

Council Meeting**AGENDA NO. 13/10**

Meeting Date: Tuesday 24 August 2010
Location: Council Chambers, Level 6
Time: 7.30pm

NOTICE OF BUSINESS

Item		Page
1	CONFIRMATION OF MINUTES - Council meeting of 10 August 2010.....	1
2	CONFIRMATION OF MINUTES - Works & Community Committee Meeting held on 17 August 2010.....	10
3	MOTIONS PUT WITHOUT DEBATE	18
4	EXTENSION OF TOP RYDER COMMUNITY BUS SERVICE.....	19
5	CRIME PREVENTION APPROACH - GLEN RESERVE, EASTWOOD.....	34
6	TRANSPORT STUDY FOR COMPREHENSIVE LEP NEW	39
7	160-162 WICKS ROAD - Request for rezoning in conjunction with draft Ryde LEP 2011	46
8	RECRUITMENT OF GROUP MANAGER PUBLIC WORKS.....	54
9	REPORT ON OUTSTANDING RESOLUTIONS	56
10	RYDE 2030 COMMUNITY STRATEGIC PLAN & PROGRAM DEVELOPMENT - Time period, draft outcomes and programs	77
11	INVESTMENT REPORT - July 2010.....	83
12	REGISTERS - State Environmental Planning Policy No. 1	102
13	JOINT REGIONAL PLANNING PANEL - UPDATE - Nomination of Members	105
14	2010 BIKE FUTURES CONFERENCE - Melbourne 14-15 October 2010 ...	107
15	JUNE 2010 QUARTERLY REVIEW REPORT 2009-2013 MANAGEMENT PLAN	112
16	CODE OF CONDUCT REPORT	127

PRECIS OF CORRESPONDENCE FOR CONSIDERATION

1	JOINT STANDING COMMITTEE ON ELECTORAL MATTERS - Report on 2008 Local Government Elections.....	141
2	JOINT REGIONAL PLANNING PANEL	148

CONFIDENTIAL ITEMS

17	312 VICTORIA ROAD - Advice on Prospects – Page 152.....	150
18	PROVISION OF SERVICES OF A DEVELOPMENT DIRECTOR - Civic Precinct Project - COR-RFT-05/10 – Page 169	150
19	RYDE CITY BOWLING CLUB CO-OPERATIVE LIMITED (IN LIQUIDATION) - Proposed Assignment of Lease – Page 174.....	151
20	ADVICE ON COURT ACTIONS – Page 198.....	151

1 CONFIRMATION OF MINUTES - Council meeting of 10 August 2010

Report prepared by: Senior Administration Co-ordinator

Report dated: 18 August 2010

File No.: GRP/10/3/001/6 - BP10/492

RECOMMENDATION:

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

ATTACHMENTS

- 1 Minutes of Council meeting on 10 August 2010

ITEM 1 (continued)**ATTACHMENT 1**

City of Ryde

Council Meeting**MINUTES OF MEETING NO. 12/10**

Meeting Date: Tuesday 10 August 2010
Location: Council Chambers, Level 6
Time: 7.30pm

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

Apologies: Councillors Petch and Salvestro-Martin.

Staff Present: General Manager, Group Manager – Community Life, Group Manager - Corporate Services, Group Manager – Environment & Planning, Group Manager - Public Works, Media & Community Relations Officer, Sustainability Programs Coordinator and Councillor Support Coordinator.

PRAYER

Pastor Richard Quadrio of the Macquarie Chapel Presbyterian Church was present and offered prayer prior to the commencement of the meeting.

DISCLOSURES OF INTEREST

Councillor Maggio disclosed a less than significant non-pecuniary interest in Item 3 – COUNTRY COUNCIL PARTNERSHIP ADVISORY COMMITTEE – Minutes 9 July 2010 of the Council Meeting Agenda 12/10 for the reason that he is a member of the RHHCC and was not present for the consideration of this Item.

SUSPENSION OF STANDING ORDERS

RESOLUTION: (Moved by The Mayor, Councillor Butterworth and Councillor Tagg)

That Council suspend Standing Orders, the time being 7.37pm, to allow Council's Sustainability Programs Co-Ordinator from the Environment Unit to present Council with the Overall Sustainable Council Award (Runner Up) by Keep Australia Beautiful New South Wales for "Working Towards a Sustainable City".

Record of Voting:

For the Motion: Unanimous.

Note: The Mayor accepted the Award on behalf of Council.

ITEM 1 (continued)
RESUMPTION OF STANDING ORDERS**ATTACHMENT 1**

RESOLUTION: (Moved by Councillors Tagg and Maggio)

That Standing Orders be resumed, the time being 7.39pm.

Record of Voting:

For the Motion: Unanimous.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following person addressed the Council:-

Name	Address	Topic
Ms Josephine Malley	Denistone East	Notice of Motion 4 – Tree Preservation Order DCP 2010

SUSPENSION OF STANDING ORDERS

RESOLUTION: (Moved by Councillors Tagg and Maggio)

That Council suspend Standing Orders, the time being 7.41pm, to allow public participation on items not listed on the agenda.

Record of Voting:

For the Motion: Unanimous.

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

The following person addressed the Council:-

Name	Topic
Dragan Misic	Proposal by Optus to build mobile phone tower near Truscott Street Public School and Blenheim Park

RESUMPTION OF STANDING ORDERS

RESOLUTION: (Moved by Councillors Tagg and Maggio)

That Standing Orders be resumed, the time being 7.45pm.

Record of Voting:

For the Motion: Unanimous.

MAYORAL MINUTES

There were no Mayoral Minutes.

ITEM 1 (continued)**ATTACHMENT 1****COUNCIL REPORTS****1 CONFIRMATION OF MINUTES – Meeting of 27 July 2010**

RESOLUTION: (Moved by Councillors Pickering and Perram)

That the Minutes of the Council Meeting No. 11/10 held on 27 July 2010, be confirmed.

Record of Voting:

For the Motion: Unanimous.

2 MOTIONS PUT WITHOUT DEBATE

RESOLUTION: (Moved by Councillors Tagg and Campbell)

That the items be dealt with in seriatim.

Record of Voting:

For the Motion: Unanimous.

3 COUNTRY COUNCIL PARTNERSHIP ADVISORY COMMITTEE - Minutes 9 July 2010

Note: Councillor Maggio left the Chamber at 7.47pm and was not present for the consideration of this item.

MOTION: (Moved by Councillors Yedelian OAM and Etmekdjian)

- (a) That Council endorse Councillor Maggio's visit to Central Darling for up to three nights accommodation and to meet his costs of travel and meals as set out in the Provision of Expenses and Facilities to Councillors policy.
- (b) That Council write to the Ryde Hunters Hill Cricket Club inviting them to nominate up to four (4) young representatives to accompany Councillor Maggio from their Club with Council meeting the costs of up to three (3) nights accommodation and reasonable expenses relating to meals and travel.
- (c) That Council endorse the General Manager nominating a staff member to visit and assist Central Darling in the assessment of heritage assets as detailed in the report.
- (d) That Council write to the Ryde Hunters Hill Cricket Club requesting that their cricket event coincide with Council's Harmony Day on 20 March 2011 and offering use of Ryde Park and inclusion in Council's promotional material for the event, at no cost to the Club as detailed in the report.

ITEM 1 (continued)**ATTACHMENT 1**

- (e) That as part of the September Quarterly Budget Review that Council consider allocating \$10,000 towards the maintenance and development of the Country Council Partnership to meet the costs of the initiatives detailed in this report in addition to any other initiatives taken.

AMENDMENT: (Moved by Councillors O'Donnell and Campbell)

- (a) That Council endorse the General Manager nominating a staff member to visit and assist Central Darling in the assessment of heritage assets as detailed in the report.
- (b) That Council write to the Ryde Hunters Hill Cricket Club requesting that their cricket event coincide with Council's Harmony Day on 20 March 2011 and offering use of Ryde Park and inclusion in Council's promotional material for the event, at no cost to the Club as detailed in the report.
- (c) That as part of the September Quarterly Budget Review, Council consider allocating \$10,000 towards the maintenance and development of the Country Council Partnership to meet the costs of the initiatives detailed in this report in addition to any other initiatives taken.
- (d) That a further report be presented to Council detailing the program and its outcomes, cost and legal liability exposure to Council.

The AMENDMENT was put and **CARRIED** there being five (5) votes for and four (4) votes against. The Amendment then became the Motion.

Record of Voting

For the Amendment: The Mayor, Councillor Butterworth and Councillors Campbell, O'Donnell, Perram and Tagg.

Against the Amendment: Councillors Etmekdjian, Li, Pickering and Yedelian OAM.

The MOTION was put and **CARRIED** with the votes being six (6) for and three (3) against.

RESOLUTION: (Moved by Councillors O'Donnell and Campbell)

- (a) That Council endorse the General Manager nominating a staff member to visit and assist Central Darling in the assessment of heritage assets as detailed in the report.
- (b) That Council write to the Ryde Hunters Hill Cricket Club requesting that their cricket event coincide with Council's Harmony Day on 20 March 2011 and offering use of Ryde Park and inclusion in Council's promotional material for the event, at no cost to the Club as detailed in the report.

ITEM 1 (continued)**ATTACHMENT 1**

- (c) That as part of the September Quarterly Budget Review, Council consider allocating \$10,000 towards the maintenance and development of the Country Council Partnership to meet the costs of the initiatives detailed in this report in addition to any other initiatives taken.
- (d) That a further report be presented to Council detailing the program and its outcomes, cost and legal liability exposure to Council.

Record of Voting

For the Motion: The Mayor, Councillor Butterworth and Councillors Campbell, Etmekdjian, O'Donnell, Perram and Tagg.

Against the Motion: Councillors Li, Pickering and Yedelian OAM.

4 ADVICE ON COURT ACTIONS

RESOLUTION: (Moved by Councillor Etmekdjian and Perram)

That consideration of this matter be dealt with in Closed Session at the end of the meeting.

Record of Voting:

For the Motion: Unanimous.

PRECIS OF CORRESPONDENCE FOR CONSIDERATION

There were no Precis of Correspondence for Consideration.

Note: Councillor Maggio returned to the Chamber prior to discussion on the Notices of Motion, the time being 8.14pm.

NOTICES OF MOTION**1 VEHICLE ENTRY TO CAR PARK – Dunbar Park – Councillor Perram**

RESOLUTION: (Moved by Councillors Perram and Yedelian OAM)

That Council remove the chains preventing vehicle entry to the car park at Dunbar Park, except when needed in conjunction with a booking of the park.

Record of Voting:

For the Motion: Unanimous.

2 PARKING – Sobraon Road, Marsfield – Councillor Perram

RESOLUTION: (Moved by Councillors Perram and O'Donnell)

That Council discuss with Macquarie University issues associated with parking

ITEM 1 (continued)**ATTACHMENT 1**

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.

Record of Voting:

For the Motion: Unanimous.

**3 RYDE COUNCIL AS A BREASTFEEDING FRIENDLY WORKPLACE –
Councillor Campbell**

RESOLUTION: (Moved by Councillors Campbell and O'Donnell)

That, as a legacy initiative of the Year of Women in Local Government, the General Manager initiates processes to ensure that Ryde Council becomes a breastfeeding friendly workplace with appropriate facilities provided for expressing and storing breast milk and implementation of lactation breaks for women employees to express their milk.

Record of Voting:

For the Motion: Unanimous.

4 TREE PRESERVATION ORDER – Councillor Terry Perram

RESOLUTION: (Moved by Councillors Perram and Tagg)

- (a) That for the purposes of administering the Tree Preservation Order contained in section 9.6 of City of Ryde DCP 2010, Council declares that despite anything shown on the urban bushland map referred to that section, urban bushland does not exist within three metres of any approved detached building and any associated building.
- (b) That Council Officers investigate and advise those applicants of similar requests in the past 12 months.

Record of Voting:

For the Motion: Unanimous.

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)
CLOSED SESSION**ATTACHMENT 1****ITEM 4 – ADVICE ON COURT ACTIONS****Confidential**

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (g) advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

This matter is classified confidential because it contains advice concerning legal matters that are:-

- (a) substantial issues relating to a matter to which the Council is involved.
- (b) clearly identified in the advice, and
- (c) fully discussed in that advice.

It is not in the public interest to reveal all details of this matter as it would prejudice Council's position in any court proceedings.

RESOLUTION: (Moved by Councillors Tagg and Perram)

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

Record of Voting:

For the Motion: Unanimous.

Note: The Council closed the meeting at 8.42pm. The public and media left the chamber.

4 ADVICE ON COURT ACTIONS

RESOLUTION: (Moved by Councillors Pickering and Tagg)

That the report of the General Counsel on ADVICE ON COURT ACTIONS be endorsed.

Record of Voting:

For the Motion: Unanimous.

ITEM 1 (continued)
OPEN SESSION**ATTACHMENT 1**

RESOLUTION: (Moved by Councillors Tagg and Etmekdjian)

That Council resolve itself into open Council.

Record of Voting:

For the Motion: Unanimous.

Note: Open Council resumed at 8.45pm.

RESOLUTION: (Moved by Councillors Tagg and Etmekdjian)

That the business transacted in Closed Session be received and adopted as a resolution of Council without any alteration or amendment thereto.

Record of Voting:

For the Motion: Unanimous.

NATIONAL ANTHEM

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

The meeting closed at 8.47 pm.

CONFIRMED THIS 24TH DAY OF AUGUST 2010

Chairperson

2 CONFIRMATION OF MINUTES - Works & Community Committee Meeting held on 17 August 2010

File No.: GRP/10/3/001/6 - BP10/493

RECOMMENDATION:

That Part A of the Works and Community Committee Report No. 07/10, held on 17 August 2010, be dealt with seriatim and Part B be noted as dealt with under delegated authority.

ATTACHMENTS

- 1** Minutes of Works & Community Meeting of 17/08/10

ITEM 2 (continued)**ATTACHMENT 1**

City of Ryde

Works and Community Committee**MINUTES OF MEETING NO. 7/10****Meeting Date:** Tuesday 17 August 2010**Location:** Committee Room 1, Level 5, Civic Centre, 1 Devlin Street, Ryde**Time:** 4.31pm

Councillors Present: Councillor Tagg (Chairperson), and Councillors Maggio, Perram and Petch.

Apologies: Councillors Campbell and Li.

Staff Present: Group Manager – Community Life, Group Manager - Public Works, Manager Access, Acting Manager Open Space, Manager Operations, Parks Community Liaison Officer and Councillor Support Co-ordinator.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

PART A - ITEMS TO BE DETERMINED BY COUNCIL ON 24 AUGUST 2010

NOTE: Items 1, 2, 3, 9 and 10 were determined by the Committee under delegated authority and are on pages 6 and 7 – (Part B) of this Works and Community Committee Report No. 7/10.

4 PEDESTRIAN CROSSING - Buffalo Creek

Note: The Committee undertook an inspection in relation to this Item.

RECOMMENDATION: (Moved by Councillors Petch and Perram)

- a) That Council staff liaise with Replas Pty Ltd to obtain a suitable quotation for the supply and installation of a pedestrian bridge at Buffalo Creek in Barton Reserve.
- b) A further report be prepared for the Committee's consideration following receipt of the quotation.

Record of Voting

For the Motion: Unanimous

ITEM 2 (continued)**ATTACHMENT 1****5 DEEBLE STREET - Landscaping Works**

Note: The Committee undertook an inspection in relation to this Item.

RECOMMENDATION: (Moved by Councillors Petch and Perram)

- 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 for prepared for the Works and Community Committee's consideration.
- b) That the owners of 70 Champion Rd be advised that Council will defer consideration of their request until the matter at 70A Champion Road is determined.

Record of Voting

For the Motion: Unanimous

6 COMMUNITY GARDENS

Note: Bev Debrincat addressed the Committee on this Item.

RECOMMENDATION (Moved by Councillors Petch and Perram)

- (a) That Council reaffirms its bottom up approach to the establishment of any new community gardens by offering support to interested community groups.
- (b) That Council endorse the establishment of the community garden at Macquarie Hospital and approve the community endemic plant nursery at Santa Rosa Park.
- (c) That provision for community gardens be included in a future Plan of Management for Neighbourhood Parks.
- (d) That the draft Community Gardens policy be revised and submitted for the Committee's consideration within the next 3 months.

Record of Voting

For the Motion: Councillors Tagg, Petch and Perram

Against the Motion: Councillor Maggio

ITEM 2 (continued)**ATTACHMENT 1****7 REQUEST FOR WAIVER OF FEES FOR YOUTH COMMUNITY EVENT AT TUCKWELL PARK****RECOMMENDATION:** (Moved by Councillors Petch and Perram)

- (a) That as a special circumstance the request by Rock 180 for the waiver of fees equalling \$337 for ground hire of Tuckwell Park and additional waste bins on Saturday 4 September be approved.
- (b) That a refundable bond of \$1,000 be charged to cover any additional costs that could be incurred as a result of the hire.
- (c) That Rock 180 be advised that in future they are required to apply to the City of Ryde Council through the Grants Program.

Record of Voting

For the Motion: Councillors Perram, Petch and Tagg.

Against the Motion: Councillor Maggio

8 RYDE TRAFFIC COMMITTEE - Minutes of Meeting held 5 August 2010**RECOMMENDATION:** (Moved by Councillors Perram and Petch)

- (a) That recommendations No. 1 to No. 19 inclusive, contained in the Minutes of the Ryde Traffic Committee Meeting held on 5 August 2010, be endorsed and adopted as resolutions of Council with the following amendments:

1 PAUL STREET, MCGREGOR STREET, DAVID AVENUE, NORTH RYDE – Request for one (1) hour parking.

Recommended: That no action be taken.

2 WATERVIEW STREET, PUTNEY – Trailer Parking at Kissing Point Park and Bennelong Park, Putney.

Recommended: That Council install sign posting within the trailer parking area advising of “Car plus Trailer Parking only” and notify trailer owners accordingly.

11 PITTWATER ROAD, GLADESVILLE – Request for a Pedestrian Crossing – Marked or Signalised.**Recommended:**

- (i) That Council take no action to install a “marked” pedestrian crossing or pedestrian actuated signalised pedestrian crossing in Pittwater Road, between Harvard Street and Venus Street, Gladesville.
- (ii) That Council advise Hunters Hill Council that Ryde Traffic Committee doesn’t support the provision of a “marked” pedestrian crossing or pedestrian actuated signalised pedestrian crossing in Pittwater Road, between Harvard Street and Venus Street, Gladesville, as the RTA warrants are not met.
- (iii) That a further review be undertaken and a report provided for the Committee’s

ITEM 2 (continued)**ATTACHMENT 1**

consideration in 6 months.

12 ANDREW STREET, MELROSE PARK – Angled Slow Points.**Recommended:**

- (i) That Council investigate new traffic management options along Andrew Street, between Adelaide Street and Macintosh Street, with at least one option considering the following:
- Raised thresholds.
 - A physical barrier to stop vehicles ‘cutting’ the inside corner along Andrew Street, in the vicinity of the residence at No. 20 Andrew Street.
 - “Local Traffic Only” and/or “3T Load Limit” signage.
 - Raised pavement markers.
 - Resurfacing of sections of Andrew Street.
 - Provision for safe cycling
- (ii) The NSW Police to undertake an intensive enforcement program in the area to mitigate the incidence of speeding.

13 PRINCES STREET, RYDE – Pedestrian Refuge.**Recommended:**

- (ii) That Council does not install pedestrian crossing in Princes Street due to lack of warrants set by the RTA.
- (iii) That Council approve modified pedestrian refuge with kerb blisters on Princes Street at Blaxland Road intersection as detailed in the Report with bollards installed at the adjacent kerb ramps.
- (iv) That the residents be advised of Council's decision.
- (v) That a further report be prepared for the Committee's consideration in 6 months.

16 MACQUARIE PARK CBD – Additional Bus Zones, Macquarie Park.**Recommended:**

- (ii) That Council note that Council's staff, Sydney Buses (State Transit Authority) and the ComfortDegroCabCharge (Hillsbus & Westbus) are working together on the details to settle on suitable bus zone locations within Macquarie Park.
- (iii) That the request for additional bus zones be re-tabled at the next meeting of the Ryde Traffic Committee to be held on 16 September 2010.
- (iv) That a further report be prepared for the Committee's consideration.
- (b) There is a financial impact associated with the construction of a pedestrian refuge along Princes Street, at the Blaxland Road intersection (Refer Item 13). The estimated construction cost is \$20,000 and will be funded through Council's 2010/2011 Capital Works Program under the category “Traffic Facilities Construction – Pedestrian Refuge Islands”.

Record of Voting:

For the Motion: Unanimous.

ITEM 2 (continued)**ATTACHMENT 1**

RESOLUTION: (Moved by Councillors Perram and Petch)

That the Committee consider Item 11 in Open Session.

Record of Voting:

For the Motion: Unanimous.

**11 EASTWOOD WOMENS REST CENTRE, HILLVIEW ROAD - Country
Women's Association Licence Agreement**

RECOMMENDATION: (Moved by Councillors Perram and Petch)

- (a) That Council grant a licence to the Eastwood Epping Branch of the Country Women's Association of NSW, over the premises at Eastwood, for a period of 5 years, commencing 1 July 2010, on the terms and conditions outlined in this report.
- (b) That the licence be notified as per S 47A of the *Local Government Act, 1993*.

Record of Voting

For the Motion: Councillors Perram, Petch and Tagg

Against the Motion: Councillor Maggio

ITEM 2 (continued)**ATTACHMENT 1****PART B - ITEMS DETERMINED UNDER DELEGATED AUTHORITY****1 CONFIRMATION OF MINUTES - Minutes of 20 July 2010**

RESOLUTION: (Moved by Councillors Petch and Maggio)

That the Minutes of the Works & Community Committee 06/10 held on 20 July 2010, be confirmed.

Record of Voting:

For the Motion: Unanimous.

2 MOTIONS PUT WITHOUT DEBATE

RESOLUTION: (Moved by Councillors Petch and Perram)

That the items be dealt with in seriatim.

Record of Voting:

For the Motion: Unanimous.

3 TREE MANAGEMENT REVIEW - 83 Westminster Road Gladesville

RESOLUTION: (Moved by Councillors Petch and Perram)

That in light of Councils resolution at its meeting No. 12/10 dated Tuesday 10 August 2010 the request to remove one (1) *Eucalyptus racemosa* (Scribbly Gum) at 83 Westminster St/Boyd Lane be approved.

Record of Voting

For the Motion: Unanimous

9 STATUS OF COUNCIL ROADS & UTILITY RESTORATIONS

RESOLUTION: (Moved by Councillors Perram and Petch)

That Council note the inclusion of the additional roadworks in conjunction with the Energy Australia road restorations for the streets listed in the report, with these works to be done as part of the 2010/11 Road Resurfacing program.

Record of Voting

For the Motion: Unanimous

ITEM 2 (continued)**ATTACHMENT 1****10 BUS SHELTERS - Site Requests and Sourcing**

RESOLUTION: (Moved by Councillors Maggio and Petch)

- (a) That the list of proposed bus shelter sites and the requirements of the Disability Standards for Accessible Public Transport be referred to the Access Committee for comment.
- (b) That the matter be referred back to Council for further consideration upon receipt of comments from the Access Committee.

Record of Voting

For the Motion: Unanimous

The meeting closed at 6.23pm.

CONFIRMED THIS 7th DAY OF SEPTEMBER 2010.

Chairperson

3 MOTIONS PUT WITHOUT DEBATE

File Number: GRP/10/3/001/6 - BP10/474

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 20 inclusive, as submitted to Council Meeting 13/10, be adopted with the exception of items as determined by the Council.

4 EXTENSION OF TOP RYDER COMMUNITY BUS SERVICE

Report prepared by: Manager - The Environment; Senior Sustainability Co-Ordinator

Report dated: 23 June 2010

File No.: GRP/10/2/001/3 - BP10/357

Report Summary

**This report was deferred from the
Committee of the Whole Meeting of 17 August 2010.**

The current contracts for the Top Ryder Community Bus Service comes to an end on 19th of October 2010. This report recommends that the service be extended for a further 12 months until end of the 2010/2011 financial year. During this period, Council will investigate opportunities to pursue sponsorship and contributions from potential partners to help fund the service and increase its economic sustainability.

The Top Ryder Service has operated since the 22nd of July 2008 and as of the 30th of June 2010 has transported over 61,000 passengers. During this time the passenger numbers have increased steadily and those increases are expected to continue. Council now has the opportunity of keeping the service running whilst looking to offset some of the operating cost through potential sponsorship and advertising dollars. Potential partnership opportunities will also be explored to increase the sustainability and viability of the service.

RECOMMENDATION:

- (a) That Council approve an extension of the Top Ryder Community Bus Service until the end of the 2010/2011 financial year under current operating conditions.
- (b) That Council actively pursue sponsorship and advertising opportunities to cap Council's costs in operating the service at \$100,000 per annum in 2011/12 and beyond.
- (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.

ATTACHMENTS

- 1 Top Ryder Community Bus Service Brochure/Timetable
- 2 Appendix A - Summary of Tables and Graphs for Top Ryder report to CoW 3 August 2010
- 3 Top Ryder news article 4th of August 2010
- 4 Top Ryder Photo - Passengers 1
- 5 Top Ryder Photo - Passengers 2

ITEM 4 (continued)

Report Prepared By:

Sam Cappelli
Manager - The Environment

Craig Heal
Senior Sustainability Co-Ordinator

Report Approved By:

Dominic Johnson
Group Manager Environment & Planning

Sam Cappelli
Manager - The Environment

ITEM 4 (continued)**Background**

- Council approved the Top Ryder service on the 1st of April 2008.
- The Top Ryder service commenced on the 22nd of July 2008 and to date has been run in partnership with the Beville Group (developers of the Top Ryde City who substantially funded the purchase of the two buses). The agreement with Top Ryde City expires 19 October 2010 and both buses are owned by Council.
- The service connects the West Ryde and Gladesville Shopping Precincts via Ryde Hospital, Meadowbank Station, Eastwood Station and Top Ryde shops. The service comprises of two specially adapted buses which seat up to twenty five passengers which provides the local community a free service running six days per week Monday to Saturday and on Public Holidays between the hours of 9.30am to 3.00pm. The Top Ryder brochure/timetable is (**ATTACHED**)
- Council engaged the services of VIP Car Higher Services for two years to manage the operation of the Top Ryder for Council. The agreement with VIP will expire on the 19th of October 2010.
- Council has operated the service at a cost of \$217,000 per annum including running costs and depreciation.

Report

The Top Ryder Community Bus Service is now well established and is used by many residents in the local community. It is a component of the wider City transport connection network to improve transport connectivity and support long term community transport initiatives between the six key centres of Ryde in line with the Ryde Integrated Transport and Land Use Strategy.

Council has operated the Top Ryder Bus Service at a cost of \$217,000 per annum including running costs and depreciation. Council is reminded that the owners of the Top Ryde City substantially funded the original purchase of both buses (\$220,000 including GST) and for this they retained majority bus livery rights until the end of the current contract (19 October 2010). After this time, Council is under no further obligation to Top Ryde City in relation to the service. The buses are in Council ownership and are presently valued at \$150,000.

The continuation of the service will come at a cost to Council however it is envisaged that this cost can be significantly reduced through sponsorship and advertising opportunities available to Council once the contractual agreement with Top Ryde City expires. A verbal offer of on-going sponsorship has already been made by Top Ryde City although no firm commitment have been made pending this report. A cap of \$100,000 for Council to continue the service after 2010/11 with the balance being funded through sponsorship and/or advertising is considered a reasonable target for Council to pursue should a decision be made to extend the service.

Current Service Route and Passenger Statistics

Daily records have been kept of patronage destination since commencement. These records show that the Top Ryder is a primary destination service - that is most patrons use the service to arrive at dominant destinations. For the most recent quarter results of March to June 2010, 73% of patrons alighted at four of the ten route

ITEM 4 (continued)

destinations (which are West Ryde, Top Ryde, Gladesville and Eastwood. Figure 1 provides the monthly statistics including cumulative totals at each of the designated stops. See Appendix A (**ATTACHED**) for Figure 1 'Top Ryder monthly and cumulative patronage for 2009/10'

Each route takes approximately one hour to complete. Five route cycles are conducted daily. The service currently has ten designated timetabled stops and also collects and set-downs at all existing STA bus stops on route when hailed. This timetable and route has worked well and it is not proposed to change. Patronage by stop is in Appendix A (**ATTACHED**) for Figure 2 'Top Ryder stop patronage for 2009/10'

The average utilisation rate for the Top Ryder over the 2009/2010 financial year assuming all patrons travelled a round trip was 69%. This means that for every trip made by a Top Ryder Bus, seven out of every 10 seats was occupied at least once during the trip. Patronage has increased steadily over the year with the 2009/2010 first quarter result being 47% rising to 89% by the 2009/2010 fourth quarter. See Appendix A (**ATTACHED**) for Table 1- 'Top Ryder patronage utilisation rate by quarter for 2009/10'. The current cost per passenger trip is therefore approximately \$4.93

The service is a component of the wider City transport connection network to improve transport connectivity and support long term community transport initiatives between the six key centres of Ryde in line with the Ryde Integrated Transport and Land Use Strategy. The Ryde's road traffic characteristics is suited to the Top Ryder's current timetable as it operates just out side of peak hours to ensures the service runs reliably and on time. The Top Ryder is not designed to compete with the public bus system and serves a very different purpose for the community.

The buses are fuelled on the environmentally preferred B20 bio-diesel which reduces greenhouse gas emissions by 17% when compared to 100% diesel and forms part of Council's Climate Change and greenhouse gas reduction commitments.

Demographics of Passengers Using the Service

Information received from current service contractors VIP Car Higher Service and presented in Figure 3 indicates the service is used primarily by older, female residents. Ryde's population is projected to age with respect to time according to ABS statistics and it is expected that this will create additional demand for mobility solutions such as the Top Ryder. The Top Ryder patronage is primarily female, 78% and 68% in 2010 and 2009 respectively but the data indicates that more and more males are using the service more often. See Appendix A (**ATTACHED**) for Figure 3 'Top Ryder's demographic mix with respect to year' and Figure 4: 'Top Ryder's patronage by gender with respect to year'

Stakeholder and User Feedback

Qualitative feedback from key stakeholders primarily involved with the 'Top Ryder' Bus Service Working Group, VIP Car hire company, local seniors using the service and a random selection of 107 community members using the service (as surveyed by VIP over March 2010). See Appendix A (**ATTACHED**) showing Figure 5 'Customer survey regarding service route and timetabling', Figure 6 'Customer survey

ITEM 4 (continued)

regarding drivers, use and demographics' and Figure 7 'Customer survey regarding how they learnt about Top Ryder'.

The survey shows local paper advertisements remain the best way to reach people to advertise the Top Ryder service. This is likely due to older resident's interest in local news media. A news article in the Northern District Times was published on the 4th of August (**ATTACHED**) which is expected to assist in increasing patronage. The expansion of the Top Ryder shopping centre is also expected to increase patronage rates. See also (**ATTACHED**) photos showing examples of demographic mix of passengers using the Top Ryder service.

Complaint Statistics

The Top Ryder has enjoyed favourable community support throughout its two years of operation. It has only received seven complaints in total. All of these were actioned and addressed promptly. Complaints were mostly related to requests for alternative routes and late services.

Options for Considerations**Option 1:****Discontinue current service from 19 October 2010**

Proposal: Cease current Top Ryder service and sell off buses

Advantages

- Financial savings (currently \$217,000 p.a.)
- Financial return from sale of buses (\$150,000)

Disadvantages

- Loss of a sustainable transport action which is well received by the Ryde Community and compliments Council's overall transport policy and management plans.
- Regular patrons of the service will need to make alternative transport arrangements.

Option 2:**Continue current level of service from 19 October 2010 until the end of the 2010/2011 financial year and pursue sponsorship and advertising dollars to help fund the service and to increase the economic sustainability.****Proposal:**

- Total estimate of cost to Council for this option is approximately \$162,000 including running costs and depreciation for the extended period proposed. Council is expected to secure some sponsorship funding (\$48,000) during this period to help offset this cost although it is acknowledged that returns may be lower than what would normally be expected given the short duration of the extension and future uncertainty of the service. Financial return from sale of buses can still be pursued in 2011/12 if option taken to discontinue service.

ITEM 4 (continued)**Advantages**

- Community ownership of a public asset and a service with social and environmental benefits
- The service provides transport connectivity between key centres
- Continued ability to use assets for other Council events and functions
- Complete control over the Top Ryder service
- Provides opportunity to gain advertising sponsorship

Disadvantages

- On-going costs for Council \$162,000 (approx) for remainder of 2010/11

Consultation

Internal Council business units consulted included:-

- Executive Team
- Access
- Community Services
- Events and Promotions
- Environment and Planning – Regulatory and Environment Units

Internal Workshops held:-

- Nil

City of Ryde Advisory Committees consulted included:-

- Not Applicable

External public consultation included:-

- VIP Car Higher Service
- Users of the service

Comments

Feedback survey completed.

Critical Dates

The current agreements with Top Ryde City and VIP Car Higher Car Service both end on the 19th of October 2010. A decision on whether or not the service is to cease or be extended is required before the expiration date. Any decision to cease the service will require a transitional phase out period of at least thirty days.

Financial Impact

Any financial impact will depend on which option the Council decides to take and if the extension to 30 June 2011 is approved, arrangements will be made with the current service provider to vary the existing contract. Preliminary discussions have been held with VIP Car Higher Service who is willing to accept a contract variation on current rates and conditions.

ITEM 4 (continued)

The following estimations to assist Council in deciding between the options are made.

Option 1 – Recovery of approx **\$150,000** (current valuation) from sale of the two buses in the first year and no ongoing financial impact as the service ceases from 19 October 2010.

Option 2 – Estimated operating cost of **\$162,000** for the period 19 October 2010 to 30 June 2011, including running costs and depreciation. Note: Council will still retain the bus assets (estimated \$150,000 at current value) and there are also opportunities to further offset the operating cost with sponsorship/advertising dollars although it is difficult to estimate how much given the uncertainty of the service.

Policy Implications

There are no policy implications through adoption of the recommendation.

Other Options

There may be an opportunity in the future to expand current service to include Macquarie Centre. This would enable transport connectivity to all six key centres of Ryde which accords with the Ryde Integrated Transport and Land Use Strategy. This opportunity would require provision of a third bus and possible timetable and route review. This aspect has been previously discussed with the Macquarie Centre management for funding assistance. The option is currently deferred pending identification of other funding sources. Macquarie Centre is already funding the Macquarie Shop Biz Shuttle which services the North Ryde Industrial Park.

Conclusion

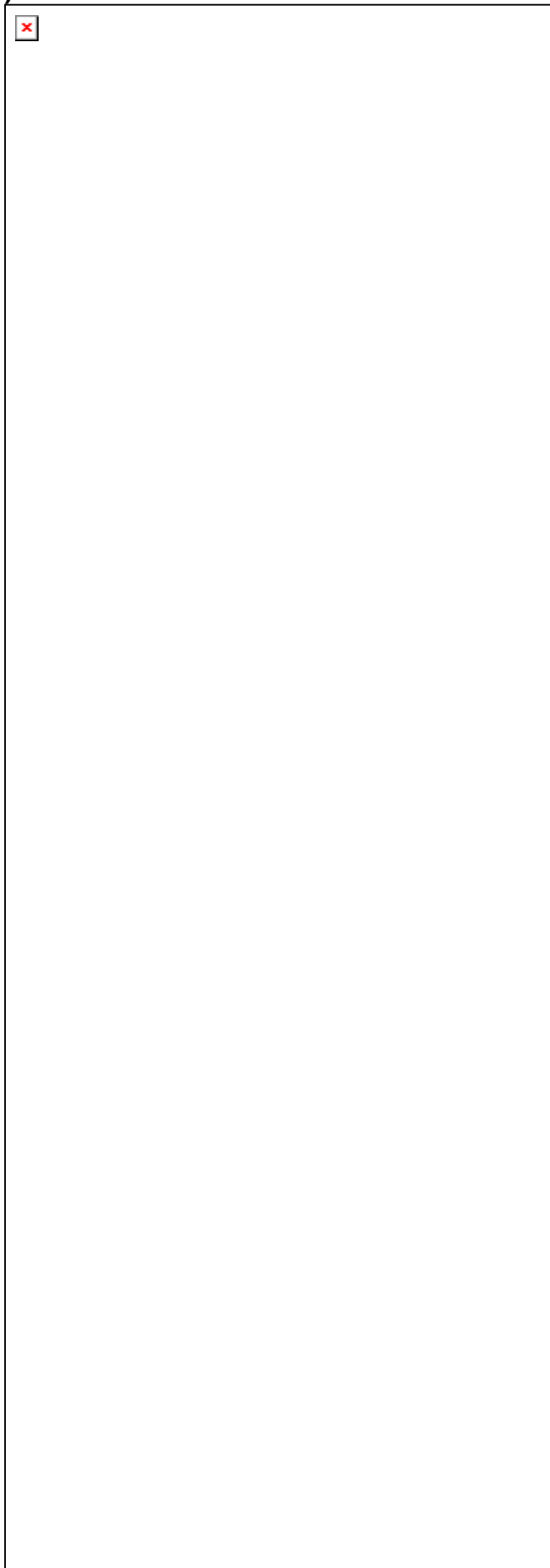
The Ryde Integrated Transport and Land Use Strategy is a key outcome area for the City of Ryde and the 'Top Ryder' Bus Service is a feature of the strategy to reduce reliance on the car, improve transport connectivity and support the development of practical long term community transport initiatives within the Ryde LGA.

The Top Ryder has been established over the past two years and is now a service that is used by many in the local community. Over 61,000 passengers have used the service to date and the service has been beneficial in supporting the community's access to essential services. Passenger numbers are expected to further increase should the service be continued.

The extension of the Service until 30 June 2011 will enable sponsorship and advertising to be pursued to increase the sustainability and viability of the service and reduce costs to Council. The organisations that will be targeted for sponsorship will include those shopping centres and companies that benefit from the increased patronage the service provides.

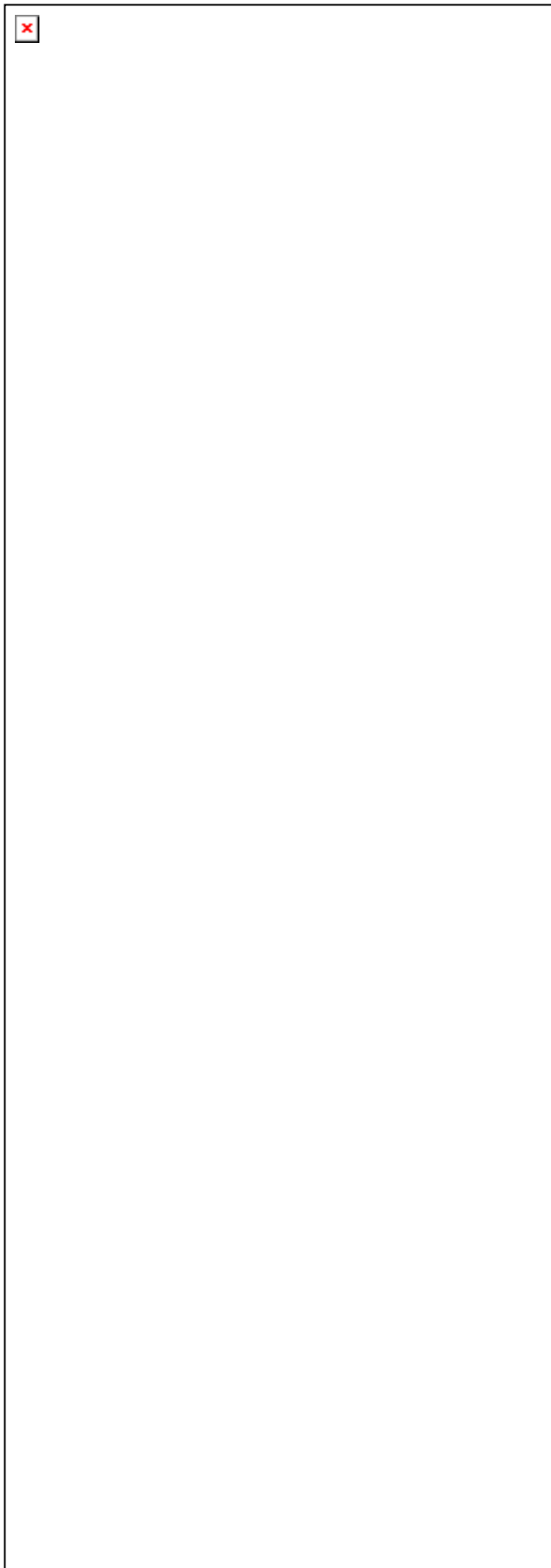
ITEM 4 (continued)

ATTACHMENT 1



ITEM 4 (continued)

ATTACHMENT 1



ITEM 4 (continued)

ATTACHMENT 2

Appendix A

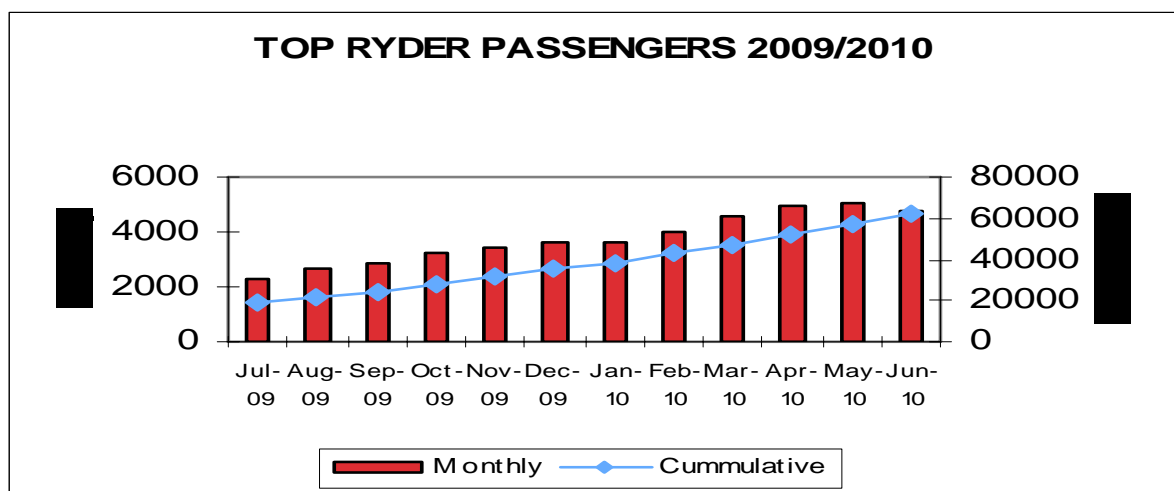
Summary of Tables and Figures

To be read in conjunction with Extension to Top Ryder Community Bus Service Report to Committee of the Whole on 3 August 2010

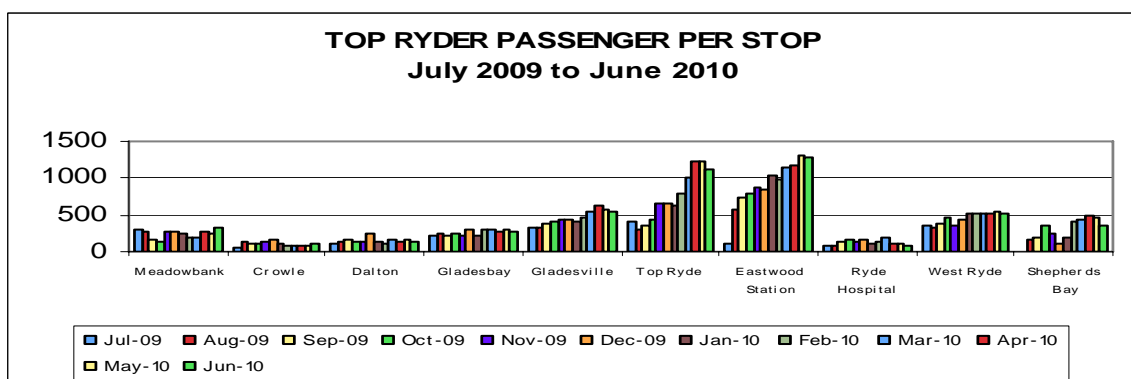
1. Table 1: Top Ryder patronage utilisation rate by quarter for 2009/10

Quarter 2009/2010	Utilisation Rate (%)
First Quarter	47
Second Quarter	65
Third Quarter	76
Fourth Quarter	89
Annual Average	69

2. Figure 1: Top Ryder monthly and cumulative patronage for 2009/10



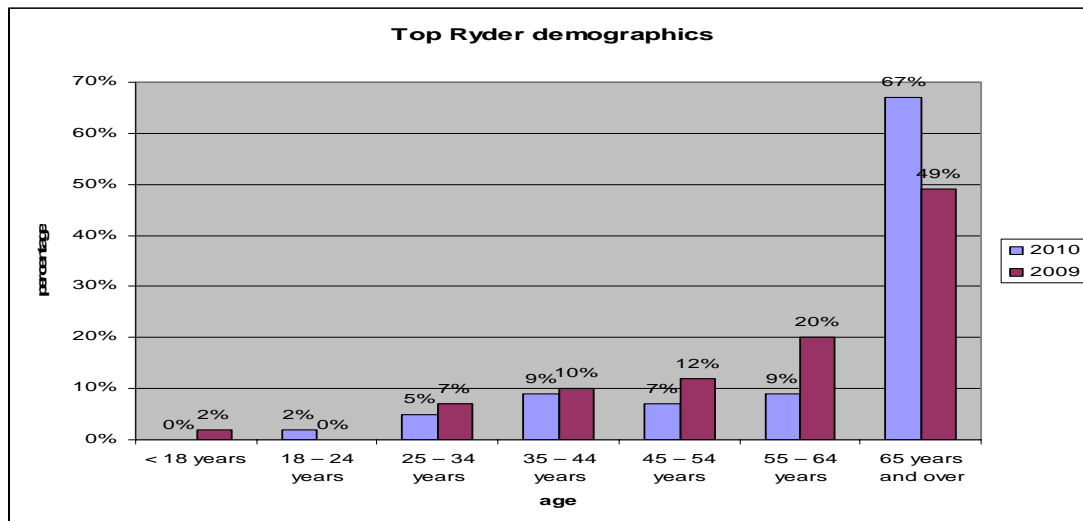
3. Figure 2: Top Ryder stop patronage for 2009/10



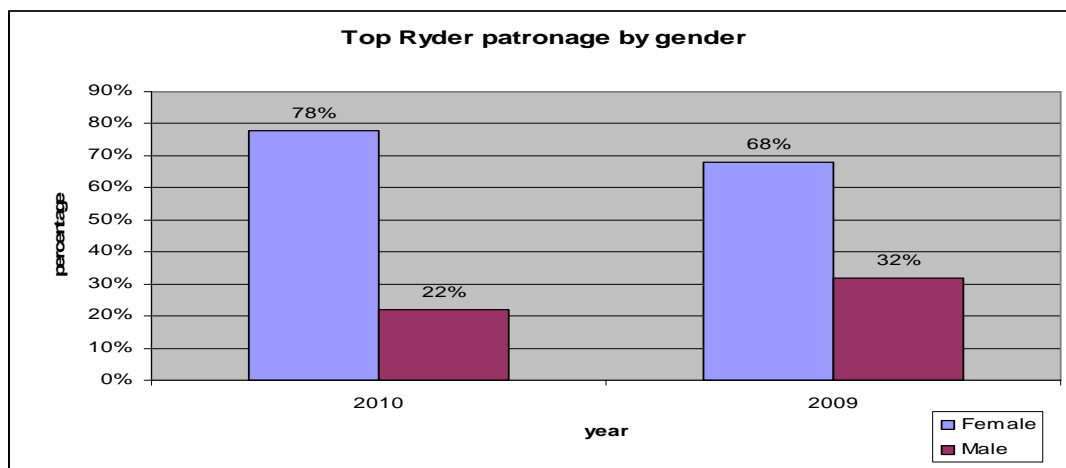
ITEM 4 (continued)

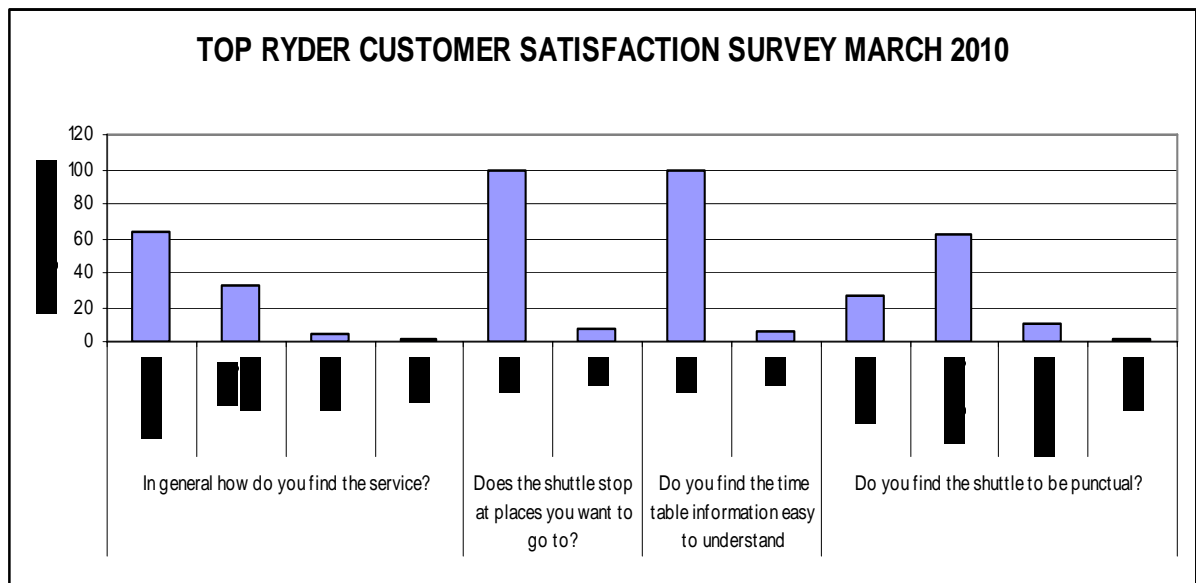
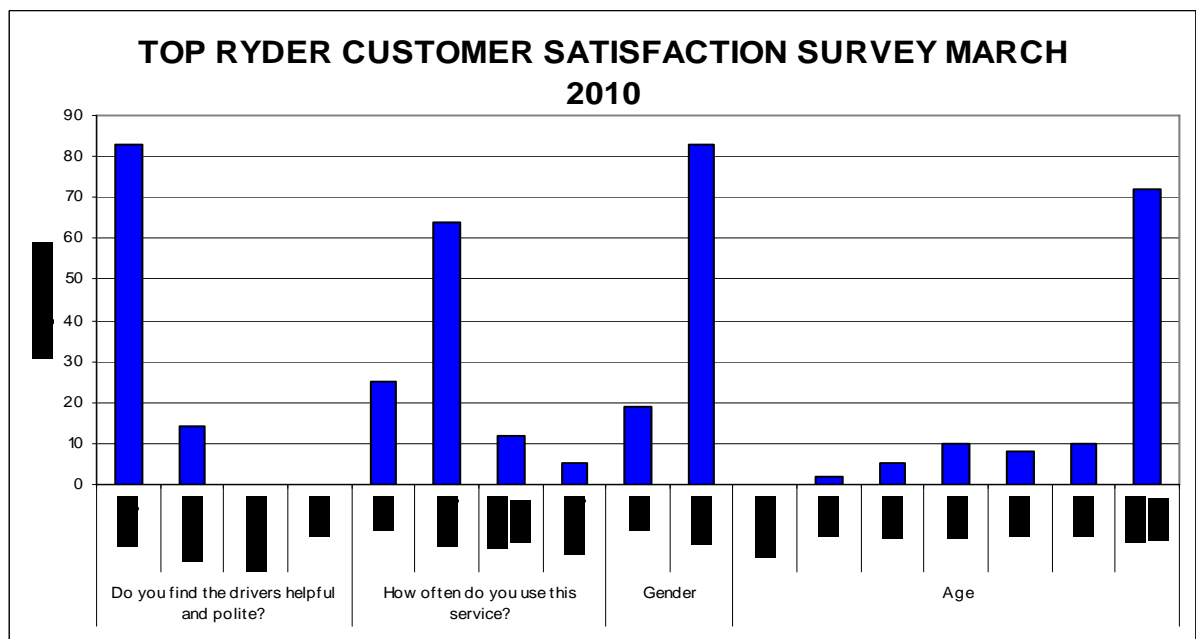
ATTACHMENT 2

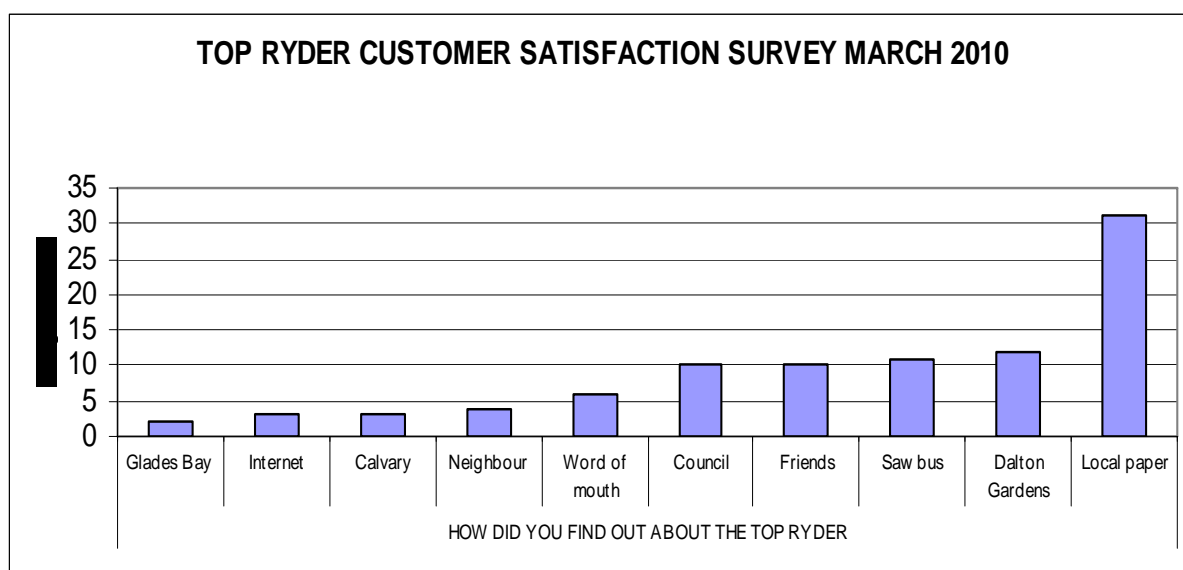
4. Figure 3: Top Ryder's demographic mix with respect to year



5. Figure 4: Top Ryder's patronage by gender with respect to year



ITEM 4 (continued)**ATTACHMENT 2****6. Figure 5: Customer survey regarding service route and timetabling****7. Figure 6: Customer survey regarding drivers, use and demographics**

ITEM 4 (continued)**ATTACHMENT 2****8. Figure 7: Customer survey regarding how they learnt about Top Ryder**

Prepared:

Craig Heal – Senior Sustainability Coordinator, Transport and Environment

Alex Helderma – Contracts and Permits Officer

Sam Cappelli

Manager, The Environment

15 July 2010

ITEM 4 (continued)

ATTACHMENT 3

Passengers think Top Ryder is tops

THE Top Ryder has so far carried more than 80,000 people on the circular route from Meadowbank in West Ryde.

Since the free bus service was established a year ago by Ryde Council and Top Ryde City it has developed an enthusiastic and dedicated following with 5000 people boarding it every month.

The regulars on board said the service had been invaluable, and offered an alternative to driving or taking a taxi.

West Ryde resident Betty Dodd said the bus was a suitable way for her to get around.

"I live near the bus stop and the beauty of this service is it drops me outside the Ryde Hospital. I'm really happy with it," she said.

Shirley Tennant said the service was a great asset for those who needed to get to the hospital and the shops at Top Ryde City.

"It is the only bus that gets you to Ryde Hospital. Otherwise, I'll have to go to Top Ryde and wait for the 312 and if you miss that it's a wait of half an hour for the next one," she said.

Ryde resident Chris Koderian described the bus service as first class and said it had always been comfortable and without any problems.

"I don't have to wait long for it. It's airconditioned and new, and the drivers are friendly and helpful."

Regular passenger Len Sharp said the bus was offering a great service to the community and he would be disappointed if it ever stopped.

"I like to use it once a week to run to the Country Women's Association room in Eastwood for their Devonshire tea and



A Top Ryder regular boards the free bus service every week to enjoy Devonshire tea at the CWA tea rooms in Eastwood.

acorns and buy some of their jam and hardtack.

"Without the bus I wouldn't be able to do that," he said.

Driver Ian Duron, who informed them New Zealand, said the past 20 years had been an exciting and rewarding journey – not only for him but for everyone who had been involved.

"Initially people didn't understand what the service was all about and whether it was a free service, they thought it was for the disabled and the handicapped only."

"We started with very few passengers and the numbers just increased over time but we had to work on the design, layout and signage to attract them."

Mr Duron said some of his regular

passengers came on board to socialise and explore their own suburb.

"We get a real mix of people, from families with their grannies and the elderly from different cultures and backgrounds, and it is interesting to hear about their life stories," he said.

The service employs two full-time drivers and a weekend driver, and runs every hour from 8.30am to 3.30pm, Monday to Saturday and public holidays.

It runs from Meadowbank to West Ryde, through Gladysville, Top Ryde City, Eastwood and Ryde Hospital. Passengers can catch or stop the Top Ryder at any STA bus stop and train station along the route.

—By 2008 experienced student
YOUR AZHAI

ITEM 4 (continued)

ATTACHMENT 5



5 CRIME PREVENTION APPROACH - GLEN RESERVE, EASTWOOD

Report prepared by: Road and Community Safety Projects Officer**Report dated:** 7 June 2010**File No.:** GRP/10/2/001/3 - BP10/328

Report Summary

**This report was deferred from the
Committee of the Whole Meeting of 17 August 2010.**

This report outlines a crime prevention approach for Glen Reserve, Eastwood.

RECOMMENDATION:

- (a) That Council officers approach businesses and the Chamber of Commerce to seek 50/50 funding 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.

ATTACHMENTS

There are no attachments for this report.

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 5 (continued)**Background**

At the Council meeting held on 12 May 2010, Council resolved:

- a) *That the General Manager prepare a report to examine measures to improve security and prevent anti-social behaviour at Glen Reserve (including better public lighting at night time), particularly behind the building at 20-22 Glen Street. The report is to be initially presented to the Crime Prevention Advisory Committee.*
- b) *That following this report, a further report to Council be provided that examines similar reserves where anti-social behaviour occurs.*

This item was scheduled to be discussed by Crime Prevention Advisory Committee at their meeting on 17 July 2010, however this meeting was cancelled. The item has now been scheduled for the Committee's next meeting on 19 August 2010.

Given the delay this report is being presented to the Council prior to its discussion at the Crime Prevention Committee at the request of Councillor Li.

Report

A team comprising of a NSW Police representative and City of Ryde staff conducted two site investigations of Glen Reserve, Eastwood (one at night and during the day). The team included:

- Crime Prevention Officer, Eastwood Local Area Command
- Landscape Architect, City of Ryde
- Parks Asset Officer, City of Ryde
- Road and Community Safety Project Officer, City of Ryde

The site investigations concentrated on improving security by increasing lighting, improving sight lines and removing opportunities for loitering and graffiti. The team identified several methods to improve security and prevent anti-social behaviour in Glen Reserve including lighting; pruning and shrub removal; and picnic settings and playground equipment.

Lighting

Lighting was poor on the north side of the canal, next to the buildings, particularly behind 20-22 Glen St. Council has lighting on the south side of the canal but was pointed south and was obstructed by some vegetation. The private buildings did not have any significant lighting that would illuminate the Reserve.

The following strategies are proposed for consideration.

Strategy	Cost	Funding source
Change the orange sodium lighting on the opposite side of Glen Reserve to a white light with brighter luminescence	On-going maintenance budget	
Request building owners adjacent Glen Reserve provide outside entry lighting at their own cost OR Investigate option	Building owners absorbed cost	Addition to Future

ITEM 5 (continued)

of a 50/50 cost for new lighting between Council and the business owners between canal, car park and adjacent buildings	New Council lighting: \$39,580	Management Plans or Quarterly Review
Install lighting at the entry to the park from the car park	\$700	Addition to Future Management Plans or Quarterly Review

Pruning and shrub removal

Several trees and shrubs prevented lighting from the car park on the south side of Glen Reserve to filter through to the north side of Glen Reserve. Some vegetation also blocked sight lines from the car park to the end of Glen Reserve, increasing the risk of anti-social behaviour. Some trees also provided concealment opportunities for those undertaking anti-social behaviour.

The following strategies are proposed for consideration. Please note that no trees will be removed.

Strategy	Cost	Funding source
Under prune trees along boundary of adjacent buildings to allow for clear sightlines, particularly sightlines at building entry points	On-going maintenance budget	
Possibly plant a low growing understory (maximum height of 1m) along boundary of adjacent buildings to provide an aesthetic screen without compromising clear sightlines of buildings and their entries.	On-going maintenance budget	
Remove shrubbery, <i>Callistemons</i> (x3); <i>Syzygium</i> (x1) and <i>Murrayas</i> (x4) at path entry to park from car park to allow for clear sightlines into the park	On-going maintenance budget	
Plant either side of this entry with low growing groundcovers (to maximum height of 0.5m)	On-going maintenance budget	
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.	On-going maintenance budget	
Define garden beds and remove garden beds from beside pathway	On-going maintenance budget	
Under prune <i>Agonis flexuosa</i> overhanging the path and the canal	On-going maintenance budget	
Under prune trees around existing lights	On-going maintenance budget	
Mulch around trees and garden beds	On-going maintenance budget	

ITEM 5 (continued)

Public Works has advised that pruning has already begun in the locations recommended in this report in Glen Reserve, Eastwood.

Picnic Settings and Playground

The picnic settings along the north side of the canal, behind 22 Glen St and 26 Glen St were seen as the biggest contributing factor in creating a sense of insecurity. The settings are not lit and encourage loitering.

The following strategies are proposed for consideration.

Strategy	Cost	Funding source
Relocate picnic settings to playground surrounds (so there is clear visibility from Hillview Road) and also to Reserve on the other side of the canal, where there is greater visibility	\$4,000	Addition to Future Management Plans or 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 Plans or Quarterly Review
Consolidate the playground with seating included (at a later stage).	TBC	Addition to Future Management Plans and/or inclusion in the Integrated Open Space Strategy

Similar Reserves

The City of Ryde has 207 parks and reserves. This requires staff to prioritise which reserves to investigate. The Road and Community Safety Project Officer is currently preparing a Crime Prevention Plan. This Plan will identify key hotspot areas which have the highest incident rates of crime in the City. All similar reserves will be identified during this process and will be reported to Council with a draft Plan later this calendar year.

The Integrated Open Space Strategy will also be an opportunity to identify and address anti-social behaviour in the City of Ryde.

Consultation

Internal Council business units consulted included:-

- Park Assets
- Open Space

Internal Workshops held:-

- Not applicable

ITEM 5 (continued)

City of Ryde Advisory Committees consulted included:-
Nil

External public consultation included:-

- Crime Prevention Officer, Eastwood Local Area Command

Comments

NSW Police and Park Assets attended the night time site investigate and provided feedback which is listed above. Park Assets also attended a day time audit. Open Space provided advice on the Integrated Open Space Strategy.

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 \$48,165.

Most of this project is provided for in the current budget in Maintenance as indicated above.

However, new lighting, relocation of picnic settings and floodway signage is not provided for in the current budget 2010/11 and could be funded from:

- (I) revenue allocation in Council's Budget
- (II) revenue allocation by an adjustment in the next Quarterly review
- (IV) contribution from business owners.

The on-going cost of maintaining this proposal is \$3000 and could be included in future operation budgets. Council would need to maintain the lighting and manage the vegetation in the Reserve

Policy Implications

There are no policy implications through adoption of the recommendation.

Conclusion

To increase safety and decrease anti-social behaviour in Glen Reserve, Eastwood several methods have been identified for consideration by Council. Work has already begun to increase safety as part of Council's on-going vegetation maintenance program. The team who conducted the site investigation recommend that increasing lighting and relocating the picnic settings would provide the greatest improvement in the current situation.

6 TRANSPORT STUDY FOR COMPREHENSIVE LEP NEW

Report prepared by: Senior Sustainability Co-Ordinator; Strategic Planner**Report dated:** 2 August 2010**File No.:** GRP/09/6/1/3 - BP10/442

Report Summary

**This report was deferred from the
Committee of the Whole Meeting of 17 August 2010.**

The purpose of this report is to present the Transport Study, one of a number of background studies undertaken for the City of Ryde (CoR) Local Planning Strategy. The purpose of the Local Planning Strategy is to inform the CoR draft comprehensive Local Environment Plan (LEP) 2011.

The Transport Study (was **CIRCULATED UNDER SEPARATE COVER for 17 AUGUST 2010**) supports the current strategic planning direction of the CoR to focus on encouragement of sustainable transport within the City.

The Transport Study has incorporated a wide range of national, state and regional policy directions, guidelines and case studies to provide a set of clear transport recommendations within six key planning areas:

1. Integrating Transport and Land Use;
2. Centre planning;
3. Corridors planning;
4. Planning for Sustainable Transport;
5. Managing travel demand;
6. Planning for Parking.

The Transport Study recommends a range of provisions for draft LEP 2011, matters for consideration in the preparation of DCP 2011 and future investigations.

RECOMMENDATION:

- (a) That the draft Transport Study be endorsed for targeted consultation with the relevant CoR Advisory Committees and Working Groups.
- (b) That following targeted consultation, a further report be submitted to Council prior to the Transport Study being publicly exhibited together with the Draft Local Environment Plan 2011.
- (c) That the recommendations of the Transport Study be incorporated into the draft Comprehensive LEP 2011 and draft DCP 2011 prior to the draft plan being circulated for consultation with the Government agencies (under S62 of the Environmental Planning and Assessment Act).

ITEM 6 (continued)

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Craig Heal
Senior Sustainability Co-Ordinator

Melissa Burne
Strategic Planner

Report Approved By:

Sam Cappelli
Manager - The Environment

Dominic Johnson
Group Manager Environment & Planning

Meryl Bishop
Manager - Urban Planning

ITEM 6 (continued)**Background**

The Transport Study conducted an extensive review of policies, programs, strategies and legislation related to transport at a National, State, Regional and Council level. Particular emphasis was placed on implementing relevant objectives and actions of the NSW Department of Planning's *Metropolitan Strategy: City of Cities* and the *Inner North Subregion: Draft Subregional Strategy* and the *Ryde Integrated Transport Land Use Strategy*.

Report

The Transport Study purpose is to provide recommendations for inclusion into the CoR's Comprehensive LEP and supporting DCP and other planning instruments. Their combined goal is to encourage improved transport options and improve traffic congestion within the CoR.

The Transport Study supports:

1. planning for a sustainable, integrated and accessible transport system and urban environment;
2. implementing CoR policy and management plans into Council's comprehensive LEP and supporting DCP's;
3. implement *The Environmental and Planning Assessment Act, Section 117 Direction 3.4 Integrating Land Use and Transport* in the preparation of Council's comprehensive LEP;
4. bringing attention to other actions that support the LEP and DCP's.

The Transport Study is based on a number of background studies and has been informed by a number of community consultation events as well as consultation with Councillors and a range of Council staff. Due to the relationship of transport and traffic issues with potential impacts on the environment and on accessibility, the CoR strategic context includes the City's key strategies and documents towards a sustainable future. Reference is made to the following CoR documents:

Broad Strategies

- City Vision 2022
- Ryde 2030 Community Strategic Plan project
- Management Plan 2010-2014
- Environment Strategy 2007-2010
- Access and Equity Policy 2009
- Social Justice Charter 2008

Transport and planning strategies and studies

- Urban Villages Strategy (comprising Ryde Urban Villages Feasibility Study and six Technical Reports)
- CoR Integrated Transport and Land Use Strategy (adopted August 2007)
- Ryde Bicycle Strategy and Master plan (adopted 2007)
- Various transport and traffic related planning studies also inform the Transport Strategy;

ITEM 6 (continued)

Other Related Strategies, studies and plans

- Section 94 Developer Contributions Plan 2007
- Parks on Track 2025 (adopted December 2006)
- Integrated Open Space Strategy (proposed)
- Community Facilities Plan 2030 (Adopted June 2010)
- Social Mapping and Gap Analysis (Draft)

Study Recommendations

The section below summarises the Transport Study's six transport planning areas LEP recommendations and associated Council directions.

The Study also details additional recommendations relating to DCP adjustments, further investigations and/or other complementary CoR activities to help address the transport direction/issues further.

Integrating Transport and Land Use	
Direction/Issues	Recommendations
Apply integration of land use and transport principles citywide in planning controls.	<p>Include particular aims in the comprehensive LEP to encourage meaningful integration of land use and transport. These aims should include those which support:</p> <ul style="list-style-type: none"> • the objectives of Council's Ryde Integrated Transport and Land Use Strategy; • the objectives of Ryde Bicycle Masterplan and Strategy 2007; • the objectives of Section 117 Direction 3.4 Integrating Transport and Land Use; • provide for opportunities to reduce traffic congestion; • reduce car dependence through development that supports public transport, cycling and walking; • land use patterns that reduce the need for travel; • increased densities for residential and employment near transport nodes to allow for more effective use of transport; and increased viability of public transport; • increased use of mixed land uses especially around transport nodes; • development that supports sustainable transport through provision of mixed land uses, permeable, accessible linkages.

ITEM 6 (continued)

Integrating Transport and Land Use	
Encourage application of the principles of integration of transport and land use planning in all Council strategies.	Include additional zone objectives under the comprehensive LEP to support integration of land use and transport planning principles for high-density developments or major trip generating developments. In this regard, it is recommended that the objective "To maximise public transport patronage and encourage walking and cycling where practicable." be included for all zones.

Centres Planning: Accommodating Growth	
Direction/Issues	Recommendations
Focus new growth development at transport nodes.	No specific LEP provisions or recommendations, although a series of DCP changes are proposed to support active transport around town and urban centres and associated links.
Continue to encourage new growth in centres, increase land use densities and mix at and around major transport nodes.	
Increase jobs closer to where people live, so residents spend less time travelling to work.	

Corridors: Functioning Transport Corridors	
Direction/Issues	Recommendations
Protect the role and function of major transport corridors through planning controls	Include aims in the comprehensive LEP to protect the role and function of existing and planned major transport corridors including the potential Macquarie Park to Parramatta/Sydney Olympic Park/Rhodes corridor. Prioritise accessibility to public transport, to protect the amenity within proximity to major transport corridors.
Focus new development along busy roads and corridors to be in and around centres.	
Manage the impacts of major roads and traffic generating activities	
Minimise the adverse impacts from freight movements on the CoR community. Minimise impacts of air pollution and noise.	

Planning for Sustainable Transport	
Direction/Issues	Recommendations
Support and promote travel by walking, cycling and public transport through planning controls	Include objectives in the comprehensive LEP to support active transport provisions all in LEP Zone descriptions. Specific changes to DCP are proposed to support active transport and determine thresholds on development where controls are to be applied.
Prioritise planning for linkages between land uses to encourage and support local trips via active transport options	
Support low speed road speeds through low density residential areas for safer travel by walking and cycling	

ITEM 6 (continued)

Planning to Improve Management of Travel Demand	
Direction/Issues	Recommendations
Support requirements for travel plans to be included with proposals through development of control plan provisions.	No specific LEP provisions are recommended. A requirement for travel plans will be proposed as a requirement via DCP's for particular types and sizes of development.
Support car sharing and car-pooling schemes through planning controls.	

Planning for Parking	
Direction/Issues	Recommendations
Address parking management on a regional level to address implementation of the Metropolitan Strategy with respect to the Metropolitan Parking Policy.	Include aims of the LEP to allow for the land use of public <i>car park</i> as permissible with consent in the following zone/s B3, B4 and B7. As parking remains a critical part of the integrated transport system, a parking review will be undertaken to inform sustainable transport and economic development and provide DCP controls.
Review and update the CoR parking controls	

Consultation

Internal Council business units consulted included:-

- Environment
- Planning
- Access

Internal Workshops held:-

- Not Applicable

CoR Advisory Committees consulted included:-

- Not Applicable

External public consultation included:-

- Not Applicable

Comments

Council teams worked collaboratively to produce the Transport Study.

Future consultation for the draft *Transport Study*

The following committees and working groups will be provided with the draft document at their next meetings:

- Climate Change and Sustainability Advisory Committee
- Access Committee
- Bicycle Advisory Committee

ITEM 6 (continued)**Critical Dates**

The following deadlines are required to be met:

- The Local Strategy is to be completed by the end of October 2010.
- The Comprehensive LEP will be lodged with the NSW Department of Planning for gazettal by March 2011.

Financial Impact

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

Policy Implications

The recommendation is consistent with the Council's City Vision 2022 and CoR Management Plan 2010-2014 and will inform the comprehensive LEP.

Other Options

NA

Conclusion

The Transport Study supports the current strategic planning direction of the CoR to provide integrated transport planning controls to encourage sustainable transport in preference to private vehicle travel.

The Transport Study recommends a range of provisions for the Comprehensive LEP 2011 and for sustainable transport modes and trips through supportive planning controls.

7 160-162 WICKS ROAD - Request for rezoning in conjunction with draft Ryde LEP 2011

Report prepared by: Manager - Buildings and Property**Report dated:** 3 August 2010**File No.:** GRP/10/1/001/3 - BP10/450

Report Summary

**This report was deferred from the
Committee of the Whole Meeting of 17 August 2010.**

To seek approval to rezone land owned by Council at 160-162 Wicks Road, Macquarie Park to IN2 Light Industrial and to include the rezoning in the Section 62 consultation required under the *Environmental Planning and Assessment Act 1979* with respect to the draft Ryde Local Environmental Plan (LEP) 2011.

RECOMMENDATION:

- (a) That land at 160-162 Wicks Road being Lots 1, 2 & 3 DP1078026, Lots 14 & 15 DP841065, and Lot 2 DP 527058 be considered for rezoning to "IN2 Light Industrial".
- (b) That the draft Ryde Local Environmental Plan (LEP) 2011 be amended prior to the Section 62 consultation under the *Environmental Planning and Assessment Act 1979* to reflect the new zoning in (a) above.
- (c) Subject to (a), that a Master Plan for the Porters Creek site, incorporating the existing and proposed functions, activities and uses outlined in this report, be further developed.

ATTACHMENTS**1 160-162 Wicks Road Land Ownership 1 Page**

Report Prepared By:

Michael Betts**Manager - Buildings and Property**

Report Approved By:

Kim Woodbury**Group Manager - Public Works**

ITEM 7 (continued)**Background**

160-162 Wicks Road is commonly known as the Porters Creek site and was originally a garbage landfill operated by Council from 1969 until 1985. The garbage landfill operation closed in 1985 when the adjoining Waste Transfer Station opened. Inert fill material originating from Council's own works was subsequently disposed on the site to form a capping layer and achieve desired site levels. Filling on site has since ceased and Council currently operates a construction waste recycling centre on the site, which it is looking to continue. The Waste Transfer Station is owned and operated by WSN Environmental Solutions (a state owned corporation of the NSW Government), who also currently provides waste collection services to Council. WSN/Australian Native Landscapes operates a green waste recycling service on land owned by Council which is leased to WSN.

Due to the existence of the old landfill, Council has been required by the EPA to responsibly manage the leachate generated by the site and to undertake water quality monitoring on the site to mitigate contaminants entering Porters Creek which leads to the Lane Cove River.

Land to the north west of Council's site is owned by the Department of Planning and it has been proposed by the department that it be transferred to Council. However, terms are still being negotiated.

Work is also currently being planned on the site to relocate mounds of spoil that originally emanated from construction of the adjacent M2. This is necessary as the spoil covers two underground drainage culverts and the weight is impacting adversely on their structural integrity. To prevent a collapse of the culverts it will be necessary to relocate approximately 2600 m³ of spoil to other areas of the site. As the spoil is on Department of Planning land, this work is planned to commence upon transfer of the land to Council.

The entire site comprises some 10.8 ha of which Council owns 8.2 ha and Department of Planning owns 2.6 ha (proposed to be transferred to Council). In the southern corner is a small park, Porters Park of approximately 2,000 sqm, which is Crown Land – but this land together with the Department of Planning land is not the subject of this rezoning proposal. Near to the site is WSN owned land, Northern Suburbs Cemetery and the SES building as well as approximately 31.3 ha of National Park. Details are shown in the plan **ATTACHMENT 1**.

Report

At the Works Parks & Traffic Committee meeting held on 3 December 1991 it was resolved inter alia:

- (a) That the long term development of the Porters Creek Landfill Depot including the establishment of a Materials Recycling Facility be further investigated.
- (b) That a co-ordination and review group be established to progress the investigations referred to in (a) above.

A Working Group was established by Council in 1992 to examine and recommend on the future use of the site. A number of uses were examined including, recycling of road materials, recycling of paper, glass and plastics, playing fields, caravan park,

ITEM 7 (continued)

tipping of non-recyclable material, leasing for recreation use (e.g. golf, trail bikes, go carts), leasing for storage, leasing for storing recyclable material, Council materials store, nursery education, heliport, advanced driving school, methane gas collection & sale, agricultural/animal farm, equestrian activities, dog training school/boarding kennels, weekend markets, Granny Smith orchard, botanical gardens, derelict vehicle storage, direct tipping to waste transfer station, commuter carparking station, waste transfer station for soils, road materials etc, leachate management.

The following constraints were acknowledged by the group:

- Cost – return to Council
- Environmental impact (noise/dust etc)
- Council needs for tipping/storage beyond life of landfill
- Natural elements (wind/terrain)
- No building over garbage filled areas – methane gas
- Safety factors for joint/multiple uses
- Legal implications (required rezoning)
- Commercial market for use
- Airport flight path above site

In conducting the review the group made specific comment on the following important aspects:

- (a) Levels – the landfill operation was based on a Landscape Proposal that provided for optimum levels over 3 plateaus. These provided for a maximum depth of fill of approximately 31.7m over the drainage culverts. The culvert design provided load limitations for approximately 36.6m of cover.
- (b) Zoning – the land was then zoned 6(a) Open Space under the RPSO.
- (c) Environmental Effects – advice was received from the EPA that they could give conditional approval to build on the land if the design of any buildings were sufficient to withstand subsidence, methane or other risks. This would need to be weighed against the potential cost to meet those conditions. Playing fields were possible. However use as a botanical site could be a problem with large trees having the potential for root systems to penetrate the clay capping above the garbage landfill.
- (d) Competition – WSN was expanding their recycling service which would at the time directly compete with any such service established by Council.
- (e) Economics – no detailed financial analysis of any of the potential uses was carried out.
- (f) Public health – this includes leachate, waste disposal and methane gas. The leachate is collected and treated on site prior to pumping to sewer. The *Unhealthy Building Lands Act 1990* placed constraints on the use of the land. Methane gas was looked at for the production of gas power or use to generate electricity. However while some interest was shown nothing eventuated. It did cite serious accidents that had occurred overseas from methane gas explosions at former waste disposal sites. Methane levels on site were subsequently reported by Coffey Geosciences to have diminished.
- (g) Priority – the report recommended options be further evaluated and considered according to a priority. These were:

ITEM 7 (continued)

1. Leachate
2. Methane
3. Recycle Road Materials
4. Tipping
5. Material Store
6. Playing Fields
7. Materials Recovery Facility - lease
8. Derelict Cars
9. Recreation lease
10. Storage recyclable materials – lease

Since the review the site has been used for the following activities:

- Construction/road materials recycling – this provides savings to Council in excess of \$2.5 million pa and is only limited by the area available to conduct the activities.
- Green waste recycling – this also provides a good income to Council currently \$101,806 pa (plus royalties) from a lease of part of the site to WSN. The lease is due to expire on 30 September 2010, but it would be proposed to negotiate a new lease on acceptable terms to Council.
- Materials storage – this includes large construction materials as well as some infrastructure elements for public domain areas.
- Water quality and leachate – the plant continues to collect leachate prior to pumping to sewer under a trade waste agreement.

The most appropriate zoning to continue the above uses and also provide flexibility to consider other possible uses, would be the proposed IN2 zoning.

A previous proposal to pursue a full waste management and recycling facility on the site was rejected by Council in 2000 due to public concerns over access along Wicks Road. This would have involved the transportation of material to the site from not only areas within the City of Ryde but also from other local government areas. Clearly intensification of the site in this manner is not in the interests of Council and would not be pursued as part of any proposed Master Plan.

Current zoning under LEP 2010 is RE1 Public Recreation which has the following permitted uses:

- Permitted without consent – Environmental protection works
- Permitted with consent – Business identification signs; Community facilities; Environmental facilities; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Restaurants; Roads.

The land is classified as Operational Land under the *Local Government Act*, 1993.

It is now timely to review the future use of the Porters Creek site and a number of options are currently being explored. These will require further investigation, financial analysis and feasibilities but it is felt that to progress any of these options will require rezoning of the land. A concept master plan of the site is currently being developed as part of the review of Council's waste management strategy.

ITEM 7 (continued)

The current Operations Centre at 1 Constitution Road was opened in May 2002. It is a converted warehouse/office facility and has a number of limitations including close proximity to Meadowbank Public School, restricted parking availability (no Council parking in adjoining Gale Street), limited expansion available, older services and structure and it is becoming costly to maintain with age. It is close to a number of major residential developments that are either under construction or planned. The site would appear to have more value as a redevelopment site than its current use. This has resulted in a view being formed that relocation of the Operations Centre from its current site within the next 5-10 years would be a prudent option. One of the locations thought suitable for a new Operations Centre is at the Porters Creek site. This would have the advantage of locating the centre in an area that is conducive to materials storage and handling, plant parking movements and the like. It would also locate the operation close by to the construction/road materials recycling area. Initial thoughts are that the best location would be along the Wicks Road frontage, which is not subject to the garbage landfill constraints. This would be subject to further investigations including geotechnical surveys. In addition, the full staff accommodation strategy (including Public Works) will be the subject of report to Council in the future.

To enable the load above the existing drainage culverts to be reduced it is planned to move some 2,600 cu m of fill to elsewhere on the site away from the drainage culvert system. The proposed earthworks will be designed to not sterilise usable areas on site. This will be pursued after transfer of the Department of Planning land to Council.

Continuance of water quality monitoring and leachate management on site will be necessary to minimise and monitor impacts on down stream environments.

Currently Council is required to dispose of virgin excavated natural material (VENM) from the construction waste recycling function, off-site at a cost of approximately \$40 per tonne. The opportunity may present itself in the future for such waste to be disposed off on-site for a limited period of time, which would enable Council to fill some areas of undulation across the north west part of the site. This would be subject to the necessary approvals from DECCW. This would provide further savings to the construction waste recycling activities and a more beneficial result to Council.

A commuter carparking station (incorporating a convenience retail tenancy) could be constructed adjoining the M2. This could be used for commuters as a "park and ride" station. The Porters Creek site is in close proximity to a number of office developments (both constructed and planned) as well as the Delhi Road rail station. There is also potential to incorporate a service station in such a development. The type of development envisaged could provide an attractive income to Council and it would form part of the proposed Property Fund (to be the subject of a further report to Council). However these are only concept ideas at the moment and would require much further detailed financial analysis.

The appropriate zoning for the site, subject to Council approval, would be IN2 Light Industrial which allows the following uses:

- Permitted without consent – Home occupations.
- Permitted with consent - Business identification signs; Car parking; Child care centres; Community facilities; Depots; Industrial retail outlets; Light

ITEM 7 (continued)

industries; Neighbourhood shops; Public administration buildings; Pubs; Recreation areas; Research stations; Roads; Service stations; Sex services premises; Transport depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Water recycling facilities

By pursuing such a rezoning Council can continue with the current profitable activities on the site, such as the construction waste recycling and the lease to WSN for green waste recycling, and at the same time provide the potential for further options to be considered for the site. These would be the subject of further investigation and analysis, as well as Council approval.

Consultation

Internal Council business units consulted included:-

- Urban Planning
- Waste & Fleet
- Operations
- Buildings & Property

Internal Workshops held:-

- Not Applicable

City of Ryde Advisory Committees consulted included:-

- Not Applicable

External public consultation included:-

- Will occur as part of the Section 62 consultation with utilities, government departments and agencies and adjoining local government authorities. S 62 requires Council to consult with such public authorities or bodies as, in its opinion, will or may be affected by the draft plan and to adjoining Council's or other persons that Council determines.

Comments

Nil

Critical Dates

The following deadlines are required to be met:

- Inclusion in the S62 consultation is desirable now to meet the timeframes established by the Department of Planning for implementation of LEP 2011 in March 2011.

Financial Impact

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

This report is only seeking rezoning and does not propose changing any of the current activities conducted on the site. Any new works/activities would be the subject of future reports and any required expenditure would be included in subsequent year's Management Plans.

ITEM 7 (continued)**Policy Implications**

There are no policy implications through adoption of the recommendation.

Other Options

Council could decide to retain the existing zoning of the land. This would not enable any further utilisation of the land, as envisaged in this report, and would limit Council to the activities currently being undertaken under existing use rights. It would not allow Council to maximise the potential of the land.

Conclusion

Pursuing rezoning of this land will enable Council to consider potential other uses which could provide multiple income streams in the future, as well as earmarking a site for possible relocation of the Operations Centre when it reaches the end of its useful existence at Constitution Road. The relocation from Constitution Road would also provide a capital injection of funds from the sale of that site which would be used to help fund the relocation.

ITEM 7 (continued)

ATTACHMENT 1



8 RECRUITMENT OF GROUP MANAGER PUBLIC WORKS

Report prepared by: General Manager**Report dated:** 13/08/2010**File No.:** GRP/10/5/001/6 - BP10/482

REPORT

This report is to:

- (1) Advise Council of progress to date for the recruitment of Group Manager Public Works
- (2) Clarify with Council how the requirements of Section 337 of the Local Government Act relating to appointment of senior staff are fulfilled.

The Local Government Act clearly establishes roles and accountabilities for the appointment of senior staff. Section 335 of the Act identifies that the General Manager has the following particular functions "*Appoint staff in accordance with an organisational structure and resources approved by Council*"

In addition, Section 337 of the Local Government Act requires that the General Managers *may appoint or dismiss senior staff only after consultation with Council*.

As Councillors are aware, Group Manager of Public Works Mr Kim Woodbury resigned from Council effective from 19 August 2010. Barry Hodge the Manager for Operations is Acting as Group Manager. On Mr Woodbury's resignation we sought quotes from four major recruitment consultants and have appointed Mr Stephen Blackadder from Blackadder Associates Pty Ltd to undertake a search and recruitment for the position.

The timetable for the recruitment is attached.

RECOMMENDATION:

That Council agree to meet with the short listed candidate at a Councillor dinner at the Committee of the Whole meeting on the 7 September 2010 to fulfil the requirements of Section 337 of the Local Government Act relating to the appointment of senior staff.

ATTACHMENTS

- 1 Recruitment Timetable

Report Prepared By:

John Neish
General Manager

Report Approved By:

John Neish
General Manager

ITEM 8 (continued)**ATTACHMENT 1****TIMETABLE FOR RECRUITMENT**

Monday 16 August 2010 – Closing date for applications

Thursday 19 August 2010 - Recommendations made for short listing of candidates

Friday 27 August 2010 – Interviews with short listed candidates

Tuesday 31 August 2010 – 2nd round of interviews for preferred 2 or 3 candidates

Tuesday 7 September 2010 – Preferred candidate to meet with Councillors at dinner of Committee of the Whole

Friday 10 September 2010 – Final offer made.

9 REPORT ON OUTSTANDING RESOLUTIONS

Report prepared by: Manager - Governance

Report dated: 17 August 2010

File No.: GRP/10/3/001/6 - BP10/403

REPORT

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 10 August 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

Report Prepared By:

Shane Sullivan
Manager - Governance

Report Approved By:

Roy Newsome
Group Manager - Corporate Services

ITEM 9 (continued)

ATTACHMENT 1

Outstanding Resolutions - Report

Meeting Details	Resolution	Due Date of Report	Comments
	ITEM 9: ENVIRONMENT AND OPEN SPACE STUDY	2/11/2010	<i>Report to Committee of the Whole Meeting on 2 November 2010.</i>
	(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.	Anticipated date 2/11/2010	
		Group	
		Environment and Planning	
		Responsible Officer	
		Meryl Bishop	
Meeting Details	Resolution	Due Date of Report	Comments
Works and Community	BUSHLAND WALKING TRACKS	18/05/2010	<i>Data collection being undertaken currently. Update provided to BEACR in February 2009.</i>
8/04/2008	Report on developing a strategy to manage bushland walking tracks	Anticipated date 2/11/2010	<i>Workshop with Councilors June 2009.</i>
		Group	<i>A report to be presented to Works & Community on 18 May 2010.</i>
		Community Life	
		Responsible Officer	<i>Report being prepared for WC in July 2010.</i>
		Peter Montague	<i>Report delayed due to Natural Areas Contracts negotiations.</i>
			<i>Information being compiled for 2 November 2010 report.</i>

18-Aug-10

10:53 AM

Page 1 of 20

ITEM 9 (continued)

ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Works and Community 26/05/2009	PROVISION OF BUBBLERS IN PUBLIC DOMAIN AREAS AND MAJOR PARKS PF&S 06/09 Item 6 (referred to Council)	26/05/2010 Anticipated date 1/10/2010	<i>Report expected October 2010.</i>
	(d) That twelve months after the installation of the bubblers outlined in (b) above a further report be provided to Council.	Group Public Works	
		Responsible Officer Ian Andrews	
Meeting Details	Resolution	Due Date of Report	Comments
Council 25/08/2009	WEST RYDE & GLADESVILLE EVENTS & PROMOTIONS COMMITTEES NoM2	1/11/2009 Anticipated date 5/10/2010	<i>Report being prepared for Council in November 2009</i> <i>Report being prepared for COW-20 July 2010</i>
	(b) That a further report be prepared that considers having both a town centre specific Events & Promotions Committee and/or a City Wide Events & Promotions Committee.	Group Community Life	<i>Report now being prepared for COW of 17 August 2010.</i>
		Responsible Officer Derek McCarthy	<i>Report now being prepared for 5 October 2010</i>

18-Aug-10

10:53 AM

Page 2 of 20

ITEM 9 (continued)

ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 13/10/2009	PLAYING FIELD LIGHTING PROGRAM 2009/2010 - Proposed Projects GM 17/09 Item 11	Anticipated date 1/08/2010 Group Public Works Responsible Officer Ian Andrews	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 7 September 2010 - further consultation / negotiation required with user groups to finalise funding share. Updated 10 August 2010.
Meeting Details Council 20/10/2009	Resolution PUBLIC- PRIVATE PARTNERSHIP (PPP) - Bevillesta and Council and City of Ryde - Signage Rights, Southern Pedestrian Bridge, North Face. GM 18/09 Item 7	Due Date of Report 27/04/2010 Anticipated date 1/09/2010 Group Public Works Responsible Officer Malcolm Harrild	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 October 2010. Bevillesta have yet to advise what the value of their offer is - cannot do so until they have tested the Market (Tender / EOI). Updated 10 August 2010.

18-Aug-10
10:53 AM

Page 3 of 20

ITEM 9 (continued)

ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 8/12/2009	NOTICE OF MOTION 5:CEO FORUM - Councillor Salvatore-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.	9/11/2010 Anticipated date 9/11/2010 Group Environment and Planning Responsible Officer Meryl Bishop	<i>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 9 November 2010.</i>
Meeting Details Committee of the Whole 20/04/2010	Resolution CITY OF RYDE HERITAGE STUDIES Item 5 (b) That consultation with the owners of proposed new heritage items and owners of properties affected by proposed boundary changes to heritage conservation areas be undertaken in accordance with the recommendations of the Heritage Study 2010 and this report and this will include measures to assist the current and future owners of heritage items. (c) That the outcomes of the consultation be reported to Council.	Due Date of Report 17/08/2010 Anticipated date 17/08/2010 Group Environment and Planning Responsible Officer Meryl Bishop	<i>Letters distributed to property owners - comments due back by 18 June 2010. Drop-in sessions to be held on 24 and 31 May 2010. A briefing session to be held on 31 May 2010 from 6.00pm to 7.00pm. Report to Committee of the Whole Meeting on 17 August 2010.</i>

18-Aug-10
10:53 AM

Page 4 of 20

ITEM 9 (continued)

ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 11/05/2010	IMPROVING SECURITY AT GLEN RESERVE, EASTWOOD Notice of Motion 5 a) That the General Manager prepare a report to examine measures to improve security and prevent anti-social behaviour at Glen Reserve (including better public lighting at night time), particularly behind the building at 20-22 Glen Street. The report is to be initially presented to the Crime Prevention Advisory Committee. b) That following this report, a further report to Council be provided that examines similar reserves where anti-social behaviour occurs.	17/08/2010 Anticipated date 7/09/2010 Group Community Life Responsible Officer Chris Hellmuth	Comments a) The Road & Community Safety Officer is meeting with the Crime Prevention Officer at Eastwood Local Area Command on Wednesday 26 May 2010 to conduct a site visit. The Council report will go to the Crime Prevention Advisory Committee meeting on 17 June 2010. Due to low attendance the 17 July meeting was cancelled. The briefing paper has been referred to the next meeting on 19 August 2010. The report will go to COW on 7 September 2010. b) Similar reserves where anti-social behaviour occurs will be addressed in the Crime Prevention Plan. The Road & Community Safety Officer is meeting with the Gladesville Local Area Command's Crime Prevention Officer the week of 31 May 2010 to conduct a site visit. COMPLETED 17 August 2010
Council 11/05/2010	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.	22/06/2010 Anticipated date 14/09/2010 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 September 2010.

ITEM 9 (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 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 7/09/2010 Group Environment and Planning Responsible Officer Meryl Bishop	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 7 September 2010.
Meeting Details Committee of the Whole 18/05/2010	Resolution NATURAL AREAS - Expression of Interest for Service Providers (e) That a workshop be conducted including Councillors, 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 <i>Open Space Manager organising workshop for July. Mr Brown's letter to be distributed at this workshop. Anticipated date of report 27 August 2010. Workshop re-scheduled.</i> <i>Workshop scheduled for 21 September 2010. Anticipated date of report following this Workshop.</i>

18-Aug-10

10:53 AM

Page 6 of 20

ITEM 9 (continued)

ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Committee of the Whole 18/05/2010	COUNCILLOR ATTENDANCE AT CONFERENCES RESOLUTION: (Moved by Councillors Peach and Yedelian OAM) (a) That a Committee of the Whole Meeting be conducted as per the published meeting schedule on Tuesday, 15 June 2010. (b) That Council develop guidelines for Councillor attendance at Conferences.	28/09/2010 Anticipated date 28/09/2010 Group Corporate Services Responsible Officer Shane Sullivan	<i>Guidelines to be developed in conjunction with the review of the Councillor Expenses and Facilities Policy for 28 September 2010.</i>
Meeting Details Committee of the Whole 1/06/2010	Resolution RYDE COMMUNITY & SPORTS CENTRE (ELS Hall Park) – Contract Variations That the General Manager write to Energy Australia expressing City of Ryde's displeasure with the anticompetitive behaviour and actions of Energy Australia, specifically their inability to provide a quotation until formally selected as electricity provider.	Due Date of Report Anticipated date 1/08/2010 Group Public Works Responsible Officer Kim Woodbury	<i>Mike Beis (Manager - Buildings & Properties) advises that letter has been sent to EnergyAustralia as required. COMPLETED. Updated: 03/08/10.</i>

18-Aug-10

10:53 AM

Page 7 of 20

ITEM 9 (continued)

ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 8/06/2010	15 DORA STREET, MARSFIELD LDA 2009/0721 (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 24/08/2010 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. (b) The workshop with the key stakeholders will take place on Tuesday, 24 August 2010.
Meeting Details Council 8/06/2010	Resolution PEDESTRIAN CROSSING - Buffalo Creek - Councillor Vic Tagg That Council investigate installing a pedestrian crossing over Buffalo Creek for pedestrians walking through Burton Reserve from Malvina Street to the bus stops in Pidding Street.	Due Date of Report Anticipated date 17/08/2010 Group Public Works Responsible Officer Russell Nash	Comments Report expected 17 August 2010. COMPLETED - Report to WC on 17 August 2010. Updated 10 August 2010.

18-Aug-10

10:53 AM

Page 8 of 20

ITEM 9 (continued)

ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 22/06/2010	Notice of Motion - Action by Botany Council against Department of Housing That the General Manager liaise with Botany Council regarding the action Botany Council is taking against the Department of Housing and Report back to Council on any avenues available to the City of Ryde to take a similar action or conjoin Botany Council in this action.	Anticipated date Group General Manager Responsible Officer Joe Strull	<i>Letter sent on 29 June 2010. No response has been received at this stage. Awaiting reply before report to Council.</i>
Meeting Details Council 22/06/2010	Resolution CHARTER OF RESPECT (b) That the Draft Code of RESPECT be referred to a Councillor Workshop for further discussion/refinement before being referred back to Council for formal adoption and inclusion in Council's Code of Conduct. (c) That Council endorse a follow up workshop being scheduled in six (6) months time to monitor the progress and implementation of the Draft Charter and the other agreed actions from the Workshop. (d) That a further Councillor workshop be scheduled in the near future to discuss the development of Council's Strategic Plan and the methodology on how it will be delivered on the ground that will also include the development of key performance indicators and customer satisfaction surveys.	Due Date of Report 22/12/2010 Anticipated date 28/09/2010 Group Corporate Services Responsible Officer Shane Sullivan	Comments <i>Workshop Scheduled for 7 September. Report to be provided to Council following this workshop - anticipated 28 September 2010</i>

18-Aug-10

10:53 AM

Page 9 of 20

ITEM 9 (continued)

ATTACHMENT 1

Meeting Details		Resolution	Due Date of Report	Comments
Council	27/07/2010	Notice of Motion: Off-leash areas for dogs	31/01/2011	<i>Pending commencement of trial off-leash areas</i>
		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:	Anticipated date 31/01/2011	
		(a) the outcome of the trial; and if satisfactory	Group Community Life	
		(b) the possibility of extending off-leash areas to all parks in Ryde other than specific parks which are nominated by exception.	Responsible Officer Fiona Morrison	
		(c) That dog owners in the City of Ryde receive educational material that provides information on their responsibilities as a dog owner		
Meeting Details		Resolution	Due Date of Report	Comments
Council	27/07/2010	REQUESTS FOR EXPRESSIONS OF INTEREST - Management & Operation of Ryde Community Sports Centre (ELS Hall Park)	21/09/2010	<i>Report being prepared for 21 September 2010</i>
		(a) That the matter be deferred until consultation has been undertaken with the ELS Hall users and the Sport & Recreation Advisory Committee.	Anticipated date 21/09/2010	
			Group Community Life	
			Responsible Officer Peter Montague	

18-Aug-10

10:53 AM

Page 10 of 20

ITEM 9 (continued)

ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 27/07/2010	ALCOHOL FREE ZONES (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</i>

18-Aug-10
10:53 AM

Page 11 of 20

ITEM 9 (continued)

ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 27/07/2010	<p data-bbox="1235 663 1259 1043">Notice of Motion 1 Community Fitness Initiatives</p> <p data-bbox="1075 663 1203 1081">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 data-bbox="799 663 1059 1081" 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 data-bbox="1235 1122 1259 1200">5/10/2010</p> <p data-bbox="1203 1122 1227 1267">Anticipated date</p> <p data-bbox="1179 1122 1203 1200">5/10/2010</p> <p data-bbox="1139 1122 1163 1178">Group</p> <p data-bbox="1107 1122 1131 1245">Community Life</p> <p data-bbox="1059 1122 1083 1267">Responsible Officer</p> <p data-bbox="1035 1122 1059 1223">Peter Montague</p>	<i>Further report to be provided including costings</i>

18-Aug-10

10:53 AM

Page 12 of 20

ITEM 9 (continued)

ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 27/07/2010	Notice of Motion: Affordable Housing in Ryde That the General Manager bring back a report to Council, from his Planning department, on the possibility of affordable housing in Ryde.	28/09/2010 Anticipated date 28/09/2010 Group Environment and Planning Responsible Officer Meryl Bishop	<i>Report to Council Meeting on 28 September 2010.</i>
Meeting Details Council 27/07/2010	Resolution Notice of Motion: 63-77 West Parade, West Ryde That the City of Ryde assess the possibility of undertaking legal proceedings in the Land and Environment Court in relation to the proposed development at 63-77 West Parade at West Ryde as advertised in the Sydney Morning Herald on 21st July 2010. Ryde's case should focus on the reasons given for council's previous rejection of Housing NSW's plans covering this site.	Anticipated date Group General Manager Responsible Officer Joe Strati	

18-Aug-10
10:53 AM

Page 13 of 20

ITEM 9 (continued)

ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Committee of the Whole 3/08/2010	ITEM 15: ADVICE ON PROSPECTS - 15 Dora Street Boarding House DA That this matter be deferred to seek external planning and legal advice detailing the reasons for refusal and for the matter then to be reported back to Council.	Anticipated date Group General Manager Responsible Officer	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. (b) The workshop with the key stakeholders will take place on Tuesday, 24 August 2010.

18-Aug-10

10:53 AM

Page 14 of 20

ITEM 9 (continued)

ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Committee of the Whole 3/08/2010	<p>TELECOMMUNICATION TOWERS - matter of urgency</p> <p>(a) That Council write to Telstra and Uribis informing them that the community has voiced strong objections to the proposed erection of a telecommunications tower at 130 Quarry Ryde due to its close proximity to schools and urging them to consider:</p> <ol style="list-style-type: none"> 1. possible relocation of the tower to a site that is not within such proximity of residential dwelling 2. a further consultation process be undertaken with the community before the proposal is determined, to ensure that their concerns are understood and adequately addressed. (b) that a further report be provided to Council on the details of the proposal in respect of this matter including the details of the results of the community consultation (c) That Council write to all telecommunication providers expressing Council's concerns and detailing medical evidence relating to the effects of these facilities, including electro-magnetic radiation, and requiring details of the proposal to be provided in respect of the proposed Opus telecommunication facilities at Tennis World, 16-18 Epping Road, North Ryde and Energy Australia light pole on Epping Road, North Ryde. (d) That Council write to the Federal Communication Minister expressing concern about the Telecommunications Act and the inadequate community consultation and inappropriate locations of communication towers within Ryde when alternative and more suitable locations have been identified. 	<p>7/09/2010</p> <p>Anticipated date</p> <p>7/09/2010</p> <p>Group</p> <p>Environment and Planning</p> <p>Responsible Officer</p> <p>Dominic Johnson</p>	<p><i>Letter has been sent on 4 August 2010. Report to be provided by 7 September 2010.</i></p> <p><i>c) and d) to be completed by 7 September 2010.</i></p>

18-Aug-10

10:53 AM

Page 15 of 20

ITEM 9 (continued)

ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Committee of the Whole 3/08/2010	ITEM 8: SMALL CENTRES MASTER PLAN STUDY REPORT 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.	2/11/2010 Anticipated date 2/11/2010 Group Environment and Planning	<i>Report to Committee of the Whole Meeting on 2 November 2010.</i>
		Responsible Officer Meryl Bishop	
Meeting Details Committee of the Whole 3/08/2010	Resolution ITEM 10: WEST RYDE MASTER PLAN AND LOCAL ENVIRONMENTAL PLAN PROVISIONS (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	Comments <i>Report to Committee of the Whole Meeting on 2 November 2010.</i>
		Responsible Officer Meryl Bishop	

18-Aug-10
10:53 AM

Page 16 of 20

ITEM 9 (continued)

ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Committee of the Whole 3/08/2010	ITEM 11: HOUSING STUDY (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.	2/11/2010 Anticipated date 2/11/2010 Group Environment and Planning	<i>Report to Committee of the Whole Meeting on 2 November 2010.</i>
		Responsible Officer Meryl Bishop	
Meeting Details	Resolution	Due Date of Report	Comments
Committee of the Whole 3/08/2010	ITEM 12: CENTRES AND CORRIDORS STUDY: a component of the Ryde Local Strategy (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.	2/11/2010 Anticipated date 2/11/2010 Group Environment and Planning	<i>Report to Committee of the Whole Meeting on 2 November 2010.</i>
		Responsible Officer Meryl Bishop	

ITEM 9 (continued)

ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Committee of the Whole 3/08/2010	ITEM 13: DRAFT YAMBLE RESERVE PLAN OF MANAGEMENT - Permission to proceed to Public Exhibition (c) That a report be brought back to Council with the results of the public exhibition, recommending further action	2/11/2010 Anticipated date 2/11/2010 Group Community Life Responsible Officer Fiona Morrison	<i>Pending public exhibition period</i>
Meeting Details Council 10/08/2010	Resolution VEHICLE ENTRY TO CAR PARK – Dunbar Park – Councillor Perram That Council remove the chains preventing vehicle entry to the car park at Dunbar Park, except when needed in conjunction with a booking of the park.	Due Date of Report Anticipated date Group Public Works Responsible Officer	Comments

18-Aug-10
10:53 AM

Page 18 of 20

ITEM 9 (continued)

ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 10/08/2010	PARKING – Sobraon Road, Marsfield – Councillor Perram 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 Group Public Works Responsible Officer	
Meeting Details Council 10/08/2010	Resolution RYDE COUNCIL AS A BREASTFEEDING FRIENDLY WORKPLACE – Councillor Campbell That, as a legacy initiative of the Year of Women in Local Government, the General Manager initiates processes to ensure that Ryde Council becomes a breastfeeding friendly workplace with appropriate facilities provided for expressing and storing breast milk and implementation of lactation breaks for women employees to express their milk.	Due Date of Report Anticipated date 1/03/2011 Group Corporate Services Responsible Officer Beki Boulter	Comments <i>As a result of Council's resolution, research and details of initiatives to establish all COR workplaces will be determined and actions taken to make this facility available. A progress report on this initiative will be provided to Council March 2011.</i>

ITEM 9 (continued)

ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 10/08/2010	TREE PRESERVATION ORDER – Councillor Perram (a) That for the purposes of administering the Tree Preservation Order contained in section 9.6 of City of Ryde DCP 2010, Council declares that despite anything shown on the urban bushland map referred to that section, urban bushland does not exist within three metres of any approved detached building and any associated building. (b) That Council Officers investigate and advise those applicants of similar requests in the past 12 months.	31/08/2010 Anticipated date Group Community Life Responsible Officer Adam Smith	<i>Two residents have been advised. Applicants over the last twelve months are being identified.</i>
Meeting Details	Resolution	Due Date of Report	Comments
Council 10/08/2010	COUNTRY COUNCIL PARTNERSHIP ADVISORY COMMITTEE - Minutes 9 July 2010 (b) That Council write to the Ryde Hummers Hill Cricket Club requesting that their cricket event coincide with Council's Harmony Day on 20 March 2011 and offering use of Ryde Park and inclusion in Council's promotional material for the event, at no cost to the Club as detailed in the report. (d) That a further report be presented to Council detailing the program and its outcomes, cost and legal liability exposure to Council.	28/09/2010 Anticipated date 7/09/2010 Group Corporate Services Responsible Officer Shane Sullivan	<i>Further report being prepared for 7 September 2010 in accordance with Council's resolution.</i>

18-Aug-10
10:53 AM

Page 20 of 20

10 RYDE 2030 COMMUNITY STRATEGIC PLAN & PROGRAM DEVELOPMENT - Time period, draft outcomes and programs

Report prepared by: Manager, Major Projects**Report dated:** 5 August 2010**File No.:** GRP/10/5/001/6 - BP10/455

Report Summary

The development of the Ryde 2030 Community Strategic Plan, due for completion in June 2011, has involved extensive consultation with the community. Based on this feedback seven draft Outcomes have been developed. This report recommends that these draft Outcomes be adopted for targeted consultation with the Theme Committees and previous participants in the 2030 consultation process.

Through the process of developing the Community Strategic Plan, it has been realised that planning for 20 years is not realistic, for both the community and Council. This report recommends reducing the time frame of the Community Strategic Plan to 10 years, making it 2021. This time frame is permitted under the Integrated Planning and Reporting Guidelines.

This report also seeks Council's agreement to broaden its program approach from 10 to 21 programs to enable all of Council's program areas to be represented and aligned to the delivery of the Community Strategic Plans adopted outcomes.

RECOMMENDATION:

- (a) That the time frame of the Ryde Community Strategic Plan be reduced from 20 years to 10 years to ensure it is realistic, whereby becoming the Ryde 2021 Community Strategic Plan.
- (b) That Council adopt the draft seven outcomes for the Ryde Community Strategic Plan for targeted consultation with the Theme Committees and previous participants who have requested further participation.
- (c) That the proposed 21 programs outlined in this report be the basis for future 4 year Delivery Programs and associated budgets.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Maxine Kenyon
Manager, Major Projects

Report Approved By:

John Neish
General Manager

ITEM 10 (continued)**Background**

Ryde 2030 Community Strategic Plan will identify the community's vision for the future of the Ryde local government area. The development of a community strategic plan is now a legislated requirement for all councils in NSW under the Integrated Planning and Reporting Framework.

Council commenced a process in 2009 to engage the community to identify their hopes and concerns for the future of this city. With over 4000 comments received, this information is the basis for the development of the Ryde Community Strategic Plan, currently underway.

Council considered the draft outcomes and suggested program areas at a Councillor workshop on 27 July 2010.

ReportReducing the time frame of the Ryde 2030 Community Strategic Plan

Through the development of the Ryde 2030 Community Strategic Plan, it has been realised by both the community and Council that planning for 20 years is very difficult. To consider the issues we may be facing in 20 years time, many of which we may not have heard of yet, is not easy for most people. For Council to identify strategies to address those unknown issues and opportunities is not realistic.

In order to create a Community Strategic Plan that is tangible and realistic, it is recommended that Council reduce the timeframe and take a 10 year approach. This meets the requirements of the Integrated Planning and Reporting Framework now identified in the Local Government Act and will provide a more focused approach to meeting the identified aspirations of the community.

It is recommended that Ryde 2030 Community Strategic Plan now become the Ryde 2021 Community Strategic Plan.

Draft outcomes for targeted consultation

Based on the results of the extensive engagement process with the community in 2009, the following seven outcomes have been developed to form the basis of the Ryde Community Strategic Plan:

DRAFT Outcomes	DRAFT Description
A City of Connections	Access and connection to, from and within the City of Ryde. Providing safe, reliable and affordable public and private travel, transport and communication infrastructure.
A City of Prosperity	Creating urban centres which champion business, innovation and technology to stimulate growth and local jobs.

ITEM 10 (continued)

A City of Liveable Neighbourhoods	A range of well planned clean and safe neighbourhoods and public spaces designed with a strong sense of identity and place.
A City of Wellbeing	A healthy and safe community, with all supported throughout their life by services, facilities and people.
A City of Harmony and Culture	A welcoming and diverse community, celebrating our similarities and differences, in a vibrant city of learning and culture.
A City of Environmental Sensitivity	Working together as a community to protect and enhance our natural and built environments for the future.
A City of Progressive Leadership	A well led and managed city, supported by ethical organisations, delivering services to the community by listening, advocating and responding to their needs.

It is recommended that these draft Outcomes be tested with those who have been involved in the development of the Community Strategic Plan. This includes the members of the public who participated in consultations and requested to have further involvement in the development of the Plan. As well as, members of the four Theme Committees established at the onset of the project. These committee members included community representatives, Councillors and Council staff.

It is anticipated that a session will be held with the Theme Committees during October 2010 and the previous participants in the consultation in November 2010.

Council staff are also working on the development of goals and strategies to support these outcomes. This is also based on the previous feedback received from the Theme Committees and the community who participated in the consultation during 2009 and it is envisaged that these goals and strategies may also be tested with these groups.

The indicative time frame for the remainder of the Community Strategic Plan is outlined below. It is important to note that during the public exhibition period an extensive consultative process will be undertaken in accordance with Council's Your City, Your Voice Engagement Policy and Framework.

Proposed Time Frame	Proposed Activity
September 2010	Internal Consultation - Numerous workshops with staff to develop goals and strategies for consideration

ITEM 10 (continued)

October 2010	Targeted Consultation - Session with members of the Theme Committees
November 2010	Targeted Consultation - Session with previous participants of the consultation who identified their interest in being involved further
November 2010 – February 2010	Internal Consultation and Drafting the Document - Development of the draft Community Strategic Plan - Development of the draft 4 year Delivery Program (previously called the Management Plan)
April 2011 – May 2011	Public Exhibition - Public exhibition of the draft Community Strategic Plan and Council's 4 year Delivery program
June 2011	Adoption - Adoption of Ryde 2021 Community Strategic Plan and Council's 4 year Delivery Program

Councillor workshops and Council reports will occur throughout the remaining process at key milestones.

Revised program areas

The goals and strategies identified in the processes above will need to align to Council's program areas. Currently Council has identified only 10 program areas, many of which are capital works focused. After an internal review the following 21 program areas have been identified which provide a more comprehensive listing of programs so that both capital and non capital projects can be given visibility across all of Council's operations.

Programs identified in our current Management Plan 2010-2014	Programs identified for next years 4 year Delivery Program
1. Bridges & Seawalls 2. Catchment Management 3. Cycleways 4. Footpaths 5. Parks 6. Roads 7. Waste 8. Public Toilets 9. Fleet 10. Trees and Tree Management	1. Strategic city program 2. Organisational development program 3. Risk and audit program 4. Community and cultural program 5. Community engagement and customer service program 6. Open space & recreation program 7. Centres and neighbourhood program (road reserve links and non road reserve links) 8. Library program 9. Internal corporate services program 10. Governance and civic program 11. Land use planning program 12. Regulatory program 13. Economic development program

ITEM 10 (continued)

	14. Catchment program 15. Environmental performance program 16. Traffic & transport program 17. Waste and recycling program 18. Property portfolio program 19. Roads program 20. Foreshore program 21. Paths and cycleways program
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The 21 programs identified for the 2011 – 2015 4 year Delivery Program will assist in aligning Council's operations to the adopted outcomes, goals and strategies of the Community Strategic Plan and provide increased awareness of Council's services.

Consultation

Internal Council business units consulted included:-

- All Council service units have been consulted in the development of these draft outcomes.

Internal Workshops held:-

- Councillor Workshop held 27 July 2010.

City of Ryde Advisory Committees consulted included:-

- Not Applicable

External public consultation included:-

- Not Applicable

Comments

The draft Outcomes have been developed based on the themes that emerged through the extensive consultation undertaken with the community in 2009, which included over 4000 comments from people of all ages and backgrounds.

This targeted consultation will provide an opportunity for those who have previously been involved in developing the Community Strategic Plan to test the draft outcomes.

Once the Ryde Community Strategic Plan and Council's response (the 4 year Delivery Program) are drafted a formal public exhibition process will occur. This will include numerous strategies to engage with the community and gain their feedback on these draft documents.

Critical Dates

The following deadlines are required to be met:

- The draft Ryde Community Strategic Plan and 4 year Delivery Program must be placed on public exhibition in May 2011 to be ready for implementation on 1 July 2011.

Financial Impact

This engagement process is provided for in the 2010/2011 Strategy & Projects operational budget allocation.

ITEM 10 (continued)**Policy Implications**

This recommendation is consistent with Council's 'Your City, Your Voice' Engagement Policy and Framework.

Other Options

Council could decide to maintain the 20 year focus of the Ryde Community Strategic Plan or suggest another time period.

Council could decide not to go out to targeted consultation on the draft Outcomes at this stage and to undertake all engagement processes through the formal public exhibition in May 2011.

Council could suggest revisions to the recommend program listing.

Conclusion

Reducing the Community Strategic Plan to a 10 year period will provide a more realistic approach to identifying goals and strategies to deliver on the possible future issues and opportunities for the City.

The draft seven outcomes have been developed based on the aspirations the community identified through the engagement process in 2009 for the Ryde Community Strategic Plan. This initial targeted consultation will provide an opportunity to test those outcomes with people who have been involved in the process to date and provide further feedback for Council staff in further developing the Ryde Community Strategic Plan.

Identifying Council's operations by programs will provide visibility to all of Council's operations and provide a clear link to delivering the final outcomes of the Community Strategic Plan.

11 INVESTMENT REPORT - July 2010

Report prepared by: Chief Financial Officer**Report dated:** 6/08/2010**File No.:** GRP/10/3/001/6 - BP10/456

Report Summary

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

Council's financial year to date return is 6.24%, 1.15% above benchmark. Income from interest on investments totals \$316K, being approximately \$66K above budget projections as per the 2010-2014 Management Plan.

Council is in the process of selling the "at risk" Lehmans/ Grange IMP - Flinders CDO for approximately \$300K and it is recommended that these proceeds be held in the Financial Security Reserve. The sale is scheduled for 18 August 2010.

The Financial Security Reserve currently has a balance of \$140K and would increase to \$440K if this recommendation is approved.

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

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. The average return on Council's term deposits is greater than the current interest rate applying to Council's loans.

RECOMMENDATION:

- (a) That the report of the Chief Financial Officer, dated 06/08/2010 on INVESTMENT REPORT – July 2010, be endorsed.
- (b) That the proceeds from the sale of the Flinders CDO be transferred to the Financial Security Reserve.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Richard Nankivell

Chief Financial Officer

Report Approved By:

Roy Newsome

Group Manager - Corporate Services

ITEM 11 (continued)**Report**

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.

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
- Flinders CDO	N/R	20/03/2012
- 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.

Whilst Council officers continue to work closely with Oakvale Capital Limited to manage Council's Investment Portfolio and to seek viable options to exit the above investments, options remain severely limited.

Investment Performance Commentary

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

	July 2010	12 Month	FY2011
Council Return	6.24	5.55	6.24
Benchmark	5.09	4.05	5.09
Variance	1.15	1.50	1.15

Council's year to date return has outperformed the benchmark and at 6.24% in July is 1.15% above benchmark.

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

ITEM 11 (continued)

Whilst these opportunities have been limited, Council is in the process of selling its \$350K Flinders CDO (due to mature in March 2012) which was part of the Lehman /Grange IMP at approximately 86% of face value. The sale is currently scheduled for 18 August 2010.

The sale will increase Council's financial position by approximately 300K (as the investment had previously been written down to a nominal value) as well as reducing Council's exposure to these "at risk" investments.

There have been no new notified credit events or movements in ratings of these investments or any other investments within Council's investment portfolio since the last Investment Report, which was submitted to Council on 27 July 2010.

Council's investment portfolio as at 31 July 2010 was as follows:

	July 2010	
Cash/Term Deposits	\$48.4M	65.6%
Floating Rate Notes	\$2.0M	2.7%
CDOs	\$2.0M	2.7%
Managed Funds	\$0.8M	1.0%
Other Financial Products	\$5.5M	7.5%
Total Cash Investments	<u>\$58.7M</u>	
Property	<u>\$15.1M</u>	20.5%
Total Investment Portfolio	<u>\$73.8M</u>	

Council continues to utilise the Federal Government's guarantee investing in Term Deposits with a range of Approved Deposit Taking Institutions (ADIs) on a short term 30-90 day basis and some longer dated investments (generally up to 6 months maturity) where more competitive rates are available. The Federal Government's guarantee expires in October 2011.

Council officers continue to manage Council's investment portfolio in conjunction with receiving investment advice from Council's Investment Adviser, Oakvale Capital Limited.

Financial Security Reserve (FSR)

Council at its meeting of 22 June 2010 when writing down / impairing its "at risk" investments resolved that any interest earned from these investments be transferred to the Reserve.

The Financial Security Reserve currently has a balance of \$140K as at 31 July 2010 which includes \$50K of interest from these at risk investments.

It is proposed that the \$300K proceeds from the proposed sale of the Flinders CDO In line with Council's previous resolution of 22 May 2010, be held in the Financial Security Reserve.

If this is approved, the balance of the Financial Security Reserve would increase to approximately \$440K.

ITEM 11 (continued)**Economic Commentary**

The Reserve Bank of Australia at its monthly meeting in August 2010 maintained the official cash rate at 4.50% for the 3rd month in a row. Unemployment figures showed an increase of 46K jobs, with unemployment remaining steady at 5.1%. Annual retail sales figures showed a modest growth of 1.9%, as higher interest rates start to bite. Trade figures for May came in at a record surplus of 3.54 billion. This could place upward pressure on inflation, and a rate rise before the end of the year is a real possibility.

In the US, GDP figures showed a marked slowdown in the pace of economic growth, from 3.7% in Q1 to just 2.4% in Q2 as the effects of the front loaded stimulus package was withdrawn from the economy. Aggregate net demand at the consumer level remains weak, as is to be expected at the elevated unemployment levels (still close to 10%). US interest rates are expected to remain at zero percent until well into 2011 due to the slow nature of the economic recovery. Weak housing and retail figures are leading to concerns of a double dip recession.

In Europe, there are still concerns about the state of sovereign debt, with moves by the IMF and the EU to suspend a review of Hungary's funding program. There have also been a series of soft economic data on manufacturing and consumption.

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 will provide further updates to Council as developments occur.

Council's Property Investment Portfolio

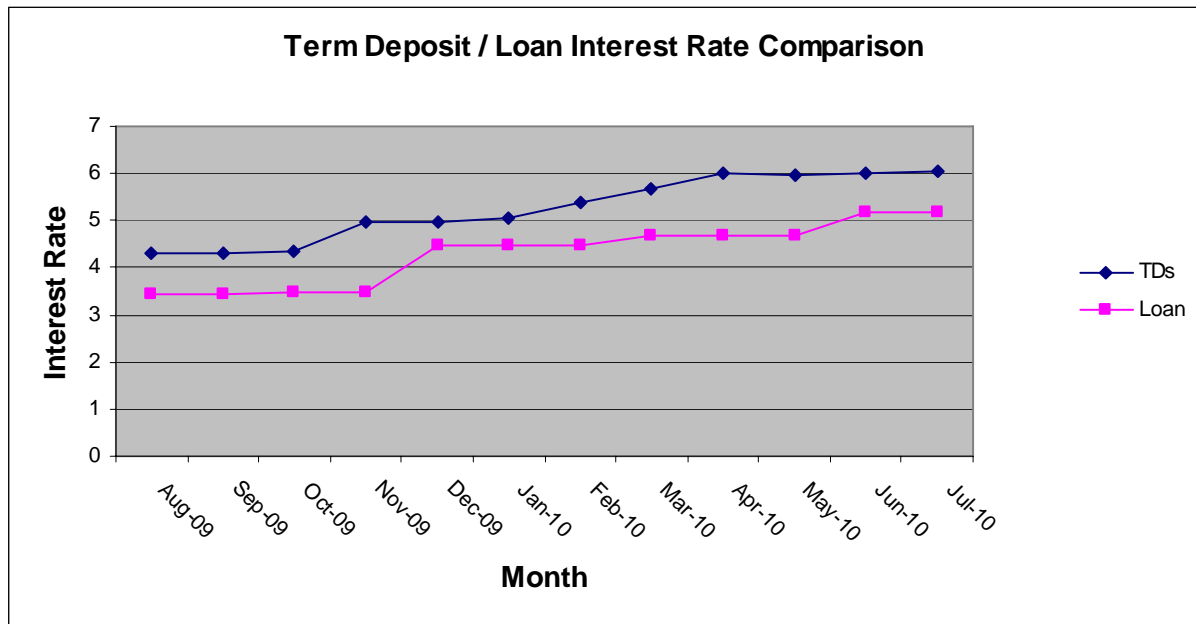
The following properties were held as part of Council's Property Investment portfolio:

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 31 July 2010 was \$4.7 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.

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

ITEM 11 (continued)**Comparative Financial Data****Council Loan Current interest rate**

Current interest rate	5.17%
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Term Deposit

Current average interest rate	6.04%
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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.

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.

ITEM 11 (continued)

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 11 (continued)

INVESTMENT SUMMARY AS AT 31 JULY 2010

Issuer	Investment Name	Investment Rating	Invested at 31-Jul-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	5.61	3.92	5.61	0.85	599	119.71%
Select Access Investments (no 2) Ltd	2. Titanium AAA	A+	2,000	5.83	4.96	5.83	3.41	1,980	98.98%
Alpha Financial Products	3. Alpha	CCC-	0	1.05	1.31	1.05	0.00	0	0.00%
Helix Capital	4. OASIS	CCC-	0	6.38	5.48	6.38	0.00	0	0.00%
Westpac	5. FOCUS Note	AA	500	0.00	0.00	0.00	0.85	464	92.84%
Westpac	6. Camelotfund	AA	500	0.00	0.00	0.00	0.85	469	93.79%
Grange	7. Grange IMP	Unrated	750	20.55	6.30	20.55	1.28	750	100.00%
AB Svensk Exportkredit	8. Global Protected Property Note VII	AA+	1,000	0.00	0.00	0.00	1.71	918	91.84%
Longreach	9. Longreach CPWF	AAA	2,000	1.62	1.98	1.62	3.41	1,909	95.47%
Obelisk Trust 2007-3	10. Covent Garden	C	0	1.06	2.65	1.06	0.00	0	0.00%
ANZ	11. ANZ 3 YEAR SENIOR	AA	1,000	5.34	5.34	5.34	1.71	1,000	100.00%
Credit Suisse First	12. Trident	A+	1,000	44.04	18.36	44.04	1.71	1,054	105.38%
Westpac	13. Westpac At Call	AA	3,423	4.71	4.00	4.71	5.84	3,423	100.00%
CBA	14. CBA TCD 5 Yr (Floating)	AAA	1,000	5.60	5.17	5.60	1.71	1,030	103.04%
CBA	15. CBA TCD 5 Yr (Fixed)	AAA	995	6.02	6.03	6.02	1.70	1,006	101.09%
BoQ	16. Bank of Queensland TD	AAA	1,000	6.29	4.57	6.29	1.71	1,000	100.00%
MyState CU	17. MyState CU TD	AAA	1,000	6.03	6.08	6.03	1.71	1,000	100.00%
NSW Teachers CU	18. NSW Teachers CU TD	AAA	1,000	5.97	6.01	5.97	1.71	1,000	100.00%
DefCredit	19. Defence Credit Union TD	AAA	1,000	6.35	6.35	6.35	1.71	1,000	100.00%
Railways CU	20. Railways CU	AAA	1,000	6.12	6.08	6.12	1.71	1,000	100.00%
New England Credit Union	21. New England CU TD	AAA	1,000	6.07	6.03	6.07	1.71	1,000	100.00%
Qld Police CU	22. Qld Police CU TD	AAA	1,000	6.12	6.03	6.12	1.71	1,000	100.00%
Qld Country CU	23. Qld Country Credit Union	AAA	1,000	6.19	6.03	6.19	1.71	1,000	100.00%
Community CPS	24. Community CPS TD	AAA	1,000	6.25	6.18	6.25	1.71	1,000	100.00%
Hunter United Credit Union	25. Hunter United Credit Union TD	AAA	1,000	6.03	5.99	6.03	1.71	1,000	100.00%
CUA	26. Credit Union Australia TD	AAA	1,000	6.24	6.06	6.24	1.71	1,000	100.00%
Coastline CU	27. Coastline Credit Union TD	AAA	1,000	6.30	6.29	6.30	1.71	1,000	100.00%
Savings & Loans CU	28. Savings & Loans CU	AAA	1,000	6.30	6.30	6.30	1.71	1,000	100.00%
Bank of Cyprus (Aust)	29. Bank of Cyprus (Aust) TD	AAA	1,000	7.12	7.12	7.12	1.71	1,000	100.00%
Australian Defence Credit Union	30. Australian Defence CU TD	AAA	1,000	5.87	5.92	5.87	1.71	1,000	100.00%
Rural Bank	31. Rural Bank	AAA	1,000	6.45	6.45	6.45	1.71	1,000	100.00%
Banana Coast CU	32. Banana Coast CU TD	AAA	1,000	6.42	6.42	6.42	1.71	1,000	100.00%
Qantas Staff CU	33. Qantas Staff CU TD	AAA	1,000	6.15	6.16	6.15	1.71	1,000	100.00%
Southern Cross CU	34. Southern Cross CU TD	AAA	1,000	5.98	5.92	5.98	1.71	1,000	100.00%
SGE CU	35. SGE Credit Union TD	AAA	1,000	5.98	5.76	5.98	1.71	1,000	100.00%
B&E Ltd	36. B & E Building Soc TD	AAA	1,000	5.98	5.93	5.98	1.71	1,000	100.00%
Victoria Teachers CU	37. Victoria Teachers CU	AAA	1,000	6.45	6.45	6.45	1.71	1,000	100.00%
CBA	38. CBA TD	AAA	1,000	6.04	6.04	6.04	1.71	1,000	100.00%
Me Bank	39. ME Bank TD	AAA	1,000	6.07	6.07	6.07	1.71	1,000	100.00%
IMB	40. IMB TD	AAA	1,000	6.19	6.19	6.19	1.71	1,000	100.00%
Bankwest	41. Bankwest TD	AAA	1,000	6.30	5.95	6.30	1.71	1,000	100.00%
Sutherland CU	42. Sutherland CU TD	AAA	1,000	6.40	6.40	6.40	1.71	1,000	100.00%
Summerland CU	43. Summerland CU TD	AAA	1,000	6.30	6.30	6.30	1.71	1,000	100.00%
Wide Bay CU	44. Wide Bay CU TD	AAA	1,000	6.30	6.30	6.30	1.71	1,000	100.00%
Manly Warringah CU	45. Manly Warringah CU TD	AAA	1,000	6.14	6.21	6.14	1.71	1,000	100.00%
Queenslanders CU	46. Queenslanders CU TD	AAA	1,000	6.56	6.56	6.56	1.71	1,000	100.00%
HBS	47. Heritage Bldg Soc TD	AAA	1,000	6.24	6.24	6.24	1.71	1,000	100.00%
Arab Bank Australia	48. Arab Bank Australia TD	AAA	1,000	6.25	6.25	6.25	1.71	1,000	100.00%
Maitland Mutual	49. Maitland Mutual Bldg Soc TD	AAA	1,000	5.87	5.89	5.87	1.71	1,000	100.00%
Bankwest	50. Bankwest TD	AA	2,000	6.03	6.03	6.03	3.41	2,000	100.00%
Macquarie Bank	51. Macquarie Bank TD	AAA	1,000	5.72	5.72	5.72	1.71	1,000	100.00%
AMP	52. AMP eASYSaver	AAA	960	5.49	5.57	5.49	1.64	960	100.00%
South West CU	53. South West CU TD	AAA	1,000	6.49	6.49	6.49	1.71	1,000	100.00%
Big Sky CU	54. Big Sky CU TD	AAA	1,000	6.12	6.12	6.12	1.71	1,000	100.00%
Gateway CU	55. Gateway CU TD	AAA	1,000	6.40	6.40	6.40	1.71	1,000	100.00%
Rabobank	56. Rabobank TD	AAA	500	6.00	6.00	6.00	0.85	500	100.00%
Rabobank	57. Rabobank TD	AAA	500	6.00	6.00	6.00	0.85	500	100.00%
Suncorp-Metway	58. Suncorp-Metway TD	AAA	1,000	6.40	6.40	6.40	1.71	1,000	100.00%
Bankwest	59. Bankwest TD	AA	1,000	6.35	6.35	6.35	1.71	1,000	100.00%
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*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 11 (continued)

Certificate of the Chief Finance Officer

	Annualised Period Return (%)	12 Month Average Return on Current Investments (%)	Return since 01 July 2010
Return including Matured/Traded Investments Weighted Average Return	6.24	5.55	6.24
Benchmark Return: UBSA 1 Year Bank Bill Index (%)	5.09	4.05	5.09
Variance From Benchmark (%)	1.15	1.50	1.15

Investment Income

	\$000's
This Period	316
Financial Year To Date	316
Budget Profile	250
Variance from Budget - \$	66

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
- Flinders 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



06/08/2010

Richard Nankivell

Date

Council's Investment Powers

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

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

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

- Local Government Act 1993 - Section 625
- Local Government Act 1993 - Order (of the Minister) dated 31 July 2008

ITEM 11 (continued)

- The Trustee Amendment (Discretionary Investments) Act 1997 – Sections 14A(2), 14C(1) & (2)
- Local Government (Financial Management) Regulation 1993
- The Code of Accounting Practice and Financial Reporting
- 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 are working with its investment advisor, Oakvale Capital Limited to develop a revised draft Investment Policy which is proposed to be submitted to the Council in September 2010 for consideration.

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.
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.

ITEM 11 (continued)

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.
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 (Berryl) Global Bank Note CDO	20/09/2014	
HSBC FRN *	22/09/2016	22/09/2011

* If not called an additional margin paid

ITEM 11 (continued)

- 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. ANZ 3 Year Senior Debt (AA):** Floating Rate Note issued by the ANZ bank, paying 32 bps over 90 day BBSW. This investment was purchased on 18 September 2007. The investment is for 3 years and matures on 18 September 2010. No fees are payable by Council on this investment.
- 12. 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. 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.
- 13. 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.
- 14. 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.

ITEM 11 (continued)

- 15. 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.
- 16. 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.
- 17. MyState CU Term Deposit (AAA):** This investment is a 90 day term deposit, paying 5.90% (6.03% annualised) and matures on 18 August 2010. No fees are payable by Council on this investment.
- 18. NSW Teachers Credit Union Term Deposit (AAA):** This investment is a 180 day term deposit paying 5.88% (5.97% annualised) and matures on 21 December 2010. No fees are payable by Council on this investment.
- 19. Defcredit Credit Union Term Deposit (AAA):** This investment is a 90 day term deposit paying 6.20% (6.35% annualised) and matures on 3 August 2010. No fees are payable by Council on this investment.
- 20. Railways Credit Union Term Deposit (AAA):** This investment is a 120 day term deposit paying 6.00% (6.12% annualised) and matures on 4 August 2010. No fees are payable by Council on this investment.
- 21. New England Credit Union Term Deposit (AAA):** This investment is a 60 day term deposit paying 5.92% (6.05% annualised) and matures on 10 September 2010. No fees are payable by Council on this investment.
- 22. Queensland Police Credit Union Term Deposit (AAA):** This investment is a 91 day term deposit paying 5.98% (6.12% annualised) and matures on 9 August 2010. No fees are payable by Council on this investment.
- 23. Queensland Country Credit Union Term Deposit (AAA):** This investment is a 91 day term deposit paying 6.05% (6.19% annualised) and matures on 14 September 2010. No fees are payable by Council on this investment.
- 24. 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.
- 25. 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.
- 26. 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 2010. No fees are payable by Council on this investment.

ITEM 11 (continued)

- 27. 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.
- 28. Savings & Loans CU Term Deposit (AAA):** This investment is a 180 day term deposit paying 6.20% (6.30% annualised) and matures on 31 August 2010. No fees are payable by Council on this investment.
- 29. 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.
- 30. 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.
- 31. Rural Bank Term Deposit (AAA):** This investment is a 6 month term deposit paying 6.35% (6.45% annualised) and matures on 6 September 2010. No fees are payable by Council on this investment.
- 32. Banana Coast CU Term Deposit (AAA):** This investment is a 150 day term deposit paying 6.30% (6.42% annualised) and matures on 5 August 2010. No fees are payable by Council on this investment.
- 33. Qantas Staff CU Term Deposit (AAA):** This investment is a 61 day term deposit paying 6.00% (6.15% annualised) and matures on 9 August 2010. No fees are payable by Council on this investment.
- 34. Southern Cross CU Term Deposit (AAA):** This investment is a 91 day term deposit paying 5.85% (5.98% annualised) and matures on 15 September 2010. No fees are payable by Council on this investment.
- 35. 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.
- 36. B & E Ltd Building Society Term Deposit (AAA):** This investment is a 91 day term deposit paying 5.85% (5.98% annualised) and matures on 15 September 2010. No fees are payable by Council on this investment.
- 37. Victoria Teachers CU Term Deposit (AAA):** This investment is a 6 month term deposit paying 6.35% (6.45% annualised) and matures on 21 September 2010. No fees are payable by Council on this investment.
- 38. CBA Term Deposit (AAA):** This investment is a 6 month term deposit paying 5.95% (6.04% annualised) and matures on 21 September 2010. No fees are payable by Council on this investment.

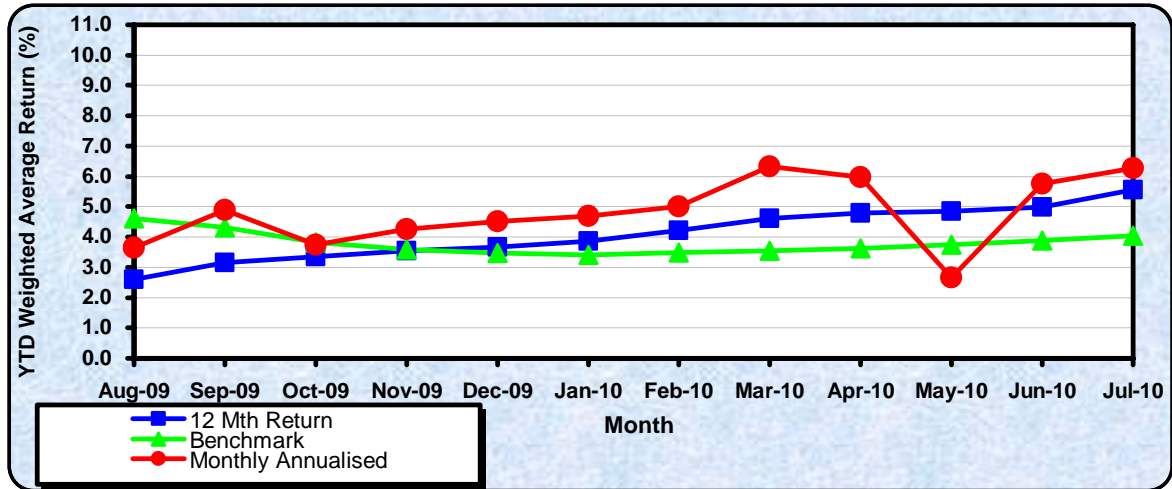
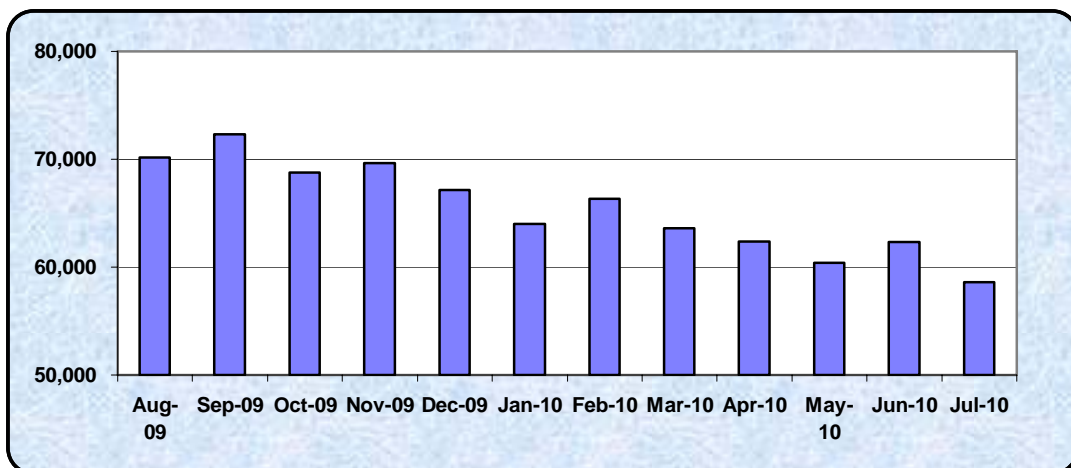
ITEM 11 (continued)

- 39. Members Equity Bank Term Deposit (AAA):** This investment is a 120 day term deposit paying 5.95% (6.07% annualised) and matures on 4 August 2010. No fees are payable by Council on this investment.
- 40. 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.
- 41. Bankwest Term Deposit (AAA):** This investment is a 182 day term deposit paying 6.20% (6.30% annualised) and matures on 10 January 2010. No fees are payable by Council on this investment.
- 42. 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.
- 43. 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.
- 44. 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.
- 45. 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.
- 46. 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.
- 47. 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.
- 48. 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.
- 49. Maitland Mutual Building Society Term Deposit (AAA):** This investment is a 60 day term deposit paying 5.73% (5.87% annualised) and matures on 3 August 2010. No fees are payable by Council on this investment.
- 50. Bankwest Term Deposit (AA):** This investment is a 60 day term deposit paying 5.90% (6.03% annualised) and matures on 9 August 2010. No fees are payable by Council on this investment.

ITEM 11 (continued)

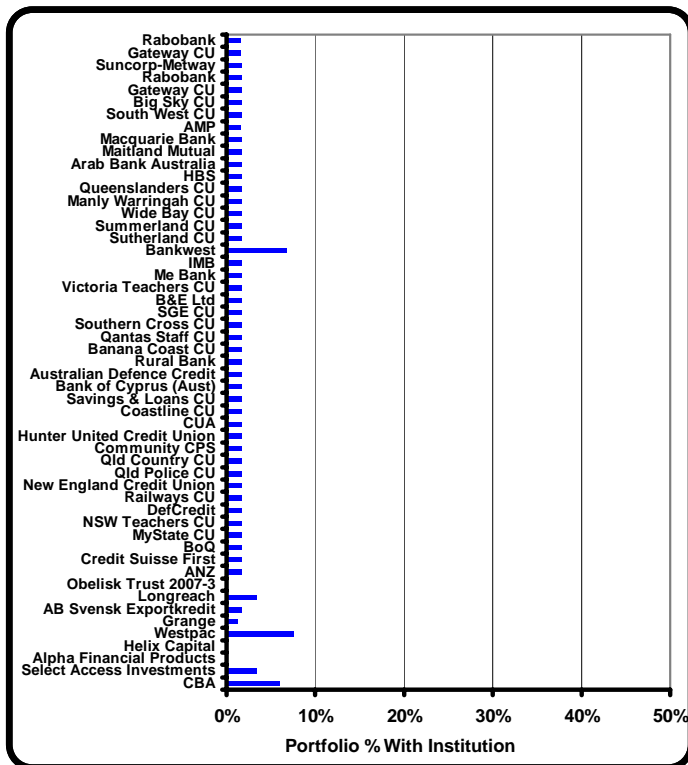
- 51. Macquarie Bank Term Deposit (AAA):** This investment is a 90 day term deposit paying 5.60% (5.72% annualised) and matures on 9 August 2010. No fees are payable by Council on this investment.
- 52. AMP eASYSaver at call account (AAA):** This investment is an at-call account earning 5.50%. No fees are payable by Council on this investment.
- 53. South West Credit Union Term Deposit (AAA):** This investment is a 90 day term deposit paying 6.34% (6.49% annualised) and matures on 24 August 2010. No fees are payable by Council on this investment.
- 54. Big Sky Credit Union Term Deposit (AAA):** This investment is a 90 day term deposit paying 5.98% (6.12% annualised) and matures on 9 September 2010. No fees are payable by Council on this investment.
- 55. 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.
- 56. 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.
- 57. 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.
- 58. 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.
- 59. 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.

ITEM 11 (continued)

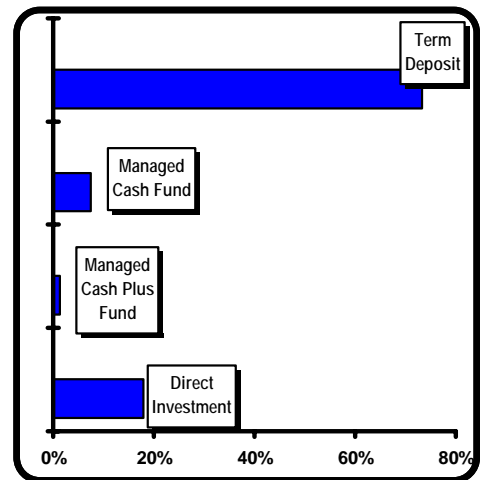
Investment Performance - All Investments**Total Funds Invested**

ITEM 11 (continued)

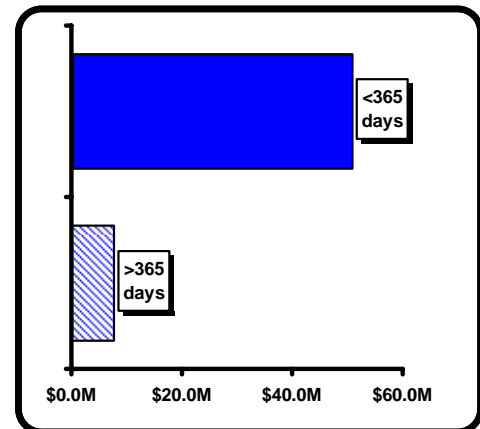
Active Investment Summary By Institution



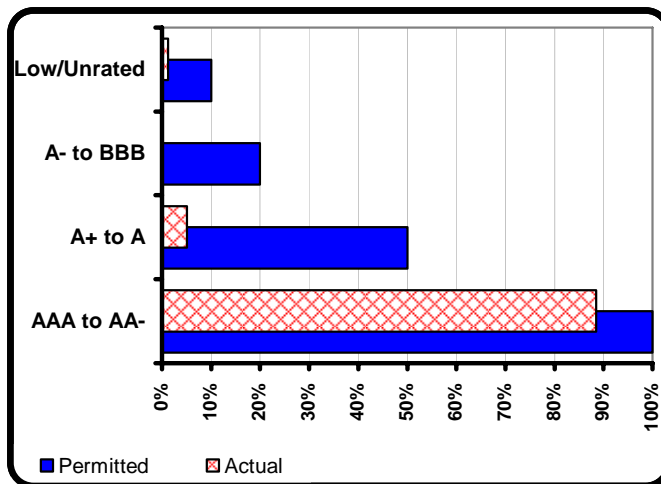
Summary By Investment Type



Summary By Duration



Active Investment Summary By Credit Rating



	>365 days	<365 days
FRN's	\$1.0M	\$1.0M
CDO's	\$0.0M	\$2.0M
Other	\$4.0M	\$1.5M
Mgd Funds	\$0.8M	\$0.0M
Cash/TDs	\$2.0M	\$46.4M
	\$7.7M	\$50.9M

ITEM 11 (continued)**Consultation**

Council business units consulted included:-

- Finance Unit

Internal Workshops held:-

- Nil

External public consultation included:-

- Nil

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

Council's income from interest on investments in July 2010 was \$316K, in excess of YTD budget projections.

Council will receive approximately \$300K from the sale of the Lehmans/ Grange IMP - Flinders CDO (which had been written down to a nominal value) and these proceeds will increased Council's financial position.

Council at its meeting of 22 May 2010 resolved that all interest from its "at risk" investments be transferred to the Financial Security Reserve and in line with this, it is proposed that the proceeds of the sale of the Flinders CDO also be transferred to the Financial Security Reserve.

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

Council could resolve not to transfer the proceeds of the sale to the Financial Security Reserve and to hold the funds in available working capital for further review at the September 2010 Quarterly Review of the Management Plan

Conclusion

Council's year to date return to July 2010 is 6.24%, which is 1.15% above the benchmark.

ITEM 11 (continued)

Council will increase its financial position by approximately \$300K through the proposed sale of the Flinders CDO and in doing so will also reduced it exposure and level of risk in its investment portfolio.

It has been recommended that these proceeds be transferred to the Financial Security Reserve which if approved, would have a balance of \$440K if approved

Council continues to invest under the Federal Government's guarantee in Term Deposits with a range of Approved Deposit Taking Institutions (ADIs) on a short term 30-90 day basis and some longer dated investments (generally up to 6 months maturity) where more competitive rates are available.

12 REGISTERS - State Environmental Planning Policy No. 1**Report prepared by:** Manager Assessment**Report dated:** 10 August 2010**File No.:** GRP/10/4/001/6 - BP10/463**Report Summary**

Please find below DAs approved in the period 25 May 2010 to 24 July 2010 with a variation using State Environmental Planning Policy No. 1 (SEPP 1).

Twelve applications were determined in this timeframe; eleven under delegation and one by Council.

Date and method of Determination	Property Address	DA No.	Description	Description of variation	Amount of variation & what was the variation for
31/5/2010 (Delegated Authority)	4 Holly Avenue, Ryde	LDA 2010/97	New two storey dwelling.	Variation to the Ryde Planning Scheme Ordinance in relation to allotment width. The subject lot has a width of 13.21m at a distance of 7.5m from the public road.	Variation of 11.93% to allotment width.
4/6/2010 (Delegated Authority)	50 Pellisier Road, Putney	LDA 2009/586	Demolition of existing dwelling and pool. Construction of a two storey dwelling with swimming pool, associated landscaping and retaining walls.	1. Variation to the Ryde Planning Scheme Ordinance in relation to allotment width. The subject lot has a width of 11.8m at a distance of 7.5m from the public road. 2. Variation to the Ryde Planning Scheme Ordinance in relation to development forward of the foreshore building line, in this case a timber deck and landscaping.	1. Variation of 21.4% to allotment width. 2. No percentage applicable. Under Clause 40 Council can allow on merits.
7/6/2010 (Delegated Authority)	19 Short Street, Gladesville	LDA 2010/74	New two storey dwelling.	Variation to the Ryde Planning Scheme Ordinance in relation to allotment width. The subject lot has a width of 12.19m.	Variation of 18.73% to allotment width.
7/6/2010 (Delegated Authority)	9 Forsyth Street, West Ryde	LDA 2010/85	New two storey dwelling.	Variation to the Ryde Planning Scheme Ordinance in relation to allotment width. The subject lot has a width of 12.2m at a distance of 7.5m from the public road.	Variation of 18.6% to allotment width.

ITEM 12 (continued)

Date and method of Determination	Property Address	DA No.	Description	Description of variation	Amount of variation & what was the variation for
15/6/2010 (Delegated Authority)	11 Hepburn Avenue, Gladesville	LDA 2009/720	New two storey dwelling.	Variation to the Ryde Planning Scheme Ordinance in relation to allotment size and width. The subject lot has a size of 537.5m ² and a width of 13.295m at a distance of 7.5m from the public road.	Variation of 7.33% to allotment size & 11.37% to allotment width.
16/6/2010 (Delegated Authority)	9 Long Avenue, East Ryde	LDA 2010/20	New two storey dwelling.	Variation to the Ryde Planning Scheme Ordinance in relation to allotment size. The subject lot has a size of 518.9m ² .	Variation of 10.53% to allotment size.
16/6/2010 (Delegated Authority)	6 Shaw Street, East Ryde	LDA 2010/116	New two storey dwelling.	Variation to the Ryde Planning Scheme Ordinance in relation to allotment size. The subject lot has a size of 554m ² .	Variation of 4% to allotment size.
23/6/2010 (Delegated Authority)	41 The Strand, Gladesville	LDA 2010/165	Demolition, new two storey dwelling.	Variation to the Ryde Planning Scheme Ordinance in relation to allotment width. The subject lot has a width of 13.106m at a distance of 7.5m from the public road.	Variation of 12.62% to allotment width.
30/6/2010 (Delegated Authority)	690 Victoria Road, Ryde	LDA 2010/69	Demolition of dwelling and construction of a residential flat building containing 4 x 1 bedroom units and 1 x 2 bedroom unit and 7 car parking spaces.	Variation to the Ryde Planning Scheme Ordinance in relation to site area and frontage to Victoria Road. The subject site has an area of 561.2m ² and a frontage of 17.63m.	Variation of 33.19% to allotment size & 34.7% to frontage.
12/7/2010 (Delegated Authority)	22 Gregory Street, Putney	LDA 2010/147	New two storey dwelling and front fence.	Variation to the Ryde Planning Scheme Ordinance in relation to allotment width. The subject lot has a width of 13.286m at a distance of 7.5m from the public road.	Variation of 11.43% to allotment width.
19/7/2010 (Delegated Authority)	97 Badajoz Road, North Ryde	LDA 2010/199	<u>New two storey dwelling and fences.</u>	Variation to the Ryde Planning Scheme Ordinance in relation to allotment size. The subject lot has a size of 505.9m ² .	Variation of 12.78% to allotment size.

ITEM 12 (continued)

Date and method of Determination	Property Address	DA No.	Description	Description of variation	Amount of variation & what was the variation for
20/7/2010 (Council Decision)	20 West Parade, Eastwood	LDA 2009/ 700	Demolition of existing structures and construction of new part single part two storey hotel and associated facilities.	Variation to the Ryde Planning Scheme Ordinance in relation to allotment size. The subject lot has a size of 574.7m ² , whereas the Ryde Planning Scheme Ordinance specifies that a hotel shall not be erected unless the allotment has an area of not less than 1.25 hectares.	Variation to allotment size. Existing lot in Eastwood Town Centre.

RECOMMENDATION:

That the report of the Manager Assessment dated 10 August 2010 on REGISTERS - State Environmental Planning Policy No. 1 be endorsed by Council.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Liz Coad
Manager Assessment

Report Approved By:

Dominic Johnson
Group Manager Environment & Planning

13 JOINT REGIONAL PLANNING PANEL - UPDATE - Nomination of Members

Report prepared by: General Counsel**Report dated:** 9/08/2010**File No.:** GRP/10/1/001/6 - BP10/460

Report Summary

This report seeks Council's endorsement to alter the Council's nominees to the Joint Regional Planning Panel consequent on the resignation of Mr Kim Woodbury.

RECOMMENDATION:

- (a) Pursuant to clause 9(1)(d) of Schedule 4 to the Act, Council revokes the office of Mr Kim Woodbury as a member of the Panel.
- (b) Pursuant to clause 2(4) of Schedule 4 to the Act, Council nominates Mr Barry Hodge as a member of the Panel.
- (c) That the person employed in the position of Group Manager - Public Works be appointed as a member of the Panel in place of Mr Hodge at such time as the new manager commences employment with Council.
- (d) That Council delegate to Mr Hodge the authority to, in accordance with clause 8 of Schedule 4 to the Act, appoint alternate members to the Panel and revoke any such appointments for such period as Mr Hodge is a member of the Panel.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Joe Strati
General Counsel

Report Approved By:

John Neish
General Manager

ITEM 13 (continued)**Report**

On 23 June 2009, Council resolved to nominate 2 Council staff members, namely, Mr Michael Whittaker (the then General Manager) and Mr Kim Woodbury (Group Manager – Public Works) as Council's members on the Joint Regional Planning Panel (**"Panel"**).

On 4 May 2010 Council further resolved that:

- "(a) Pursuant to clause 9(1)(d) of Schedule 4 to the Act, Council revokes the office of Mr Michael Whittaker as a member of the Panel.*
- (b) Pursuant to clause 2(4) of Schedule 4 to the Act, Council nominates Mr John Neish as a member of the Panel.*
- (c) Council delegates to Mr John Neish and Mr Kim Woodbury the authority to, in accordance with clause 8 of Schedule 4 to the Act, appoint alternate members to the Panel and revoke any such appointments. ..."*

Mr Woodbury has resigned from his position with Council effective from 19 August 2010, but remains a member of the Panel as such resignation does not constitute vacation of membership (see Clause 9 of Schedule 4 to the *Environmental Planning and Assessment Act 1979* (**"Act"**)).

Given Mr Woodbury's resignation, it is recommended that Council:

1. appoint Mr Barry Hodge (being the Acting Group Manager – Public Works) as Council's nominee on the Joint Regional Planning Panel; and
2. appoint in place of Mr Hodge the new Group Manager – Public Works as a member on the Panel once the new manager has commenced employment with Council.

14 2010 BIKE FUTURES CONFERENCE - Melbourne 14-15 October 2010

Report prepared by: Councillor Support Coordinator**Report dated:** 10/08/2010**File No.:** CLR/07/8/20/8 - BP10/469

Report Summary

This report is presented to Council for its consideration in having Councillor/s attend the 2010 Bike Futures Conference to be held in Melbourne from Thursday 14 October to Friday 15 October 2010.

RECOMMENDATION:

That Council consider the attendance of Councillor/s at the 2010 Bike Futures Conference being held at the Etihad Stadium, Melbourne from Thursday 14 October to Friday 15 October 2010.

ATTACHMENTS

1 2010 BIKE FUTURES CONFERENCE - DRAFT PROGRAM

Report Prepared By:

Sheron Chand
Councillor Support Coordinator

Report Approved By:

Shane Sullivan
Manager - Governance

Roy Newsome
Group Manager - Corporate Services

ITEM 14 (continued)**Background**

The 2010 Bike Futures Conference will be presented by the Bicycle Network across Australia and hosted by Bicycle Victoria at the Etihad Stadium in Melbourne this year. The conference will aim to assist government professionals and community leaders to respond to demands brought on by the growth of bicycle transportation and recreation across Australia. The conference will tackle issues specific to bike transportation such as:

- Separating riders from traffic and tuning traffic signals.
- Designing effective shared paths and developing shared use.
- Applying the new AustRoads guidelines.
- Links to workplaces and public transport and end of trip facilities.
- Bikes plans, land use and high return investments.

This conference was first held in Melbourne on 15-16 October 2009. Council at its meeting held on 25 August 2009 endorsed Councillors Maggio and Perram attendance at the conference.

Report

An invitation was placed in the Councillor's Information Bulletin dated 29 July 2010 calling for expressions of interest for Councillors to attend this conference. A draft conference program was attached to the bulletin and is also **ATTACHED** to this report.

Councillors Maggio, Perram and Yedelian OAM have indicated an interest in attending this conference. If Council supports being represented at the conference, Council's representatives will provide a subsequent report to Council on the findings and recommendations of the conference.

Consultation

Internal Council business units consulted included:-

- All Councillors received an invitation to attend this conference through the Councillors' Information Bulletin dated 29 July 2010. Councillors Maggio, Perram and Yedelian OAM indicated an interest to attend this conference. Councillor Maggio also indicated that a Council staff member should also attend the conference.

Internal Workshops held:-

- Not applicable.

City of Ryde Advisory Committees consulted included:-

- Not applicable

External public consultation included:-

- Not applicable.

ITEM 14 (continued)**Critical Dates**

In order to receive the Early Bird Registration discount, full registration fee must be paid by 11 September 2010.

Financial Impact

Registration cost for the conference is \$895 per person and includes attendance to all sessions, conference satchel, lunch on both days and conference dinner held on Thursday, 14 October 2010. Additional costs for accommodation, flight and meals would also be incurred which are estimated to be \$720 per person.

The total estimated cost to attend this conference is approximately \$1,615 per person. The total cost is itemised in the table below.

Conference Registration:	\$895 per person
Accommodation:	\$300 per person
Flights:	\$220 to \$402 per person depending on when the booking is made.
Meals:	\$200 per person

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 balance remaining.

Date of Council Resolution	Item	Balance
1 July 2010	Budget	\$30,000
27 July 2010	LGA Conference (Estimated Cost: \$13,800)	\$16,200
27 July 2010	One Convention (Estimated Cost: \$297)	\$15,903

Estimated Balance Remaining: \$15,903

Policy Implications

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

Other Options

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

Conclusion

It is believed that the 2010 Bike Futures Conference offers an opportunity for Council to learn, network and capitalise on opportunities that could be gained by attending this conference.

It is recommended that Council consider endorsing Councillor attendance at this conference. If Council attends this conference, Council's representative/s will be required to provide a report to Council on the findings and recommendations from the Conference.

ITEM 14 (continued)
BIKE FUTURES DRAFT CONFERENCE PROGRAM

ATTACHMENT 1

2. Conference Program

The range of themes that will make up the Bike Futures Conference 2010 program and the confirmed speakers will be made available on this page. Detailed descriptions on the themes and the presenters will be forthcoming as the Conference program is developed and finalised. The current, proposed program is shown below.

See our [Speakers Guide](#) for advice on presenting.

28 June 2010 Following consultation with members of the Bike Futures newsletter mailing list, via our surveys, we have developed the following program of topics. The surveys enabled us to identify which topics delegates wanted and to omit the potential presentations that respondents said would not be useful.

Roads	Bikes and buses: Differences and similarities across Australia.	Bikes and motor vehicles: Taming roundabouts.	Training circuits on rural roads.
Separation	Kerbside lanes: Version 2.0.	Using on-road physical separators.	Profiled line marking.
Roads	Green lights for bikes.	Crossings: Bikes and paths and roads.	Wombats for pedestrians and young riders.
Planning and Design	Local government bike plans.	Austroroads: What's changed? What's the same? Gaps in the guidelines?	Bicycle Victoria Good Design Guide: What's been covered? What's coming up?
Data - Qualitative	Consultation strategies: Using the BikeScope tool	iPhone applications: Using the RiderLog tool.	Developing and using a Bicycle Account for local government.
Data - Quantitative	Automatic options: Counter loops, piezos, cameras, action!	Bike data: What we want and how we use it.	Data strategies: Collecting, analysing and reporting.
	Indicators for bike use: Developing a data model		
End of Trip Facilities	High quality bike facilities in workplaces.	Drivers to riders: The Parkiteer program and behaviour change.	Pay-to-use end of trip facilities: Current examples.
	On street parking: Prioritising bikes over cars.		

ITEM 14 (continued)

ATTACHMENT 1

Behaviour Change Programs	Insights and Learnings: The Ride to Work and Ride2School programs.	Developing programs for new riders: Seniors & female riders.	Road safety behaviour change programs & designing codes of behaviour.
	Developing a municipality-wide behaviour change program.		
Shared paths	Tendering, specification and construction.	Developing high quality mountain bike circuits	Reducing risk and liability.
	Bridges, boardwalks and decking.	New generation shared paths.	
Infrastructure	Benefit cost ratios applied to riding.	Developing high value projects.	Estimating value from usage.
Pedestrians and Bikes	Shared space at popular destinations.	Local ('3km') catchments: Building links to shops, schools and stations.	Solutions for pedestrian routes crossing bike routes.
Land use	New suburbs: Are the rules delivering what we want?	What transport needs to tell land use about bikes and vice versa.	Apartment living: Car and bike parking requirements and the implications for planners.
Integrating public transport and bike riding	Bikes at regional rail and public transport nodes.	Who pays to link up the on road and off road routes to stations?	Bus and tram platforms.

15 JUNE 2010 QUARTERLY REVIEW REPORT 2009-2013 MANAGEMENT PLAN

Report prepared by: Chief Financial Officer**Report dated:** 13/08/2010**File No.:** GRP/10/3/001/6 - BP10/476

Report Summary

Council's Management Plan and Budget for 2009-2013 sets out the strategic and financial objectives for the year. These documents set out the goals and various performance measures for Council's four key outcome areas and details the services and projects that Council planned to deliver in 2009-2010.

The attachments to this report include details for each of the four key outcome areas detailing the targets adopted by Council and how we have performed in achieving these targets to 30 June 2010. Also shown is a financial performance summary for each key outcome area and a list of all Projects by Service Unit that are to be undertaken in 2009/10 with information on how each Project has progressed.

As a result of this Review, Council's Available Working Capital is projected to increase to approximately \$4.56 million as at 30 June 2011. Council has delivered \$24.8 million in capital works which represents a 91% completion rate after allowing for those substantial projects that have been delayed due to changes in circumstances outside Council's control.

RECOMMENDATION:

- (a) That the report of the Chief Financial Officer, dated 13/08/2010 on JUNE 2010 QUARTERLY REVIEW REPORT 2009-2013 MANAGEMENT PLAN, be received and endorsed.
- (b) That the proposed carry overs included in this report totalling \$6.63 million be endorsed and included in the 2010/2011 Budget.
- (c) That the proposed transfers to Reserves as detailed in the report totalling \$1.55 million be adopted.
- (d) That the Certificate of the Responsible Accounting Officer attached to the report of the Chief Financial Officer dated 13 August 2010 be endorsed.

ATTACHMENTS

- 1 Responsible Accounting Officers Certificate - 30 June 2010

Report Prepared By:

Richard Nankivell**Chief Financial Officer**

Report Approved By:

Roy Newsome**Group Manager - Corporate Services**

ITEM 15 (continued)**Background**

As required under section 407 of the Local Government Act, 1993 the quarterly review of the Management Plan as at 30 June 2010 is presented to Council.

This review reports on the performance of Council in undertaking its Principal Activities in terms of its stated objectives and financial position. The following individual reporting documents have been prepared and are **CIRCULATED UNDER SEPARATE COVER**.

- ANNEXURE 1** Management Plan 2009-2013 - provides a 'snapshot' of Council's performance in the quarter relative to several high profile activities.
- ANNEXURE 2** Financial Management Summary Report – graphical representation of financial performance to 30 June 2010.
- ANNEXURE 3** Capital Status Report – provides comments regarding the status of all of Council's Capital Expenditure projects.
- ANNEXURE 4** Proposed Carry over Projects – provides comments and details of those projects that are proposed to be carried over into the 2010/2011 budget.

Presentation – During the Council meeting, a presentation will be made on the quarterly review as at 30 June 2010.

In the remainder of this report an overview is provided on the key aspects of Council's financial performance for the 4th quarter. Included in this report, the Responsible Accounting Officer is required to report and provide a statement on Council's financial position which is dated 13 August 2010 and is **ATTACHED** to this report.

Report

The June 2010 Quarterly Review has been completed and is submitted to Council for endorsement. This includes the Financial Management Summary Report (Annexure 2).

In finalising the 2009/2010 financial year result, capital and operating projects totalling \$6.63 million are proposed to be carried over for completion in 2010/2011 and have been taken into consideration when calculating the closing Working Capital. The proposed carry over projects are detailed in this report.

Council's Financial Statements for 2009/2010 are currently being prepared and there may be some variations to the figures that are presented in this report. Any significant changes will be in the final report to Council when the Financial Statements are presented.

ITEM 15 (continued)**Overview of June 2010 Quarterly Review including Working Capital Summary****Working Capital Summary**

In the March 2010 Quarterly Review, Council's forecasted Available Working Capital position was \$4.4 million.

In the June 2010 Quarterly Review, the proposed budget adjustments will result in Council increasing its forecasted Available Working Capital as at 30 June 2010 to \$4.56 million which is \$420K in excess of the \$4.140 million Working Capital balance projected in the 2010-2014 Management Plan.

Overview of June Quarterly Review

As detailed above, Council's Available Working Capital is projected to increase to \$4.56 million as a result of this review. This is a sound result given that the effects of the global financial crisis are still impacting the economy. The following points are made in explaining this result;

Operating Budget

- Council has improved and increased its operating revenue over budget by \$1.65 million (2.2%) with the main areas being as follows:
 - \$840K advance grant payments (for the 2010/11 year)
 - \$250K advance road restoration fees (for the 2010/11 year)
 - \$190K interest on investments
 - \$190K Waste Management fees (internal restriction)
 - \$190K Regulation Compliance related fees
- Council has achieved a saving in its operating expenditure against budget of \$3.4 million (4.9%) with the main areas being as follows:
 - \$1.3M contractors costs (\$850K waste mg'ment – internal restriction)
 - \$600K consultants costs
 - \$550K staffing costs
 - \$445K staff leave provisions
 - \$218K insurance premiums/claims costs
 - \$160K materials
 - \$110K IT licenses

From the above improvement in Council's operating budget/result of \$5.026M, and excluding the items that have been either paid in advance or are internally restricted, Council has had a net improvement in its operating result before Capital of approximately \$2.9M. From this amount, this report recommends a carry over of \$1.13M of projects within the Operating Budgets, which are detailed in **Annexure 4**.

ITEM 15 (continued)**Capital Budget**

- Council has delivered \$24.8 million in capital works during the year with 91% of projects being completed.

As detailed in this report, from the \$31.042M Capital Budget, \$24.793M has been expended in the 2009/10 financial year, which has resulted in a variance and under expenditure of \$6.25M.

From this variance, \$5.5 million of works are recommended to be carry over works to 2010/11. This includes a number of substantial projects totalling \$3.65 million that will now be completed in 2010/11 due to delays outside Council's control that include:

- Ryde Community & Sport Centre
- COR Centre
- Recycling Stations
- Pittwater Road reconstruction
- Macquarie Park Public Domain Works
- Pittwater Road / Field of Mars Roundabout
- Meadowbank Netball Courts
- RALC Air conditioning Units

Details of the proposed Capital Works carry overs are detailed in **Annexure 4**.

Summary

In providing Council with a high level summary of the June quarter result, the following detail is provided;

Operating	\$M	\$M
Operating Surplus before Capital		5.026
Less;		
Advanced Grants/Fee payments	1.090	
Additional Waste Management Fees	0.190	
Savings in Waste Management Contractors	<u>0.850</u>	<u>2.130</u>
Net Improvement/Operating		2.896

From this net improvement of \$2.896M, this report recommends \$2.836 million of these funds be utilised as follows:-

	\$M
Fund Operational Budget Carryovers	1.130
Increase Working Capital	0.156
Transfers to reserves (detailed below)	<u>1.550</u>
Total	2.836

ITEM 15 (continued)**Capital**

Variance in June budget review	6.249
Proposed funded Capital Works carry overs	<u>5.502</u>
Total Net Reduction	0.747

Transfers to Reserves

It is proposed to make the following transfers to reserves as part of this review:

- Insurance Excess/Risk Management Reserve \$150K
 - This reserve is to cater for Public Liability and Professional Indemnity insurance claims that are in excess of Council's operating budget and less than Council's policy excess. This Reserve will also be available to fund proactive initiatives to reduce Council's risk exposures, premiums and cost of claims.
- Asset Replacement Reserve \$1.4M
 - It is proposed to transfer the above amount to Council's existing Asset Replacement Reserve that will be utilised in supporting the organisational development and business improvement initiatives over the next three (3) to five (5) years. This will include supporting the development of Council's business systems and processes, development and implementation of Council's integrated reporting system and various other improvement initiatives. This reserve will also be a funding source to support the action plans that will be required in implementing Council's Business Continuity Plan and I.T. Disaster Recovery Plan.

Overall, the City of Ryde's result for the 2009/10 year is both positive and sound, with this report recommending to Council to capitalise on this result by utilising the available funds to ;

- fund the recommended carry over works
- increase Council's Working Capital
- transfer to the reserves as detailed in the report.

ITEM 15 (continued)**Summary of Budget Performance – June Quarter 2010**

Variations to Council's budget for the quarter can be summarised as follows;

	Current Budget	June Revised Budget	June Actuals	June Variance
	\$'000	\$'000		\$'000
Operating Revenue	78,985	78,985	80,634	(1,649)
Direct Operating Expenditure	(69,499)	(69,499)	(66,122)	(3,377)
Direct Operating Result	9,486	9,486	14,512	(5,026)
Depreciation	(18,500)	(18,500)	(18,500)	0
Operating result before Capital	(9,014)	(9,014)	(3,988)	(5,026)
Capital Income	8,865	8,865	6,804	2,061
Total Operating Result	(149)	(149)	2,816	(2,965)
Capital Expenditure	(31,042)	(31,042)	(24,793)	(6,249)

The remainder of this report details major variations to the 2009/2010 Budget by income and expenditure classifications.

Operating Income

Key Outcome Areas	Current Budget	June Revised Budget	June Actuals	June Variance
	\$'000	\$'000		\$'000
People	7,624	7,624	7,710	(87)
Assets	17,996	17,996	18,337	(341)
Environment	5,442	5,442	5,756	(315)
Governance	47,922	47,922	48,830	(907)
Total Operating Income	78,985	78,985	80,634	(1,649)

ITEM 15 (continued)People ↑\$87

Actual operating income was \$87K above budget due to the following:

Library Services ↑\$90K

- Council received an additional \$90K grant from the State Library of NSW for the purchase of Library books for the new Ryde Library.

Buildings & Property ↑\$57K

- Council received an additional \$57K income over budget from the leasing of buildings for community and recreation facilities.

RALC ↓\$50K

- RALC income was approximately \$50K under its revised budget and this was in part offset by savings in operating costs.

Assets ↑\$341K

Actual operating income was \$341K above budget due to the following:

Access ↑\$315K

- Council received an additional \$312K income over budget for Road Restoration works of which \$252.5K is for works to be carried over and undertaken in 2010/11.
- Council received approximately \$200K less in income and grants in respect of kerb and gutter construction and traffic facilities
- The Federal Government as part of its stimulus package made an advance payment of the 2010/2011 Financial Assistance Grant of \$706K of which \$197K relates to the Roads Component.

Stormwater & Parks Assets ↓\$200K

- Council was not successful in its 2 applications for grants in respect of the Buffalo & Kittys Creek floodplain risk management study and the Parramatta River catchments floodplain risk management study. No expenditure was incurred on these projects.

Waste Services ↑\$190K

- Council received an additional \$190K of income over budget from Domestic and Commercial Waste Management fees.

Environment ↑ \$315K

Actual operating income was \$315K higher than budget due to the following:

Health & Building ↑ \$108K

- Council received an additional \$108K of income over budget in Health & Building compliance fines.

Regulation ↑ \$87K

- Council received an additional \$87K of income over budget in Regulation Compliance.

Assessment ↑ \$71K

- Council received an additional \$71K of income over budget in respect of Development and Subdivision Applications.

Environment ↑ \$57K

- Council received an advance payment of the Rivers to Rivers Corridors grant of \$57K which is included in the 2010/2011 budget.

ITEM 15 (continued)Governance ↑ \$907K

Actual operating income was \$907K higher than budget due to the following:

Finance ↑ \$820K

- The Federal Government as part of its stimulus package made an advance payment of the 2010/2011 Financial Assistance Grant of \$706K of which \$509K relates to the General Purpose Component.
- Council received an additional \$192K of income over budget for Interest on investments.
- Additional Interest on overdue rates of \$89K received compared to budget.

Strategy & Projects ↑ \$59K

- Council has received \$59K income over budget in respect of the recovery of legal fees.

Capital Income

Key Outcome Areas	Current Budget	June Revised Budget	June Actuals	June Variance
	\$'000	\$'000		\$'000
People	726	726	674	52
Assets	5,889	5,889	3,918	1,971
Environment	2,250	2,250	2,212	38
Governance	0	0	0	0
Total Capital Income	8,865	8,865	6,804	2,061

People ↓ \$52K

Actual capital income was \$52K under budget due to the following:

- Parks ↓ \$50K
 - Council was not successful in its \$50K grant application for Playground Upgrades / Shade and Fencing.

Assets ↓ \$1,971K

Actual capital income was \$1,971K under budget due to the following:

- Access ↓ \$332K
 - Council has commenced work and spent \$25K on the \$250K Pittwater Rd/Field of Mars Roundabout which will be completed in 2010/11. An amount of \$25K has been accrued for 2009/10 and the balance of \$225K will be paid on completion in 2010/11.
 - Council has commenced work and spent \$109K on the \$232K Epping Road Bike Route project which will be completed in 2010/11. This project is partly funded by an \$88K grant. An amount of \$26K has been accrued for 2009/10 and the balance of \$62K will be paid on completion in 2010/11.

ITEM 15 (continued)

- Council has commenced work and spent \$38K on the \$80K RTA funded Traffic Calming devices project which will be completed in 2010/11. An amount of \$38K has been accrued for 2009/10 and the balance of \$42K will be paid on completion in 2010/11.
- Stormwater & Parks Assets ↑ \$85K
 - Council received additional contributions of \$65K for stormwater drainage through parks and \$20K Looking Glass Bay SQID project
- Buildings & Property ↓ \$1,750K
 - Council received the initial \$1,750K grant in 2008/09 and it was transferred to Reserves in the prior year.

Environment ↓ \$38K

Actual capital income was \$38K under budget due to the following:

- Urban Planning ↓ \$38K
 - Council received \$1.962M in Section 94 Developer Contribution income during the year which was approximately \$38K under budget due to reduced activity following on from the Global Financial Crisis.

Operating Expenditure

Key Outcome Areas	Current Budget	June Revised Budget	June Actuals	June Variance
	\$'000	\$'000		\$'000
People	19,739	19,739	19,199	540
Assets	22,771	22,771	21,737	1,034
Environment	9,067	9,067	8,365	703
Governance	17,922	17,922	16,821	1,101
Total Operating Expenditure	69,499	69,499	66,122	3,377

People ↓ \$540K

Actual operating expenditure was \$540K under budget as follows:

- Community Life ↓ \$58K
 - Council made savings against budget in Community life of \$58K for the year. An amount of \$50K in respect of the ALWGA Conference to be hosted by City of Ryde is to be carried forward to 2010/11.
- Parks ↓ \$62K
 - Council made savings against budget in Parks of \$62K for the year.
- Community & Culture ↓ \$330K
 - Council made savings against budget in Cultural Planning \$220K, Social Policy Planning \$35K as well as the Home Modification and Maintenance Service \$50K which is grant funded.
- Library Services ↓ \$154K
 - Council made savings against budget in Library Services of \$154K for the year.

ITEM 15 (continued)

- Buildings & Property ↑ \$147K
 - Council spent an additional \$147K operating costs in maintaining Council properties during the year.
- Community Relations ↓ \$73K
 - Council made savings against budget in Community Facilities hire of \$79K for the year.

Assets ↓ \$1,034K

Actual operating expenditure was \$1,034K under budget as follows:

- Operations ↓ \$879K
 - Domestic Waste Management were \$879K under budget for the year.
- Catchments & Assets ↓ \$300K
 - Council was not successful in its 2 applications for grants in respect of the Buffalo & Kittys Creek floodplain risk management study and the Parramatta River catchments floodplain risk management study. No expenditure was incurred on these projects.

Environment ↓ \$703K

Actual operating expenditure was \$703K under budget as follows:

- Health & Building ↓ \$117K
 - Council made savings against budget of \$117K for the year.
- Regulation ↓ \$76K
 - Council made savings against budget of \$76K for the year. It is proposed that \$20K be carried over to purchase new PDAs.
- Assessment ↓ \$71K
 - Council made savings against budget of \$71K for the year..
- Urban Planning ↓ \$244K
 - Council made savings against budget of \$244K for the year. It is proposed that \$84K be carried over to finalise a number of studys.
- Environment ↓ \$186K
 - Council made savings against budget of \$186K for the year. It is proposed that \$9K be carried over to finalise a number of grant funded projects.

Governance ↓ \$1,101K

Actual operating expenditure was \$1,101K under budget as follows:

- Strategic Unit ↓ \$139K
 - Council made savings against budget of \$139K for the year. It is proposed that \$57K in respect of Ryde 2030 be carried over to 2010/11.
- Human Resources ↓ \$45K
 - Council made savings against budget of \$45K for the year. It is proposed that \$38K be carried over to 2010/11 for Corporate Training .
- Customer Services ↓ \$56K
 - Council made savings against budget of \$56K for the year.

ITEM 15 (continued)

- Mayor & Councillors ↓ \$92K
 - Council made savings against budget of \$92K for the year.
- Risk & Audit ↓ \$218K
 - Council made savings against budget of \$218K for the year with the main savings in the area of reduced insurance premiums. It is proposed to transfer \$150K to establish an Insurance Excess/Risk Management Reserve and carry over an amount of \$50K to drive further reductions in claims history and premiums.
- Finance ↓ \$355K
 - Council has made a negative fair value adjustment of \$115K to reduce the value of Council's Investment Property portfolio. This is a non cash expense similar to depreciation to recognise the decrease in the value of the Investment property portfolio.
 - Council has made a positive adjustment of \$445K to reflect staff leave accruals as at 30 June 2010.
- Information Management ↓ \$185K
 - Council made savings against budget of \$185K for the year of which \$110K relates to savings in IT licences and maintenance costs.

Capital Expenditure

Group	Current Budget	June Revised Budget	June Actuals	June Variance
	\$'000	\$'000		\$'000
People	5,976	5,976	4,647	1,329
Assets	24,656	24,656	19,712	4,944
Environment	0	0	0	0
Governance	410	410	434	(24)
Total Capital Expenditure	31,042	31,042	24,793	6,249

Council has delivered \$24.8 million of capital works within the approved program during the year which represents 91% completion after allowing for those substantial projects that have been delayed due to changes in circumstances.

From the program, approximately \$5.5 million of capital works is recommended to be carried over to 2010/2011.

The status of all Capital Projects is detailed in **Annexure 3** of the Management Plan 2009-2013 document.

ITEM 15 (continued)
Proposed Operating / Capital Expenditure Carry Overs

It is proposed that projects totalling \$6.63 million be carried over and included in the 2010/2011 Budget. These projects comprise the following:

Operating Projects	\$1.13 million
Capital Projects	\$5.50 million
Total	\$6.63 million

These projects represent significant works that are in progress and the funds detailed above are required to complete the projects.

Further detail on all these proposed carry over projects is provided in **Annexure 4 – Proposed Carry Over Projects**.

Consultation

All Internal Council service units were consulted.

Internal Workshops held:-

- Not Applicable

City of Ryde Advisory Committees consulted included:-

- Not Applicable

External public consultation included:-

- Not Applicable

Comments

Service Unit Managers have reviewed their Unit budget's at the end of the June 2010 quarter to declare any variations to budget that will impact on the Council's financial position.

Critical Dates

The following deadlines are required to be met:

- In accordance with Section 407 of the Local Government Act 1993, the General Manager must report to the Council within 2 months after the end of each quarter as to the extent to which the performance targets set by the Council's current Management Plan have been achieved during that quarter.
- The Chief Financial Officer as Council's Responsible Accounting Officer, in accordance with the Part 2 Clause 7 of the Local Government (Financial Management) Regulation 1999 is required to certify whether the Council's financial position is satisfactory having regard to the original estimates of income and expenditure.

ITEM 15 (continued)
Financial Impact

As detailed in this report, Council has achieved an improvement in its Operating Result of \$5.026 million.

The report recommends the following key actions:

- Increase Council's available Working Capital from \$4.4 million to \$4.56 million as at 30 June 2010.
- Fund the carry over works of \$6.63 million, being \$1.130 million from Operating Expenditure and \$5.502 million from Capital Expenditure
- Transfer the following amounts to Internal Reserves to fund future initiatives:
 - Insurance Excess/Risk Management Reserve \$150K
 - Asset Replacement Reserve \$1.4M

By taking the above actions this will result in the City of Ryde being better placed throughout 2010/11, noting that the 2010/11 adopted Budget was set on a forecasted Working Capital of \$4.140 million.

Policy Implications

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

Other Options

Council could decide not to approve some or all of the proposed actions detailed in the report, including carry overs or to revoke the funds to other projects. This would impact the projected Working Capital as at 30 June 2010 and future Capital Works programs.

Conclusion

The March 2010 Quarterly Review projected a closing Working Capital balance for the 2009/10 financial year of \$4.4 million and this has now improved to \$4.56 million.

Council has delivered \$24.8 million capital works program during the year which represents 91% completion after allowing for those substantial projects that have been delayed due to changes in circumstances.

Approximately \$5.5 million of capital expenditure for capital works is recommended to be carried over to 2010/2011. In addition operational projects to the value of \$1.13 million are also proposed to be revoked to 2010/2011.

Council has experienced significant declines in income during the year as a direct result of the global financial crisis, however it has been able to effectively manage this to maintain current services and provide funds to support Council's capital works program.

The adoption of the recommended adjustments to Council's 2009/2010 budget as detailed within this report will result in a projected Available Working Capital as at 30 June 2010 of \$4.56 million.

ITEM 15 (continued)

The Council's 2010-2014 Management Plan was based on an anticipated Available Working Capital position of \$4.14 million and this result provides an additional \$420K above those projections.

It should be noted that Council, in adopting its 2010/11 Budget agreed to utilise \$1 million of its Available Working Capital that projected the Available Working Capital at \$3.282 million as at 30 June 2011.

ITEM 15 (continued)**ATTACHMENT 1****Certificate**

In accordance with the Local Government (Financial Management) Regulation 1999, Part 2, Clause 7, I report that the financial position of the Council was satisfactory as at 30 June 2010, having regard to the original estimates of income and expenditure. Variations in total income, operating and capital expenditure as at 30 June 2010 are of a quantum and nature that overall end of year financial targets will be achieved.



Richard Nankivell
Chief Financial Officer
Responsible Accounting Officer

13 August 2010

16 CODE OF CONDUCT REPORT

Report prepared by: General Manager**Report dated:** 13/08/2010**File No.:** GRP/10/5/001/6 - BP10/481

REPORT

Attached for your consideration is the Code of Conduct report prepared by Ian Ellis-Jones from the NSROC Regional Code of Conduct Review Panel regarding Cllr Bill Pickering.

RECOMMENDATION:

Council to give consideration to the Code of Conduct report

ATTACHMENTS

1 Code of Conduct Report

Report Prepared By:

John Neish
General Manager

Report Approved By:

John Neish
General Manager

NSROC REGIONAL CODE OF CONDUCT REVIEW PANEL
SOLE CONDUCT REVIEWER
CODE OF CONDUCT REPORT TO THE CITY OF RYDE
RE: CR BILL PICKERING

NAME OF COUNCIL: City of Ryde ("Council")

NAME OF COUNCILLOR THE SUBJECT OF COMPLAINT: Cr Bill Pickering

NAMES OF SOLE CONDUCT REVIEWER: Dr Ian Ellis-Jones

DESCRIPTION OF THE COMPLAINT ALLEGING A BREACH OF THE CODE OF CONDUCT:

The substance of the complaint, which was set forth in a letter dated 30 June 2010 from Mr John Neish, General Manager ("GM"), City of Ryde, to Cr Pickering was as follows (and I quote from the GM's letter):

"It is alleged that you referred to Councillor Tagg as a 'dickhead' and that this constituted a breach of clause 6.1 and 6.3 of Council's Code of Conduct. ..."

More fulsomely and particularly, the complainant, Cr Tagg stated in an email to the GM of 24 June 2010 that, at a Council meeting held on 23 June 2010, Cr Pickering called Cr Tagg "a 'Dick Head' 'Absolutely a Dick Head'" after having also allegedly told Cr Tagg to "shut up with [his] comments to [Cr] Yedellian".

DATE REFERRED TO SOLE CONDUCT REVIEWER:

On 30 June 2010 the GM wrote to Cr Pickering advising that the alleged breach of Council's Code of Conduct (being *The Model Code of Conduct for Local Councils in NSW* dated June 2008) was to be formally referred for conduct investigation under the Code.

On 12 July 2010 I met with the GM in his office at Council and accepted his offer of appointment as sole conduct reviewer.

PROCEDURAL HISTORY:

See above. See also "FACTUAL BACKGROUND AND DETAILS OF ENQUIRIES MADE" below.

On 24 June 2010, in an email to the GM, Cr Tagg made a formal Code of Conduct complaint against Cr Pickering in relation to certain words allegedly said by Cr Pickering to Cr Tagg at a Council meeting held on 23 June 2010.

On 30 June 2010 the GM wrote to Cr Pickering advising him that he (the GM) had concluded, after having discussed the matter with Cr Pickering on 25 June 2010 and otherwise deliberating upon the matter, that the complaint alleging a breach of the Code of Conduct should be referred

to "the Conduct Committee". The GM stated in his letter that he believed there were "sufficient grounds" for so doing.

As mentioned above, on 12 July 2010 I met with the GM in his office at Council and accepted his offer of appointment as sole conduct reviewer.

On 13 July 2010 I made a decision to conduct enquiries in relation to the matter referred to me, and I so advised both Cr Tagg and Cr Pickering, both orally and in writing on that day. In particular, I explained to the two Councillors the nature of my jurisdiction, the subject-matter of the complaint, and what had been entrusted to me. Insofar as Cr Pickering was concerned, my letter to him set out a detailed recitation of the salient contents of all of the evidential documents which, or copies of which, had been entrusted to me (with the exception of Cr LI's email, which came later), and stated that, in the event that he wished to place before me any information he considered relevant to my enquiries, he should do so by no later than 26 July 2010, and, further, that in the event that he wished to have an opportunity to address me in person he should contact me by no later than 16 July 2010 in order to arrange a date and time to meet with me, being a mutually convenient date (and time) no later than 26 July 2010.

IMPORTANT NOTE:

Cr Pickering:

- did not contact me by 16 July 2010 (the day appointed for that purpose) to seek an opportunity to address me in person, and
- did not provide me with any written materials by 26 July 2010 (the day appointed for that purpose).

even though on 23 July 2010, in a telephone conversation I had with Cr Pickering on that day, I reminded Cr Pickering that he had only to 26 July 2010 to provide me with any written materials. He did not seek an extension of time during that telephone conversation.

On the afternoon of 3 August 2010 Cr Pickering telephoned me to advise that he was "now ready" to email me certain documentation including, apparently, some statements/statutory declarations from certain Councillors attesting to their *not* having heard Cr Pickering say the words *alleged* to have been said by Cr Pickering or other like or additional evidence, known in law as "negative evidence". (Negative evidence, or evidence of absence, is evidence of any kind that tends to show, indicate or suggest, or which can be used to infer or deduce, the non-existence, non-presence or non-occurrence of something. Negative evidence can at times be strong - for example, a biopsy showing the absence of malignant cells in a human body. Indeed, in some circumstances it can be safely assumed that if a certain event had indeed occurred evidence of it would be discoverable by qualified investigators. In such circumstances it may be perfectly reasonable to take the absence of proof of the supposed occurrence of the event as positive proof of its non-occurrence.) However, with the greatest respect, we are NOT dealing with that sort of case here. Further, it must never be forgotten that *the absence of evidence is not evidence of absence*, especially in circumstances where, as will be shown to be the case here, there are numerous pieces of "positive evidence" attesting to the actual occurrence of the event in question.

In my conversation with Cr Pickering of 3 August 2010 I told him that I would *not* under any circumstances accept any documents from him. I told him why. These are my reasons and grounds:-



- the stipulated time period for the making of submissions had already expired (some 8 days earlier)
- the original period afforded Cr Pickering to put on evidence was, in light of decided judicial authorities, fair and reasonable in the circumstances of this type of case
- I had already reminded Cr Pickering on 23 July 2010 of the stipulated deadline (26 July 2010)
- Cr Pickering had not applied for an extension of time before the expiration of the stipulated deadline
- had he needed an extension of time beyond what had already been given to him he could and should have requested one before 26 July 2010 ... and, other things being equal, I would almost certainly have granted him an extension of a week or so (however, for the reasons given here, I see no reason why I should now give him a retrospective extension of time)
- it is not my fault that Cr Pickering does not apparently check his post office box (the box mentioned on the Councillor webpage on Council's website) on a daily basis or otherwise ... something he readily admitted to me on 3 August 2010 -- NOTE: Cr Pickering had no excuse, really, as I telephoned him on 13 July 2010 to advise him that a most important letter (the nature and broad contents of which I disclosed to him) was being dispatched to him by Express Post on that day, and which should arrive in his postal box the very next day (that is, on 14 July 2010) ... what more *can* one do?
- it is not my fault that Cr Pickering overlook the deadlines ... again, something he conceded to me on 3 August 2010
- it is not my fault that, in Cr Pickering's words, he "leads a very busy business life" ... again his words to me on 3 August 2010 -- so do many other people
- Cr Pickering can still present his additional material to the Council meeting to be appointed to determine the matter and/or to individual Councillors separately in advance of that meeting ... and I told me that on 3 August 2010 (see below)
- It is Council, not myself, that is charged with making the ultimate determination of whether or not there have been one or more breaches of the Code of Conduct and of what "punishment", if any, is appropriate (see also below).

My duty is to accord procedural fairness to the requisite degree, and no further. Bearing in mind the obligation imposed upon me by the Code of Conduct to act expeditiously, I gave the Councillor a reasonable time period in which to put on material. I would have given consideration to anything that he had submitted in time. Other things being equal, I would also have been minded to have granted him an extension of time had he applied before 26 July 2010. That he did not do. He admitted to me that he "only had [himself] to blame". I believe that I have acted fairly. When I received nothing from Cr Pickering by the stipulated deadline I simply assumed, as I'm sure others would have done as well, that the Councillor had chosen to put on no evidence on his behalf with the self-knowledge and insight that the case against him was almost overwhelming, which, for reasons that follow, I believe, and still believe, it to be.

In my telephone conversation with him on 3 August 2010 I told Cr Pickering that he could still present this additional material to the Council meeting to be appointed to determine the matter and/or to individual Councillors separately. I also told Cr Pickering that my task was to make findings of fact whilst it was the Council's responsibility to make a formal determination as to whether or not one or more breaches of the Code have occurred and, if so, what (if any) action is then called for in all the circumstances.



For what it's worth, and other things being equal, the nature, type and thrust of the "negative evidence" that Cr Pickering apparently sought to furnish to me on or after 3 August 2010 (which I refused to accept) would, in my respectful opinion, have been most unlikely to have led or otherwise persuaded me to reach different findings of fact for the reasons set forth elsewhere in this Report.

I am extremely sad that Cr Pickering did not appreciate the seriousness and importance of complying with the stipulated deadlines. Cr Pickering, in his telephone conversation with me of 3 August 2010, even went so far as to suggest that I had predetermined the issue and that "it was a waste of time". I reject and deny his assertion. I am firmly of the view that any reasonable, fair-minded, objective bystander, reading this Report, would be hard-pressed to reach different findings of fact from the ones I have found. I found Cr Pickering's attitude toward this review somewhat arrogant and bordering on contempt.

By the time Cr Pickering telephoned me, this Report (minus *only* the material contained in this "IMPORTANT NOTE", as well as certain minor consequential amendments necessitated by the call from Cr Pickering, which have been added/effectuated *after* my telephone conversation with the Councillor) had been fully completed and was just about to be dispatched by Express Post.

Immediately after my telephone conversation with Cr Pickering on 3 August 2010 I telephoned the GM to advise him of the conversation I had just had with the Councillor.

ISSUES FOR DETERMINATION:

The two issues falling for my consideration are as follows:-

- (1) Whether the alleged conduct the subject of the complaint occurred.
- (2) If so, whether the alleged conduct constitutes one or more breaches of Council's Code of Conduct.

FACTUAL BACKGROUND AND DETAILS OF ENQUIRIES CONDUCTED:

Factual Background

IMPORTANT NOTE. Where particular names of persons have been mentioned in this report as being the sources of certain evidence I have sought and obtained permission from the persons in question to include reference to their respective names.

A Council meeting was held on 23 June 2010. Several Councillors including Cr Pickering joined the meeting at approximately 8.30am. (See GM file note of 23 June 2010, corroborated by contents of email from Cr Tagg to the GM dated 24 June 2010.) Cr Tagg announced to "another Councillor" [apparently Cr Yedellian] that Cr Pickering had arrived. (Email from Cr Tagg to the GM dated 24 June 2010. See also file note from Ms Jennifer Anderson, Senior Administration Co-ordinator, City of Ryde, signed, I have been informed, on 28 June 2010.)

Shortly thereafter the GM's attention was drawn to "an altercation" between Crs Pickering and Tagg. (See GM file note of 23 June 2010, corroborated by contents of email from Cr Tagg to the GM dated 24 June 2010.) The GM did not hear the "initial comments" but heard a comment



from Cr Tagg saying "Pickering's back". (GM file note of 23 June 2010. See also the above mentioned file note from Ms Jennifer Anderson.) Cr Pickering told Cr Tagg to "shut up" with his comments to Cr Yedellian. (Email from Cr Tagg to the GM dated 24 June 2010. See also the above mentioned file note from Ms Jennifer Anderson.)

At 8.33pm the GM heard Cr Pickering respond with, "You're a dickhead an absolute dickhead". The GM states that this was said in "a soft tone but was clearly audible where I was sitting". (GM file note of 23 June 2010.) Cr Tagg states that Cr Pickering called him [Tagg] a "Dick Head" 'Absolutely a Dick Head'. (Email from Cr Tagg to the GM dated 24 June 2010.)

The substance of what is set out immediately above is further corroborated by the contents of an undated file note [but which, I have been informed by the staff member in question (Ms Jennifer Anderson), was signed on 28 June 2010, being the date of a covering email from her to the GM]. Ms Anderson states that at "approximately 8.31pm" Cr Tagg made a comment, which she did not recall, to which Cr Pickering said, according to Ms Anderson, "Shut up Tagg" in an aggressive tone". Ms Anderson states, "Councillor Tagg said, 'Pickering is here, Pickering is here'. Councillor Pickering then said, 'You're a dickhead mate, an absolute dickhead'." (File note, under cover of an email from Ms Anderson to the GM dated 28 June 2010.)

NOTE. Cr Salvestro-Martin, in an email to the GM dated 26 June 2010 (see below) stated that it was at "approximately 2030 [i.e. 8.30pm]" that Cr Pickering did on "two occasions" call Cr Tagg a "dickhead". (Email from Cr Salvestro-Martin to the GM of 26 June 2010.) However, having regard to the evidence of the GM and Cr Tagg, it is likely that the alleged remarks were made shortly after 8.30pm, the latter being the approximate time Cr Pickering joined the meeting.

Details of Enquiries Conducted

On 12 July 2010 the GM supplied me with certain documents (all of which I have carefully perused, reviewed and weighed in the balance), among them:

- a copy of a formal written complaint from Cr Vic Tagg, in the form of the above mentioned email from Cr Tagg to the GM dated 24 June 2010, alleging a breach by Cr Pickering of Council's Code of Conduct;
- an original signed file note dated 7/11/2010 [sic] [presumably meant to be the month of July] 2010 from the GM, who was present at the Council meeting held on 23 June 2010, who states [in the file note which was apparently prepared by the staff member more-or-less contemporaneously with the date and time of the alleged incident] that, at approximately 8.33pm, the senior staff member heard you say, albeit in a "soft tone" but otherwise "clearly audible" voice, to the complainant the words, "You're a dickhead an absolute dickhead";
- an original signed file note dated 11 July 2010 from the General Manager, which makes reference to a telephone conversation between the GM and Cr Pickering held on 25 June 2010 relating to the alleged incident, in which the GM states, among other things, "Cllr Pickering claimed that he didn't call Cllr Tagg a 'dickhead' but later stated that 'I don't recall it, but if I did then I stand by it'";
- a copy of a signed but undated file note [but which, I have been informed by the staff member in question, was signed on 28 June 2010, being the date of a covering email from



the staff member to the GM which is dated 28 June 2010] from Ms Jennifer Anderson who was also present at the Council meeting held on 23 June 2010, who states:

"At approximately 8.31pm the following occurred, to my recollection:

Councillor Tagg made a comment which I do not recall, to which Councillor Pickering said, 'Shut up Tagg' in an aggressive tone.

Councillor Tagg said, 'Pickering is here, Pickering is here'.

Councillor Pickering then said, 'You're a dickhead mate, an absolute dickhead'."

- a copy of the above mentioned email dated 28 June 2010 from Ms Jennifer Anderson to the GM, the subject-matter of which relates to the sound recording of the Council meeting held on 23 June 2010, which, from an evidentiary point of view, is, in my opinion, basically neutral (see, however, my comments below in relation to the tape); and
- a copy of an email dated 26 June 2010 from Cr J Salvestro-Martin to the GM in which Cr Salvestro-Martin states:

"With considerable disappointment I confirm that at the Council meeting 23 June at approximately 2030 Councillor B Pickering did on two occasions call Councillor V Tagg a 'dickhead'. The precise language used is as follows:

'You are a dickhead, an (muffled) dickhead'[,]

It is with much regret that I advise this as a matter of factual record."

Having regard to all of the foregoing, I made a decision on 13 July 2010 to conduct enquiries into the alleged conduct the subject, and, as mentioned above, I immediately advised both Cr Tagg and Cr Pickering of my decision, both orally and in writing (the latter in the form of separate letters to the two Councillors each dated 13 July 2010). My letters of 13 July 2010 expressly evidenced my decision of that day to make enquiries into the conduct the subject of the complaint.

On 13 July 2010 I received an email from Cr Justin Li, in which Cr Li stated that he "recall[ed] Cr Pickering saying words to the effect of 'You're a dickhead Vic'. I brought this additional document and its contents to the attention of Cr Pickering on 23 July 2010 (see below). In his email, Cr Li requested that the following (penned by Cr Li himself, his exact words) be set forth in my report:

"I don't require my name suppressed but wish to put on the record for the purpose of your report that:

-I'm solely cooperating with your investigation. I'm truthfully responding to you because you have asked me the question.

-in fairness to Pickering, his comment may have been made in the heat of the moment and it was not said loudly

-he could've been saying it to himself (ie thinking out loud)[.]"

(I should state for the record that on 13 July 2010 I did indeed contact Cr Li by telephone, but

only after Cr Tagg had phoned me on that day and said that I should contact Cr Li as he (Li) had something to offer. That is when I telephoned Cr Li. I made it clear to Cr Li that he didn't need to say or commit to writing *anything*, but that I would be interested in receiving from him anything that was relevant to the question of whether or not the words alleged to have been spoken by the person whose conduct is under review had, in fact, been spoken by him or at least heard in whole or in part by Cr Li. I did *not* directly ask Cr Li the question, "Did you hear Cr Pickering say to Cr Tagg, 'You're a dickhead, an absolute dickhead'?" Shortly thereafter I received the above mentioned email from Cr Li.)

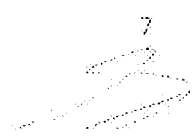
On 13 July 2010, in the company of Mr John Schanz (Council's Manager Risk and Audit), I listened several times to the relevant portion of the tape of the Council meeting of 23 June 2010. Mr Schanz and I both heard a background voice noise [almost certainly the voice of a Councillor, *not* being the Councillor who then had the floor, speaking] at around 1:01:18-19 minutes into the tape.

As already mentioned above, I wrote to both Crs Tagg and Pickering on 13 July 2010 advising them of my decision to conduct enquiries into the subject-matter of the complaint. Prior to dispatching those letters I telephoned each of them explaining the nature of my jurisdiction, the subject-matter of the complaint, and what had been entrusted to me. Insofar as Cr Pickering was concerned, the letter set out a detailed recitation of the salient contents of the above mentioned documents (with the exception of Cr Li's email, which came later), and stated that, in the event that he wished to place before me any information he considered relevant to my enquiries, he should do so by no later than 26 July 2010, and, further, that in the event that he wished to have an opportunity to address me in person he should contact me by no later than 16 July 2010 in order to arrange a date and time to meet with me, being a mutually convenient date (and time) no later than 26 July 2010.

I did not hear from Cr Pickering before 16 July 2010 nor receive any written information from him before 26 July 2010. (See "IMPORTANT NOTE", in "PROCEDURAL HISTORY", above.) When I spoke to Cr Pickering on 13 July 2010 he stated to me, "If it's not on the tape [of the Council meeting of 23 June 2010] then there's no basis or substance whatsoever to the complaint." I said to him, "Sir, you insult my intelligence as a lawyer and otherwise by stating that. Without prejudging the issue, there could be any number of good reasons why what you said, *assuming* for the moment that you did say what is *alleged* to have been said by you, was not picked up by the tape recorder. I will listen to the tape itself but I get the impression that it won't be very helpful, one way or the other, from an evidential point of view."

I also said to Cr Pickering in my telephone conversation with him of 13 July 2010 that a most detailed and fulsome letter would follow (which it did, by Express Post, dispatched on that day) which would set out what in law was "sufficient information" of the case against him, with full particulars, and I assured Cr Pickering that I would ensure that he was accorded procedural fairness, something which I was obliged to do in any event. I also stated to Cr Pickering that there were certain deadlines with which he had to comply in relation to the submission of documentation to myself, and so forth.

My letter to Cr Pickering that was dispatched on 13 July 2010 contained a copy of Part 3 of the Code of Conduct as well as a fulsome summary of his legal rights and entitlements both under the Code of Conduct and the general common law (as modified by the Code), and an appendix to the letter as well as the body of the letter itself set out the text of various (and the most) potentially relevant provisions of the Code. I should also add that during my telephone conversation with Cr Pickering held on 13 July 2010 Cr Pickering alluded to an intention on his part to supply me with one or more documents/statutory declarations from other Councillors

7


attesting to his *not* having said the words that had been attributed to him. (As mentioned above, I never received anything in writing from Cr Pickering in relation to the matter.)

On 23 July 2010, again with a view to ensuring procedural fairness was accorded to Cr Pickering, I again telephoned Cr Pickering to advise that I had received from Cr Li an email dated 23 July 2010 and to inform Cr Pickering of the full contents of that email. I also told Cr Pickering that, on 13 July 2010, in the company of Mr Schanz, I listened several times to the relevant portion of the tape of the Council meeting of 23 June 2010. Mr Schanz and I both heard a background noise [almost certainly the voice of a Councillor, not being the Councillor who then had the floor, speaking] at around 1:01:18-19 minutes into the tape.

I told Cr Pickering on 23 July 2010 that, in my view, the tape was of very little probative value except that it appeared to provide *some* support for the assertion that certain words were being said by a Councillor at around the point in time in question, but that neither Mr Schanz nor myself was able to discern what those words were or who was the person saying them.

I again reminded Cr Pickering on 23 July 2010 that, in the event that he wished to place before me any information he considered relevant to my enquiries, he should do so by no later than 26 July 2010, and, further, that in the event that he wished to have an opportunity to address me in person he should contact me by no later than 16 July 2010 in order to arrange a date and time to meet with me, being a mutually convenient date (and time) no later than 26 July 2010. Again, I received nothing from Cr Pickering in contradiction to the evidence that had been presented as being adverse to him. (I should also state that my letter to Cr Pickering of 13 July 2010 was not acknowledged by Cr Pickering until I telephoned the Councillor on 23 July 2010 and asked him whether he had in fact received my letter, to which he replied, "Yes.")

NAMES OF WITNESSES AND OTHER PERSONS INTERVIEWED/QUESTIONED:

- Mr John Neish - (in person) 12 July 2010; (over the telephone) 23 July 2010, 3 August 2010.
- Mr John Schanz - (in person) 12 July 2010 and 13 July 2010; (over the telephone) 13 July 2010.
- Cr V Tagg - (over the telephone) 13 July 2010.
- Cr Bill Pickering - (over the telephone) 13 July 2010, 23 July 2010 and 3 August 2010.
- Cr J Salvestro-Martin - (over the telephone) 13 July 2010.
- Ms Jennifer Anderson - (over the telephone) 13 July 2010 and 19 July 2010.
- Cr Justin Li - (over the telephone) 13 July 2010.

In addition, I was presented with the documentary evidence referred to above.

I gave consideration to whether or not to speak to other Councillors or persons present at the Council meeting in question but, after weighing in the balance the need to preserve Cr Pickering's privacy as much as possible, whilst at the same time according procedural fairness at all times to the Councillor, I decided not to contact any other persons other than Cr Li, and that was *only* after Cr Tagg had phoned me to say that I might like to phone Cr Li as "he has something to say to you that may be relevant to your enquiries" (Cr Tagg's words to me, as best as I can recall them). In the end, the issue became somewhat academic as I eventually



concluded that I had more than enough probative material upon and from which to be more than comfortably satisfied that Cr Pickering did in fact say words in or to the effect of "You're a dickhead, an absolute dickhead" to Cr Tagg. (See "MY FINDINGS OF MATERIAL FACT" below.)

RELEVANT PROVISIONS OF THE CODE OF CONDUCT:

Salient excerpts from Council's Code of Conduct are as follows:

General conduct

6.1 You must not conduct yourself in carrying out your functions in a manner that is likely to bring the council or holders of civic office into disrepute. Specifically, you must not act in a way that:

- a) contravenes the Act, associated regulations, council's relevant administrative requirements and policies
- b) is detrimental to the pursuit of the charter of a council
- c) is improper or unethical
- d) is an abuse of power or otherwise amounts to misconduct
- e) causes, comprises or involves intimidation, harassment or verbal abuse
- f) causes, comprises or involves discrimination, disadvantage or adverse treatment in relation to employment
- g) causes, comprises or involves prejudice in the provision of a service to the community, (Schedule 6A)

...

6.3 You must treat others with respect at all times.

Conduct review committee/reviewer

...

12.20 Where the conduct review committee/reviewer conducts enquiries or causes enquiries to be conducted, the conduct review committee/reviewer must make findings on whether, in its view, the conduct referred to it comprises a breach of the code of conduct.

12.21 Where the conduct review committee/reviewer makes findings, the conduct review committee/reviewer may recommend that council take any actions provided for in this code of conduct that it considers reasonable in the circumstances.

12.22 Where the conduct review committee/reviewer makes findings, the conduct review committee/reviewer will report its findings, and the reasons for those findings, in writing to the council, the complainant and the person subject of the complaint.

12.23 The conduct review committee/reviewer will report its findings and any recommendations to council only when it has completed its deliberations.

Sanctions

12.24 Before a council can impose a sanction it must make a determination that a councillor or the general manager has breached the code of conduct.



12.25 Where the council finds that a councillor or general manager has breached the code, it may decide by resolution to:

- a) censure the councillor for misbehaviour in accordance with section 440G of the Act
- b) require the councillor or general manager to apologise to any person adversely affected by the breach
- c) counsel the councillor or general manager
- d) make public findings of inappropriate conduct
- e) prosecute for any breach of law
- f) revise any of council's policies, procedures and/or the code of conduct.

Before making any such recommendations, the conduct review committee/reviewer shall have regard to the following:

- a) the seriousness of the breach
- b) whether the breach can be easily remedied or rectified
- c) whether the subject has remedied or rectified their conduct
- d) whether the subject has expressed contrition
- e) whether the breach is technical or trivial only
- f) whether the breach represents repeated conduct
- g) the age, physical or mental health or special infirmity of the subject
- h) the degree of reckless intention or negligence of the subject
- i) the extent to which the breach has affected other parties or the council as a whole
- j) the harm or potential harm to the reputation of local government and of the council arising from the conduct
- k) whether the findings and recommendations can be justified in terms of the public interest and would withstand public scrutiny
- l) whether an educative approach would be more appropriate than a punitive approach
- m) the relative costs and benefits of taking formal enforcement action as opposed to taking no action or taking informal action
- n) what action or remedy would be in the public interest
- o) where to comply with a councillor's obligations under this code of conduct would have had the effect of depriving the council of a quorum or otherwise compromise the capacity of council to exercise its functions.

MY FINDINGS ON QUESTIONS OF MATERIAL FACT:

I am more than comfortably satisfied, and I so find, that Cr Pickering did, at the meeting of Council held on 23 June 2010, say words in or to the effect of "You're a dickhead, an absolute dickhead" to Cr Tagg.

I make no *formal* finding of fact as to whether or not Cr Pickering also said to Cr Tagg at the Council meeting in question words in or to the effect of "Shut up Tagg" or "Shut up with your comments to [Cr] Yedellian". There is evidence from *both* Cr Tagg and Ms Anderson attesting to words along those lines having been said by Cr Pickering to Cr Tagg, which is in my opinion sufficient to support the making of a finding adverse to Cr Pickering on that matter as well. However, as the actual conduct the subject of the complaint does not, on my instructions, *specifically* or *expressly* relate to those alleged words (at least as the conduct is set out and otherwise described in the GM's letter to Cr Pickering of 30 June 2010) I will refrain from making a *formal* finding of fact on that particular matter.

10



REASONS FOR MY FINDINGS ON QUESTIONS OF MATERIAL FACT:

I am of the opinion that the evidence of Crs Tagg, Salvestro-Martin and Li, as well as (and especially) that of the GM and Ms Anderson, is highly probative material, that is, the various pieces of evidence constitute *positive evidence of facts* that are *directly and centrally relevant* to the *issues of fact* falling for my consideration. In addition, the various pieces of evidence are internally consistent as to the thrust of the complaint and its essential details and are corroborative of each other.

I place *great weight* on the evidence of the two staff members (one being the GM) who have, in my opinion, no reason to say anything other than the truth. (That is not to suggest that the Councillors would, but the evidence of the GM and Ms Anderson is of great weight for reasons which should be obvious to all concerned.) I note that Cr Pickering chose to put on no evidence by the due date. I have not drawn any adverse conclusion from the fact that he chose not to put on any evidence by the due date. As already mentioned, I am simply saddened that Cr Pickering did not appreciate the seriousness and importance of complying with the stipulated deadlines.

Having said that, the fact remains that, at the end of the day, *all* of the evidence *relevant* to the matter that was received in time, for consideration by myself, was *adverse* to Cr Pickering as regards the alleged conduct the subject of the complaint, with the possible exception of the tape which, at best, was neutral. (As mentioned above, the tape provides *some* support for the assertion that certain words were being said by a Councillor at around the point in time in question, which is *consistent* with Cr Pickering having spoken the alleged words at around that time. However, I place no evidential reliance on the tape as such. I do not need to. The other evidence set forth in this report is *overwhelmingly probative* and *completely adverse* to Cr Pickering.

MY FINDINGS AS TO BREACHES OF THE CODE OF CONDUCT:

I find that Cr Pickering has breached Council's duly adopted Code of Conduct in *each* of the following respects:

1. He has conducted himself in carrying out his functions in a manner that is likely to bring both Council and the other Councillors into disrepute (cf c l. 6.1).
2. He has acted in a way that is improper (cf c l. 6.1(c)).
3. He has acted in a way that comprises verbal abuse (cf c l. 6.1(e)).
4. He has not treated others (relevantly, Cr Tagg) with respect (cf cl. 6.3).

Although the above matters are very much interconnected I am of the opinion that the conduct in question breaches the Code of Conduct in *each* of the 4 above mentioned respects.

Weighing all relevant matters in the balance that I am required by clause 12.25 of the Code of Conduct to consider, I am of the view that the conduct complained of, which in my opinion has been established to the requisite degree, is serious enough to warrant censure by Council and the requiring of an apology, and I will shortly proceed to so recommend. In saying that, I am of the view that Cr Pickering, in saying the words that I am more than comfortably satisfied that he said, showed a total lack of respect for Cr Tagg. The words used are inherently and objectively offensive and derogatory, and constitute verbal abuse adjudged by any decent contemporary community standards. Certainly, the conduct is not of a grave kind, all things considered, but the conduct is still, in my view, quite serious.

Further, Cr Pickering appears to have shown absolutely no contrition in relation to the matter. Certainly I have seen no evidence of it. Further, judging by what he is reported by the GM to have said to the GM on 25 June 2010, Cr Pickering appears to hold/continue to hold the view that Cr Tagg is "a dickhead, an absolute dickhead". (He said as much to me as well on 3 August 2010.) Hence, I am unable to regard the various breaches of the Code as being merely technical or trivial. They have the potential to bring the Council into disrepute and to erode the general public's view of local government.

Cr Li *may* be right when he says that Cr Pickering's remarks "may have been made in the heat of the moment and [were] not said loudly", but they were said loudly enough for a number of people seated some distance away (eg the GM, Ms Anderson and Cr Tagg) to hear them.

Also, I cannot accept the view or suggestion of Cr Li that Cr Pickering might have been saying the words to himself or simply thinking out loud. With respect, that tends to strain credulity, and I respectfully submit that Cr Li, who appears to me to be both a decent and trustworthy person, is trying his hardest to be fully cooperative with the investigation without offending anyone including, most relevantly, the person whose conduct is under review.

Finally, I am of the view that the words that I have found were said by Cr Pickering were said with deliberate intent and not inadvertently or recklessly.

It is well-known that societies break down when the rule of law, or respect for the rule of law, disappears or declines. That is a very serious matter. However, what is *not* generally known is that whenever there is a fundamental and ongoing breakdown in good manners and common courtesy, a society is at great risk of collapse or disintegration. Ours is no exception. In the case of Cr Pickering's conduct, it is clear to me that the Councillor spoke unkindly, discourteously, impolitely and disrespectfully toward another Councillor.

Now, we all say things from time to time which we later regret - and I am no exception there - but in this case the complete absence of any evidence of contrition on the part of Cr Pickering makes his conduct all the more reprehensible. I have therefore decided to recommend to Council that he be formally censured by Council for "misbehavior" (which is defined in section 440F of the *Local Government Act 1993* (NSW) to mean, among other things, a failure by a Councillor to comply with an applicable requirement of the Code of Conduct) and made to apologise publicly to Cr Tagg, but that is a matter for Council to deliberate upon and determine.

MY RECOMMENDATION TO COUNCIL:

I *recommend* to Council that Council resolve to:

- (a) censure Cr Pickering for misbehaviour in respect of the conduct in question, and
- (b) require Cr Pickering to apologise at a meeting of Council to Cr Tagg in respect of the remarks made.

REASONS FOR MY RECOMMENDATION:

I am of the opinion that *both* a censure *and* an apology are called for and required in this particular case for the following reasons:

1. Cr Pickering's breaches of the Code of Conduct are more than technical or trivial.

2. There is no evidence of Cr Pickering having shown any contrition in relation to the matter. If anything, the words reported as having been spoken by him to the General Manager on 25 June 2010 support the view that Cr Pickering is defiant and unrepentant about the whole matter and holds contempt for Cr Tagg.
3. Cr Pickering needs to be made fully and publicly aware that conduct of the kind in question is totally inappropriate.
4. Unless Council takes the recommended action, there is a real likelihood that Council will be seen to be condoning the conduct and that, in itself, would be totally unacceptable.
5. Unless Council takes the action recommended, there is a real likelihood that the reputation of local government and of this particular Council will be harmed as a result of the conduct.
6. Unless Council requires Cr Pickering to publicly apologise to Cr Tagg in the manner and form recommended, bearing in mind that the remarks were said by Cr Pickering in a public forum, there can be no proper making of amends to Cr Tagg in respect of the conduct.

SIGNED:

Dr IAN ELLIS-JONES

BA, LLB (Syd), LLM, PhD (UTS), DD, Dip Relig Stud (LCIS)

Sole Conduct Reviewer

Principal, Ian Ellis-Jones Lawyer, and Director, Ellis-Jones Enterprises Pty Limited, Local Government Consultants

Solicitor of the Supreme Court of New South Wales and the High Court of Australia

Visiting Associate, New South Wales Institute of Psychiatry

Senior Minister, Sydney Unitarian Church, Sydney, New South Wales

Former Senior Lecturer-in-Law, Faculty of Law, University of Technology, Sydney

Sometime Commissioner of Inquiry and Local Government Inspector under the Local Government Act (NSW)

DATE OF REPORT: *4 August* 2010

PRECIS OF CORRESPONDENCE FOR CONSIDERATION**1 JOINT STANDING COMMITTEE ON ELECTORAL MATTERS - Report on 2008 Local Government Elections**

Report prepared by: Manager - Governance**Report dated:** 9 August 2010**File No.:** GRP/10/3/001/6 - BP10/461

Correspondence:

Submitting correspondence from NSW Electoral Commission, dated 07 July 2010, regarding the Joint Standing Committee on Electoral Matters.

RECOMMENDATION

That the correspondence be received.

ATTACHMENTS**1 Ltr from NSW Electoral Commission**

Report Prepared By:

Shane Sullivan
Manager - Governance

Report Approved By:

Roy Newsome
Group Manager - Corporate Services

ITEM 1 (continued)

ATTACHMENT 1

2004/313
2007/1070



7 July 2010

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

Dear Mr Neish

Joint Standing Committee on Electoral Matters – Report on 2008 Local Government Elections

You may be aware that the Joint Standing Committee on Electoral Matters (JSCEM) tabled in Parliament on 1 June 2010 a Report on the 2008 Local Government Elections.

This was a very transparent process where councils, the New South Wales Electoral Commission (NSWEC) and other interested groups had an opportunity to place on the table all issues associated with the 2008 Local Government Elections. The JSCEM has now dealt with all these matters and I would encourage you to read the Report which is available at <http://www.parliament.nsw.gov.au/Prod/parlament/committee.nsf/0/8CA08B68B24A34BDCA257735001E0E49>.

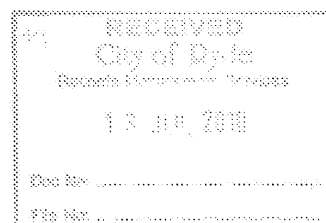
The JSCEM's report covers 16 key recommendations (attached). Some of these are administration matters which the NSWEC will work through with councils (including providing an early estimate of the cost for the 2012 Local Government elections). Other policy matters contained in the report, including the recommendation that councils be given a choice to have their elections held as universal postal ballots, are matters for the Government.

Following the 2011 State General Election the NSWEC will make arrangements with General Managers for a meeting to outline the approach that we will be taking to deliver the 2012 Local Government Elections.

Yours sincerely

A handwritten signature in blue ink that reads 'Colin Barry'.

Colin Barry
Electoral Commissioner



New South Wales Electoral Commission

Level 25, 201 Kent Street Sydney 2000 GPO Box 871 Sydney 2001 T 02 9230 5999 F 02 9230 5991 www.elections.nsw.gov.au

ITEM 1 (continued)

ATTACHMENT 1

2008 local government elections

List of recommendations

RECOMMENDATION 1: 11

The Committee recommends that:

(a) each House of Parliament amend the resolution establishing the Joint Standing Committee on Electoral Matters to include a *standing reference* to inquire into and report upon:

- i. the conduct and administration of local government elections, and
- ii. any matter connected with the following laws as they pertain to local government elections -
 - the *Local Government Act 1993* and the Local Government (General) Regulation 2005;
 - the *Parliamentary Electorates and Elections Act 1912*; and
 - the *Election Funding and Disclosures Act 1981*.

(b) the Committee is to report upon the outcome of any such inquiry as soon as practicable after 12 months from the date on which the local government elections are held.

(c) each House consider passing a resolution to clarify that the Joint Standing Committee on Electoral Matters may inquire into and report upon any matter relating to local government elections as referred to it by either House of the Parliament or a Minister.

RECOMMENDATION 2: 11

The Committee recommends that:

(a) the *Local Government Act 1993* be amended to require the Electoral Commissioner to provide a report to the appropriate Minister on each set of local government elections, within nine months of the election, and for the report to include details of the following:

- i. the role of the NSWEC;
- ii. electoral services provided to:
 - electors
 - councils
 - candidates, groups and political parties
- iii. recruitment and training of election staff, and the management of polling places;
- iv. counting and the provision of the election results;

Report No. 3/54 – June 2010 vii

ITEM 1 (continued)

ATTACHMENT 1

Joint Standing Committee on Electoral Matters

List of recommendations

- v. funding arrangements and the costs associated with the local government elections;
- vi. benchmarking of the conduct and administration of the local government elections; and
- vii. any relevant legislative amendments affecting the conduct and administration of the local government elections.

(b) consistent with Recommendation 2a, an amendment be made to the *Parliamentary Electorates and Elections Act 1912* to require the Electoral Commissioner to provide a report to the Premier in respect of each state general election, within nine months of the election.

(c) the relevant statutes be amended to provide that the reports by the Electoral Commissioner in respect of each state general election and local government election be tabled in Parliament within 14 days of receipt by the Minister.

RECOMMENDATION 3:22

The Committee recommends that the Joint Standing Committee on Electoral Matters externally review the operation of the full cost recovery model for the 2012 local government general elections and, in light of the findings of that review, consider the necessity for engaging consultants to conduct any subsequent external reviews of the model.

RECOMMENDATION 4:27

The Committee recommends that the NSW Electoral Commissioner ensure that detailed information about the budgeted and actual costs for the 2012 local government elections be provided to all council General Managers. Such detailed information should provide explanations as to what each line item covers, and how it has been calculated and allocated.

RECOMMENDATION 5:45

The Committee recommends that a higher proportion of the NSW Government's advertising budget be spent advertising the next local government election in the fortnight preceding polling day.

RECOMMENDATION 6:47

The Committee recommends that:

- (a) the NSW Electoral Commission continue to conduct stakeholder surveys on the conduct of the election;
- (b) detailed information on the survey responses be provided to the Committee as part of the material examined during the proposed review of the 2012 local government elections, in addition to any statistical compilation of survey results;
- (c) in conducting the surveys the Electoral Commission give particular attention to stakeholder views on the following issues, raised with the Committee during the course of this inquiry:
 - the Regional Returning Officer model;
 - resourcing, staffing and location of pre-poll and polling booths;

viii Parliament of New South Wales

ITEM 1 (continued)

ATTACHMENT 1

2008 local government elections

List of recommendations

- transportation of ballot papers;
- arrangements for scrutineering;
- election advertising;
- the Elector Inquiry Centre; and
- the counting of the vote.

RECOMMENDATION 7: 50

The Committee recommends that:

- (a) the NSW Electoral Commission consider formulating a 'Service Charter for local government elections', to be developed in consultation with relevant stakeholders and modelled on the Commonwealth and State Government Service Charters for departments and agencies dealing with the public.
- (b) the proposed Service Charter be aligned to the corporate values of the NSW Electoral Commission around their four key result areas, as they relate to local government general elections.
- (c) the NSW Electoral Commission include in its report on the local government elections information on its performance in providing services for local government elections, benchmarked against the proposed Service Charter.

RECOMMENDATION 8: 54

The Committee recommends that the following aspects of the Regional Returning Officer (RRO) model be given consideration by the NSW Electoral Commission in preparation for the 2012 local government elections:

- (a) the accessibility of RROs to the residents, candidates and staff of those councils not hosting the returning officer, including the possibility of the returning officer making visits to those other councils during the election period.
- (b) the use of a landline or free call contact number for all returning officers.
- (c) ballot paper transportation.
- (d) arrangements for pre-poll voting for those councils not hosting the RRO, including the possibility of employing part time electoral officials to cover those councils not hosting the RRO.

RECOMMENDATION 9: 57

The Committee recommends that:

- (a) councils should continue to be responsible for the maintenance of the non-residential roll for local government general elections;
- (b) the NSWEC and Department of Local Government work to clarify the appropriate authority for providing advice to councils on inclusions and exclusions to the non-resident roll;
- (c) as part of the consultations with General Managers prior to the 2012 local government general elections, the Electoral Commissioner provide information to

ITEM 1 (continued)

ATTACHMENT 1

Joint Standing Committee on Electoral MattersList of recommendations

councils on strategies to improve enrolment levels in relation to non-residential electors; and

(d) the NSW Electoral Commission continue to provide support for publication of information relating to the non-residential roll via the NSWEC website.

RECOMMENDATION 10:57

The Committee recommends that the requirement that a candidate's signature on a local government election nomination form be witnessed by a Justice of the Peace be discontinued.

RECOMMENDATION 11:66

The Committee recommends that:

(a) the *Local Government Act 1993* be amended to allow elections with universal postal voting for those councils who opt to use that method of election, in time for the 2012 local government elections.

(b) the Government undertake consultation on the best method for councils to use to decide to opt into a universal postal voting system.

(c) the NSWEC provide advice to the General Manager of local councils interested in universal postal voting as to the costs involved in taking up this option.

RECOMMENDATION 12:69

The Committee recommends that prior to the 2012 local government elections, the NSWEC:

(a) review the methodology used to calculate projected voting figures and allocate ballot papers for polling places.

(b) review the policies and procedures in place to deal with any shortage of ballot paper that may occur on election day.

(c) review the method for determining staffing levels for polling booths on election day, including multi-ward and multi-council polling places.

RECOMMENDATION 13:69

The Committee recommends that the Electoral Commissioner examine multi-council how-to-vote cards for multi-council polling places, with a view to allowing multi-council how-to-vote cards.

RECOMMENDATION 14:74

The Committee recommends that more priority be given to disability access for polling places.

RECOMMENDATION 15:85

The Committee recommends that the Electoral Commissioner:

(a) provide advice to General Managers as part of the consultation process in the lead up to the 2012 local government elections on the option of a local computerised count where required, including detailed information about the costs and resourcing issues.

ITEM 1 (continued)**ATTACHMENT 1**

2008 local government elections

List of recommendations

(b) report on any initiatives undertaken by the NSW Electoral Commission toward improving counting and publication of results in the Commission's next report on the local government elections in 2012.

RECOMMENDATION 16: 88

The Committee recommends that the NSW Electoral Commission investigate the feasibility of abolishing the random sampling method for preference distribution and the alternative fractional methods currently available, and calculate the costs associated with moving to technology that would support an alternative method.

FINDING 1: 91

The Committee finds that changes to the above the line preferential voting system in use for local government elections would require further examination, including wider canvassing of stakeholder opinion, such as that of political parties, candidates and electors.

Report No. 3/54 – June 2010 xi

2 JOINT REGIONAL PLANNING PANEL

Report prepared by: Manager - Governance**Report dated:** 13 August 2010**File No.:** GRP/10/3/001/6 - BP10/479

Correspondence:

Submitting correspondence from Department of Planning, dated 03 August 2010, regarding applications dealt with by Joint Regional Planning Panel.

RECOMMENDATION

That the correspondence be received.

ATTACHMENTS

1 Ltr of acknowledgement from Department of Planning re JRPP

Report Prepared By:

Shane Sullivan
Manager - Governance

Report Approved By:

Roy Newsome
Group Manager - Corporate Services

ITEM 2 (continued)



Planning



Mr Dominic Johnson
Group Manager Environment & Planning
City of Ryde Council
Locked Bag 2069
North Ryde NSW 1670

10/13866

Dear Mr Johnson

The Minister has asked me to thank you for your response to his letter of 18 May 2010 regarding the return of certain applications currently dealt with by the Joint Regional Planning Panel (Regional Panel) to council officer's under delegation.

I acknowledge the response of Ryde City Council that it is prepared to accept the delegations provided this is done without conditions. I understand that Council's current delegations enable the Council's General Manager to determinate any application where there are no objections. On this basis, the Department is able to recommend to the Minister and the Chair of the Sydney East Regional Panel that delegation be provided to Ryde City Council for these applications.

The Minister has also asked me to acknowledge that Council is currently taking a best practice approach for development assessment by ensuring that appropriate applications can be determined under delegation by appropriately qualified officers, while at the same time ensuring timely determination of applications for regional development.

The Department is currently waiting on responses from other councils in your region. Once the Department has reviewed and considered the comments received from those councils, the Department will finalise the recommendations to the Minister and the Panel Chair, John Roseth, and prepare the delegation applicable to your council area.

The Chair will then write to you with further details on the delegation, its use and its commencement date.

Yours sincerely

Marcus Ray
Executive Director Assessment Systems, General Counsel

03/08/10

CONFIDENTIAL ITEMS**17 312 VICTORIA ROAD - Advice on Prospects – Page 152**

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (g) advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

This matter is classified confidential because it contains advice concerning legal matters that are:-

- (a) substantial issues relating to a matter to which the Council is involved.
- (b) clearly identified in the advice, and
- (c) fully discussed in that advice.

It is not in the public interest to reveal all details of this matter as it would prejudice Council's position in any court proceedings.

Report prepared by: General Counsel

Report dated: 10/08/2010

File No.: GRP/10/5/001/6 - BP10/480

18 PROVISION OF SERVICES OF A DEVELOPMENT DIRECTOR - Civic Precinct Project - COR-RFT-05/10 – Page 169

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

This matter is classified confidential because it contains advice concerning legal matters that are:-

- (a) substantial issues relating to a matter to which the Council is involved.
- (b) clearly identified in the advice, and
- (c) fully discussed in that advice.

It is not in the public interest to reveal all details of this matter as it would prejudice Council's position in any court proceedings. Furthermore, it is considered that discussion of this item in open meeting would, on balance, be contrary to the public interest as it would unduly affect Council's ability to award the Tender..

Report prepared by: Group Manager - Public Works

Report dated: 4 August 2010

File No.: GRP/10/1/001/3 - BP10/451

**19 RYDE CITY BOWLING CLUB CO-OPERATIVE LIMITED (IN LIQUIDATION)
- Proposed Assignment of Lease – Page 174**

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Furthermore, it is considered that discussion of this item in open meetings would, on balance, be contrary to the public interest as it would unduly affect Council's ability to finalise negotiations for the ongoing occupancy of the land.

Report prepared by: Manager - Buildings and Property

Report dated: 13/08/2010

File No.: GRP/10/1/001/6 - BP10/478

20 ADVICE ON COURT ACTIONS – Page 198

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (g) advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

This matter is classified confidential because it contains advice concerning legal matters that are:-

- (a) substantial issues relating to a matter to which the Council is involved.
- (b) clearly identified in the advice, and
- (c) fully discussed in that advice.

It is not in the public interest to reveal all details of this matter as it would prejudice Council's position in any court proceedings.

Report prepared by: General Counsel

Report dated: 13/08/2010

File No.: GRP/10/5/001/6 - BP10/477
