be attached.

ITEM 7 (continued)**ATTACHMENT 4**

Ministerial Guidelines on Alcohol-Free Zones

Appendix 2**COUNCILS WHICH MUST CONSULT WITH
THE ANTI-DISCRIMINATION BOARD**

Sixteen councils are required to consult with the NSW Anti-Discrimination Board in their establishment of an alcohol-free zone to provide a measure of protection against the possibility of a discriminatory impact upon certain groups in the community. These councils are:

Blacktown
Bourke
Campbelltown
Dubbo
Kempsey
Lake Macquarie
Liverpool
Moree Plains
Newcastle
Penrith
Randwick
Shoalhaven
South Sydney
Tamworth
Walgett
Wollongong

8 CHRISTMAS NEW YEAR ARRANGEMENTS - NOTIFICATION PERIOD FOR DEVELOPMENT APPLICATIONS & DELEGATIONS TO THE MAYOR AND GENERAL MANAGER

Report prepared by: Manager Assessment

Report dated: 27/10/2010

File No.: GRP/10/4/001/6 - BP10/657

Report Summary

Over the Christmas period Council has, in the past, adopted a policy to modify the notification period for DAs to ensure that interested persons have adequate time to review the proposal and prepare submissions.

It is recommended that a policy be adopted this year and this aligns with the publication of the Ryde City View.

This report also seeks Council's endorsement to delegate any functions of Council in accordance with Section 377 of the Local Government Act 1993 to the Mayor and General Manager during the Christmas/New Year period from 15 December 2010 to 01 February 2011.

RECOMMENDATION:

- (a) That the report of the Manager Assessment, dated 27 October 2010 on CHRISTMAS NEW YEAR ARRANGEMENTS - NOTIFICATION PERIOD FOR DEVELOPMENT APPLICATIONS & DELEGATIONS TO THE MAYOR AND GENERAL MANAGER, be endorsed.
- (b) That the increase in the notification periods for Development Applications during the Christmas/New Year (2010/11) period as outlined in the report be approved.
- (c) That the Group Manager Environment & Planning have discretion to hold any application received in late November or December that would be of significant public interest from advertising / notification until Ryde City View 5 January 2011 or first 2011 publication date.
- (d) That this approach be endorsed by Council for the term of the current Council.
- (e) That during the period 15 December 2010 to 01 February 2011, the Mayor and General Manager be delegated any functions of the Council that may lawfully be delegated under Section 377 of the Local Government Act provided the functions are exercised in compliance with the relevant Council policy and where no such policy exists, with all due caution.
- (f) That all decisions made by the Mayor and General Manager under this resolution be communicated to all Councillors as soon as reasonably possible.

ATTACHMENTS

- 1 Local Government Act 1993 - Section 377: General power of the Council to delegate

ITEM 8 (continued)

Report Prepared By:

Liz Coad
Manager Assessment

Report Approved By:

Dominic Johnson
Group Manager Environment & Planning

ITEM 8 (continued)**Background**

In the past Council has adopted a policy to increase the time period for notification during the Christmas period usually starting in early December.

If a development application required advertising as well as notification than any extended time period needs to align with the publication of the Ryde City View.

Ryde City View publication dates for December / January are: 8 December 2010 and 5 January 2011 (The first publication date in 2011 is subject to confirmation). Advertisements are prepared two weeks in advance of publication date.

To Note: Council offices are closed from lunchtime 24 December 2010 reopening on 4 January 2011.

Report

The following outlines the proposed extended notification arrangements recommended for the 2010 / 2011 Christmas / New Year Period:-

- 1) Any development application received & notified in the period 6 December to 24 December 2010 and 4 January to 14 January 2011 requiring 14 days under Council's DCP be extended to 28 days.
- 2) Any development applications received after 6 December 2010 that requires advertising in the Ryde City View be advertised in the first available Ryde City View in January 2011 and not notified over the Christmas / New Year Period.
- 3) Any development application being advertised in the last Ryde City View for 2010 on 8 December 2010 which would have been received by Council prior to 8 December 2010 be subject to a double notification period, e.g. Multi Dwelling Housing requires 21 days now 42 days.

It is also proposed that discretion be given to the Group Manager Environment & Planning to hold in abeyance any application received late November / early December that may be of significant public interest from advertising until the first Ryde City View in January 2011.

During the period of extended notification, assessment for all DAs will continue so as to minimise delays for applicants.

In accordance with the Meeting schedule endorsed by Council, the final Council meeting of the year will be held on Tuesday 14 December 2010. The first Committee meetings in the New Year will be held on Tuesday 01 February 2011, with the first Council meeting to be held on Tuesday 08 February 2011. If considered necessary at any time, an extraordinary meeting can be called during this period.

ITEM 8 (continued)**Conclusion**

Providing for additional notification during the Christmas period ensures that interested persons have adequate opportunity to advise Council of their concerns. Aligning these additional timeframes to the publication dates for the Ryde City View will ensure continuity of services for applicants and objectors.

It is necessary for the normal delegation of authority to be granted to the Mayor and General Manager for the period of the Christmas/New Year break in between meetings. This power is delegated pursuant to Section 377 of the Local Government Act (**ATTACHED**). This delegation is exactly the same delegated power that has been granted by Council in previous years to the Mayor and General Manager.

ITEM 8 (continued)**ATTACHMENT 1****LOCAL GOVERNMENT ACT 1993 - SECT 377**
General power of the council to delegate**377 General power of the council to delegate**

- (1) A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council, other than the following:
- (a) the appointment of a general manager,
 - (b) the making of a rate,
 - (c) a determination under section 549 as to the levying of a rate,
 - (d) the making of a charge,
 - (e) the fixing of a fee,
 - (f) the borrowing of money,
 - (g) the voting of money for expenditure on its works, services or operations,
 - (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),
 - (i) the acceptance of tenders which are required under this Act to be invited by the council,
 - (j) the adoption of an operational plan under section 405,
 - (k) the adoption of a financial statement included in an annual financial report,
 - (l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,
 - (m) the fixing of an amount or rate for the carrying out by the council of work on private land,
 - (n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,
 - (o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979 ,
 - (p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,
 - (q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons,
 - (r) a decision under section 234 to grant leave of absence to the holder of a civic office,
 - (s) the making of an application, or the giving of a notice, to the Governor or Minister,
 - (t) this power of delegation,
 - (u) any function under this or any other Act that is expressly required to be exercised by resolution of the council.
- (2) A council may, by resolution, sub-delegate to the general manager or any other person or body (not including another employee of the council) any function delegated to the council by the Director-General except as provided by the instrument of delegation to the council.

9 KNOWLEDGE CITIES WORLD SUMMIT - COUNCILLOR ATTENDANCE AT CONFERENCE

Report prepared by: Councillor Support Coordinator

Report dated: 25/10/2010

File No.: CLR/07/8/20 - BP10/652

Report Summary

This report is presented to Council for its consideration in having Councillor/s attend the 2010 Knowledge Cities World Summit to be held in Melbourne, from Tuesday, 16 November to Friday, 19 November 2010

RECOMMENDATION:

That Council consider the attendance of Councillor/s who have nominated to attend the Melbourne 2010 Knowledge Cities World Summit being held in Melbourne from 16 to 19 November 2010.

ATTACHMENTS

1 COUNCILLOR ATTENDANCE AT CONFERENCE GUIDELINES

Report Prepared By:

Sheron Chand
Councillor Support Coordinator

Report Approved By:

Shane Sullivan
Manager - Governance

Roy Newsome
Group Manager - Corporate Services

ITEM 9 (continued)**Report**

The Summit program will focus on providing attendees with a substantial mix of academic and practitioner presentations and workshops giving an overview of both the theory and tangible examples of knowledge cities at work. The Summit overview documents are **CIRCULATED UNDER SEPARATE COVER**.

Melbourne 2010 Knowledge Cities World Summit aims to bring together leaders who understand and shape how cities develop to create local life spaces and professional environments offering a quality of life to citizens as they cope with challenges of modern life.

Invitation to Councillors:

Conference details were emailed to all Councillors and expressions of interest to attend were requested by Friday, 30 October 2010. The following Councillor/s responded, indicating their interest in attending;

- Councillor Tagg
- Councillor Pickering

In accordance with Councils recently endorsed Councillor Attendance at Conference Guideline, this item is submitted for Council's consideration.

The purpose of this report is for Council to consider the attendance of Councillor/s who have requested to attend this conference.

Staff attendance:

The General Manager has advised that it is not proposed to send any staff to this Conference.

Critical Dates

Council will not be able to take advantage of the Early Bird discount which closed on 30 August 2010. There was an addition discount period that closed on 16 October 2010.

Financial Impact

Registration costs for the conference are \$1,100 per person. It is estimated that accommodation and travel expenses will be approximately \$1,000. Total costs for attending this Conference would be approximately \$2,100 per attendee.

ITEM 9 (continued)

Currently there is an allocation of \$30,000 in the 2010 – 2011 budget for Councillor attendance at conferences. The table below outlines an estimation of the balance remaining.

Date of Resolution	Item	Councillors	Balance
1 July 2010	Budget for 2010/11		\$30,000
27 July 2010	LGA Conference Estimated cost - \$13,800 (\$2,300 per attendee)	Etmekdjian Campbell Maggio Yedelian OAM Petch O'Donnell	\$16,200
27 July 2010	One Convention Estimated cost - \$297	Yedelian OAM	\$15,903
13 August 2010	Bike Futures Conference Estimated cost - \$3,230 (\$1,615 per attendee)	Maggio Perram	\$12,673
12 October 2010	2010 Australian Local Government Women's Association National Conference Estimated cost - \$1,000 (\$500 per attendee)	Campbell O'Donnell	\$11,673
25 October 2010	2010 Local Government Procurement Conference Estimated cost - \$495	Etmekdjian	\$11,178

Estimated Balance Remaining should both Councillors attend: \$6,978

Policy Implications

The Policy on the Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors sets out the entitlements for Councillors attending such Conferences, and the Guidelines for Councillor Attendance at Conferences are **ATTACHED**.

Other Options

Council could resolve to not send a Councillor to this conference.

Conclusion

It is recommended that Council consider the attendance of Councillor/s who have nominated to attend this conference. Council's representative/s will be required to provide an overview report to Councillors on the key initiatives being undertaken as advised at the conference.

ITEM 9 (continued)

ATTACHMENT 1



Councillor Attendance at Conferences Guideline

Related Policy

This guideline sets out the criteria to determine the attendance of Councillors at Conferences. It relates to the Policy on the Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors.

Guidelines

Council acknowledges the value of Councillor attendance at conferences to enable them to be both knowledgeable and current on issues affecting the City of Ryde. In order to ensure that attendance at Conferences is equitable, transparent and consistent, attendance will be limited as follows:

1. Local Government Association Conference – the number of voting delegates plus one. Details of the delegates and attendee to be determined by resolution of Council.
2. Australian Local Government Association Conference.
3. In addition, to 1 and 2 above, every Councillor is entitled to attend one conference in either NSW, Canberra, metropolitan Brisbane or metropolitan Melbourne. The conference must directly relate to the business of Council. More than one Councillor may attend the same conference if Council resolves that this will be beneficial for both Council and the Councillors concerned.
4. Within 2 months after the conference the attending Councillor must report to Council on the proceedings of the conference. That report will be included in the Councillors Information Bulletin.
5. No Councillor can attend a Conference without the prior approval of Council. Reports to Council are to include details of the Conference and an estimate of the associated costs including registration, transport and accommodation.
6. Council may resolve that a Councillor can attend more than one conference per year but this determination will be dependant on budgetary constraints and with an emphasis on ensuring that all Councillors have equal access to conferences.
7. Each year, as part of the review of the Policy on the Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors, Council officers will provide a full report of expenditure and Conference attendance by Councillors.

Councillor Attendance at Conferences guideline		
Owner: Governance Unit	Accountability: Mayoral and Councillor support service	
Trim Reference: D10/77193	Policy: Payment of Expenses and Provision of Facilities for the Mayor and other Councillors	One Page only

10 REPORT ON OUTSTANDING RESOLUTIONS

Report prepared by: Manager - Governance

Report dated: 02 November 2010

File No.: GRP/10/3/001/6 - BP10/406

Report Summary

This Outstanding Resolutions Report is presented to Council for its consideration, as resolved at Council Meeting of 08 June 2010.

The report has been produced as at 02 November 2010 and is **ATTACHED**.

This Report is formally submitted to Council to review the status of outstanding items and confirm the date reports are due to be reported back to Council. The Report details all outstanding resolutions, the last advice to Councillors of when the matter would be reported back to Council, where applicable the anticipated date for the report to Council and supporting comments on the item.

RECOMMENDATION:

That the report on Outstanding Resolutions be endorsed.

ATTACHMENTS

- 1 Outstanding resolutions

Report Prepared By:

Shane Sullivan
Manager - Governance

Report Approved By:

Roy Newsome
Group Manager - Corporate Services

ITEM 10 (continued)

ATTACHMENT 1

Outstanding Resolutions - Report

Meeting Details	Resolution	Due Date of Report	Comments
Works and Community 8/04/2008	BUSHLAND WALKING TRACKS Report on developing a strategy to manage bushland walking tracks	Due Date of Report 18/05/2010 Anticipated date 2/11/2010 Group Community Life Responsible Officer Peter Montague	Comments Data collection being undertaken currently. Update provided to BEACR in February 2009. Workshop with Councillors June 2009. A report to be presented to Works & Community on 18 May 2010. Report being prepared for WC in July 2010. Report delayed due to Natural Areas Contracts negotiations. Information being compiled for 2 November 2010 report.
Meeting Details Council 13/10/2009	Resolution PLAYING FIELD LIGHTING PROGRAM 2009/2010 - Proposed Projects GM 17/09 Item 11 (d) That a further report be submitted to Council on Pidding Park, proposed sports lighting once the NSW grant funding is determined.	Due Date of Report 1/05/2010 Anticipated date 1/08/2010 Group Community Life Responsible Officer Peter Montague	Comments Council was unsuccessful in its application for Community Building Partnership Grant. Council has applied for a NSW Sports & Recreation Facility Grant, which it is anticipated will be determined by August 2010 - Report to the Committee of the Whole to follow. Report expected 16 November 2010.

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ITEM 10 (continued)

ATTACHMENT 1

Meeting Details Council 20/10/2009	Resolution PUBLIC- PRIVATE PARTNERSHIP (PPP) - Bevelleda and Council and City of Ryde - Signage Rights, Southern Pedestrian Bridge, North Face. GM 18/09 Item 7 (b) That consideration of this matter be deferred and a further report be presented back to Council providing supplementary information and options for Council's consideration.	Due Date of Report 27/04/2010 Anticipated date 1/09/2010 Group Public Works Responsible Officer Malcolm Hurrell	Comments Report expected 27 April 2010. Negotiations have commenced with the Developer concerning any income which Council could expect from its portion of the Bridge signage. However, the Developer has declined to take the signage package to the market for tender, as the advertising market is generally depressed at the present time, and has decided to await market recovery in order to secure the best price. Report anticipated by November 2010. (Updated 14/10/10) City of Ryde will meet in mid-November 2010 with its own Consultant to discuss the potential of utilising the advertising sign (ie Council's sign) on the northern face of the southern bridge to produce income for Council. (Updated 01/11/10).
Meeting Details Council 8/12/2009	Resolution NOTICE OF MOTION 5:CEO FORUM - Councillor Salvestro-Martin (a) That the General Manager report to Council on the cost and feasibility of implementing a CEO Forum. The CEO forum event would focus on large companies and is a tangible outcome, consistent with the Economic Development Strategy, where the City of Ryde can show cohesive leadership and representation of the City's economic interests. (b) That this Motion be referred to the Economic Development Advisory Committee for their comment and feedback.	Due Date of Report 9/11/2010 Anticipated date 22/02/2011 Group Environment and Planning Responsible Officer Meryl Bishop	Comments Report delayed in part due to the necessity to recruit a new Economic Development Officer who would have primary carriage of this process. Report to Council Meeting on 22 February 2011.

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ITEM 10 (continued)

ATTACHMENT 1

Meeting Details Council 11/05/2010	Resolution 745 VICTORIA RD, RYDE Notice of Motion 3 That the General Manager prepare a report for Council detailing the development options of all Council's investment properties.	Due Date of Report 22/06/2010 Anticipated date 9/11/2010 Group Public Works Responsible Officer Michael Betts	Comments Report expected for Council at it's meeting to be held on 20 July 2010. It is intended that this Report will also cover all of Council's investment property portfolio. (Updated 29/6/10). This subject will be included in a wider Report on Council's Property Strategy from the Manager - Buildings & Property, which is expected in February 2011. City of Ryde is investigating options - collaboration with Great Lakes, Kur-ring-gai and Lake Macquarie, and business models involving property trusts. (Updated 2/11/10).
Meeting Details Committee of the Whole 18/05/2010	Resolution NATURAL AREAS - Expression of Interest for Service Providers - COMPLETED (e) That a workshop be conducted including Councilors, bushland volunteers and staff to develop suitable criteria for the engagement of contractors and Mr Brown's report be circulated at that workshop.	Due Date of Report 30/07/2010 Anticipated date 5/10/2010 Group Community Life Responsible Officer Adam Smith	Comments Details printed in CIB. COMPLETED (to be removed from listing following Council meeting on 9 November 2010)

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ITEM 10 (continued)

ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Committee of the Whole 18/05/2010	ENFORCEMENT OF UNAUTHORISED FOOTPATH USE- 2 West Parade, West Ryde - COMPLETED RESOLUTION: (Moved by Councillors Peich and Tagg (a) That this matter be deferred to allow a further report to be provided regarding a policy to allow such activities on both sides of the railway line at West Ryde and any other similar area in the Ryde local government area. (b) That Council take no further action in relation to this unauthorised footpath use until the further report as set out in part (a) of this resolution is considered by Council.	7/09/2010 Anticipated date 19/10/2010 Group Environment and Planning Responsible Officer Meryl Bishop	<i>A review of Council's Footpath Policy underway in consultation with the Building and Property Unit and Regulatory Services Unit. Report to Committee of the Whole Meeting on 19 October 2010.</i> <i>COMPLETED (to be removed from listing following Council meeting on 9 November 2010)</i>

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ITEM 10 (continued)

ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 8/06/2010	15 DORA STREET, MARSFIELD LDA 2009/0721 - COMPLETED (a) A workshop to address the legal and planning issues associated with development assessment and determination of boarding houses in the City of Ryde; (b) A second workshop with key stakeholders	24/08/2010 Anticipated date 20/10/2010 Group Environment and Planning Responsible Officer Dominic Johnson	Action undertaken in relation to resolution: BOARDING HOUSE - Integrated Enforcement and Education Program a) Following the resolution of Council on 3 August 2010, the workshop to address legal and planning issues has been replaced by a report to Council from an independent town planner / legal advisor and is now considered complete. b) The workshop with Councillors and Macquarie University was held on 24 August 2010. c) A broader workshop involving Councillors, representatives from the community and other key stakeholders was held on 20 October 2010. COMPLETED (to be removed from listing following Council meeting on 9 November 2010)

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ITEM 10 (continued)

ATTACHMENT 1

Meeting Details Council 27/07/2010	Resolution Notice of Motion: Off-leash areas for dogs <p>That within 6 months of the commencement of the trial off-leash areas for dogs, approved by Council on 20 July 2010, the General Manager submit a report to Council considering:</p> <p>(a) the outcome of the trial; and if satisfactory</p> <p>(b) the possibility of extending off-leash areas to all parks in Ryde other than specific parks which are nominated by exception.</p> <p>(c) That dog owners in the City of Ryde receive educational material that provides information on their responsibilities as a dog owner</p>	Due Date of Report 31/01/2011 Anticipated date 30/04/2011 Group Community Life Responsible Officer Fiona Morrison	Comments <i>Trial has commenced and will run until April 2011. A progress report will be provided to Council in December 2010.</i>
Meeting Details Council 27/07/2010	Resolution REQUESTS FOR EXPRESSIONS OF INTEREST - Management & Operation of Ryde Community Sports Centre (ELS Hall Park) - COMPLETED <p>(a) That the matter be deferred until consultation has been undertaken with the ELS Hall users and the Sport & Recreation Advisory Committee.</p>	Due Date of Report 21/09/2010 Anticipated date 5/10/2010 Group Community Life Responsible Officer Peter Montague	Comments <i>Report being prepared for 21 September 2010. Referred to Meeting: 5 October 2010</i> <i>COMPLETED (to be removed from listing following Council Meeting on 9 November 2010)</i>

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ITEM 10 (continued)

ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 27/07/2010	ALCOHOL FREE ZONES - COMPLETED (d) That Council receive a further report on the proposed Alcohol Free Zones if any adverse comment is received during the public consultation.	5/10/2010 Anticipated date 5/10/2010 Group Community Life Responsible Officer Chris Hellmuth	<i>Currently on public exhibition as per the resolution. Report being prepared for 9 November 2010</i> <i>COMPLETED (to be removed from listing following Council Meeting on 9 November 2010)</i>

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ITEM 10 (continued)

ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 27/07/2010	<p>Notice of Motion 1 Community Fitness Initiatives</p> <p>That the General Manager provide a report on the feasibility of establishing a range of community fitness initiatives across the Ryde LGA to encourage and support increased physical activity, and also highlight the clear community benefits of improved physical activity. This initiative could encompass but not be limited to:</p> <ul style="list-style-type: none"> • establishment of a local walking club across the LGA – similar to those established in partnership with the Heart Foundation • highlighting local walks, parks and fitness activities/exercise equipments, cycling tracks • establishing strategic partnerships with fitness providers/businesses and promoting community fitness through media and other means • building upon existing council events to include a fitness component • establishing a specific 10,000 steps walkathon for Ryde • Promote this initiative through the Advisory Committees 	<p>5/10/2010</p> <p>Anticipated date 5/10/2010</p> <p>Group Community Life</p> <p>Responsible Officer Peter Montague</p>	<p>Further report to be provided including costs; to be provided for COW Meeting of 2 November 2010.</p>

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ITEM 10 (continued)

ATTACHMENT 1

Meeting Details Committee of the Whole 3/08/2010	Resolution ITEM 13: DRAFT YAMBLE RESERVE PLAN OF MANAGEMENT - Permission to proceed to Public Exhibition - COMPLETED (c) That a report be brought back to Council with the results of the public exhibition, recommending further action	Due Date of Report 2/11/2010 Anticipated date 2/11/2010 Group Community Life Responsible Officer Fiona Morrison	Comments <i>Completed and adopted.</i> <i>COMPLETED (to be removed from listing following Council meeting on 9 November 2010)</i>
Meeting Details Committee of the Whole 3/08/2010	Resolution ITEM 12: CENTRES AND CORRIDORS STUDY: a component of the Ryde Local Strategy - COMPLETED (c) Following targeted consultation a further report be submitted to Council prior to the Centres and Corridors Study being publicly exhibited together with a Draft Local Environmental Plan.	Due Date of Report 2/11/2010 Anticipated date 2/11/2010 Group Environment and Planning Responsible Officer Meryl Bishop	Comments <i>Report to Committee of the Whole Meeting on 2 November 2010.</i> <i>COMPLETED (to be removed from listing following Council Meeting on 9 November 2010)</i>

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ITEM 10 (continued)

ATTACHMENT 1

Meeting Details Committee of the Whole 3/08/2010	Resolution ITEM 11: HOUSING STUDY - COMPLETED (c) That following targeted consultation, a further report be submitted to Council prior to the Housing Study being publicly exhibited together with Draft Local Environmental Plan 2011.	Due Date of Report 2/11/2010 Anticipated date 2/11/2010 Group Environment and Planning Responsible Officer Meryl Bishop	Comments <i>Report to Committee of the Whole Meeting on 2 November 2010.</i> <i>COMPLETED (to be removed from listing following Council Meeting on 9 November 2010)</i>
Meeting Details Committee of the Whole 3/08/2010	Resolution ITEM 10: WEST RYDE MASTER PLAN AND LOCAL ENVIRONMENTAL PLAN PROVISIONS - COMPLETED (c) That following targeted consultation, a further report be submitted to Council prior to the draft master plan for West Ryde town centre being publicly exhibited together with Draft Local Environmental Plan 2011.	Due Date of Report 2/11/2010 Anticipated date 2/11/2010 Group Environment and Planning Responsible Officer Meryl Bishop	Comments <i>Report to Committee of the Whole Meeting on 2 November 2010.</i> <i>COMPLETED (to be removed from listing following Council Meeting on 9 November 2010)</i>

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ITEM 10 (continued)

ATTACHMENT 1

Meeting Details Committee of the Whole 3/08/2010	Resolution ITEM 8: SMALL CENTRES MASTER PLAN STUDY REPORT - COMPLETED d). That following targeted consultation a further report be submitted to Council, prior to the Small Centres Master Plan Study being publicly exhibited together with the Draft Local Environmental Plan 2011.	Due Date of Report 2/11/2010 Anticipated date 2/11/2010 Group Environment and Planning Responsible Officer Meryl Bishop	Comments <i>Report to Committee of the Whole Meeting on 2 November 2010.</i> <i>COMPLETED (to be removed from listing following Council Meeting on 9 November 2010)</i>
Meeting Details Committee of the Whole 3/08/2010	Resolution ITEM 9: ENVIRONMENT AND OPEN SPACE STUDY - COMPLETED (c) That following targeted consultation, a further report be submitted to Council prior to the Environment and Open Space Study being publicly exhibited together with Draft Local Environmental Plan 2011.	Due Date of Report 2/11/2010 Anticipated date 2/11/2010 Group Environment and Planning Responsible Officer Meryl Bishop	Comments <i>Report to Committee of the Whole Meeting on 2 November 2010.</i> <i>COMPLETED (to be removed from listing following Council Meeting on 9 November 2010)</i>

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ITEM 10 (continued)

ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 10/08/2010	PARKING – Sobraon Road, Marsfield – Councillor Perram - COMPLETED That Council discuss with Macquarie University issues associated with parking by construction workers in the Sobraon Road area and explore with the University provision of parking for the University's construction workforce within the University grounds.	Anticipated date 28/10/2010 Group Environment and Planning Responsible Officer Dominic Johnson	Concerns currently being investigated by Manager - Access. Updated 30/8/10. This matter is included for discussion at Ryde Traffic Committee (Item 3) on 16 September 2010. The Minutes (Recommendations) from this RTC Meeting will be contained in a Report to Council on 5 October 2010. (Updated 16/09/10). Deferred to Works & Community Committee at its meeting to be held on 19 October 2010. (Updated 14/10/10). Reported in Councillor Information Bulletin (CIB) dated 28 October 2010. COMPLETED (to be removed from listing following Council meeting on 9 November 2010)

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ITEM 10 (continued)

ATTACHMENT 1

Meeting Details Committee of the Whole 17/08/2010	Resolution MEDIA POLICY - COMPLETED That consideration of this proposed Media Policy be deferred to refocus the policy on Council staff and give clarity to the role of the Mayor and the Mayor's ability to delegate to other Councillors.	Due Date of Report 19/10/2010 Anticipated date 19/10/2010 Group Community Life Responsible Officer Derek McCarthy	Comments <i>Circulated to Councillors in the CIR. To be reported following receipt of comments Report provided 19 October 2010.</i> <i>COMPLETED (to be removed from listing following Council Meeting on 9 November 2010)</i>
Meeting Details Committee of the Whole 17/08/2010	Resolution REQUEST TO CONTINUE AN ALCOHOL FREE ZONE AT EASTWOOD TOWN CENTRE DURING THE GRANNY SMITH FESTIVAL FOR A PERIOD OF THREE YEARS (c) That a further report be prepared for Council's consideration if adverse public comment is received on the proposal.	Due Date of Report Anticipated date Group Community Life Responsible Officer Derek McCarthy	Comments <i>No negative public feedback received. Report not required and Alcohol Free Zone will be adopted for Granny Smith Festivals for next three years.</i> <i>COMPLETED. (To be removed from listing after meeting on 9 November).</i>

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ITEM 10 (continued)

ATTACHMENT 1

Meeting Details Council 24/08/2010	Resolution CRIME PREVENTION APPROACH - GLEN RESERVE, EASTWOOD (b) That a further report on total costing for new lighting and other works be provided to Council after discussions with businesses and the Chamber of Commerce.	Due Date of Report 19/11/2010 Anticipated date 19/11/2010 Group Community Life Responsible Officer Chris Hellmuth	Comments <i>A report to be provided to Council 9th November, requesting a lighting consultant be provided.</i> <i>Report complete.</i>
Meeting Details Council 24/08/2010	Resolution DEEBLE STREET - Landscaping Works a) That this matter be deferred to allow for negotiations between Council and the owner of 70A Champion Road with the view to leasing the road area, and that following these negotiations a further report be prepared for the Works & Community Committee's consideration.	Due Date of Report Anticipated date 1/11/2010 Group Public Works Responsible Officer	Comments <i>Report anticipated December 2010 following negotiations.</i> <i>Updated 01/11/10.</i>

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ITEM 10 (continued)

ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 24/08/2010	EXTENSION OF TOP RYDER COMMUNITY BUS SERVICE (c) A further report come to Council during the 2011/12 budget deliberations regarding the success in securing sponsorship/advertising deals to inform future decisions regarding the extension or cessation of the service.	12/04/2011 Anticipated date 12/04/2011 Group Environment and Planning	<i>Report to Council Meeting on 12 April 2011.</i>
Responsible Officer Sam Cappelli			
Meeting Details	Resolution	Due Date of Report	Comments
Council 24/08/2010	CODE OF CONDUCT REPORT That Council ask Councillor Pickering to apologise and if he does so, that no further action be taken.	Anticipated date Group	<i>This matter is AT LARGE</i>
Responsible Officer			

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ITEM 10 (continued)

ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 24/08/2010	RYDE TRAFFIC COMMITTEE		
	PITTWATER ROAD, GLADESVILLE – Request for a Pedestrian Crossing – Marked or Signalised (iii) That a further review be undertaken and a report provided for the Committee's consideration in 6 months.	Anticipated date 1/02/2011 Group Public Works	<i>PITTWATER ROAD, GLADESVILLE - Pedestrian Crossing AND PRINCES STREET RYDE - Pedestrian Refuge. These two (2) items will be included in the Agenda for the Ryde Traffic Committee on 27 January 2011 and will be submitted to Council for approval.</i>
	PRINCES STREET, RYDE – Pedestrian Refuge (iv) That a further report be prepared for the Committee's consideration in 6 months	Responsible Officer	<i>MACQUARIE PARK CBD - Additional Bus Zones. Report expected to Council on 28 September 2010. Updated 30/08/10</i>
	MACQUARIE PARK CBD – Additional Bus Zones, Macquarie Park (iii) That a further report be prepared for the Committee's consideration.		<i>COMPLETED (MacQ Park CBD to be removed from listing following Council Meeting on 9 November 2010).</i>
Meeting Details Committee of the Whole 7/09/2010	Resolution COUNTRY COUNCIL PARTNERSHIP (c) That a further report be provided to Council, estimated December 2010, for Council's determination of the Expressions of Interest received.	Due Date of Report 31/12/2010 Anticipated date 14/12/2010 Group Corporate Services Responsible Officer Shane Sullivan	Comments <i>Report to be provided following calling for Expressions of Interest</i>

ITEM 10 (continued)

ATTACHMENT 1

Meeting Details Committee of the Whole 21/09/2010	Resolution MAYORAL MINUTE: FORMER COUNCILLOR MICHAEL LARDELLI (b) That the General Manager provide a report back to Council on a suitable legacy to acknowledge the contribution to the City of Ryde by the former Alderman, Councillor and Mayor, Michael Lardelli AM.	Due Date of Report Anticipated date Group Community Life Responsible Officer	Comments <i>Archivist continuing in research. Councillors and family have been consulted. Meeting to be planned for late December for suggestions and comments to be discussed.</i>
Meeting Details Committee of the Whole 21/09/2010	Resolution ITEM 6: COMPANION ANIMAL MANAGEMENT PLAN- Review b) That a further report be provided to Council, which includes any submissions received and identifies any corresponding changes made to the plan.	Due Date of Report 7/12/2010 Anticipated date 7/12/2010 Group Environment and Planning Responsible Officer Leon Marskell	Comments <i>The Companion Animal Management Plan will be on public exhibition from 27 October 2010 to 24 November 2010. Report to Committee of the Whole Meeting on 7 December 2010.</i>

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ITEM 10 (continued)

ATTACHMENT 1

Meeting Details Council 28/09/2010	Resolution MAYORAL MINUTE: KOREAN FLAG RAISING EVENT - COMPLETED (b)That the General Manager provide a report to the Council Meeting to be held 12 October outlining a possible program of flag raising events to be held on appropriate national or commemorative days.	Due Date of Report Anticipated date 12/10/2010 Group Community Life Responsible Officer Derek McCarthy	Comments <i>Report provided. Matter referred to Community Harmony Reference Group.</i> <i>COMPLETED to be removed from listing following Council Meeting on 9 November 2010)</i>
Meeting Details Council 28/09/2010	Resolution NOTICE OF MOTION: ALCOHOL FREE ZONE - Eastwood Town Centre That the General Manager prepare a report in consultation with Eastwood Police and other stakeholders to consider the merits of establishing an ongoing alcohol free zone in the Eastwood Town Centre area.	Due Date of Report Anticipated date Group Community Life Responsible Officer	Comments <i>Report ready and will be submitted to Council on 09/11/10. COMPLETED</i>

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ITEM 10 (continued)

ATTACHMENT 1

Meeting Details Committee of the Whole 5/10/2010	Resolution REQUEST FOR EXPRESSIONS OF INTEREST - MANAGEMENT & OPERATION OF RYDE COMMUNITY SPORTS CENTRE (ELS HALL PARK) (b) That Council advertise for Expressions of Interests for the management and operation of the Ryde Community Sports Centre and a further report be submitted to Council on the completion of this process.	Due Date of Report Anticipated date Group Community Life Responsible Officer Paul Hartman	Comments <i>Request for Expressions of Interest has been advertised. Report to be provided to Council after all submissions have been evaluated.</i>
Meeting Details Committee of the Whole 5/10/2010	Resolution HOUSING FOR KEY WORKERS (AFFORDABLE HOUSING) (b) That Council explore and report back to Council on the options in delivering affordable housing initiatives through development incentives for the provisions of affordable housing within Council's planning controls and the use of Voluntary Planning Agreements.	Due Date of Report 15/03/2011 Anticipated date 15/03/2011 Group Environment and Planning Responsible Officer Meryl Bishop	Comments <i>Report to Committee of the Whole Meeting on 15 March 2011.</i>

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ITEM 10 (continued)

ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 12/10/2010	PROGRAM OF FLAG RAISING EVENTS That this matter be referred to the Community Harmony Reference Group for consideration and recommendation back to Council.	Anticipated date Group Community Life Responsible Officer	
Meeting Details Council 12/10/2010	Resolution NOTICE OF MOTION: RECOGNITION OF BUSINESSES, ORGANISATIONS AND COMPANIES THAT HAVE BEEN IN LONG TERM SERVICE IN RYDE (a) That the General Manager prepares a report on the feasibility of a sponsorship program for businesses within the City of Ryde area. (b) That not-for-profit organisations be considered in the report recognising their contribution to the City of Ryde.	Due Date of Report Anticipated date Group Community Life Responsible Officer	Comments

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ITEM 10 (continued)

ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Committee of the Whole 19/10/2010	FOOTPATH ACTIVITY CONTROLS COUNCIL POLICY - Revised Policy and Approval Process (b) That a further report on submissions to the draft City of Ryde Footpath Activity Controls Council Policy be presented to Council as soon as practicable after the exhibition period. (c) That the Group Manager Environment and Planning write to the NSW Department of Planning requesting exemptions for footpath activities and for outdoor dining under the Environmental Planning and Assessment Act and to the NSW Department of Local Government requesting exemptions for footpath activities and for outdoor dining under the Local Government Act.	1/02/2011 Anticipated date 1/02/2011 Group Environment and Planning Responsible Officer Meryl Bishop	<i>Draft City of Ryde Footpath Activity Controls Council Policy to be exhibited from 10 November to 10 December 2010. Report to Committee of the Whole Meeting on 1 February 2011.</i>

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PRECIS OF CORRESPONDENCE FOR CONSIDERATION

There are no Précis of Correspondence for Consideration

NOTICES OF MOTION**1 CHURCH STREET - Establishment of Market or Fair - The Mayor
Councillor Etmekdjian and Councillor Salvestro-Martin****File Number:** GRP/10/5/001/6 - BP10/643

Motion:

That the General Manager investigate and report to Council the feasibility of establishing a Market or Fair in Church Street as an opportunity to create a unique identity for Church Street. Participation is open to any Ryde based business.

2 CINEMA IN THE PLAZA - Councillor Li**File Number:** GRP/10/5/001/6 - BP10/665

Motion:

That a report be prepared considering the expansion of the Cinema in the Park program to include regular outdoor screening of family friendly films at Council plaza areas on a weeknight in order to support small businesses and to provide activities for children and young people. Council is to consult with local businesses, schools, chamber of commerce and community groups to consider sponsorship and funding of the project.

NOTICES OF RESCISSION

There are no Notices of Rescission