

Council Meeting**AGENDA NO. 11/10**

Meeting Date: Tuesday 27 July 2010
Location: Council Chambers, Level 6
Time: 7.30pm

NOTICE OF BUSINESS

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PRECIS OF CORRESPONDENCE FOR CONSIDERATION

There are no Precis of Correspondence for Consideration

NOTICES OF MOTION

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NOTICES OF RESCISSION

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1 CONFIRMATION OF MINUTES - Meeting held on 22 June 2010

File No.: GRP/10/3/001/6 - BP10/396

RECOMMENDATION:

That the Minutes of the Council No. 10/10 held on 22 June 2010, be confirmed

ATTACHMENTS

- 1 Minutes of Meeting held on 22 June 2010

ITEM 1 (continued)**ATTACHMENT 1**

City of Ryde

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

Meeting Date: Tuesday 22 June 2010
Location: Council Chambers, Level 6
Time: 7.30pm

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

Apologies: Councillor Campbell (Leave of Absence).

Staff Present: General Manager, Group Manager – Community Life, Group Manager - Corporate Services, Group Manager – Environment & Planning, Group Manager - Public Works, Media & Community Relations Officer, Chief Financial Officer and Councillor Support Co-ordinator.

PRAYER

Father Brian O'Sullivan of St Anthony's Catholic Church was present and offered prayer prior to the commencement of the meeting.

DISCLOSURES OF INTEREST

Councillor Pickering disclosed a non-pecuniary (less than significant) interest in Notice of Rescission 1 - ROYAL REHABILITATION CENTRE SYDNEY - Deed of Novation, of the Council's Report No. 10/10, for the reason that his company previously provided pro bono services to a community group who oppose the development.

Councillor Tagg disclosed a non-pecuniary (less than significant) interest in Item 14 – RYDE CITY BOWLING CLUB CO-OPERATIVE LIMITED – Future use after voluntary administration of the Council's Report No. 10/10 for the reason that he is a member of Ryde City Bowling Club

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:-

No.	Name	Address	Topic
1	Helen Crouch	Cutler Parade, North Ryde	Item 7 - North Ryde Early Childhood Health Centre Relocation
2	Tom Geroulas	Tramway Street, West Ryde	Notice of Motion 3 - Action by Botany Council against Department of Housing – Clr Petch

ITEM 1 (continued)**ATTACHMENT 1**

No.	Name	Address	Topic
3	Rolf Clapham <i>Coalition Against Private Overdevelopment</i>	Morrison Road, Putney	Notice of Motion 1 - State Government Changes to Infrastructure Funding Rules – Clr Pickering
4	Andrew Wilson	Arnold Street, Ryde	Notice of Rescission - Royal Rehabilitation Centre Sydney – Deed of Novation
5	Peter Mrsnik	Gladstone Avenue, Ryde	Notice of Rescission - Royal Rehabilitation Centre Sydney – Deed of Novation
6	Simone Galvin	Princes Street, Ryde	Notice of Rescission - Royal Rehabilitation Centre Sydney – Deed of Novation
7	Alan Patrick	Zanco Road, Marsfield	Notice of Motion 1 - State Government Changes to Infrastructure Funding Rules – Clr Pickering
8	Stephen Lowndes	Charles Street, Ryde	Notice of Rescission - Royal Rehabilitation Centre Sydney – Deed of Novation And Petition

SUSPENSION OF STANDING ORDERS

RESOLUTION: (Moved by Councillors O'Donnell and Salvestro-Martin)

That Standing Orders be suspended in order for Councillor O'Donnell to table a petition from residents and workers in the Ryde electorate in support of the Deed of Novation regarding Royal Rehabilitation Centre Sydney.

Record of Voting:

For the Motion: Unanimous.

Note: Councillor O'Donnell tabled the petition.

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

That Suspension of Standing Orders be continued in order for Council to now consider Notice of Rescission Motion 1 - ROYAL REHABILITATION CENTRE SYDNEY - Deed of Novation, on the agenda.

Record of Voting:

For the Motion: The Mayor, Councillor Butterworth and Councillors Li, O'Donnell, Perram, Salvestro-Martin and Tagg

Against the Motion: Councillors Etmekdjian, Maggio, Petch, Pickering and Yedelian OAM.

The Motion was declared **CARRIED** with six (6) votes for the Motion and five (5) against.

ITEM 1 (continued)**ATTACHMENT 1**

As a result of the resolution being declared CARRIED, Councillors Etmekdjian, Maggio, Petch and Pickering left the Chamber at 8.02pm, for the reason that the Order of Business was changed in bringing the Notice of Motion of Rescission forward on the Agenda, for the consideration of Council.

Councillor Yedelian OAM, after speaking on this matter, also left the Chamber, the time being 8.05pm.

ADJOURNMENT OF MEETING

In accordance with Section 2.5.1 of Council's Code of Meeting Practice, as there was no quorum of Council present, the Mayor, Councillor Butterworth, adjourned the meeting, the time being 8.06pm.

The Mayor, Councillor Butterworth advised that this meeting would be reconvened on Wednesday, 23 June 2010 commencing at 7:30pm in the Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde.

The following Councillors were present in the Chamber at the time the meeting was adjourned: The Mayor, Councillor Butterworth, Li, O'Donnell, Perram, Salvestro-Martin and Tagg.

The following Councillors were not present: Councillors Etmekdjian, Maggio, Petch, Pickering and Councillor Yedelian OAM.

MEETING RECONVENED

The Meeting reconvened at 7.30pm on Wednesday 23 June 2010, in the Council Chambers, Level 6 of the Civic Centre, 1 Devlin Street, Ryde. At the time of the reconvening of the meeting the attendance was as follows:

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

Note

Councillors Etmekdjian, Maggio and Yedelian OAM, were present from 7.34 pm, during the consideration on the Notice of Motion of Rescission as detailed in the Minutes.

Councillors Petch and Pickering were present from 8.30pm, during the consideration of Notice of Motion 2-STATUS OF COUNCIL ROADS as detailed in the Minutes.

Councillor Li left the meeting at 9.10pm, following the consideration of Item 13-Advice on Court Actions in the Confidential Closed Session of the Meeting as detailed in the Minutes.

ITEM 1 (continued)**ATTACHMENT 1****NOTICE OF RESCISSION****1 ROYAL REHABILITATION CENTRE SYDNEY - Deed of Novation - Councillor Petch, Councillor Etmekdjian, Councillor Yedelian OAM**

Note: Councillors Etmekdjian, Maggio and Yedelian OAM arrived at 7.34pm during the discussion of this item.

MOTION: (Moved by Councillors Tagg and Salvestro-Martin)

That Council rescind the previous resolution in relation to Item 7 – ROYAL REHABILITATION CENTRE SYDNEY – Deed of Novation, passed at the Council Meeting held on 08 June 2010, namely:

"That Council endorse the Deed of Novation "

Record of Voting:

For the Motion: Councillors Etmekdjian, Maggio and Yedelian OAM

Against the Motion: The Mayor, Councillor Butterworth and Councillors Campbell, Li, O'Donnell, Perram, Salvestro-Martin and Tagg

The Rescission Motion was declared **LOST** with three (3) votes for the Motion and seven (7) votes against the Motion.

RESUMPTION OF STANDING ORDERS

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

That Standing orders be resumed at 7.33pm

Record of Voting:

For the Motion: Unanimous.

MAYORAL MINUTES

There are no Mayoral Minutes

COUNCIL REPORTS**1 CONFIRMATION OF MINUTES - 08 June 2010**

RESOLUTION: (Moved by Councillors Tagg and Perram)

That the Minutes of the Council No. 09/10 held on 08 June 2010, be confirmed.

Record of Voting:

For the Motion: Unanimous.

ITEM 1 (continued)**ATTACHMENT 1****2 MOTIONS PUT WITHOUT DEBATE**

RESOLUTION: (Moved by O'Donnell and Perram)

That the Items be considered in seriatim.

Record of Voting:

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

Against the Motion: Councillors O'Donnell, Tagg and Salvestro-Martin.

3 CHARTER OF RESPECT

Motion: (Moved by Councillors Tagg and Perram)

- (a) That Council adopt the Draft Code of RESPECT, between Councillors and the Executive Team as an initial basis in working together.
- (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.

Record of Voting:

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

Against the Motion: Councillor Maggio

4 REGISTERS - State Environmental Planning Policy No. 1

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

That the report of the Manager Assessment dated 4 June 2010 on REGISTERS - State Environmental Planning Policy No. 1 be endorsed by Council.

Record of Voting:

For the Motion: Unanimous.

ITEM 1 (continued)**ATTACHMENT 1****5 MEMORIAL PLAQUES & DONATION OF PARK FURNITURE AND TREES POLICY**

RESOLUTION: (Moved by Councillors Tagg and Perram)

- a) That the Draft Memorial Plaques & Donation of Park Furniture and Trees Policy (June 2010) be adopted and the applicable fees and charges be included in the 2010-2014 Management Plan.
- b) That the Policy be reviewed in twelve (12) months.

Record of Voting:

For the Motion: Unanimous.

6 NORTH ROAD, EASTWOOD - Proposed Central Concrete Median.

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

- (a) That Council approve No Stopping restrictions on both sides of the road covering the concrete median and be extended further by 10 metres beyond the northern and southern ends of the median. This will ensure a safe traffic environment whilst meeting the intent of the Condition of the Land & Environment Court.
- (b) That the developer of the Villa development along North Road carry out the construction of the concrete median in North Road to Council's satisfaction with supporting signage, at no cost to Council.

Record of Voting:

For the Motion: Unanimous.

7 NORTH RYDE EARLY CHILDHOOD HEALTH CENTRE RELOCATION

RESOLUTION: (Moved by Councillors Yedelian OAM and Etmekdjian)

- a) That the 4 Cutler Parade North Ryde refurbishment project continue based on the concept plan and tenders be called immediately, notwithstanding the response received from the Northern Sydney Central Coast Area Health Service.
- b) That Council advise North Ryde Community Aid that they will continue with the refurbishment at 4 Cutler Pde North Ryde.

Record of Voting:

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

Against the Motion: Councillor Tagg

Note: This item was Recommitted later in the Meeting as detailed in these Minutes

ITEM 1 (continued)**ATTACHMENT 1****8 MANAGEMENT PLAN 2010-2014**

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

- (a) That Council note the public submissions received during the public exhibition period and the responses to the submissions, as detailed in the report.
- (b) That in accordance with Section 406 of the Local Government Act (1993), the Draft Management Plan 2010 - 2014 be adopted as the Management Plan 2010 - 2014, incorporating the amendments described in this report, and all changes consequential thereunto.
- (c) That, in accordance with Sections 534 and 535 of the Local Government Act, 1993, Council make the following rates and charges for every parcel of rateable land within the City of Ryde for the year commencing 1 July 2010 as detailed in the Management Plan 2010 - 2014.
 - (i) A Residential Ordinary Rate of 0.1538384 cents in the dollar levied on the land value of all rateable land within the City of Ryde categorised as residential in accordance with Section 516 of the Local Government Act, 1993 subject to a minimum amount of \$429.80.
 - (ii) A Business Ordinary Rate of 0.6764418 cents in the dollar levied on the land value of all rateable land within the City of Ryde categorised as business in accordance with Section 518 of the Local Government Act, 1993, (excepting land sub-categorised as Business – centre of Activity 1 (CoA1) subject to a minimum amount of \$429.80.
 - (iii) A Business Centre of Activity 1 Ordinary Rate of 1.03856 cents in the dollar levied on the land value of all rateable land within the City of Ryde sub-categorised as Business Centre of Activity 1 (CoA1) in accordance with Section 529(2)(d).
 - (iv) An Environmental Management Ordinary Rate of 0.0240084 cents in the dollar be levied on the value of all rateable land within the City of Ryde subject to a base amount of \$50.89.
 - (v) A Macquarie Park Corridor Special Rate of 0.1265058 cents in the dollar be levied on the land value of all rateable land categorised as business in accordance with Sections 518 or 529(2)(d) and included in the Macquarie Park Corridor, as identified by the map contained in the 2010-2014 Management Plan.
- (d) That, in accordance with Section 496 (1) of the Local Government Act 1993, the charge for the Domestic Waste Management Service for each rateable residential property be set at \$325.00 per service per annum and the following additional services be provided, on request, to each rateable residential property, for the following annual charges:

ITEM 1 (continued)**ATTACHMENT 1**

- | | | |
|-------|---|-------|
| (i) | Upgrade from 140 litre to 240 litre service | \$237 |
| (ii) | Additional 140 litre Garbage bin | \$247 |
| (iii) | Additional 240 litre Garbage bin | \$485 |
| (iv) | Additional Recycle bin | \$ 39 |
| (v) | Additional Green bin | \$ 39 |
- (e) That, in accordance with Section 496 (2) of the Local Government Act 1993 the standard charge for the Domestic Waste Management service provided, on request, to non-rateable properties be set at \$325.00 per service per annum and the following additional services be provided, on request, to each non-rateable property, for the following annual charges:
- | | | |
|-------|---|-------|
| (i) | Upgrade from 140 litre to 240 litre Garbage bin | \$237 |
| (ii) | Additional 140 litre Garbage bin | \$247 |
| (iii) | Additional 240 litre Garbage bin | \$485 |
| (iv) | Additional Recycle bin | \$ 39 |
| (v) | Additional Green bin | \$ 39 |
- (f) That in accordance with Section 496A of the Local Government Act 1993, the Stormwater Management Service Charge be levied at the following rates:
- | | | |
|-------|--------------------------------------|-------------------------------------|
| (i) | Strata titled residential home units | \$12.50 per unit |
| (ii) | Other residential property | \$25 per rateable property |
| (iii) | Business rateable properties | \$25 per 350 sq metres of land area |
| (iv) | Business rateable Strata Properties | \$12.50 per unit |
- (g) That, in accordance with Section 611 of the Local Government Act 1993, the following annual charges be made:
- | | | |
|------|--|--|
| (i) | the use of Council land for the vehicle overbridge situated in Herring Road be charged in accordance with the legal agreement between the City of Ryde and the owners of Macquarie Shopping Centre (anticipated income is \$67,375 including GST for 2010/2011). | |
| (ii) | the use of Council land for the Shell Oil company pipeline in the City of Ryde be charged in accordance with the pricing formula agreed with the Company, (anticipated income is \$56,975 including GST for 2010/2011). | |

ITEM 1 (continued)**ATTACHMENT 1**

- (iii) the use of Council land for AGL Gas Mains in the City of Ryde be charged at a rate based on an annual review by KPMG of AGL's revenue (anticipated income is \$49,200 including GST for 2010/2011).
- (h) That the rate of interest payable in respect of rates and charges that remain unpaid after they become due and payable be set at 9 percent per annum.
- (i) That the Schedule of Fees and Charges, annexed to the Draft Management Plan 2010-2014 as amended in terms of this report, be adopted as Council's Fees and Charges for 2010/2011 including the fees and charges adopted by Council at its meeting of 22 June 2010 in respect of Council's Memorial Plaques & Donation of Park Furniture and Trees Policy.

Record of Voting:

For the Motion: Unanimous.

9 INVESTMENT REPORT - May 2010

RESOLUTION: (Moved by Councillors Etmekdjian and Tagg)

That the report of the Chief Financial Officer, dated 8/06/2010 on INVESTMENT REPORT - May 2010, be endorsed.

Record of Voting:

For the Motion: Unanimous.

MOTION OF RECOMMITTAL

RESOLUTION: (Moved by Councillors Tagg and Perram)

That Item 7 - NORTH RYDE EARLY CHILDHOOD HEALTH CENTRE RELOCATION, be recommitted in order to clarify the voting results.

Record of Voting:

For the Motion: Unanimous.

7 NORTH RYDE EARLY CHILDHOOD HEALTH CENTRE RELOCATION

RESOLUTION: (Moved by Councillors Yedelian OAM and Etmekdjian)

- a) That the 4 Cutler Parade North Ryde refurbishment project continue based on the concept plan and tenders be called immediately, notwithstanding the response received from the Northern Sydney Central Coast Area Health Service.

ITEM 1 (continued)**ATTACHMENT 1**

- b) That Council advise North Ryde Community Aid that they will continue with the refurbishment at 4 Cutler Pde North Ryde.

Record of Voting:

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

Against the Motion: Councillor Tagg

10 COUNCILLOR FEES AND MAYORAL FEE - Determination of the Local Government Remuneration Tribunal

RESOLUTION: (Moved by Councillors Perram and Etmekdjian)

That Council adopt the full fee increase to Councillors' fees and Mayoral fee (noting that 10% is currently paid to the Deputy Mayor).

Record of Voting:

For the Motion: The Mayor, Councillor Butterworth and Councillors Campbell, Etmekdjian, Li, Maggio, O'Donnell, Perram, Salvestro-Martin and Tagg

Against the Motion: Councillor Yedelian OAM

11 M2 WIDENING - Proposed Declaration of the RTA as Road Authority for the Construction Period.

RESOLUTION: (Moved by Councillors Perram and Maggio)

- (a) That Council support the proposal for the Roads & Traffic (RTA) to take over the "roads authority" role (under the Roads Act 1993) for those local roads within the City of Ryde which would be affected by the works of the M2 Upgrade project, as outlined in this report, for a period of approximately two (2) years.
- (b) That the RTA be requested to advise the affected residents in advance of the construction program and the likely impact on their local roads

Record of Voting:

For the Motion: Unanimous.

ITEM 1 (continued)**ATTACHMENT 1****12 CO-LOCATION OF THE RYDE BUSINESS FORUM AT THE TOP RYDE CUSTOMER SERVICE CENTRE**

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

- (a) The Council endorse providing up to two staff office spaces in the CoR Development and Customer Service Lounge for the Ryde Business Forum;
- (b) That the provision of the spaces be negotiated by the General Manager as part of a Memorandum of Understanding between the two organisations which will be reported back to Council in due course.

Record of Voting:

For the Motion: Unanimous.

13 ADVICE ON COURT ACTIONS

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

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

Record of Voting:

For the Motion: Unanimous.

14 RYDE CITY BOWLING CLUB CO-OPERATIVE LIMITED - Future use after voluntary administration

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

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**1 ROYAL REHABILITATION CENTRE SYDNEY**

RESOLUTION: (Moved by Councillors O'Donnell and Salvestro-Martin)

That the correspondence be received.

Record of Voting:

For the Motion: Unanimous.

ITEM 1 (continued)**ATTACHMENT 1****NOTICES OF MOTION****1 STATE GOVERNMENT CHANGES TO INFRASTRUCTURE FUNDING RULES - Councillor Pickering**

RESOLUTION: (Moved by Councillors Yedelian OAM and Maggio)

That the item be deferred until the end of this Meeting and prior to the confidential items being considered.

Record of Voting:

For the Motion: Councillors Etmekdjian, Li, Maggio, Perram and Yedelian OAM.

Against the Motion: The Mayor, Councillor Butterworth and Councillors O'Donnell, Tagg, Campbell and Salvestro-Martin

On being put to the meeting, the voting was 5-all. The Mayor gave his CASTING VOTE FOR THE MOTION AND IT WAS DECLARED **CARRIED**.

2 STATUS OF COUNCIL ROADS - Councillor Yedelian OAM

Note: Councillors Petch and Pickering arrived at 8.30pm during discussion on this item.

RESOLUTION: (Moved by Councillors Yedelian OAM and Li)

That General Manager prepares a report on the current status of Ryde roads under Council jurisdiction, in particular if the procedures implemented were according to 'Guide to Codes and Practices for Streets Opening'. It has been reported by many residents that roads dug recently by utility companies were restored in a very poor way. Many streets are scarred and surfaces are unevenly restored causing damage to cars and causing safety concerns with pedestrians. Examples of those streets are Boyce, Quarry, Bridge, Greene, Gardener Avenues and Streets.

Record of Voting:

For the Motion: Councillors Campbell, Etmekdjian, Li, Maggio, Perram, Petch, Pickering and Yedelian OAM

Against the Motion: The Mayor, Councillor Butterworth and Councillors O'Donnell, Salvestro-Martin and Tagg

The Motion was declared **CARRIED** with eight (8) votes for the Motion and four (4) against the Motion.

ITEM 1 (continued)**ATTACHMENT 1****3 ACTION BY BOTANY COUNCIL AGAINST DEPARTMENT OF HOUSING - Councillor Petch**

RESOLUTION: (Moved by Councillors Petch and Yedelian OAM)

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.

Record of Voting:

For the Motion: Councillors Etmekdjian, Li, Maggio, Petch, Perram, Tagg and Yedelian OAM

Against the Motion: The Mayor, Councillor Butterworth and Councillors O'Donnell, Campbell, Pickering and Salvestro-Martin.

The Motion was declared **CARRIED** with seven (7) votes for the Motion and five (5) against the Motion.

Note- In accordance with Council's earlier decision in this Meeting, Notice of Motion 1- State Government Charges to Infrastructure Funding Rules was now considered by Council.

1 STATE GOVERNMENT CHANGES TO INFRASTRUCTURE FUNDING RULES - Councillor Pickering

MOTION: (Moved by Councillors Pickering and Yedelian OAM)

1. That the City of Ryde Council writes to the NSW Premier, NSW Minister for Planning and the NSW Minister for Local Government to condemn the State Government's changes to infrastructure funding rules that place an absolute cap on development contributions and prohibits councils from levying for general community infrastructure.
2. Further that the City of Ryde:
 - (a) Condemns the State Labor Government for not consulting on the details of these changes with Local Government prior to their announcement.
 - (b) Condemns the State Labor Government for failing to even put transitional arrangements in place to help councils make these changes.
 - (c) Condemns the State Labor Government for the arrogant manner in which they have treated local government generally in relation to failing to consult on planning decisions including this decision, and decisions on SEPPs for social housing and boarding houses, as well as the inappropriate application of 3A (Sites of State Significance) legislation.

ITEM 1 (continued)**ATTACHMENT 1**

3. That the City of Ryde take action by refusing to consider any major new residential DAs that would attract contributions for parks and other amenities determined by Council that would now be prevented by this new legislation.

Record of Voting:

For the Motion: Councillors Etmekdjian, Maggio, Petch, Pickering and Yedelian OAM

Against the Motion: The Mayor, Councillor Butterworth and Councillors Campbell, Li, O'Donnell, Perram, Salvestro-Martin and Tagg

The Motion was declared **LOST** with five (5) for the Motion and seven (7) against the Motion.

NOTICES OF RESCISSION**1 ROYAL REHABILITATION CENTRE SYDNEY - Deed of Novation - Councillor Petch, Councillor Etmekdjian, Councillor Yedelian OAM**

This item was dealt with earlier as detailed in these Minutes.

QUESTIONS BY COUNCILLORS AS PER POLICY

There are no Questions by Councillors as per Policy

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

No addresses were made to Council.

CLOSED SESSION**ITEM 13 - 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.

ITEM 1 (continued)**ATTACHMENT 1**

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.

ITEM 14 - RYDE CITY BOWLING CLUB CO-OPERATIVE LIMITED - Future use after voluntary administration**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 meeting 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.

RESOLUTION: (Moved by Councillors Petch and Etmekdjian)

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 9.05pm. The public and media left the chamber.

13 ADVICE ON COURT ACTIONS

Motion: (Moved by Councillors Salvestro-Martin and Campbell)

That the report of the General Counsel dated 16 June 2010 on ADVICE ON COURT ACTIONS be endorsed.

Record of Voting:

For the Motion: Unanimous.

Note: Councillor Li left the Chambers at 9.10pm after voting on Item 13 – ADVICE ON COURT ACTIONS, and took no further part in the meeting.

ITEM 1 (continued)**ATTACHMENT 1****14 RYDE CITY BOWLING CLUB CO-OPERATIVE LIMITED - Future use after voluntary administration**

Note: Councillor Tagg disclosed a non-pecuniary interest in this item.

MOTION: (Moved by Councillors Petch and Maggio)

- (a) That Council advise the Camperdown Bowling Club that it may wish to consider exploring the options available for it to maintain the entity of Ryde City Bowling Club Co-operative Limited, and that Council seek payment of the outstanding rent of \$16,985.86 by way of amortisation over 5 years.
- (b) That Council write to the Minister for Local Government and the Minister for Lands seeking exemption from the requirements of the Local Government Act so that the City of Ryde can offer a lease/licence for a period of 10 years rather than the maximum of 5 years, and that subject and consequent to his agreement, that the General Manager be delegated to negotiate and finalise such a leasing agreement with the Camperdown Bowling Club.
- (c) Should the voluntary administration cease for what ever reason, leading to the liquidation of Ryde City Bowling Club Co-operative Limited and the DOCA not be implemented, Council then take all reasonable steps to licence the premises for a maximum term of 5 years (including any options) by advertising and seeking submissions from the public.
- (d) Any new licence granted to include Council's normal licence conditions together with the requirement that any works associated with removal of hazardous materials, repair and continuing maintenance of retaining walls and upgrade to fire & safety items necessary to make the premises fit for occupation, is to be the responsibility of the future licensee and must be undertaken prior to occupation.

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

- (a) That Council advise the Camperdown Bowling Club that it may wish to consider exploring the options available for it to maintain the entity of Ryde City Bowling Club Co-operative Limited, and that Council seek payment of the outstanding rent of \$16,985.86.
- (b) That Council inform the Voluntary Administrators and the Camperdown Bowling Club that due to our legal constraints, Council would not grant a lease of more than 5 years, as the Local Government Act requires that Council go to public tender for a lease/licence period greater than 5 years and any lease/licence would also be subject to the approval of both the Minister for Local Government and the Minister for Lands.
- (c) Should the voluntary administration cease for what ever reason, leading to the liquidation of Ryde City Bowling Club Co-operative Limited and the DOCA not be implemented, Council then take all reasonable steps to licence the premises for a maximum term of 5 years (including any options) by advertising and seeking submissions from the public.

ITEM 1 (continued)**ATTACHMENT 1**

- (d) Any new licence granted to include Council's normal licence conditions together with the requirement that any works associated with removal of hazardous materials, repair and continuing maintenance of retaining walls and upgrade to fire & safety items necessary to make the premises fit for occupation, is to be the responsibility of the future licensee and must be undertaken prior to occupation.

Record of Voting:

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

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

The Amendment was declared **LOST** there being five (5) votes for and six (6) votes against.

The MOTION was then put and **LOST** there being five (5) votes for and six (6) against.

Record of Voting:

For the Motion: Councillors Etmekdjian, Maggio, Petch, Pickering and Yedelian OAM

Against the Motion: The Mayor, Councillor Butterworth and Councillors Campbell, O'Donnell, Perram and Salvestro-Martin and Tagg

The Matter was now **AT LARGE**.

RECOMMITTAL

RESOLUTION: (Moved by Councillors Tagg and Petch)

That Item 14 – RYDE CITY BOWLING CLUB CO-OPERATIVE LIMITED – Future use after Voluntary Administration, be recommitted.

Record of Voting:

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

Against the Motion: Councillor Perram

ITEM 1 (continued)**ATTACHMENT 1****14 RYDE CITY BOWLING CLUB CO-OPERATIVE LIMITED - Future use after voluntary administration**

MOTION: (Moved by Councillors Petch and Maggio)

- (a) That Council advise the Camperdown Bowling Club that it may wish to consider exploring the options available for it to maintain the entity of Ryde City Bowling Club Co-operative Limited, and that Council seek payment of the outstanding rent of \$16,985.86 by way of amortisation over 5 years.
- (b) That Council write to the Minister for Local Government and the Minister for Lands seeking exemption from the requirements of the Local Government Act so that the City of Ryde can offer a lease/licence for a period of 10 years rather than the maximum of 5 years, and that subject and consequent to his agreement, that the General Manager be delegated to negotiate and finalise such a leasing agreement with the Camperdown Bowling Club.
- (c) Should the voluntary administration cease for what ever reason, leading to the liquidation of Ryde City Bowling Club Co-operative Limited and the DOCA not be implemented, Council then take all reasonable steps to licence the premises for a maximum term of 5 years (including any options) by advertising and seeking submissions from the public.
- (d) Any new licence granted to include Council's normal licence conditions together with the requirement that any works associated with removal of hazardous materials, repair and continuing maintenance of retaining walls and upgrade to fire & safety items necessary to make the premises fit for occupation, is to be the responsibility of the future licensee and must be undertaken prior to occupation.

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

- (a) That Council advise the Camperdown Bowling Club that it may wish to consider exploring the options available for it to maintain the entity of Ryde City Bowling Club Co-operative Limited, and that Council seek payment of the outstanding rent of \$16,985.86.
- (b) That Council inform the Voluntary Administrators and the Camperdown Bowling Club that due to our legal constraints, Council would not grant a lease of more than 5 years, as the Local Government Act requires that Council go to public tender for a lease/licence period greater than 5 years and any lease/licence would also be subject to the approval of both the Minister for Local Government and the Minister for Lands.
- (c) Should the voluntary administration cease for what ever reason, leading to the liquidation of Ryde City Bowling Club Co-operative Limited and the DOCA not be implemented, Council then take all reasonable steps to licence the premises for a maximum term of 5 years (including any options) by advertising and seeking submissions from the public.

ITEM 1 (continued)**ATTACHMENT 1**

- (d) Any new licence granted to include Council's normal licence conditions together with the requirement that any works associated with removal of hazardous materials, repair and continuing maintenance of retaining walls and upgrade to fire & safety items necessary to make the premises fit for occupation, is to be the responsibility of the future licensee and must be undertaken prior to occupation.

Record of Voting:

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

Against the Amendment: Councillors Etmekdjian, Maggio, Petch, Pickering and Yedelian OAM

The AMENDMENT was put and **CARRIED** with the votes being six (6) for the amendment and five (5) against. The Amendment therefore became the MOTION.

The MOTION was put and **CARRIED** with the votes being nine (9) for and two (2) against.

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

- (a) That Council advise the Camperdown Bowling Club that it may wish to consider exploring the options available for it to maintain the entity of Ryde City Bowling Club Co-operative Limited, and that Council seek payment of the outstanding rent of \$16,985.86.
- (b) That Council inform the Voluntary Administrators and the Camperdown Bowling Club that due to our legal constraints, Council would not grant a lease of more than 5 years, as the Local Government Act requires that Council go to public tender for a lease/licence period greater than 5 years and any lease/licence would also be subject to the approval of both the Minister for Local Government and the Minister for Lands.
- (c) Should the voluntary administration cease for what ever reason, leading to the liquidation of Ryde City Bowling Club Co-operative Limited and the DOCA not be implemented, Council then take all reasonable steps to licence the premises for a maximum term of 5 years (including any options) by advertising and seeking submissions from the public.
- (d) Any new licence granted to include Council's normal licence conditions together with the requirement that any works associated with removal of hazardous materials, repair and continuing maintenance of retaining walls and upgrade to fire & safety items necessary to make the premises fit for occupation, is to be the responsibility of the future licensee and must be undertaken prior to occupation.

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

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

Against the Motion: Councillors Maggio and Pickering

OPEN SESSION

RESOLUTION: (Moved by Councillors Petch and Perram)

That Council resolve itself into open Council.

Record of Voting:

For the Motion: Unanimous.

Note: Open Council resumed at 9.40pm.

On resuming business in Open Council, the Council formally reported the business transacted in Closed Session.

RESOLUTION: (Moved by Councillors Tagg and Perram)

That the report of the business transacted in Closed Session be received and adopted as resolutions 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 9.42pm on Wednesday 23 June 2010.

CONFIRMED THIS 27TH DAY OF JULY 2010

Chairperson

2 MOTIONS PUT WITHOUT DEBATE**File Number:** GRP/10/3/001/6 - BP10/397

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 12 inclusive, as submitted to Council Meeting 11/10, be adopted with the exception of items as determined by the Council.

3 REQUEST FOR EXPRESSIONS OF INTEREST - MANAGEMENT & OPERATION OF RYDE COMMUNITY SPORTS CENTRE (ELS HALL PARK)

Report prepared by: Centre Manager

Report dated: 18/06/2010

File No.: GRP/10/2/001/6 - BP10/350

Report Summary

The City of Ryde is constructing the Ryde Community & Sports Centre (RCSC), a multi-purpose two court indoor facility at ELS Hall Park which is due for completion at the end of the year. This report requests approval to seek Expressions of Interest for management and operations options for the Centre.

RECOMMENDATION:

That Council advertise for Expressions of Interests for the Management and Operation rights of the Ryde Community Sports Centre.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Paul Hartmann
Centre Manager

Report Approved By:

Simone Schwarz
Group Manager - Community Life

ITEM 3 (continued)**Background**

The facility will complement existing passive and active recreational opportunities at ELS Hall Park that currently includes playgrounds, walking tracks and a range of field sports, as well as appreciation of the natural environment.

Construction of the facility commenced in late 2009 and is approximately 30% complete. It will include the following features and facilities:

- Entry foyer
- Reception
- First Aid
- Staff kitchenette
- Meeting space
- Cleaners room
- Garbage room
- Accessible (disabled) toilet facility
- Internal change and toilet
- Courts and spectator seating
- Loading and storage
- Plant and equipment

Other facilities constructed within the building but will operate independently of the Centre includes:

- External Kiosk
- Storage areas for outdoor sports
- Change rooms and facilities for outdoor fields
- Referees change
- Public toilets to be accessible from sunrise to sunset.

The building works are scheduled for completion by the end of December and it is planned to be fully operational by March 2011. It is now timely for Council to consider the various management options that best suit Council's requirement for the Centre and for the community. In addition Council has previously indicated to the various sporting groups that expressions of interest in using the facilities was planned to be called for mid 2010.

Report

Management and operation options for the RCSC include:

1. Direct (in house) Management – where the venue is managed and operated directly by Council
2. Indirect (arms length) Management – where management is through an agreement with an agency or services agreement, or
3. Independent (outsourced) Management – where Council would enter into a formal agreement with a suitably experienced third party.
4. Other options as could be forthcoming from the Expression of Interest.

ITEM 3 (continued)**Direct Management**

If the venue is managed and operated directly by Council, two options for program activity include:

1. Utilising Council staff generating programs
2. Council staff managing hired facilities

There are two ways to manage a direct delivery model of Council management. The first is with the programs and fixtures generated and provided through the facility. The strengths of this program delivery model is that;

- Programs are generated to meet community need and would be diverse,
- A variety of sport and recreation activities would be provided,
- Timetabling of programs will assist in maximising utilisation of the facility,
- There is better control over the length of seasons, again maximising the use of the facility,
- Staff will be fully utilised in promoting the programs,
- Costs will be consistent,
- Most equity between sports and groups,
- Better financial predictability,

The weaknesses are;

- Umpires and additional support needs to be recruited and maintained,
- Need to market and promote the facility and the programs,
- Responsive to community requirements.
- Financial sustainability

The alternative model is where the programs are generated by organisations external to the Council, such as a Basketball Association. The organisation assesses the demand, establishes a number of teams in a competition, then makes a block booking for a certain number of weeks at regular times.

The booking association would hire the court space only and need to provide umpires, scorers and any additional resources. The strengths of the model are;

- No need for marketing and communication plans,
- No need to provide personnel and additional resources,

The weaknesses are;

- There is no ability to ensure that court time, and therefore income, is maximised,
- There is limited scope to introduce new sports in a prime time,
- Programming favours established users.

ITEM 3 (continued)

A brief survey was undertaken on behalf of Council, by Hassell, to ascertain what demand would exist when the facility opens. This was confined to the sporting groups who had expressed interest in the facility as well as the existing sporting groups who currently use the sporting fields at ELS Hall Park. Conservatively the surveyed associations would have a requirement for 2 courts for five evenings per week. As the time moves towards completion of the facility it would be desirable to seek confirmation of the bookings required from the associations. If the confirmed times are insufficient, only meeting, say less than 40% of uptake, it may be necessary for the model to be adopted to be the one where programs and marketing are undertaken by Council.

Council will need to do marketing and program provision for the less popular times and for school programs. This marketing will need to be undertaken in the last term of 2010 for programs in the 2011 academic year. Promotion of the facility, with tours as it nears completion should be programmed for the last month of 2010.

There has not been any budget allocation for 2010/11 in any Service Unit for promotion and marketing activities. It is further suggested that the amount required would be \$130,000 to allow for setting up costs, marketing and promotion, allowing for possible slow uptake. There will be some time before bookings and utilisation of the facility start, and the time when the facility will need to be fully staffed with full operational costs being incurred. Again at this time, such estimates for staff costs have not been included in any service unit's budget. Operating costs for the building are included in the operational budget for the Buildings & Property Unit.

Indirect Management

Indirect Management can result through an agreement with an agency or services agreement:

- Managed by an incorporated entity (Council appointed)
- Managed by Council and a partner Incorporated body
- Managed by an incorporated body through a Services Agreement

The strengths of this management model include:

- Operator brings industry expertise wide experience and knowledge
- No need for Council to establish a new team
- Free from Council issues
- Flexible industrial arrangements are possible
- Staff incentives are made possible
- Additional capital can be sourced
- Some level of Council control remains
- Some level of performance reporting
- A formal and explicit level of maintenance can be agreed
- Mitigates financial risks

ITEM 3 (continued)

The weaknesses include:

- Programs will be profit focused possibly to the exclusion of wider community needs and obligations
- Locked into an arrangement by a Contract or Agreement
- Change may require a Legal process

Independent Management.

Council can choose to enter into a formal agreement with a third party that could be one of the following:

- Commercial company
- User group or sporting association
- Specialist agency
- Not for profit community based recreation provider

The strengths of this model include:

- Operational economies are achievable through flexible industrial and supply arrangements
- Financial risk is minimised
- Alternative source of capital

The weaknesses include:

- Limited opportunity to influence fees and charges
- Focus on profit
- Lease for some lengthy period will be necessary
- Limited opportunity for Council input through lease negotiation
- Some user groups may be favoured over the general community need
- Maintenance quality may be compromised

The balance between financial sustainability and meeting community need is largely determined by the model adopted for management of the facility. No one model is necessarily better or worse than another, it depends on the community and the outcome on which Council is focused.

Discussions with Council Officers and investigations suggest that the Independent Management option provides the most scope for the RCSC to operate at minimal, if any, cost to Council.

Consultation

Internal Council business units consulted included:-

- Open Space
- Buildings and Property
- Risk and Audit
- Environment

Internal Workshops held:-

- Not Applicable

ITEM 3 (continued)

City of Ryde Advisory Committees consulted included:-
Not Applicable

External public consultation included:-

- Hornsby Shire Council
- Marrickville City Council
- Canada Bay Council
- Hassell Limited
- Ryde Bulls Basketball Association
- ARARAT Basketball Association
- Ryde Hawks Baseball Club
- North Ryde Junior Rugby League Football Club
- Pacific Coast Baseball
- Ryde Hornsby Baseball League
- Ryde District Soccer Club
- Ultimate Frisbee NSW
- Eastwood Ryde Netball Association
- Ryde Eisteddfod
- North West Sydney Women's Football

Critical Dates

The following deadlines are required to be met:

- 24 December – completion of construction is scheduled for the end of December and appointment of an operator at that time would permit them to participate in the commissioning of the Centre. Appointment prior to completion also allows fine tuning of design and operational requirements.

Financial Impact

As previously mentioned the operational expenditure for the facility has been included in the Management Plan 2010/14. with an initial amount of \$ 45,900 budgeted for the 2010/11 financial year. This has been estimated to increase to \$97,750 for the full year commencing 1 July 2011. These costs represent Council's "landlord" obligations including insurances, essential services, cleaning, electricity, maintenance etc.

Direct Management of the Centre is not provided for in the current Management Plan for 2010/14.

Additional costs could be incurred depending upon which management model is adopted by Council. For instance some models may require the operator to be responsible for all operating expenses (such as in a licence arrangement) whereas other models such as Council self managing the facility will see all operating expenses met by Council.

No attempt has been made to forecast income to be derived from the facility as it would be preferable to test the market to see what others are prepared to pay.

ITEM 3 (continued)**Policy Implications**

There are no policy implications through adoption of the recommendation.

Other Options

Council could elect to pursue one of the other two management options identified of Direct Management or Indirect Management through an incorporated body or association. However the Independent Management model presents the least risk to Council while still providing the necessary standards of service to the users of the facility.

Conclusion

To minimise any potential financial impact on Council, the Independent Management option is assessed as the optimum outcome for Council

4 ALCOHOL FREE ZONES

Report prepared by: Road and Community Safety Projects Officer

Report dated: 21/06/2010

File No.: GRP/10/2/001/6 - BP10/355

Report Summary

The Alcohol Free Zones in the City of Ryde established in 2007 have expired. Representations from Gladesville Local Area Command have been received requesting that the Alcohol Free Zones be extended for a further three years.

RECOMMENDATION:

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

ATTACHMENTS

- 1 Request Letter from Gladesville Local Area Command
- 2 Proposal

Report Prepared By:

Chris Hellmundt
Road and Community Safety Projects Officer

Report Approved By:

Baharak Sahebekhtiari
Manager - Community and Culture

Simone Schwarz
Group Manager - Community Life

ITEM 4 (continued)**Background**

At its meeting on 11 December 2007 Council resolved that the following Alcohol Free Zones (AFZ) be extended/established in the following locations:

- Trim Place and Coulter Street, between Trim Place and Linsley Street, Gladesville
- West Ryde Bus interchange and
- Meadowbank, encompassing Bowden Street and Bay Drive.

The AFZs were established in these locations at the request of Gladesville Local Area Command to address issues of alcohol consumption in public places due to proximity to liquor outlets, as well as to assist Police control anti-social activities and improve safety in the local area.

Report

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

The Ministerial Guidelines require Council to prepare a proposal (ATTACHED) and undertake a consultation regime before considering establishing AFZs. It also requires Council to receive a request from the Local Area Commander and for a proposal to be prepared and used in public consultation. A letter was received from the Gladesville Commander (ATTACHED) and a proposal has subsequently been prepared.

The consultation regime includes the following parts:

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

Consultation

Internal Council business units consulted included:-

- Not Applicable

Internal Workshops held:-

- Not Applicable

ITEM 4 (continued)

City of Ryde Advisory Committees consulted included:-

- Not Applicable

External public consultation included:-

- Not Applicable

Comments

Not Applicable

Critical Dates

There are no critical dates or deadlines to be met.

Financial Impact

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

Policy Implications

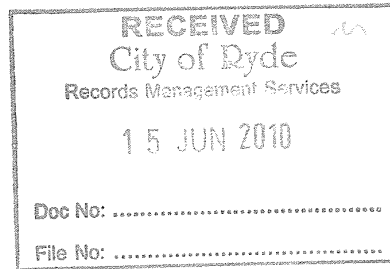
There are no policy implications through adoption of the recommendation.

Other Options

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

Conclusion

There is strong support for the Alcohol Free Zones from the Gladesville Commander combined with supportive evidence. Staff support the Police and believe the Alcohol Free Zones are effective in these locations.

ITEM 4 (continued)**ATTACHMENT 1**

NSW POLICE
www.police.nsw.gov.au
ABN 43 408 613 180

Gladesville LAC

17th March 2010

Chris Hellmundt
Road and Community Safety Project Officer
Community & Culture
City of Ryde Council

Request by the Gladesville Local Area Command to Ryde City Council to re-establish the Alcohol Free Zones within the Council boundaries.

* * *

It has recently come to my notice that three alcohol free zones, located within the Gladesville Local Area Command all expired on the 4th February, 2010.

These areas include:-

- Trim Place Gladesville
- West Ryde Bus Interchange
- The vicinity of the ferry wharf, encompassing Bowden Street and Bay Drive Meadowbank.

The alcohol free zones have over time come under Police notice for areas where acts of anti social behaviour and alcohol related crime have been committed. With the establishment of these zones it enables Police to record and reduce such incidents.

Historically Trim Place Gladesville was an area where on occasion Police detected juveniles consuming alcohol. Acts of anti social behaviour were committed by persons who sat in the area to consume alcohol purchased from local liquor outlets.

Police reported that prior to the establishment of the alcohol free zone in Trim Place alcohol would be consumed by persons who were to attend the licensed premise, which is located next to Trim Place.

Statistics provided by the Gladesville Intelligence Analyst has revealed that over the period of 2007 to 2010 there were 19 reported incidents which occurred at Trim Place. Eight of these incidents were alcohol related.

ITEM 4 (continued)**ATTACHMENT 1**

West Ryde Bus Interchange was historically reported to have a consistent problem in relation to alcohol. Police had to deal with a portion of the transient population that would leave the rail system. These persons would consume alcohol in this area whilst waiting for adjoining bus services. This in turn produced issues surrounding anti social behaviour and alcohol related crime.

Between the period of 2007 and 2010 there were 128 incidents recorded at the West Ryde Bus Interchange 23 of these incidents were alcohol related.

In relation to the vicinity of the ferry wharf at Bowden Street and Bay Road Meadowbank, historically was not been identified as a high risk area. The intention of establishing the alcohol free zone in this area was more of a preventative method to deter acts of anti social behaviour and alcohol related crime. The wharf area is secluded and taking into consideration the number of local liquor outlets in the near vicinity there could be an increase in offences committed around this area.

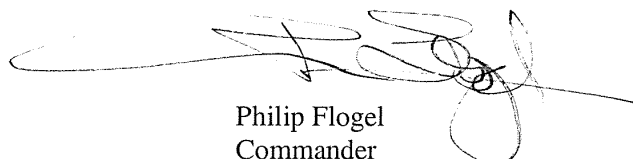
Once again over the same period 2007 – 2010 there were 315 reported incidents that relate to the wharf area 20 of these incidents were alcohol related.

As you would be fully aware, without having these areas established Police are unable to prohibit the consumption or possession of alcohol by members of the public. These areas have been a useful Policing tool since their inception in February 2007. They assist in kerbing incidents of malicious damage, hazards (broken glass), juveniles possessing alcohol and preventing incidents of anti social behaviour.

I hope that Council take these issues into favourable consideration and that, a positive recommendation to re-establish these areas is done in a relatively timely manner.

Should you require any further information please do not hesitate in contacting Senior Constable Perigo Licensing Officer Gladesville LAC.

M Perigo
Senior Constable
Licensing Officer
Gladesville Local Area Command



Philip Flogel
Commander
Gladesville Local Area Command

ITEM 4 (continued)**ATTACHMENT 2****PROPOSAL TO ESTABLISH THREE ALCOHOL FREE ZONES*****Background***

The City of Ryde Council has received advice from Gladesville Local Area Command to establish Alcohol Free Zones in the City of Ryde.

The proposed Alcohol Free Zone would be located at

- Trim Place, Gladesville
- West Ryde Railway Bus Interchange
- Bowden Street and Bay Drive, Meadowbank.

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

1. Reasons

The City of Ryde Council has received a request from the Gladesville Local Area Command for Alcohol Free Zones within the City of Ryde jurisdiction and the Gladesville Local Area Command. NSW Police have outlined the success of previous Alcohol Free Zones in the proposed locations. NSW Police have indicated that despite gains in minimising and preventing alcohol related crimes in these areas, alcohol remains is a factor for crimes such as malicious damage and anti-social behaviour with an occurrence of under-age drinking.

It is considered appropriate to establish an Alcohol Free Zone to provide a deterrent to these behaviours in the proposed areas.

2. Location

The proposed Alcohol Free Zone would be located at

- Trim Place, Gladesville
- West Ryde Railway Bus Interchange
- Bowden Street and Bay Drive, Meadowbank.

3. Duration of Operation

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

PUBLIC CONSULTATION

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

ITEM 4 (continued)**ATTACHMENT 2**

Submissions marked “Alcohol Free Zones” may be sent to:

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

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

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

Public Submissions must be received by Friday, 3 September 2010.

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

5 MACQUARIE PARK PARKING STUDY - ADOPTION OF FINAL REPORT

Report prepared by: Place Manager Major Centres**Report dated:** 18/06/2010**File No.:** GRP/10/4/001/6 - BP10/354

Report Summary

The Macquarie Park Parking Study has been funded by the State Government's Planning Reform Fund. Its principal objective is to review the impact of the parking rates introduced in Macquarie Park Corridor in LEP137 - Macquarie Park (January 2006) and to evaluate how these parking rates compare with other competing commercial centres in Sydney. The ARUP Study recommends a suite of measures to make best use of parking facilities in Macquarie Park in the short term and to support integrated transport management measures to reduce car dependency and increase public transport use in the longer term.

The Draft Report was publicly exhibited from 28th April to 28th May 2010. Twelve submissions were received from residents, two major businesses and three State agencies. The submissions were generally supportive of the Study and its 19 recommendations and thus only minor revisions are recommended which can be viewed at **ATTACHMENT 1**.

RECOMMENDATION:

That, subject to the minor revisions to the study identified in ATTACHMENT 1, the Macquarie Park Parking Study Report (circulated under separate cover) be adopted by Council.

ATTACHMENTS

- 1 Adoption of Macquarie Park Parking Study - table of submissions received and recommended responses

Report Prepared By:

Nick Chapman
Place Manager Major Centres

Report Approved By:

Meryl Bishop
Manager - Urban Planning

Dominic Johnson
Group Manager Environment & Planning

ITEM 5 (continued)**Background**

On 23 February Council resolved to:-

- publicly exhibit the Draft Macquarie Park Parking Study
- consider a Report summarising the outcomes of the public exhibition process, with a recommended approach for the finalisation of the Parking Study.

The Parking Study (**circulated under separate cover**) was commissioned in 2008 by the City of Ryde (CoR) and the Department of Planning (DoP) to address the complexities of parking in Macquarie Park. It has been funded by a grant from DoP's Planning Reform Fund, with "in kind" contributions by CoR, mostly in the form of staff time. It has been prepared by ARUP Consultants and project managed by Urban Planning under the guidance of a Project Steering Group of officers from CoR and DoP.

The objectives of the Study were to:-

- Analyse the importance of Macquarie Park LEP137 parking rates as a factor in commercial business decisions about office location, compared to the impact of parking rates in other competing commercial centres such as Chatswood and Parramatta.
- Recommend a balanced suite of parking measures which will help reduce car dependence and ameliorate traffic congestion in Macquarie Park, without generating unreasonable impacts on affected stakeholders (particularly commercial stakeholders and local residents).

The Study consisted of desk top research, analysis of data and relevant internal and external reports, quantitative research eg telephone or face to face interviews with major businesses in Macquarie Park and analysis of a recent CoR survey into the Residents Parking Scheme in Macquarie Park.

A Report was prepared for Council on 26 February outlining Study findings and recommendations.

Report

This Report describes the exhibition process, summarises key points made in the submissions and recommends how the Study can be adjusted and finalised.

The public exhibition period was from 28 April to 28 May and comprised:-

- presentation of the Study Report and findings to the Macquarie Park Forum on 15 April 2010
- presentation and facilitated discussion on 28 April with state government agencies and transport groups including NSW Taxi Council, Dept. Transport and Infrastructure, RTA, RailCorp, TransUrban, Dept. Planning, Transport Infrastructure Development Corporation and STA.
- an article in the "have your say" section of City View on 26 April 2010.
- distribution via email of the Draft Study's Executive Summary to relevant stakeholder groups inviting comment.

ITEM 5 (continued)Submissions received

Fourteen written submissions were received from 12 correspondents, as follows:-

- Fullers Bridge Residents Association
- 6 residents
- AMP (Macquarie Shopping Centre)
- Optus
- Department of Transport and Infrastructure
- RTA
- RailCorp

Summary of comments in submissions

A table has been prepared (**ATTACHMENT 1**) summarising comments made in submissions and recommended responses and/or changes to the Study Report.

The residents were supportive of the Report and recommendations, in particular nos. 9 and 10 which recommend better, more integrated public transport and improved access to the train stations for local residents. One lengthy submission made a number of valuable comments about general access, pedestrian and cycle needs.

The AMP and Optus submissions were generally supportive, although Optus raised concerns about possible Fringe Benefits Tax impacts on companies as a consequence of recommendation no. 6 which proposes the investigation of options for more publicly accessible, paid off-street parking.

The RailCorp, Dept. Transport and Infrastructure and RTA submissions were generally supportive. It was suggested, however, that the current LEP parking rates are still “too generous” and could limit the achievement of an improved 40:60 modal split (40% other – 60% car).

There are no suggested changes to the Study recommendations as a result of the submissions received.

The RTA requested a qualification be inserted in the Study Report advising that the extensive arterial road network improvements listed in section 5.5 (which have been copied out of the Macquarie Park Traffic Study approved in principle by Council on 19 August 2008) have not been fully agreed to or endorsed by the RTA.

It is recommended that the RTA's requested qualification be supported.

It is intended to notify the people who made submissions on the Draft Macquarie Parking Study when the Study Report has been finalised and endorsed by Council.

ITEM 5 (continued)**Consultation**

Internal Council business units

Several CoR units were consulted during development of the Draft Study Report and recommendations eg Access, Regulation and Enforcement, Urban Planning. Representatives from these Units also attended the transport stakeholder briefing on 28 April 2010 (referred to above).

Internal Workshops held:-
Not Applicable

City of Ryde Advisory Committees consulted included:-

- Macquarie Park Forum on 15 April 2010

External public consultation included:-

- As described above under the heading "Report"

Critical Dates

There are no critical dates or deadlines to be met.

Financial Impact

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

There may be financial impacts on Council at some future date, if certain recommendations in the Study Report are implemented eg station car parking for residents. These matters would be reported to Council at that time with an appropriate assessment of financial implications.

Policy Implications

There are no direct policy implications through adoption of the recommendation. At some stage in the future, however, the implementation of some of the Study recommendations may have policy implications which would be analysed in full at that time.

Other Options

Not applicable

Conclusion

The Macquarie Park Parking Study has generated useful data on the availability of parking in Macquarie Park. It provides some valuable comparisons with other commercial centres in Metropolitan Sydney which compete against Macquarie Park. It reveals that although parking availability is an important consideration for businesses in Macquarie Park, other issues are also important eg cost of commercial floor space, proximity to the work force and industry stakeholders, availability of large floor plates.

ITEM 5 (continued)

It also concludes that the supply of off-road parking in Macquarie Park is fairly generous compared to other centres, and equates to nearly one parking space per Macquarie Park worker.

The Study recommends a range of measures to optimize access to parking in Macquarie Park in the short term. In the longer term, it advocates a range of other measures (including potential refinement to parking rates) which can be implemented when a viable public transport system is in place and Macquarie Park commuters have a genuine alternative to the car. These recommendations are consistent with many of the strategic objectives in other important CoR transport and planning documents eg Ryde Integrated Transport and Land Use Study, Macquarie Park Pedestrian Movement Study, Macquarie Park DCP and Public Domain Manual.

Stakeholder consultation has been an important part of the Parking Study process and will also be an important aspect during further investigation and/or potential implementation of some of the parking, public domain and transport measures recommended in this Study.

ITEM 5 (continued)**ATTACHMENT 1****Macquarie Park Parking Study****Analysis of submissions received and recommended responses– 18 June 2010**

Author	Comment	CoR's recommended response to comment(s)
1. Robertson	Extend footpath from North Ryde Station down Delhi Rd to Fullers Bridge for pedestrian and cycle access	Noted – supports study recommendations 3 and 10 - no change proposed To be considered as part of future work program to be prepared by City of Ryde (CoR). Has been incorporated by CoR in proposal to Transport Infrastructure Development Corporation (April 2009)
2. Jackson	Many suggestions for CoR to improve:- <ul style="list-style-type: none"> • cycle paths and pedestrian paths (eg width, surface) • footpath and landscaping maintenance • speed limits on roads • bus stop/shelter capacity/design • active transport opportunities 	Noted – comments are mostly supportive of several study recommendations – no change proposed Refer comments to CoR Access Branch. Many of these suggestions are being addressed through the Macquarie Park DCP (section 4.5 CoR DCP 2008) eg shared use paths and are also to be addressed via the Macquarie Park Pedestrian Movement Study (March 2010)
3. Gates	Extend footpath from North Ryde Station down Delhi Rd to Fullers Bridge for pedestrian and cycle access	Noted – supports study recommendations 3 and 10 - no change proposed To be considered as part of future work program to be prepared by City of Ryde (CoR). Has been incorporated by CoR in proposal to Transport Infrastructure Development Corporation (April 2009)
4 Gilbert	Extend footpath from North Ryde Station down Delhi Rd to Fullers Bridge for pedestrian and cycle access	Noted – supports study recommendations 3 and 10 - no change proposed To be considered as part of future work program to be prepared by City of Ryde (CoR). Has been incorporated by CoR in proposal to Transport Infrastructure Development Corporation (April 2009)

ITEM 5 (continued)**ATTACHMENT 1**

Author	Comment	CoR's recommended response to comment(s)
5 McCauley	Need resident commuter parking at rail stations	Noted - supports study recommendation 10 – no change proposed ”
6. Lisa	Ensure resident parking schemes are effective in Macquarie Park	Noted - supports study recommendation 14 - no change proposed See also section 8 of Study report re: Residential Area Consultation
7. Pullen	Introduce free bus shuttle service, interactive bus timetabling and off peak taxi service	Noted - supports study recommendations 9, 10, 18 - no change proposed
8. Pullen	Make Epping and Lane Cove Road (curb side lane) a 24hr/7days a week T3 Transit Lane for buses, taxis and car pool vehicles	Noted - supports study recommendations 4 and 9 - no change proposed Refer comments on to RTA bus priority section
9. Pullen	Build an “Austrans” style Personal Rapid Transit “test track” system to link rail stations with key destinations eg Shopping Centre, major office precincts	Noted – no change proposed
10. AMP	Generally supportive eg <ul style="list-style-type: none"> no change to parking restrictions until public transport improves retainment of parking regime at Macquarie Centre concerned about s94 burden re: funding long term public car parking 	Noted - generally supportive, in particular study recommendations 1 and 15 – no change proposed
11. Optus	Generally supportive, but objects to:- <ul style="list-style-type: none"> part of recommendation 6 re: more off-street, paid public parking. Concerned about fringe benefit tax (FBT) implications part of recommendation 10 re: improved resident commuter parking at stations 	Noted – generally supported, in particular recommendations 2,3,4,5,7,8,9, 11,12, 17, 19 – no change proposed <ul style="list-style-type: none"> re: recommendation 6 – FBT concerns. Study is recommending an Options Analysis. No proposals at this early stage re: off street paid public parking. re: objection to part of recommendation 10 – this is at odds with RTA and some resident comments supporting improved commuter parking for residents at rail stations. Study is recommending Options be evaluated. No firm proposals at this early stage.

ITEM 5 (continued)**ATTACHMENT 1**

Author	Comment	CoR's recommended response to comment(s)
12 NSW Transport	<ul style="list-style-type: none"> Concerned that Study does not recommend "tightening up" parking rates and/or a review in 1 to 3 yrs time Concerned that Study does not take account of new NSW Transport Plan, Bike Plan and "significant" public transport improvements to the area 	<p>Noted – no changes proposed</p> <ul style="list-style-type: none"> Re: concerns about parking rates – these are at odds with many comments from commercial stakeholders which support the retention of existing parking rates until such time as there are demonstrated improvements to integrated public transport to Macquarie Park. NB Study proposes a review in 5 yrs. Re: concerns about NSW Transport Plan etc. – these State Government initiatives were not published when the Study Report was being finalised in November 2009. Many of the recommendations in the Study Report are predicated on the NSW Transport Plan being implemented.
13 RailCorp	<p>Generally supportive, but concerned about existing parking rates being too generous. No commuter car parks are proposed for the rail stations.</p>	<p>Noted – no changes proposed</p> <p>See no. 12 (above) for recommended response to concerns about existing parking rates being too generous</p>

ITEM 5 (continued)**ATTACHMENT 1**

Author	Comment	CoR's recommended response to comment(s)
14. RTA	<p>Generally supportive, but concerned about the following:-</p> <ul style="list-style-type: none"> (a) RTA has not agreed to road works identified in section 5.5 of Study Report (taken from the Macquarie Park Traffic Study 2008) (b) additional commuter car parking is not supported, although resident commuter parking may be, if RailCorp agrees (c) "park and ride" and/or Short Stay Visitor Parking are supported (d) parking rates should be tightened up and transitional parking rates should be removed (e) On-going monitoring of parking rates is required (f) Mixed use development (including residential) is recommended close to all 3 stations (g) Some recommendations should be speeded up eg 15, 18, 19, 14 (h) Shuttle bus services to be encouraged 	<p>Noted – one change only proposed, see (a) below</p> <ul style="list-style-type: none"> (a) noted – amend text in Parking Study report (b) noted (c) noted (d) noted - see no. 12 (above) for recommended response to concerns about existing parking rates being too generous (e) noted – depends on funding availability and other factors (f) noted – to be addressed over time via other mechanisms eg LEP, DCP review (g) noted - depends on funding availability and other factors (h) noted

**6 2010 LOCAL GOVERNMENT ASSOCIATION CONFERENCE - Albury 24-27
October 2010**

Report prepared by: Councillor Support Coordinator

Report dated: 12/07/2010

File No.: GRP/10/3/001/6 - BP10/378

Report Summary

To report on the 2010 Local Government Association Conference, determine motions to be submitted to the Conference by the City of Ryde and to confirm delegates to the Conference.

RECOMMENDATION:

- (a) That five (5) Councillors be nominated as voting delegates and one other Councillor be nominated as an observer to attend the Local Government Association Conference 2010.
- (b) That Council note that the General Manager and/or his delegate/s will attend the Conference.
- (c) That Council endorse the Motions set out in Attachment 3 and the Local Government Association be advised accordingly.

ATTACHMENTS

- 1 2010 Local Government Association Conference, Albury - Draft Program
- 2 OUTCOMES FROM MOTIONS CARRIED AT THE 2009 LOCAL GOVERNMENT CONFERENCE
- 3 PROPOSED MOTIONS FOR 2010 LOCAL GOVERNMENT CONFERENCE

Report Prepared By:

Sheron Chand
Councillor Support Coordinator

Report Approved By:

Shane Sullivan
Manager - Governance

Roy Newsome
Group Manager - Corporate Services

ITEM 6 (continued)**Background**

The 2010 Local Government Association Conference is to be held in Albury between Sunday, 24 October and Wednesday, 27 October 2010. A draft program as of 8 July is **ATTACHED – Attachment 1**. Accommodation has been booked for up to eight (8) people. It is necessary to confirm Council's delegates so that travel arrangements can be made.

In 2009 Council resolved that the Mayor, Councillor Butterworth and Councillors Tagg, Maggio, Petch and Etmekdjian be appointed as voting delegates and that Councillor Yedelian OAM be appointed as an observer.

Report

Council is permitted to nominate five (5) voting delegates who would support any City of Ryde motions being considered at the Conference. Voting delegates are required to be confirmed no later than Monday, 27 September 2010.

Motions

Motions are required to be submitted to the Local Government Association by 5pm on Monday, 9 August to enable business papers to be produced. Before being submitted all motions must be adopted by Council. Late motions can be submitted up until close of business on Friday 8 October 2010. Motions submitted after this time will not be accepted at the Conference.

In the Councillors' Information Bulletin 26/10 dated 1 July 2010, Councillors were invited to submit draft motions proposed for inclusion on the report to Council to the Councillor Helpdesk by Wednesday, 14 July 2010.

In 2009, Council submitted Motions, four of which were considered. Details of these motions and the subsequent responses provided to the Local Government Association (where required) are **ATTACHED – Attachment 2**.

A list of proposed motions for Council's consideration for submission to the 2010 Conference is **ATTACHED – Attachment 3**.

Motions endorsed by Council will also be referred to the NSROC annual conference for consultation.

Consultation

Internal Council business units consulted included:-

- Executive Team: The Executive Team was consulted in the development of proposed motions for the Conference.

Internal Workshops held:-

- Nil.

City of Ryde Advisory Committees consulted included:-

- Not Applicable.

ITEM 6 (continued)

External public consultation included:-

- Not Applicable.

Critical Dates

The following deadlines are required to be met:

- Conference Motions to be submitted to the Local Government Association by 5pm on Monday, 9 August 2010.
- Late Motions may be submitted up until close of business on Friday, 8 October 2010.
- Voting delegates are to be confirmed by Monday, 27 September 2010; however travel arrangements need to be made as soon as possible.
- The Conference is being held in Albury from 24 to 27 October 2010.

Financial Impact

Based on expenses from previous years, the cost of Conference registration, meals, travel and accommodation is estimated to be \$2,300 per person. The estimates of expenses for this year are as follows:

Accommodation:	\$440 per person.
Registration:	\$1,309 per person (based on 2009 cost).
Flights:	\$198 - \$800 per person depending on when the booking is made.
Meals:	\$300 per person

Currently there is an allocation of \$30,000 in the 2010-2011 budget for Councillor attendances at conferences.

Policy Implications

The City of Ryde has regularly participated in the annual Local Government Association Conference and allocated funding in the annual budget for delegates to attend. 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

Alternate and/or additional motions could be considered by Council.

Conclusion

The Local Government Association Conference is to be held in Albury on 24 to 27 October 2010 and a request has been made for the submission of Motions and selection of voting delegates.

ITEM 6 (continued)**ATTACHMENT 1****DRAFT PROGRAM (as of 8 July)****24-27 October, 2010 Local Government Association of NSW Conference 2010****Albury Entertainment Centre, Swift Street Albury****Sunday 24 October**

9.00am – 5.30pm	<i>Registration opens at Albury Entertainment Centre</i>	
	Local church services:	
	St Matthews' Anglican Church Albury 520 Kiewa Street, Albury	8.30am – Sung Eucharist 10.00am – Family Eucharist
	Albury Baptist Church Cnr Macauley & Crisp Streets, Albury	10.00am
	St Patrick's Catholic Church, Albury Cnr Smollett & Olive Streets, Albury	7.30am/9.00am/10.30am
	St Luke's Lutheran Church, Albury 436 Guinea Street, Albury	8.30am/10.30am
	St Andrew's Presbyterian Church, Albury 402 Wagga Road, Lavington	9.00am/10.30am
	St David's Uniting Church Cnr Wilson & Olive Streets, Albury	8.00am/9.30am
10.00am - 2.00pm	<i>Professional Development Workshops presented by LGSA Learning Solutions:</i> Handling the Media in Times of Crises Asset Management Understanding Sustainability for Councillors Financial Issues for Councillors	
4.00pm – 6pm	<i>Official Opening Ceremony, Albury Entertainment Centre</i> Welcome to Country Smoking Ceremony (outside lawn QEII Square) Mayoral procession National Anthem Welcome from Cr Alice Glachan, Mayor of Albury City Council Welcome address by Cr Genia McCaffery, President LGA Presentation of the Bluett Awards Presentation of Outstanding Service Awards Address by Social Night Sponsor WSN	
6.00pm – 9.00pm	<i>President's Welcome Function (Dinner) sponsored by WSN, QEII Square</i>	

Monday 25 October

*Conference Sessions – Albury Entertainment Centre. **Due to the proximity of the main venue to the majority of accommodation, no transfers are being arranged to and from the venue. Plenty of parking is available at the venue. Taxis available. Please contact the conference secretariat if you have any access issues.*

8.30am	Ballot for the office of President LGA opens
9.00am	Hon Kristina Keneally MP, Premier of NSW, Opening Address (Invited)
9.45am	Mr Barry O'Farrell, Leader of the Opposition (invited)
10.15am	Conference Opening of Business Session
	Adoption of Standing Orders

ITEM 6 (continued)**ATTACHMENT 1**

	Presentation and Adoption of Treasurer's Report
	Other general business
10.30am	Session breaks for Morning Tea in trade exhibition
	Ballot for the office of President LGA closes
11.00am	Towards One Association – update from Taskforce Chair, Ms Libby Darlison
11.15am	Topic Stream 1 – Financing the Future. Mr Brendan Lyon, Executive Director, Infrastructure Partnerships Australia (invited)
11.30am	Ballot for the office of Treasurer opens
11.45am	Consideration of Motions
12.55pm	Telstra Lunch Sponsor
1.00pm	Lunch in trade exhibition
	Ballot for the office Treasurer closes
1.30pm	Ballot for the offices of Vice President (Country and Metropolitan) opens
2.00pm	Topic Stream 2 – Optimising the Quality of Natural and Built Environments: Built. Mr Graham Jahn, Director City Planning and Regulatory Services, City of Sydney (invited)
2.30pm	Consideration of Motions
3.30pm	Session breaks for Afternoon Tea in trade exhibition
	Ballot for the offices of Vice President (Country and Metropolitan) closes
4.00pm	Consideration of Motions
4.30pm	Mr Andrew Roach, GM Port Macquarie-Hastings Council' Post Council Dismissal - Reconnecting with Community (invited)
5.00pm	Conference adjourns for Sponsors Happy Hour drinks in trade exhibition
6.00pm	Sponsors Happy Hour concludes. End of Conference.

***(No transfers, delegates make their own way back to accommodation)*

Free night for delegates to enjoy local restaurants. Bookings essential.

Tuesday 26 October

Conference Sessions – Albury Entertainment Centre

7.30am	ALGWA breakfast to be confirmed
8.30am	Ballot for the office of Vice President (General) opens
9.00am	Presentation, Shoalhaven City Council: 2011 LGA Conference (invited)
9.30am	Topic Stream 2 – Optimising the Quality of Natural and Built Environments: Natural. Commissioner Tim Moore, Land and Environment Court of NSW (invited)
10.00am	Consideration of Motions
10.30am	Session breaks for Morning Tea in trade exhibition
	Ballot for the office of Vice President (General) closes
11.00am	Consideration of Motions
	Ballot of Executive Committee members opens
12.30pm	Lunch in trade exhibition
1.30pm	Topic Stream 3 – Building Wellbeing and Resilience. Ms Liana Thompson, Managing Principal, Liana T Pty Ltd
2.00pm	Consideration of Motions
3.00pm	Session breaks for Afternoon Tea in trade exhibition
3.30pm	Consideration of Motions
	Ballot of Executive Committee members closes
4.55pm	Country Energy Dinner Sponsor
5.00pm	Conference adjourns for Sponsors Happy Hour drinks in trade display
6.00pm	Sponsors Happy Hour concludes. End of Conference.
	**
From 7.00pm	Bus pickup from accommodation by prior booking on registration form
7.30pm	<i>Gala dinner sponsored by Country Energy at QEII Square</i>
From 11.00pm	Buses return to accommodation

ITEM 6 (continued)**ATTACHMENT 1****Wednesday 27 October***Conference Sessions – Albury Entertainment Centre*

9.00am	Opening of Business Session Collaboration and Resource Sharing, Mr Graeme Fleming, Strategic Alliance Network (invited)
9.20am	Session to be confirmed.
9.40am	Preparation for the 2011 state government elections
10.00am	Session breaks for Morning Tea in trade exhibition
10.30am	Ministers Panel: Hon Barbara Perry MP, Minister for Local Government, Hon Tony Kelly MLC, Minister for Planning, Mr Chris Hartcher, Shadow Special Minister of State and Shadow Minister for Inter-Governmental Relations; and Mr Brad Hazzard, Shadow Minister for Planning (invited), Ms Sylvia Hale, MLC, The Greens Party. Facilitated by Jenny Brockie (invited)
12.00 noon	Consideration of Late Motions (with the leave of the conference)
12.45pm	Drawing of prizes. Submission of conference evaluation forms closed. Closing ceremony
1.00pm	Lunch

***** note issue regarding 2012 host council/one association affecting conference format

Back up speakers – Hon Linda Burney – either women in local government or Building resilient communities; make time for speaker about women in LG

ITEM 6 (continued)

ATTACHMENT 2

OUTCOMES FROM MOTIONS CARRIED AT THE 2009 LOCAL GOVERNMENT CONFERENCE

Motion 11	Bulk Purchase Arrangements - Utility Services		
Resolution	ADOPTED BY CONFERENCE		
	That the Local Government Association, through its procurement arm of Local Government Procurement, investigate and arrange the most competitive bulk purchase arrangements for Local Government, in respect of all utility services that include electricity, gas and water.		
Motion 51	Parental Leave Provisions		
Resolution	ADOPTED BY CONFERENCE THAT MOTIONS 49, 50 AND 51 BE REFERRED TO THE EXECUTIVE		
Motion 68	Women in Local Government		
Resolution	ADOPTED BY CONFERENCE		
	That in support of the Local Government Managers Association (LGMA) declaring 2010 as the year of Women in Local Government, the Local Government Association be requested to provide support and work with all member Councils in developing initiatives to support women in the Local Government sector, either as employees or as elected Councillors.		
Motion 153	Climate Change Adaptation Plans		
Resolution	ADOPTED BY CONFERENCE		
	That the Local Government Association seek the NSW State Government to allocate the necessary resources and funding in supporting Local Government and relevant Regional Organisations of Council's in developing either Community Strategic Plan and community accepted climate change adaptation plans throughout NSW.		
Response From	The Hon. Frank Sartor, Minister for Climate Change and the Environment	Received	11 February 2010
Response	I have been advised that DECCW and LGSA met on 4 February 2010 to discuss climate change adaptation planning and its potential resourcing, and in particular the status of the draft Waste and Sustainability Improvement Standards, proposed in December 2009.		
Response From	The Hon. Barbara Perry, Minister for Local Government	Received	31 March 2010
Response	Community Strategic Plans, required under the new Integrated Planning and Reporting Framework, are to be developed to reflect a quadruple bottom line, that is, to consider the social, environmental, economic and civic leadership concerns of the community. The issue of climate change and a community's adaptation to such changes over time are appropriately reflected in the Community Strategic Plan, and subsequent Delivery Programs.		
	The Commonwealth Government has grants available to local councils to develop and implement climate change adaptation actions through its Local Adaptation Pathways Program (LAPP).		

ITEM 6 (continued)**ATTACHMENT 3****PROPOSED MOTIONS FOR 2010 LOCAL GOVERNMENT CONFERENCE****Subject: Funding for the construction of the North West Rail Link**

Motion: That the Local Government and Shires Association write to the Minister of Transport and the Premier to seek the immediate allocation of funding for the North West Rail Link to enable the project to commence by 2013.

Note from Council:

The North West Rail Link is a proposed heavy rail link for the north west suburbs of Sydney, connecting from Rouse Hill to Epping via Castle Hill. The North West Rail Link has undergone several complete re-workings in design, functionality and construction completion. The most recent State government position as of 21 February 2010 is for the \$6.7 billion project to commence construction in 2017 and be completed by 2024.

The City of Ryde proposes the construction timetable be moved forward significantly in order to provide this important transport link to support the burgeoning population in the Sydney North West sector as soon as practicable.

The North West has been identified as one of the city's major growth areas with an additional 140,000 dwelling slated in the region by 2036. The project will also alleviate congestion predicted on Richmond and Main West in the longer term by providing rail services in the North West and provide an important linkage to the Macquarie Park business park set to become Australia's fourth largest.

This motion seeks the NSW State Government to commit to the detailed allocation of all the necessary resources and funding for the North West Rail Link and that the project be fast tracked to commence by 2013.

Subject: Development Contributions

Motion: That the Minister for Planning work with Local Government to resolve concerns regarding development contributions and in particular, the ability of councils to levy sufficient development contributions to deliver the vital infrastructure needed for current and future growth in New South Wales.

Note from Council:

Recent changes enacted by the Minister for Planning have capped development contributions for residential development at \$20,000 per dwelling.

ITEM 6 (continued)**ATTACHMENT 3**

Councils are expected to make up the shortfall in infrastructure funding through other revenue sources including special rate variations or increases in general rates.

Further changes are anticipated and may include restrictions on what can be funded by s94 levies. The Minister has recently stated that those councils which have plans which do not levy above \$20,000 per dwelling will not have to prepare new plans nor restrict the application of the levies to 'essential' infrastructure such as land acquisition (for open space and community facilities), roads, storm-water and transport facilities. Councils have yet to receive formal notification of such an approach.

As a result there remains uncertainty over how the issue will be resolved and how the to significant concerns over community infrastructure will be addressed. Such uncertainty has the potential to slow future residential development and further compromise the delivery of growth as identified in the Metropolitan Strategy.

Subject: **Leasing and Licensing of Community Land to Community Groups**

Motion: That the LGSA endorse and lobby for the following changes to the *Local Government Act 1993* that will provide a more streamlined approach to the leasing/licensing of community land to community groups (such as bowling clubs, RSL clubs):

- (a) Allowing community groups that are occupying community land under a lease/licence to extend that lease/licence for a 5 year period without the need for a public notification process (provided the group is not in breach of the lease/licence); and
- (b) Defining the concept of a "*non-profit organisation*" in section 46A(3) of the Act so that it extends to community groups thereby allowing greater than 5 year leases/licences to be granted to such groups without the need for a tender process.

7 ONE ASSOCIATION CONVENTION - 2010

Report prepared by: Manager - Governance**Report dated:** 12/07/2010**File No.:** GRP/10/3/001/6 - BP10/380

Report Summary

This report is presented to Council to allow consideration of sending Councillor representatives to the One Association Convention 2010 to be held Monday, 16 August and Tuesday, 17 August at Star City, Pyrmont.

RECOMMENDATION:

That Council consider nominating representatives to attend the One Association Convention to be held in Sydney on Monday, 16 August and Tuesday, 17 August 2010.

ATTACHMENTS

1 One Association Convention 2010 4 Pages

Report Prepared By:

Shane Sullivan
Manager - Governance

Report Approved By:

Roy Newsome
Group Manager - Corporate Services

ITEM 7 (continued)**Report**

The Local Government Association of NSW and the Shires Association of NSW have created a Taskforce to progress the formation of One Association in NSW to represent the interests of local government and the interests of communities to State and Federal Government.

This Convention is part of that process. For the first time, Councillors from both Associations will come together to discuss and shape the new Association. It is hoped that Convention will result in guiding principles that will shape a model for the Associations to discuss at their respective 2010 annual conferences.

The President of the Local Government Association, Cr Genia McCaffery and the President of the Shires Association, Cr Bruce Miller, have invited all Mayors, Councillors and General Managers to attend the Convention and a copy of the invitation is **ATTACHED**.

Consultation

Internal Council business units consulted included:

- The General Manager - who has advised that he will not be attending the Conference, nor sending a delegate.

Internal Workshops held:-

- Nil.

City of Ryde Advisory Committees consulted included:-

- Not Applicable.

External public consultation included:-

- Not Applicable.

Critical Dates

The following deadlines are required to be met:

- Registrations are due by Monday, 2 August
-
- The Convention is being held on Monday, 16 August and Tuesday, 17 August at Start City, Pyrmont.

Financial Impact

Registration fees for the Conference are \$297 per person.

Given the location of the Convention it will not be necessary to provide accommodation, however related travel and meal costs will be covered as set out in the Policy on the Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors.

ITEM 7 (continued)

There is currently an allocation of \$30,000 in the 2010/11 Budget for Councillor attendance at Conferences.

Policy Implications

The City of Ryde has regularly participated in the annual Local Government Association Conference and the outcomes of this Convention will be topics for discussion at the 2010 Annual Conference.

Conclusion

The One Association Convention is to be held in Sydney on 16 and 17 August 2010 and this report is presented to allow consideration of sending Councillor representatives from the City of Ryde.

ITEM 7 (continued)

ATTACHMENT 1



ITEM 7 (continued)

ATTACHMENT 1

ONE ASSOCIATION CONVENTION 2010

Monday 16 August -
Tuesday 17 August

Star City, Sydney
80 Pyrmont St, Pyrmont
NSW 2009

One Association
Local Government NSW



Local Government & Shires
Associations of NSW



Cr Genia McCaffery
President,
Local Government
Association of NSW



Cr Bruce Miller
President,
Shires Association of NSW

Welcome from the Presidents

The time has come to form a single association to provide a strong and united voice for Local Government in New South Wales.

The members of both of our Associations have reiterated their commitment to see the formation of a single association through motions passed at recent conferences.

Your Executives have selected ten highly qualified councillors and an Independent Chairperson to form a Taskforce to progress the formation of One Association in NSW to represent your interests, and the interests of communities to State and Federal Governments.

This process will take time, as the two Associations negotiate a path which will shape the future of Local Government representation in NSW.

This Convention, to be held on 16 & 17 August 2010 is a critical stage in this process. It will see for the first time, the coming together of councillors from both Associations to discuss and start to shape the new Association. It is envisaged that the guiding principles resulting from the Convention will then shape a model for each respective Association to discuss and deliberate at their respective Conferences.

We are pleased to invite all Mayors, Councillors and General Managers to attend the Convention and take part in what is set to be a significant event in the history of Local Government representation in NSW.

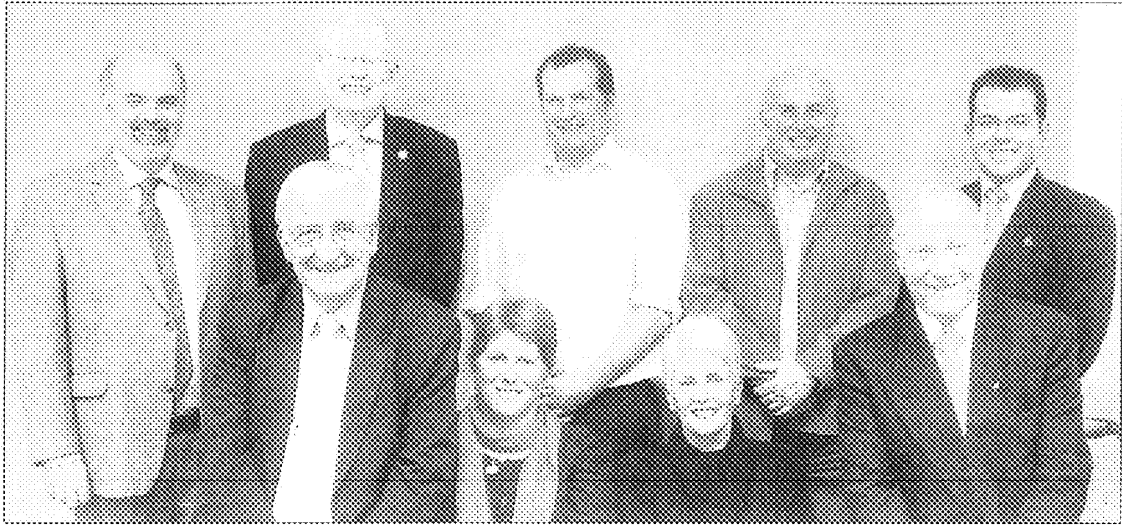
We look forward to seeing you there.

Cr Genia McCaffery
President,
Local Government
Association of NSW

Cr Bruce Miller
President,
Shires Association of NSW

ITEM 7 (continued)

ATTACHMENT 1



Clockwise from top left: Cr Paul Braybrooks OAM - Cootamundra (Shires), Cr Gareth Ward - Shoalhaven (LGA), Cr James Ryan - Cessnock (LGA), Cr Vince Badelati - Herstville (LGA), Cr Adam Marshall - Gunnedah (Shires), Cr Allan Ezzy APM - Mulroyd (LGA), Libby Darlison - Independent Chair, Cr Julie Lyford - Gloucester (Shires), Cr Kevin Schreiber - Sutherland (LGA).

Welcome from the One Association Taskforce

Over the last months, the Taskforce has been meeting regularly to progress the formation of One Association, in accordance with the Terms of Reference approved by the Executive of the Local Government Association and Shires Association of NSW.

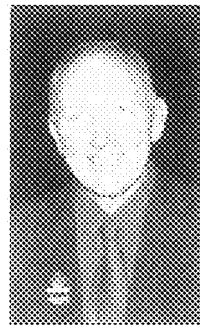
As independent Chair of the Taskforce it is my role to ensure that the Terms of Reference are adhered to, and to lead and support Taskforce members through the many discussions and deliberations being undertaken as we come to prepare for the Convention.

The challenges Taskforce members are addressing are considerable – if this were not the case, previous attempts to achieve One Association would have succeeded – but every member knows how important the task they are undertaking is in ensuring a robust and sustainable Local Government sector in NSW.

I know that I can speak for all members when I say that the Taskforce is completely committed to playing their part in ensuring that Local Government will achieve one peak industry body that will have the capacity to provide the leadership required to address the significant issues that are now, or will be, facing Local Government in NSW.

The rest is up to you. At the Convention you will have the chance to vote on how you want your representative body to be structured, and how it should operate in order to effectively represent the interests and needs of all sections of local government in NSW.

The really big issues facing Local Government into the future, issues such as climate change, infrastructure provision, planning, rate capping and demographic changes – just to name a few – are not restricted to specific interest groups, they will impact on everyone



Cr Mack Troy
Bellingen (Shires)



Cr Denise Osborne
Greater Hume Shire (Shires)

and everyone needs to have a say in the leadership they believe is best equipped to address these issues on behalf of all 152 councils, and the communities they represent.

It is time now to set aside party politics and other issues that divide individual councillors, councils and communities, and to focus on common goals and on the leadership needed to achieve those goals.

Prior to the Convention, the Taskforce will be distributing a Discussion Paper to all Councils for their consideration and feedback. It will contain a range of options for the structure and operations of One Association.

I urge you to become involved, read the Discussion Paper, discuss the options – attend the Convention, and ensure that you and your fellow Councillors have your say, and that your council's vote counts.

Libby Darlison
Independent Chair,
One association Taskforce

ITEM 7 (continued)

ATTACHMENT 1

Registration Details

Registrations are invited from Mayors, councillors and staff of all NSW member councils (including associate members). Representatives of other interested bodies (e.g. Regional Organisations of Councils (ROC's)) are also invited to register as participants. All delegates and partners need to be pre-registered.

Register online at www.lgsa.org.au/OneAssociation
This is a secure site which accepts credit card (Visa or Mastercard), cheque and direct deposit payments. On completing registration, a tax invoice will be automatically emailed to you. Your credit card statement will show a debit from "Acuvent".

Registration deadline: Monday, 2 August 2010

Registration fees: \$297.00 (\$267.30 ex GST)

The cost to attend the conference is at a cost recovery basis.

The registration fee covers Discussion papers, proceedings of the Convention, morning and afternoon teas and lunches on two days, name badge, satchel and administrative support.

This fee does not cover accommodation, any other events held in conjunction with the Convention.

Cancellation and Changes Policy can be found on the Convention website. Should you be unable to attend, a substitute delegate is welcome on the day at no additional charge. All cancellations must be advised by emailing Karen Rolis on events@lgsa.org.au. Cancellations postmarked on or before Monday 2 August 2010 will incur a fee of \$100. No refunds will be made for cancellations advised after this date.

Discussion Paper: Councils will receive four printed copies of the One Association Discussion Paper one month prior to the Convention. The Paper will also be available to download from the One Association website at this time.

Voting: at the Convention will be one vote per member council and a majority vote will be represented by 66% of delegates present.

Councils will be asked to nominate Voting delegates during the online registration process.

Program:

- Monday, 16 August 2010:
8.30am - Registration opens
10.00am - Business commences
5.00pm - Close
- Tuesday, 17 August 2010:
8.30am - Registration opens
9.00am - Business commences
3.30pm - Conference concludes

The registration desk at the Star City Sydney will only be open to delegates on Monday 16 August 8.30am till 3.00pm in the foyer of the Grand Ballroom. Late registrations will be available on Tuesday morning for that day.

Accommodation: Specially discounted Convention rates have been arranged with the main venue Star City Sydney. These rooms will be offered on a first come first serve basis and should be booked by you directly. When booking at Star City Sydney please quote the accommodation code: **LOC060710**.

Environmental Sustainability Commitment: The LGSA is committed to environmental sustainability at our events and conferences, to reduce the impact on the planet. Visit the website for more details. This brochure has been printed on FSC certified paper using vegetable based inks.

Contact:

For general convention enquiries, please contact:

Karen Rolis
Events Assistant
Phone: 02 9242 4050
Email: events@lgsa.org.au

The One Association Taskforce was established by the Local Government Association and Shires Association of NSW to progress the formation of One Association in NSW.

www.lgsa.org.au/OneAssociation

This brochure is printed on FSC certified recycled paper using vegetable based ink.

8 PITTWATER ROAD - UPGRADE (Status Update)

Report prepared by: Senior Traffic Engineer**Report dated:** 13/07/2010**File No.:** GRP/10/1/001/6 - BP10/384

Report Summary

This report is to advise Council on the next steps to be undertaken to further refine the designs on the proposed upgrading of Pittwater Road between High Street and Carramar Avenue, North Ryde which incorporates the widening of traffic lanes and clearances to meet current road standards, and installation of cycleway facilities.

The report seeks Councils approval under Section 138 of the Road Act (1993) for a proposed roundabout at the Pittwater Road / Field of Mars Reserve / Buffalo Reserve which is fully funded by the RTA until the 31 December 2010.

The report recommends that designs be completed for the whole length of road between Carramar Avenue and High Street (excluding the above roundabout), taking into account comments and requests made by Ryde Hunters Hill Flora and Fauna Preservation Society and Ryde Environmental Group (REG) and producing a single Review of Environmental Factors (REF) for the whole length.

RECOMMENDATION:

- (a) That Council notes the Section 138 (Roads Act) Approval provided by Hunter's Hill Council of the proposed roundabout in Pittwater Road / Buffalo Reserve / Field of Mars (covering the eastern half within the Hunter's Hill Council LGA).
- (b) That Council as the road authority (within the City of Ryde LGA) approves the construction of the roundabout at Pittwater Road / Field of Mars Reserve / Buffalo Creek Reserve under Section 138 of the Roads Act for immediate construction.
- (c) That Council approves further development of the design of Pittwater Road from Carramar Avenue to High Street (excluding the roundabout in (b) above) to fully consider the cumulative environmental effects of all stages, consolidate the community consultation process to one project and to consider suggestions and comments made to date from environmental groups.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Harry Muker
Senior Traffic Engineer

Report Approved By:

Kim Woodbury
Group Manager - Public Works

ITEM 8 (continued)**Background**

Council has allocated, as part of the 2010-2014 Management Plan, significant funds for the reconstruction of Pittwater Road between Cox's Road and High Street. The proposed works include the widening of the road carriageway in sections to accommodate two vehicle carriageway lanes, safety clearance zones and a new cycleway.

Council at its Works and Community Committee meeting on the 16 February 2010 resolved to adopt the following recommendation, in respect of the report titled "*Pittwater Road – Cox's Road to Carramar Avenue – Tree Removal – Site Inspection*", as follows:

- (a) *That Council endorse the detailed plans for the reconstruction of Pittwater Road between Cox's Road and Carramar Avenue, as provided in this report.*
- (b) *That the removal of one White Mahogany (*Eucalyptus acmenoides*) and one Smooth Barked Apple (*Angophora costata*) located in Pittwater Road between Cox's Road and Carramar Avenue be endorsed to allow road works to proceed.*
- (c) *That the western nature strip area of Pittwater Rd between Carramar Rd and Cox's Rd be replanted in accordance with the landscape plan mentioned in the report.*
- (d) *That funding for Water Quality Improvements to the Martin's and Kitty's Creek catchments, currently listed in the 2009/2013 Management Plan, be given a high priority when developing the 2010/2014 Management Plan.*

Report

Following the report to Council's Works and Community Committee on the 16 February 2010, a seven-part test for endangered species was undertaken by an independent consultant (**UNDER SEPARATE COVER**) for the section between Carramar Avenue to Bronhill Avenue. Following that, a set of concept plans detailing two (2) options were tabled at the Ryde Bicycle Advisory Committee meeting on the 19 April 2010 meeting. The two options focussed on two (2) cycleway configurations being predominantly off-road or on-road between Carramar Avenue and Rene Street. In such circumstances the transition from off-road to on-road is where the greatest potential for conflict will occur. In most cases, experienced commuter cyclists will prefer to be on-road whereas the novice or less experienced cyclist will prefer to be off-road given that Pittwater Road is a Regional Road that carries a high volume of traffic.

A meeting was then held with the Ryde Environment Group and Ryde Hunters Hill Flora and Fauna Preservation Society on 25 May 2010 to discuss the two (2) options. Staff advised at the meeting that, to meet current road standards and clear zones for road safety, one of the two trees which Council approved for removal on 16 February 2010 (the White Mahogany), would require removal regardless of whether the proposed cycleway was on-road or off-road between Carramar Avenue and Bronhill Avenue.

ITEM 8 (continued)

The main points raised by the two environmental groups at the meeting were:

1. Requesting Council to design and assess the whole length of Pittwater Road from Carramar Avenue to High Street as one integrated project.
2. Cumulative environmental impacts on nature area and endangered salt marsh communities be assessed.
3. Wider public consultation on the whole integrated project be undertaken.
4. Cycleway bridge over Buffalo Creek be relocated next to the road bridge.
5. Discussion on stormwater run-off, soft-Vs paved surfaces.
6. Option C – Off-road cycleway via Cressy Road / Pidding or Field of Mars / Higginbotham Road.
7. Cycleway through carpark at Field of Mars.
8. Bus set-down at entrance of Field of Mars.

On the 14 June 2010 Council received further correspondence from the Ryde Hunters Hill Flora & Fauna Preservation Society concerning the upgrade of Pittwater Road (**UNDER SEPARATE COVER**) confirming their request that a comprehensive evaluation of the alternatives be considered, with extensive public consultation for the whole length of Pittwater Road.

Given that Council's Management Plan 2010-2014 includes substantial funding of the upgrade to Pittwater Road to meet current Regional Road Standards, and to provide for a new cycleway link, it is recommended that Council accede to the request to complete the design and environmental assessment of Pittwater Road as one integrated project from Carramar Avenue to High Street, with the exclusion of the proposed roundabout at the Field of Mars. The design, assessment and consultation would be completed by November 2010 and, if approved, construction could commence in January 2011.

The construction of the roundabout at the Field of Mars is recommended to proceed immediately, as it:

- Was extensively consulted as part of the Lane Cove Tunnel surface works.
- Has no significant impacts on the natural environment.
- Is fully funded by the RTA, but the funding is conditional upon being completed by 31 December 2010.

Proposed Roundabout at Field of Mars

Council on the 4 May 2010 forwarded a set of design plans with a Review of Environmental Factors to Hunter's Hill Council in respect of the roundabout proposal at the Field of Mars Reserve (with Pittwater Road) which requires S138 approval for construction to occur in its entirety. Council on the 25 June 2010 received written notification from Hunter's Hill Council that the construction of the roundabout in Pittwater Road at the entry to Buffalo Creek Reserve was tabled at a Hunter's Hill Council meeting on the 24 May, with Hunter's Hill Council resolving as follows (Minute No 124/10 – correspondence (**UNDER SEPARATE COVER**)):

ITEM 8 (continued)

“Council advise the City of Ryde Council of its approval of the proposed roundabout in Pittwater Road / Buffalo Creek Reserve, as required under Section 138 of the Roads Act”.

A roundabout at the Field of Mars Reserve / Buffalo Creek Reserve with Pittwater Road was identified some years ago as a traffic calming measure as part of a consultative process for road surface improvement works associated with the Lane Cove Tunnel (post opening), and are funded by the Roads and Traffic Authority (RTA). The Review of Environmental Factors (REF) report by Cardno in June 2009 (Document Reference 600226/Rep2563 - **UNDER SEPARATE COVER**) recommends a roundabout at the intersection of Field of Mars Reserve / Buffalo Creek Reserve / Pittwater Road as the most appropriate treatment as it allows all turning movements equal priority and will reduce speeds on Pittwater Road.

Comments tabled in the letter from the Ryde Hunter's Hill Flora and Fauna Preservation Society on the 14 June 2010 specifically on the Field of Mars roundabout and staff responses are provided below:

Issue: *There is the need for a safe pedestrian linkage between the Field of Mars Reserve and Buffalo Reserve.*

Response: The Field of Mars Reserve roundabout proposal (**UNDER SEPARATE COVER**) incorporates a particular design feature to allow pedestrians to cross Pittwater Road between the Field of Mars Reserve and Buffalo Reserve through the provision of “pseudo” pedestrian refuge at the northern end of the roundabout.

Issue: *More information is needed about the roundabout design. How does the current design facilitate bus access without compromising pedestrian safety.*

Response: The Field of Mars Reserve roundabout proposal (**UNDER SEPARATE COVER**) has sufficient lane width to allow buses to enter the Field of Mars Reserve Car Park areas for the purposes of pick-up/drop-off.

Issue: *All options regarding safety need to be considered including pedestrian lights and on road ripple strips.*

Response: The pedestrian lights would need to meet specific RTA warrants and be located on specific pedestrian desire lines. The Field of Mars Reserve and Buffalo Creek Reserve roundabout will incorporate “pseudo” refuges that will allow pedestrians to cross Pittwater Road in two (2) stages (refer to **UNDER SEPARATE COVER** plan). The use of rumble strips should be only used in location where traffic volumes are not significant. Pittwater Road is a Regional Road that carries an AADT of 18,396 vpd (2002 – count location Buffalo Creek Reserve) which is significant and the continuous noise generated as vehicles traverse across the rumble strips (more so if heavy vehicles are involved) is likely to have an impact on adjacent residential amenity.

Issue: *Safe bus drop off points for access to both Buffalo Reserve and the Field of Mars Reserve are needed for students*

ITEM 8 (continued)

Response: Buses are able to access the off-street car park areas in both the Field of Mars Reserve and Buffalo Creek Reserve to both pick-up / drop-off.

Consultation

Internal Council business units consulted included:-

- Operations
- Access
- Park Assets
- Open Space.

Internal Workshops held:-

- Not Applicable

City of Ryde Advisory Committees consulted included:-

- Bicycle Advisory Committee

External public consultation included:-

Meetings were held with representatives of the following three (3) stakeholder groups in relation to the proposed road works.

- Ryde Hunters Hill Flora and Fauna Preservation Society (RHHFFPS)
- Hunter's Hill Council
- Lane Cove National Park.

Critical Dates

Roadworks relating to the roundabout construction at Pittwater Road / Field of Mars Reserve / Buffalo Creek Reserve must be completed in full prior to the 31 December 2010. Review and completion of integrated designs, environmental assessment and public consultation of the overall integrated project, will be completed by November 2010.

Financial Impact

Council's 2010–2014 Management Plan has an allocation of \$2.2 million for the proposed upgrade of Pittwater Rd between High Street and Cox's Road (including carry-overs from the 2009/10 financial year).

Policy Implications

There are no policy implications through adoption of the recommendation.

Other Options

It is proposed that options would be reviewed for upgrading Pittwater Road along its whole length.

ITEM 8 (continued)**Conclusion**

It is recommended that Council accede to the request to completing the design, environmental assessment and further public consultation of Pittwater Road as one integrated project from Carramar Avenue to High Street, with the exclusion of the proposed roundabout at the Field of Mars.

It is also recommended that Council approve the proposed construction of a roundabout at the Pittwater Road / Field of Mars Reserve / Buffalo Creek Reserve so that construction may commence immediately.

9 INVESTMENT REPORT - June 2010

Report prepared by: Chief Financial Officer**Report dated:** 13/07/2010**File No.:** GRP/09/4/1/7 - BP10/386

Report Summary

This report provides details of Council's performance against the benchmark for returns of its investment portfolio for the month of June 2010 and the 2010/2011 financial year.

RECOMMENDATION:

That the report of the Chief Financial Officer, dated 13/07/2010 on INVESTMENT REPORT – June 2010, be endorsed.

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 9 (continued)**Report**

The RBA official cash rate has increased from 3% in July 2009 to 4.5% in June 2010 with Council's financial year return of 4.98% being 1.09% above benchmark.

Income from interest on investments for the year totalled \$3.14 million being \$140K above budget projections of \$3 million and \$1.1million above the original budget

Council has during the year written down / impaired its "at risk" investments to a nominal value due to the ongoing volatility in the financial markets so that if they do fail, there will be no further impact on Council's financial position. This was funded from the Financial Security Reserve.

The Financial Security Reserve currently has a balance of \$140K and includes interest earned from these impaired investments which at this stage continue to operate and pay coupons. The Reserve is considered appropriate in the current economic environment.

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.

Background

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

	June 2010	FY2010
Council Return	5.80	4.98
Benchmark	4.91	3.89
Variance	0.89	1.09

Council's year to date return has outperformed the benchmark and is 4.98% as at June, which is 1.09% above benchmark. Income from interest on investments was \$3.14M, \$141K above the revised budget of \$3M and \$1.1 million above the original budget.

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:

ITEM 9 (continued)

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.

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.

Investment Performance Commentary

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

	June 2010	
Cash/Term Deposits	\$52.1M	67.3%
Floating Rate Notes	\$2.0M	2.6%
CDOs	\$2.0M	2.6%
Managed Funds	\$0.7M	0.9%
Other Financial Products	\$5.5M	7.1%
Total Cash Investments	<u>\$62.3M</u>	
Property	<u>\$15.1M</u>	19.5%
Total Investment Portfolio	<u>\$77.4M</u>	

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 22 June 2010.

ITEM 9 (continued)

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.

As previously reported, Council's \$500K investment in the capital protected Commonwealth Bank - Equity Linked Deposit Series matured on 5 June 2010 with Council receiving the full repayment of its principal. This investment paid the minimum 3% interest per annum over its 3 year term.

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 30 June 2010 which includes \$50K of interest from these at risk investments.

Economic Commentary

The Reserve Bank of Australia (RBA) left interest rates on hold again in their meeting on 6 July at 4.5%. In July 2009 the RBA official cash rate was 3%. The RBA made reference to the recent financial crisis being experienced in Europe and commented that interest rates were now at "average" levels. The RBA said that it viewed this monetary policy setting as appropriate pending further information about international and local conditions'

Domestic retail sales and building approvals data have confirmed that the interest rate sensitive portions of the economy are feeling the effects of six successive interest rate rises.

Although employment continued to grow strongly, along with export income from higher commodity prices, the near-term downside risks to the Australian economy have also increased. The most important factor is the ongoing deterioration to global financial markets since the end of April. The European debt crisis continues to be the focal point of international finance. With government debt having blown out during the GFC, there are growing concerns that the proposed austerity measures of Greece and Spain, in particular, will miss the mark.

ITEM 9 (continued)

In the US purchases of new homes fell in May to the lowest level on record after the government tax credit scheme expired, showing the market remains dependent on government support. Sales dropped to below 300,000, the lowest in data going back to 1963. Sales of existing homes also fell 30 percent. The Institute for Supply Management's manufacturing gauge fell more than expected as government spending programs to stimulate the economy were wound back.

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

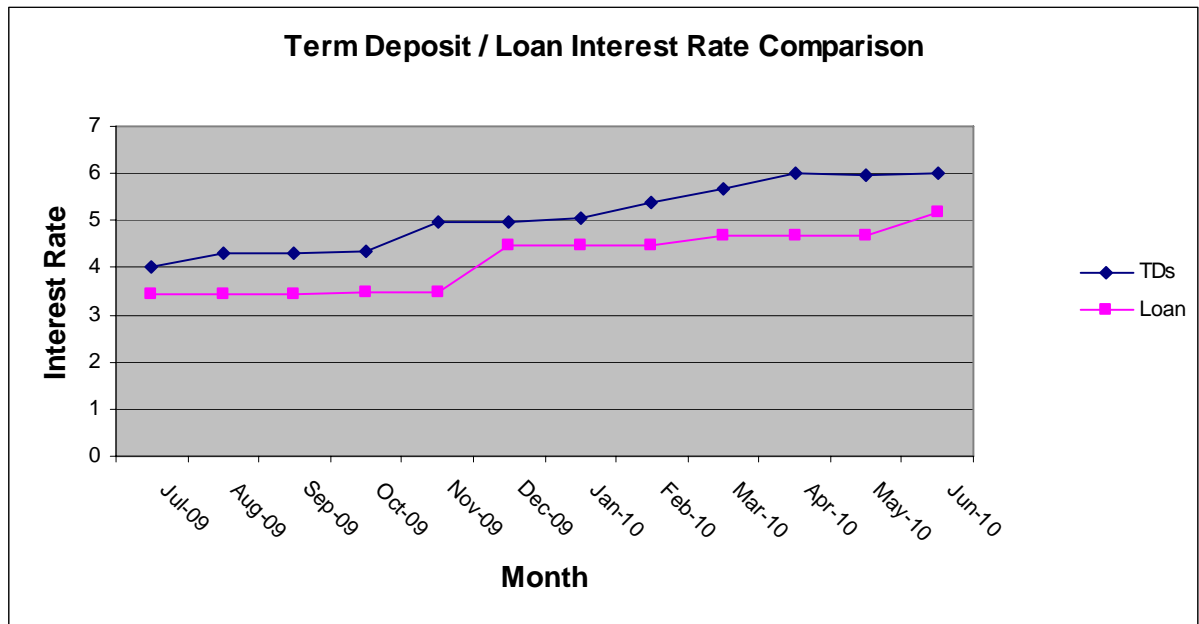
The following properties were held as part of Council's Property Investment portfolio:

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 30 June 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 9 (continued)**Comparative Financial Data****Council Loan Current interest rate**

Current interest rate	5.17%
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Term Deposit

Current average interest rate	5.99%
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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.

ITEM 9 (continued)**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.

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 9 (continued)

INVESTMENT SUMMARY AS AT 30 JUNE 2010

Issuer	Investment Name	Investment Rating	Invested at 30-Jun-10 \$000's	Annualised Period Return (%)	Return since 01 July 2009	% of Total Invested	Indicative Market Value ** \$000's	% Market Value
CBA	1. Shield Series Z1	AA	500	4.44	3.33	0.80	596	119.16%
Select Access Investments (no 2) Ltd	2. Titanium AAA	A+	2,000	5.80	4.82	3.21	1,974	98.71%
Alpha Financial Products	3. Alpha	CCC-	0	1.05	1.47	0.00	0	0.00%
Helix Capital	4. OASIS	CCC-	0	6.31	5.36	0.00	0	0.00%
Westpac	5. FOCUS Note	AA	500	0.00	0.00	0.80	462	92.49%
Westpac	6. Camelotfund	AA	500	0.00	0.00	0.80	468	93.56%
Grange	7. Grange IMP	Unrated	750	23.69	6.02	1.20	750	100.00%
AB Svensk Exportkredit	8. Global Protected Property Note VII	AA+	1,000	0.00	0.00	1.60	915	91.51%
Longreach	9. Longreach CPWF	AAA	2,000	2.01	2.01	3.21	1,922	96.11%
Obelisk Trust 2007-3	10. Covent Garden	C	0	0.48	2.81	0.00	0	0.00%
ANZ	11. ANZ 3 YEAR SENIOR	AA	1,000	4.94	4.20	1.60	1,000	100.00%
Credit Suisse First	12. Trident	A+	1,000	24.18	14.69	1.60	1,022	102.24%
Westpac	13. Westpac At Call	AA	4,112	4.68	3.85	6.60	4,112	100.00%
CBA	14. CBA TCD 5 Yr (Floating)	AAA	1,000	5.58	5.08	1.60	1,031	103.08%
CBA	15. CBA TCD 5 Yr (Fixed)	AAA	995	6.13	6.03	1.60	1,008	101.31%
BoQ	16. Bank of Queensland TD	AAA	1,000	4.55	4.55	1.60	1,000	100.00%
ANZ	17. ANZ (Esanda) 365 Day TD	AA	1,000	4.45	4.45	1.60	1,000	100.00%
MyState CU	18. MyState CU TD	AAA	1,000	6.03	6.09	1.60	1,000	100.00%
Police & Nurses Credit Union	19. Police & Nurses Credit Union	AAA	1,000	6.22	6.17	1.60	1,000	100.00%
NSW Teachers CU	20. NSW Teachers CU TD	AAA	1,000	5.97	6.02	1.60	1,000	100.00%
DefCredit	21. Defence Credit Union TD	AAA	1,000	6.35	6.34	1.60	1,000	100.00%
Railways CU	22. Railways CU	AAA	1,000	6.12	6.07	1.60	1,000	100.00%
New England Credit Union	23. New England CU TD	AAA	1,000	6.05	6.02	1.60	1,000	100.00%
Old Police CU	24. Old Police CU TD	AAA	1,000	6.12	6.00	1.60	1,000	100.00%
Old Country CU	25. Old Country Credit Union	AAA	1,000	6.19	5.97	1.60	1,000	100.00%
Community CPS	26. Community CPS TD	AAA	1,000	6.25	6.13	1.60	1,000	100.00%
Adelaide Bank	27. Adelaide Bank TD	AAA	1,000	6.31	6.31	1.60	1,000	100.00%
Hunter United Credit Union	28. Hunter United Credit Union TD	AAA	1,000	5.96	5.98	1.60	1,000	100.00%
CUA	29. Credit Union Australia TD	AAA	1,000	6.08	6.01	1.60	1,000	100.00%
Coastline CU	30. Coastline Credit Union TD	AAA	1,000	6.30	6.28	1.60	1,000	100.00%
Savings & Loans CU	31. Savings & Loans CU	AAA	1,000	6.30	6.30	1.60	1,000	100.00%
Bank of Cyprus (Aust)	32. Bank of Cyprus (Aust) TD	AAA	1,000	7.12	7.12	1.60	1,000	100.00%
Australian Defence Credit Union	33. Australian Defence CU TD	AAA	1,000	6.10	5.93	1.60	1,000	100.00%
Rural Bank	34. Rural Bank	AAA	1,000	6.45	6.45	1.60	1,000	100.00%
Banana Coast CU	35. Banana Coast CU TD	AAA	1,000	6.42	6.42	1.60	1,000	100.00%
Qantas Staff CU	36. Qantas Staff CU TD	AAA	1,000	6.15	6.16	1.60	1,000	100.00%
Southern Cross CU	37. Southern Cross CU TD	AAA	1,000	5.98	5.90	1.60	1,000	100.00%
SGE CU	38. SGE Credit Union TD	AAA	1,000	5.73	5.69	1.60	1,000	100.00%
B&E Ltd	39. B & E Building Soc TD	AAA	1,000	5.98	5.92	1.60	1,000	100.00%
Victoria Teachers CU	40. Victoria Teachers CU	AAA	1,000	6.45	6.45	1.60	1,000	100.00%
CBA	41. CBA TD	AAA	1,000	6.04	6.04	1.60	1,000	100.00%
Me Bank	42. ME Bank TD	AAA	1,000	6.07	6.07	1.60	1,000	100.00%
IMB	43. IMB TD	AAA	1,000	6.19	6.19	1.60	1,000	100.00%
Bankwest	44. Bankwest TD	AAA	1,000	5.82	5.82	1.60	1,000	100.00%
Sutherland CU	45. Sutherland CU TD	AAA	1,000	6.40	6.40	1.60	1,000	100.00%
Summerland CU	46. Summerland CU TD	AAA	1,000	6.30	6.30	1.60	1,000	100.00%
Wide Bay CU	47. Wide Bay CU TD	AAA	1,000	6.30	6.30	1.60	1,000	100.00%
Manly Warringah CU	48. Manly Warringah CU TD	AAA	1,000	6.24	6.24	1.60	1,000	100.00%
Queenslanders CU	49. Queenslanders CU TD	AAA	1,000	6.56	6.56	1.60	1,000	100.00%
HBS	50. Heritage Bldg Soc TD	AAA	1,000	6.24	6.24	1.60	1,000	100.00%
Warwick CU	51. Warwick CU TD	AAA	1,000	5.91	5.91	1.60	1,000	100.00%
Arab Bank Australia	52. Arab Bank Australia TD	AAA	1,000	6.25	6.25	1.60	1,000	100.00%
Maitland Mutual	53. Maitland Mutual Bldg Soc TD	AAA	1,000	5.87	5.90	1.60	1,000	100.00%
Bankwest	54. Bankwest TD	AA	2,000	6.03	6.03	3.21	2,000	100.00%
Macquarie Bank	55. Macquarie Bank TD	AAA	1,000	5.72	5.72	1.60	1,000	100.00%
AMP	56. AMP eASYSaver	AAA	956	5.69	5.62	1.53	956	100.00%
South West CU	57. South West CU TD	AAA	1,000	6.49	6.49	1.60	1,000	100.00%
CBA	58. CBA Term Deposit	AA	1,000	5.60	5.60	1.60	1,000	100.00%
Big Sky CU	59. Big Sky CU TD	AAA	1,000	6.12	6.12	1.60	1,000	100.00%
Gateway CU	60. Gateway CU TD	AAA	1,000	6.40	6.40	1.60	1,000	100.00%
Rabobank	61. Rabobank TD	AAA	500	6.00	6.00	0.80	500	100.00%
Rabobank	62. Rabobank TD	AAA	500	6.00	6.00	0.80	500	100.00%
TOTALS/WEIGHTED AVERAGES			62,313	5.80	5.27	100	62,217	

*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 9 (continued)

	Annualised Period Return (%)	Return since 01 July 2009
Return including Matured/Traded Investments Weighted Average Return	5.80	4.98
Benchmark Return: UBSA 1 Year Bank Bill Index (%)	<u>4.91</u>	<u>3.89</u>
Variance From Benchmark (%)	<u>0.89</u>	<u>1.09</u>

Investment Income

	\$000's
This Period	341
Financial Year To Date	3,141
Budget Profile	<u>3,000</u>
Variance from Budget - \$	<u>141</u>

Certificate of the Chief Finance Officer

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



Richard Nankivell

13/07/2010

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.

ITEM 9 (continued)

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

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

ITEM 9 (continued)

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

ITEM 9 (continued)

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

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

* If not called an additional margin paid

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

ITEM 9 (continued)

- 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.
- 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 an 18 month term deposit, paying 4.50% (4.55% annualised) and matures on 29 July 2010, with interest payable semi-annually. No fees are payable by Council on this investment.
- 17. ANZ Term Deposit (AA):** This investment is a 365 day term deposit, paying 4.45% and matures on 26 July 2010. No fees are payable by Council on this investment.
- 18. 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.
- 19. Police & Nurses Credit Union Term Deposit (AAA):** This investment is a 120 day term deposit paying 6.09% (6.22% annualised) and matures on 22 July 2010. No fees are payable by Council on this investment.
- 20. NSW Teachers Credit Union Term Deposit (AAA):** This investment is a 180 day term deposit paying 5.88% (5.97% annualised) and matures on 21 December 2010. No fees are payable by Council on this investment.
- 21. 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.

ITEM 9 (continued)

- 22. 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.
- 23. New England Credit Union Term Deposit (AAA):** This investment is a 91 day term deposit paying 5.92% (6.05% annualised) and matures on 12 July 2010. No fees are payable by Council on this investment.
- 24. 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.
- 25. 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.
- 26. 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.
- 27. Adelaide Bank Term Deposit (AAA):** This investment is a 151 day term deposit paying 6.20% (6.31% annualised) and matures on 19 July 2010. No fees are payable by Council on this investment.
- 28. Hunter United Employees CU Term Deposit (AAA):** This investment is a 60 day term deposit paying 5.82% (5.96% annualised) and matures on 23 July 2010. No fees are payable by Council on this investment.
- 29. Credit Union Australia Term Deposit (AAA):** This investment is a 76 day term deposit paying 5.94% (6.08% annualised) and matures on 12 July 2010. No fees are payable by Council on this investment.
- 30. Coastline Credit Union Term Deposit (AAA):** This investment is a 180 day term deposit paying 6.20% (6.30% annualised) and matures on 21 December 2010. No fees are payable by Council on this investment.
- 31. Savings & Loans CU Term Deposit (AAA):** This investment is a 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.
- 32. Bank of Cyprus (Aust) Term Deposit (AAA):** This investment is a 19 month term deposit paying 7.00% (7.12% annualised) and matures on 30 September 2011. No fees are payable by Council on this investment.
- 33. Australian Defence Force CU Term Deposit (AAA):** This investment is a 61 day term deposit paying 5.95% (6.10% annualised) and matures on 5 July 2010. No fees are payable by Council on this investment.

ITEM 9 (continued)

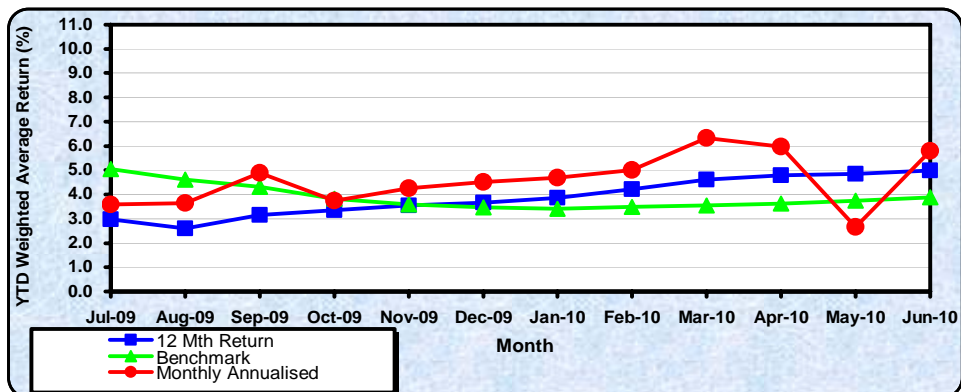
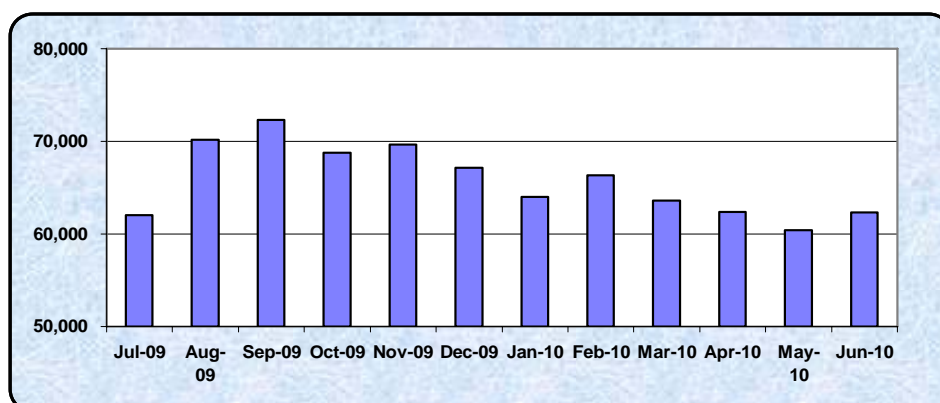
- 34. Rural Bank Term Deposit (AAA):** This investment is a 6 month term deposit paying 6.35% (6.45% annualised) and matures on 6 September 2010. No fees are payable by Council on this investment.
- 35. Banana Coast CU Term Deposit (AAA):** This investment is a 150 day term deposit paying 6.30% (6.42% annualised) and matures on 5 August 2010. No fees are payable by Council on this investment.
- 36. 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.
- 37. 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.
- 38. SGE Credit Union Term Deposit (AAA):** This investment is a 91 day term deposit paying 5.61% (5.73% annualised) and matures on 19 July 2010. No fees are payable by Council on this investment.
- 39. 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.
- 40. 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.
- 41. 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.
- 42. 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.
- 43. IMB Building Society Term Deposit (AAA):** This investment is a 6 month term deposit paying 6.10% (6.19% annualised) and matures on 4 October 2010. No fees are payable by Council on this investment.
- 44. Bankwest Term Deposit (AAA):** This investment is a 91 day term deposit paying 5.70% (5.82% annualised) and matures on 12 July 2010. No fees are payable by Council on this investment.
- 45. Sutherland Credit Union Term Deposit (AAA):** This investment is a 6 month term deposit paying 6.30% (6.40% annualised) and matures on 11 October 2010. No fees are payable by Council on this investment.

ITEM 9 (continued)

- 46. Summerland Credit Union Term Deposit (AAA):** This investment is a 6 month term deposit paying 6.20% (6.30% annualised) and matures on 12 October 2010. No fees are payable by Council on this investment.
- 47. Wide Bay Credit Union Term Deposit (AAA):** This investment is a 6 month term deposit paying 6.20% (6.30% annualised) and matures on 12 October 2010. No fees are payable by Council on this investment.
- 48. Manly Warringah Credit Union Term Deposit (AAA):** This investment is a 90 day term deposit paying 6.10% (6.24% annualised) and matures on 15 July 2010. No fees are payable by Council on this investment.
- 49. Queenslanders Credit Union Term Deposit (AAA):** This investment is a 6 month term deposit paying 6.45% (6.56% annualised) and matures on 20 October 2010. No fees are payable by Council on this investment.
- 50. Heritage Building Society Term Deposit (AAA):** This investment is a 6 month term deposit paying 6.15% (6.24% annualised) and matures on 29 October 2010. No fees are payable by Council on this investment.
- 51. Warwick Credit Union Term Deposit (AAA):** This investment is a 90 day term deposit paying 5.78% (5.91% annualised) and matures on 29 July 2010. No fees are payable by Council on this investment.
- 52. Arab Bank (Australia) Term Deposit (AAA):** This investment is a 6 month term deposit paying 6.15% (6.25% annualised) and matures on 27 October 2010. No fees are payable by Council on this investment.
- 53. Maitland Mutual Building Society Term Deposit (AAA):** This investment is a 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.
- 54. 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.
- 55. 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.
- 56. 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.
- 57. 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.

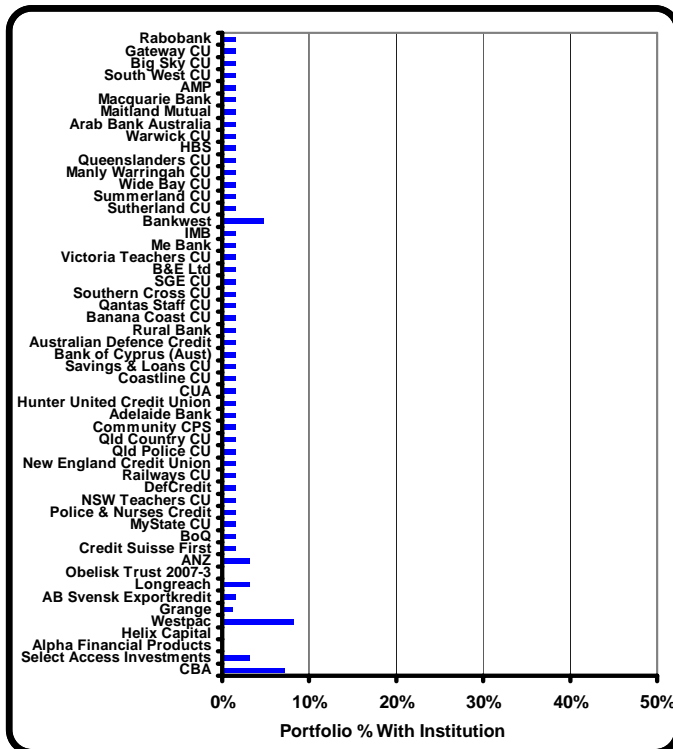
ITEM 9 (continued)

- 58. CBA Term Deposit (AA):** This investment is a 31 day term deposit paying 5.46% (5.60% annualised) and matures on 5 July 2010. No fees are payable by Council on this investment.
- 59. 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.
- 60. 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.
- 61. 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.
- 62. 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.

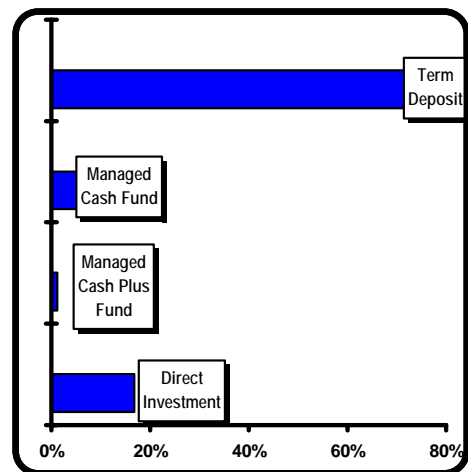
Investment Performance - All Investments**Total Funds Invested**

ITEM 9 (continued)

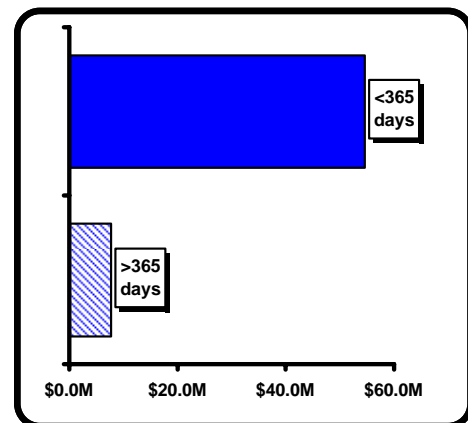
Active Investment Summary By Institution



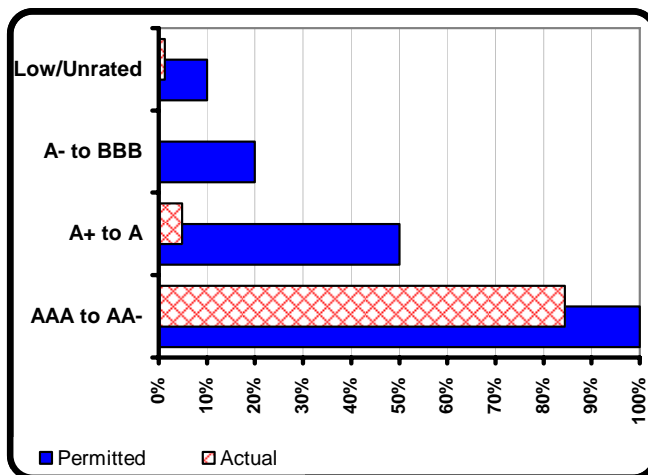
Summary By Investment Type



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	\$0.7M	\$0.0M
Cash/TDs	\$2.0M	\$50.1M
	\$7.7M	\$54.6M

ITEM 9 (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 of \$3.14 million is in excess of budget projections and has generated \$141K above a projected budget of \$3M for the 2009/2010 year and \$1.1 million over the original budget..

Policy Implications

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

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

Other Options

Not Applicable

Conclusion

Council's year to date return to June 2010 is 4.98%, which is 1.09% above the benchmark.

Council's income from interest on investments is \$3.14 million which is 141K above budget projections and is \$1.1 million above the original budget.

Council has during the year impaired its "at risk" investments due to the ongoing volatility and turmoil in financial markets so should they fail, there will be no further impact on Council's financial position.

Council's Financial Security Reserve has a balance of \$140K as at 30 June 2010 and this is considered appropriate and adequate in the current environment.

ITEM 9 (continued)

Council has generally been utilising the Federal Government's guarantee and 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.

10 RYDE LOCAL ENVIRONMENTAL PLAN 2010 AND RYDE DEVELOPMENT CONTROL PLAN 2010

Report prepared by: Strategic Planner**Report dated:** 8/07/2010**File No.:** GRP/10/4/001/3 - BP10/376

Report Summary

This report provides a summary of the development of Ryde Local Environmental Plan (LEP) 2010, Ryde Development Control Plan (DCP) 2010 and an outline of the differences between the LEP that was adopted by Council on the 5 May 2009 and Ryde LEP 2010 that was gazetted on 30 June 2010.

This report recommends that an administrative advisory note be placed in DCP 2010 advising of its status as an amending DCP.

RECOMMENDATION:

That an administrative advisory note be placed in Ryde Development Control Plan 2010 advising of its status as an amending DCP.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Susan Wotton
Strategic Planner

Report Approved By:

Meryl Bishop
Manager - Urban Planning

Dominic Johnson
Group Manager Environment & Planning

ITEM 10 (continued)**Background****Ryde Local Environmental Plan 2010**

Ryde Local Environmental Plan 2010 which was gazetted on the 30 June 2010 is a consolidating LEP for the City of Ryde. The LEP represents within the constraints set by the Department of Planning and State legislation, the “like for like” translation of the Ryde Planning Scheme and certain development standards within Development Control Plan 2006 into the Standard LEP template. The LEP comprises a written document and a series of maps.

The gazettal of Ryde LEP 2010 represents the completion of Stage 1 of the 3 stage process towards a comprehensive LEP for the City of Ryde. Stage 2 is the development of a Local Strategy and Stage 3 is the gazettal of a comprehensive LEP based on the Local Strategy.

A consolidated LEP was considered necessary for the following reasons:

- Provisions of the Ryde Planning Scheme (RPS) were outdated, no longer relevant and did not reflect changes in legislation or community expectations. The development of a consolidated LEP did not require the undertaking of a City wide study on planning and development matters and as such could be in place as the principle planning instrument for the City of Ryde relatively quickly.
- Community understanding of the template and familiarity with the terminology and approach used in the consolidating LEP would allow the community to focus on any changes proposed to planning controls in the comprehensive LEP.

In the “like for like” transfer of information from the RPS to the Standard LEP the following occurred:

- The relevant and the most current clauses from the Ryde Planning Scheme were transferred into the Standard LEP. Clauses that were not transferred were:
 1. Generally highly prescriptive and not in line with the Environmental Planning and Assessment Act in terms of the basis on which to assess a development.
 2. clauses and provisions that had been included in other state legislation
 3. Clauses that were out dated and made reference to legislation or government departments that were no longer in existence.
- Zoning anomalies under the Ryde Planning Scheme Maps were corrected
- Updated information from RTA, DoP and National Parks and Wildlife Service was applied
- Land identified in Council’s Land Register as park was zoned RE1 Public Recreation.

Ryde Development Control Plan 2010

To be in line with the controls of LEP 2008 (now gazetted as LEP 2010) and new Regulations to the EP&A Act relating to DCPs Council’s existing DCP 2006 needed to be amended.

ITEM 10 (continued)

Council on the 8 April 2008 resolved that Development Control Plan 2006 be amended and that it be known as DCP 2008. In line with the administrative change in the name of the LEP the DCP is now known as DCP 2010.

Draft DCP 2010 is a “like for like” transfer of information from DCP 2006 into DCP 2010 subject to the following amendments;

- Removal of outdated information,
- Updating legislative, LEP and other plan references
- Application of new definitions under the Standard LEP Template
- Referencing LEP Clauses rather than repeating information held within LEP 2010
- Formatting changes e.g. headers, footers
- Replacing existing chapters of the DCP with current amendments to DCP 2006 which are or have been on exhibition and adopted by Council e.g. Macquarie Park Corridor DCP
- Amending terms based on LEP 2010.
- Removing any disparity between numeric standards set under the LEP and the DCP.

DCP 2010 came into place upon the gazettal of LEP 2010 i.e. 30 June 2010.

Report**Ryde Local Environmental Plan 2010**

Council on the 5 May 2009 resolved that Draft LEP 2008 be amended in accordance with the issues identified during the exhibition of the LEP and that the amended plan be forwarded to the Department of Planning requesting that the Minister make the plan.

Once an LEP is lodged with the Department of Planning it is not unusual for the draft instrument to be amended by Parliamentary Counsel (PC) to address the actions of the State Government or to revise wording to be more in line with legal interpretation.

RLEP 2010 written document

The following table lists the differences between the amended Plan and LEP 2010 gazetted on the 30 June 2010. The table does not reflect changes that have occurred as a result of ;

- the State government amending the Standard LEP template or
- the Department of Planning amending practise notes and circulars relating to the application of the Standard LEP or
- changes to the wording of a clause where the intent of the clause has been maintained.

ITEM 10 (continued)

LEP 2010 as gazetted	Reason /Affect of amendment
Part 1 Preliminary	
New - <i>Clause 1.1A Commencement</i>	Advises of when Plan commences
New – <i>Clause 1.9(2A) Application of SEPPs –</i>	The clause repeals the reference to the Royal Rehabilitation Centre (RRC) from Part 3 of Schedule 3 to SEPP (Major Development.) This results in controls for RRC site being under LEP 2010
Part 2 Permitted or prohibited development	
<i>Land use zones</i> Not Deleted – <i>Clause 2.1 Land use zones –</i> <ul style="list-style-type: none"> ➤ Zone R1 General Residential and ➤ SP1 Special Activities 	Council resolved to remove the 2 zones from the draft Plan as they relate only to the RRC site. At the lodgement of the draft Plan DoP were supportive of this however their approach to the zoning of land under SEPP (Major Development) in LEPs was revised resulting in the zones being retained in LEP 2010 and the site being repealed from the SEPP.
<i>Land Use Table</i>	
<i>Low Density Residential zone (R2)</i> Deleted –Following zone objective <i>To allow dual occupancy (attached) and multi dwelling housing (attached) development</i> Deleted from uses permitted with consent – Public utility undertakings	This amendment is in accordance with DoP <i>Practice Note PN09-005 Local environmental plan objectives</i> and results in no significant impact as uses are permissible in land use table. Permitted by under the SEPP (Infrastructure) 2007
<i>Medium Density Residential zone (R3)</i> Deleted from uses permitted with consent Health consulting rooms , Hospitals, Public utility undertakings	Permitted under the SEPP (Infrastructure) 2007
<i>High Density Residential zone (R4)</i> Deleted from uses permitted with consent – Health consulting rooms, hospitals, Group homes, Public utility undertakings	Permitted under the SEPP (Infrastructure) 2007 or in the case of group homes permitted under SEPP (Affordable rental housing) 2009

ITEM 10 (continued) <i>Commercial Core (B3)</i> Deleted from uses permitted with consent Hospitals , Public administration buildings, Public utility undertakings	Permitted under the SEPP (Infrastructure) 2007
<i>Business Development (B5)</i> Deleted from uses permitted with consent – Public utility undertakings	Permitted by under the SEPP (Infrastructure) 2007
<i>Business Park (B7)</i> Deleted from uses permitted with consent – Hospitals, Public utility undertakings, Public administration buildings	Permitted by under the SEPP (Infrastructure) 2007
<i>Light Industrial (IN2)</i> Deleted – Following zone objective <i>To providing for suitable industrial activities in order to increase local employment opportunities and service the needs of the local population</i> Deleted from uses permitted with consent – caretakers residence used in conjunction with an industry and situated on the same land as the industry, Public utility undertakings	Principles covered by other objectives listed for the IN2 zone Permitted by under the SEPP (Infrastructure) 2007 or considered ancillary development to an industry and therefore permitted.
<i>Working Waterfront (IN4)</i> Deleted from uses permitted with consent – Industries (but only those that involve boat building or rely on waterfront access, public utility undertakings	Permitted by under the SEPP (Infrastructure) 2007 or considered to be covered by the objectives listed for the zone and other permitted land uses.
<i>SP2 Infrastructure</i> Deleted from uses permitted with consent – Public utility undertakings	Permitted by under the SEPP (Infrastructure) 2007
Part 3 Exempt and complying development	
Deleted – All local clauses that restricted the use of exempt and complying	Enables greater use of exempt and complying development within the City of Ryde. See comments regarding the development listed in Schedule 2 Exempt development and Schedule 3 Complying development

ITEM 10 (continued)

Part 4 Principal development standards	
New Clause – 4.5D Density controls for Royal Rehabilitation Centre Sydney The clause restricts the number of dwellings on the land zoned R1 General Residential to an average density of 50 dwellings per hectare on that land.	
4.5E (4) Macquarie Park Amended – Clause originally restricted development of land uses provided to service the needs of employees and read “... must not exceed 500sqm or an area equivalent to 5% of the building site area whichever is the greater in relation to that land”. The clause has been amended to read “...total floor space of all such development in that zone does not exceed 500 sqm or an area equal to 5% of the total area of the land in that zone whichever is the greater”	An amendment was adopted by Council to change the phrase <i>building site area</i> within the clause to read <i>.....in relation to that land</i> . Parliamentary Counsel has misunderstood the intent of the amendment. It is considered the clause should be rectified as soon as possible through the making of a Planning Proposal. This is discussed later in the report.
Part 5 Miscellaneous provisions	
Amendment – 5.1 Development on land intended to be acquired for a public purpose. Certain land uses permitted under the draft LEP deleted from table.	Land uses now permitted under the SEPP (Infrastructure) 2007
Part 6 Additional local provisions	
Amendment – 6.2 Earthworks	Minor amendments to bring clause in line with SEPPs and acknowledgement that earthworks can be ancillary to other development for which development consent has been given.

ITEM 10 (continued)

Schedule 1 Additional permitted uses Not deleted - Use of certain land at 600 – 640 Victoria Road Ryde (known as RRC Sydney)	Council resolved that the item be deleted from the Schedule. At the lodgement of the draft Plan DoP were supportive of this however their approach to the zoning of land under SEPP (Major Development) in LEPs was revised resulting in the item being retained in LEP 2010 and the site being repealed from the SEPP.
Schedule 2 – Exempt development Deleted – Majority of local land uses inserted by Council deleted. Not Added – Outdoor dining	Land uses deleted are permitted under SEPP (Exempt and Complying Development Codes) 2008 Council on the 4 August 2009 resolved that an amendment be made to Draft LEP 2008 to include outdoor dining within Schedule 2 Exempt Development. The DoP have advised that they consider outdoor dining to be an ancillary use and as such not required to be in the Exempt Schedule. Council has sought planning advice from DoP as to whether being an ancillary use development consent is required. DoP have yet to respond
Schedule 3 – Complying Development Deleted – All land uses inserted by Council deleted	Land uses deleted are permitted under SEPP (Exempt and Complying Development Codes) 2008 .
Schedule 5 – Environmental Heritage Deleted – All items of Aboriginal significance	All heritage items of Aboriginal significance protected under State legislation.

The changes listed in the table above are largely a result of changes to State legislation or the introduction of new legislation.

RLEP 2010 Maps

The following table identifies the changes that have occurred to between LEP 2010 Maps that were submitted to the Minister for gazettal and Maps that were gazetted

ITEM 10 (continued)

LEP 2010 Map	Amendment to Map
Land Zoning Map	<p>The following zones have been added to the legend and applied to the RRC site.</p> <ul style="list-style-type: none"> ➤ R1 General Residential ➤ SP1 Special Activities ➤ RE1 Public Recreation <p>On the maps submitted to DoP the land had been identified within the legend as MP – SEPP Major Projects. This approach had been endorsed by DoP at the time the LEP was lodged for gazettal as the correct way to identify land under the SEPP. Under LEP 2010 however reference to RRC within the SEPP has been repealed.</p>
Height of Buildings Map	<p>1. Legend amended by</p> <ul style="list-style-type: none"> ➤ Listing all RLs used throughout map ➤ Deleting heights in the legend that were not used within the amended Plan <p>2. Proposed park and accessway linkages within Macquarie Park corridor that were identified on the maps lodged for gazettal have been deleted resulting in the area required being left blank</p> <p>3. Heights provided to the RRC site</p>
Floor Space Ratio Map	<p>Legend amended to incorporate new FSR s within the Plan. These are required as the Map now applies to the RRC site.</p> <p>In amending the legend a minor error in the application of the FSR map to part of West Ryde has occurred. The legend refers to categories P1 and P2 however on the Map P is the category applied to the land (this has no reference point in the legend). It is considered the map should be amended as soon as possible through the making of a Planning Proposal. This is discussed later in the report.</p>
Heritage Map	<p>All items of Aboriginal heritage deleted. The protection of Aboriginal heritage is under other State government legislation and all reference of such items has been removed by DoP from the LEP.</p>
Foreshore Building Line Map	<p>All measurements that provided accurate information on the location of the foreshore building line have been deleted from the gazetted Map. The Map reflects the foreshore building line as a line with the land below coloured pink.</p>

ITEM 10 (continued)

It is considered once LEP 2010 has been in place for a period of time it would be appropriate to prepare a Planning Proposal that would rectify the minor errors made by Parliamentary Counsel (PC) in the gazettal of the Plan such as clause 4.5E (4) *Macquarie Park* and to rectify any other minor issues that may be identified. The Department of Planning has advised that such a Planning Proposal would take approximately 3 months to be processed. A further report to Council on this will be prepared after the LEP has been in place for at least 3 months.

Ryde Development Control Plan 2010

As mentioned previously DCP 2010 amended DCP 2006 to bring it into line with the provisions of LEP 2010. To amend a DCP under the Regulations to the Environmental Planning and Assessment Act all that is required is that a subsequent DCP be adopted. DCP 2008 (now known as DCP 2010) was adopted by Council on the 16 June 2009.

It is considered that an administrative note should be included into DCP 2010 advising that it amends DCP 2006 so providing understanding of the continuity of the information and a history of the development of the DCP. A similar approach has been suggested by the Department of Planning. The inclusion of an administrative note does not require the DCP to be exhibited or any action under the Act or Regulations.

Consultation

All Council business units were informed of the gazettal of the LEP and the coming into place of the DCP. A number of briefing sessions have been held for Customer Service, Environment and Planning and all other Council groups.

Internal Workshops held:-

- Not applicable

External public consultation included:-

- Not applicable

Critical Dates

There are no critical dates or deadlines to be met.

Financial Impact

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

Policy Implications

There are no policy implications through adopting of the recommendation.

ITEM 10 (continued)**Other Options**

None

Conclusion

The Ryde Planning Scheme came into place as the principle planning tool for the City of Ryde on 30 June 1979 and had been amended in its 31 years approximately 140 times. The gazettal of Ryde LEP 2010 is the bringing into place for the City of Ryde a modern and relevant planning instrument that represents the completion of Stage 1 of a 3 stage process towards a comprehensive LEP for the City of Ryde.

11 REPORT ON OUTSTANDING RESOLUTIONS

Report prepared by: Manager - Governance**Report dated:** 16/07/2010**File No.:** GRP/10/3/001/6 - BP10/399

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 30 June 2010 and is provided in two (2) sections, a Summary of Outstanding Resolutions and a Detailed Outstanding Resolution Report. **(ATTACHMENTS 1 and 2)**

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 Outstanding Resolutions report be endorsed.

ATTACHMENTS

- 1** Summary of outstanding resolutions
- 2** Outstanding resolutions report

Report Prepared By:

Shane Sullivan
Manager - Governance

Report Approved By:

Roy Newsome
Group Manager - Corporate Services

ITEM 11 (continued)

ATTACHMENT 1

Outstanding Resolutions - Summary

Meeting Details Works and Community 8/04/2008	Resolution BUSHLAND WALKING TRACKS	Due Date of Report	Responsible Officer
		18/05/2010	Peter Montague
		Anticipated Date of Report	Group
		1/06/2010	Community Life
Meeting Details Works and Community 26/05/2009	Resolution PROVISION OF BUBBLERS IN PUBLIC DOMAIN AREAS AND MAJOR PARKS	Due Date of Report	Responsible Officer
		26/05/2010	Ian Andrews
		Anticipated Date of Report	Group
		1/10/2010	Public Works
Meeting Details 23/06/2009	Resolution DRAFT INVESTMENT POLICY GUIDELINES	Due Date of Report	Responsible Officer
		30/06/2010	Roy Newsome
		Anticipated Date of Report	Group
		31/08/2010	Corporate Services
Meeting Details Council 25/08/2009	Resolution WEST RYDE & GLADESVILLE EVENTS & PROMOTIONS COMMITTEES	Due Date of Report	Responsible Officer
		1/11/2009	Derek McCarthy
		Anticipated Date of Report	Group
		17/08/2010	Community Life

Wednesday, 21 July 2010

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ITEM 11 (continued)

ATTACHMENT 1

Meeting Details Council 13/10/2009	Resolution PLAYING FIELD LIGHTING PROGRAM 2009/2010 - Proposed Projects	Due Date of Report 1/05/2010	Responsible Officer Ian Andrews
		Anticipated Date of Report 1/08/2010	Group Public Works
Meeting Details Council 20/10/2009	Resolution PUBLIC- PRIVATE PARTNERSHIP (PPP) - Revilesta and Council and City of Ryde - Signage Rights, Southern Pedestrian Bridge, North Face.	Due Date of Report 27/04/2010	Responsible Officer Malcolm Harrild
		Anticipated Date of Report 1/09/2010	Group Public Works
Meeting Details Council 24/11/2009	Resolution PUBLIC EDUCATION CAMPAIGN	Due Date of Report 3/08/2010	Responsible Officer Leon Maskell
		Anticipated Date of Report 3/08/2010	Group Environment and Planning
Meeting Details Council 8/12/2009	Resolution NOTICE OF MOTION 5:CEO FORUM - Councillor Salvestro-Martin	Due Date of Report 17/08/2010	Responsible Officer Meryl Bishop
		Anticipated Date of Report 17/08/2010	Group Environment and Planning

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ITEM 11 (continued)

ATTACHMENT 1

Meeting Details Council 23/02/2010	Resolution MACQUARIE PARK PARKING STUDY	Due Date of Report 27/07/2010	Responsible Officer Nick Chapman
		Anticipated Date of Report 27/07/2010	Group Environment and Planning
Meeting Details Committee of the Whole 20/04/2010	Resolution CITY OF RYDE HERITAGE STUDIES	Due Date of Report 17/08/2010	Responsible Officer Meryl Bishop
		Anticipated Date of Report 17/08/2010	Group Environment and Planning
Meeting Details Council 11/05/2010	Resolution 745 VICTORIA RD, RYDE	Due Date of Report 22/06/2010	Responsible Officer Michael Betts
		Anticipated Date of Report 14/09/2010	Group Public Works
Meeting Details Council 11/05/2010	Resolution IMPROVING SECURITY AT GLEN RESERVE, EASTWOOD	Due Date of Report 20/08/2010	Responsible Officer Chris Hellmundt
		Anticipated Date of Report 7/09/2010	Group Community Life

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ITEM 11 (continued)

ATTACHMENT 1

Meeting Details Committee of the Whole 18/05/2010	Resolution COUNCILLOR ATTENDANCE AT CONFERENCES	Due Date of Report 30/09/2010 Anticipated Date of Report 28/09/2010	Responsible Officer Shane Sullivan Group Corporate Services
Meeting Details Committee of the Whole 18/05/2010	Resolution NATURAL AREAS - Expression of Interest for Service Providers	Due Date of Report 30/07/2010 Anticipated Date of Report 5/10/2010	Responsible Officer Adam Smith Group Community Life
Meeting Details Committee of the Whole 18/05/2010	Resolution ENFORCEMENT OF UNAUTHORISED FOOTPATH USE- 2 West Parade, West Ryde	Due Date of Report 7/09/2010 Anticipated Date of Report 7/09/2010	Responsible Officer Meryl Bishop Group Environment and Planning
Meeting Details Committee of the Whole 1/06/2010	Resolution RYDE COMMUNITY & SPORTS CENTRE (ELS Hall Park) – Contract Variations	Due Date of Report Anticipated Date of Report 17/08/2010	Responsible Officer Kim Woodbury Group Public Works

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ITEM 11 (continued)

ATTACHMENT 1

Meeting Details Council 8/06/2010	Resolution 15 DORA STREET, MARSFIELD LDA 2009/0721	Due Date of Report 17/08/2010	Responsible Officer Dominic Johnson
		Anticipated Date of Report	Group Environment and Planning
Meeting Details Council 8/06/2010	Resolution PEDESTRIAN CROSSING - Buffalo Creek - Councillor Vic Tagg	Due Date of Report	Responsible Officer Russell Nash
		Anticipated Date of Report 17/08/2010	Group Public Works
Meeting Details Council 22/06/2010	Resolution Notice of Motion - Action by Botany Council against Department of Housing	Due Date of Report	Responsible Officer Joe Strati
		Anticipated Date of Report	Group General Manager
Meeting Details Council 22/06/2010	Resolution Notice of Motion - Status of Council Roads	Due Date of Report	Responsible Officer Kumar Salkumaran
		Anticipated Date of Report 17/08/2010	Group Public Works

Wednesday, 21 July 2010

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ITEM 11 (continued)

ATTACHMENT 1

Meeting Details Council 22/06/2010	Resolution CHARTER OF RESPECT	Due Date of Report 22/12/2010	Responsible Officer Shane Sullivan
		Anticipated Date of Report 28/09/2010	Group Corporate Services

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Wednesday, 21 July 2010

ITEM 11 (continued)

ATTACHMENT 2

Outstanding Resolutions - Report

Meeting Details	Resolution	Due Date of Report	Comments
Works and Community 8/04/2008	BUSHLAND WALKING TRACKS Report on developing a strategy to manage bushland walking tracks	Due Date of Report 18/05/2010 Anticipated date 1/06/2010 Group Community Life Responsible Officer Peter Montague	Comments Data collection being undertaken currently. Update provided to BEACR in February 2009. Workshop with Councillors June 2009. A report to be presented to Works & Community on 18 May 2010. Waiting on maps from IT. Report being prepared for WC in July 2010. Report delayed due to Natural Areas Contracts negotiations.
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) (d) That twelve months after the installation of the bubblers outlined in (b) above a further report be provided to Council.	Due Date of Report 26/05/2010 Anticipated date 1/10/2010 Group Public Works Responsible Officer Ian Andrews	Comments Report expected October 2010.

ITEM 11 (continued)

ATTACHMENT 2

Meeting Details	Resolution	Due Date of Report	Comments
23/06/2009	DRAFT INVESTMENT POLICY GUIDELINES FAC 05/09 Item 4 (d) That, following the issuing by the Department of Local Government of the Investment Policy Guidelines, a review of Council's Investment Policy be undertaken and reported to a future Finance and Audit Committee meeting.	Due Date of Report 30/06/2010 Anticipated date 31/08/2010 Group Corporate Services Responsible Officer Roy Newsome	Comments Since June 2009, Council has been awaiting the publication of the new Investment Policy guidelines. A number of enquiries were made in 2009 and earlier this year and Council was advised that the guidelines were going through the approval process together with a revised Minister's Investment Order. The new Guidelines were issued by the Department of Local Government on Tuesday 25 May 2010. To allow a proper review of the Draft Guidelines and consult with Council's Investment Adviser, Oakvale, it is anticipated this matter will be reported to Council by 31 August 2010.
Meeting Details Council 25/08/2009	Resolution WEST RYDE & GLADESVILLE EVENTS & PROMOTIONS COMMITTEES NoM2 (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.	Due Date of Report 1/11/2009 Anticipated date 17/08/2010 Group Community Life Responsible Officer Derek McCarthy	Comments Report being prepared for Council in November 2009 Report being prepared for COW-20 July 2010 Report now being prepared for COW of 17 August 2010.

ITEM 11 (continued)

ATTACHMENT 2

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 (d) That a further report be submitted to Council on Pidding Park, proposed sports lighting once the NSW grant funding is determined.	1/05/2010 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.
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 (b) That consideration of this matter be deferred and a further report be presented back to Council providing supplementary information and options for Council's consideration.	Due Date of Report 27/04/2010 Anticipated date 1/09/2010 Group Public Works Responsible Officer Malcolm Hurrell	Comments Report expected 27 April 2010. Negotiations have commenced with the Developer concerning any income which Council could expect from its portion of the Bridge signage. However, the Developer has declined to take the signage package to the market for tender, as the advertising market is generally depressed at the present time, and has decided to await market recovery in order to secure the best price. Report anticipated by September 2010.

ITEM 11 (continued)

ATTACHMENT 2

Meeting Details Council 24/11/2009	Resolution PUBLIC EDUCATION CAMPAIGN GM 20/09 NoM01 (b) That the General Manager report on the safety concerns of rangers and measures taken to address these concerns including campaign options and resource implications.	Due Date of Report 3/08/2010 Anticipated date 3/08/2010 Group Environment and Planning Responsible Officer Leon Marskell	Comments <i>Various initiatives developed - finalisation of liaison between Regulatory Services and Community Relations and Events Teams to complete report. Report to Committee of the Whole Meeting on 3 August 2010.</i>
Meeting Details Council 8/12/2009	Resolution NOTICE OF MOTION 5:CEO FORUM - Councillor Salvestro-Martin (a) That the General Manager report to Council on the cost and feasibility of implementing a CEO Forum. The CEO forum event would focus on large companies and is a tangible outcome, consistent with the Economic Development Strategy, where the City of Ryde can show cohesive leadership and representation of the City's economic interests. (b) That this Motion be referred to the Economic Development Advisory Committee for their comment and feedback.	Due Date of Report 17/08/2010 Anticipated date 17/08/2010 Group Environment and Planning Responsible Officer Meryl Bishop	Comments

ITEM 11 (continued)

ATTACHMENT 2

Meeting Details Council 23/02/2010	Resolution MACQUARIE PARK PARKING STUDY Council 02/10 – Item 4 (b) That a Report be prepared for Council summarising the outcomes of the public exhibition process, with a recommended approach for the finalisation of the Macquarie Park Parking Study.	Due Date of Report 27/07/2010 Anticipated date 27/07/2010 Group Environment and Planning Responsible Officer Nick Chapman	Comments Study was presented to the Macquarie Park Forum on 15 April 2010 and was also presented to a group of representatives from transport agencies on 30 April 2010. Study on public exhibition from 28 April to 28 May 2010 with submissions closing on 28 May 2010. Report to Council Meeting on 27 July 2010.
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	Comments 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.

ITEM 11 (continued)

ATTACHMENT 2

Meeting Details Council 11/05/2010	Resolution 745 VICTORIA RD, RYDE Notice of Motion 3 That the General Manager prepare a report for Council detailing the development options of all Council's investment properties.	Due Date of Report 22/06/2010 Anticipated date 14/09/2010 Group Public Works Responsible Officer Michael Butts	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.
Meeting Details Council 11/05/2010	Resolution 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.	Due Date of Report 20/08/2010 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.

ITEM 11 (continued)

ATTACHMENT 2

Meeting Details Committee of the Whole 18/05/2010	Resolution COUNCILLOR ATTENDANCE AT CONFERENCES RESOLUTION: (Moved by Councillors Petch and Yedellian 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.	Due Date of Report 30/09/2010 Anticipated date 28/09/2010 Group Corporate Services Responsible Officer Shane Sullivan	Comments <i>Guidelines to be developed in conjunction with the review of the Councillor Expenses and Facilities Policy for September 2010.</i>
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>

ITEM 11 (continued)

ATTACHMENT 2

Meeting Details Committee of the Whole 18/05/2010	Resolution ENFORCEMENT OF UNAUTHORISED FOOTPATH USE- 2 West Parade, West Ryde RESOLUTION: (Moved by Councillors Petch 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.	Due Date of Report Anticipated date 7/09/2010 Group Environment and Planning Responsible Officer Meryl Bishop	Comments <i>A review of Council's Footpath Policy underway in consultation with the Building and Property Unit and Regulatory Services Unit. Report to Committee of the Whole Meeting on 7 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 17/08/2010 Group Public Works Responsible Officer Kim Woodbury	Comments

ITEM 11 (continued)

ATTACHMENT 2

Meeting Details Council 8/06/2010	Resolution 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	Due Date of Report 17/08/2010 Anticipated date Group Environment and Planning Responsible Officer Dominic Johnson	Comments Action undertaken in relation to resolution: BOARDING HOUSE - Integrated Enforcement and Education Program Initial meeting held with Community Life staff regarding the program. Homestay promotion to be advertised in the Ryde CityView in June. Project Co-ordinator advertisement and scope of works drafted. Workshop with Councillors to address the legal and planning issues associated with boarding houses in the City of Ryde scheduled to take place on 17 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 Barton Reserve from Malvinia Street to the bus stops in Fiddling Street.	Due Date of Report Anticipated date 17/08/2010 Group Public Works Responsible Officer Russell Nish	Comments Report expected 17 August 2010.

ITEM 11 (continued)

ATTACHMENT 2

Meeting Details Council 22/06/2010	Resolution 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.	Due Date of Report Anticipated date Group General Manager Responsible Officer Joe Strati	Comments Letter sent on 29 June 2010. No response has been received at this stage. Awaiting reply before report to Council.
	Resolution Notice of Motion - Status of Council Roads That General Manager prepares a report on the current status of Ryde roads under Council jurisdiction, in particular if the procedures implemented were according to 'Guide to Codes and Practices for Streets Opening'. It has been reported by many residents that roads dug recently by utility companies were restored in a very poor way. Many streets are scarred and surfaces are unevenly restored causing damage to cars and causing safety concerns with pedestrians. Examples of those streets are Boyce, Quarry, Bridge, Greene, Gardener Avenues and Streets.	Due Date of Report Anticipated date 17/08/2010 Group Public Works Responsible Officer Kumar Sakkumaran	Comments Report expected 17 August 2010.

ITEM 11 (continued)

ATTACHMENT 2

Meeting Details	Resolution	Due Date of Report	Comments
Council 22/06/2010	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.	22/12/2010 Anticipated date 28/09/2010 Group Corporate Services Responsible Officer Shane Sullivan	<i>Workshop Scheduled for 7 September. Report to be provided to Council following this workshop - anticipated 28 September 2010</i>

CONFIDENTIAL ITEMS

12 ADVICE ON COURT ACTIONS

Confidential

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

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

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

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

Report prepared by: General Counsel

Report dated: 13/07/2010

File No.: GRP/10/5/001/6 - BP10/383

PRECIS OF CORRESPONDENCE FOR CONSIDERATION

There are no Précis of Correspondence for Consideration

NOTICES OF MOTION**1 COMMUNITY FITNESS INITIATIVES - Councillor Salvestro-Martin****File Number:** GRP/10/5/001/6 - BP10/358

Motion:

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:

- 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

NOTICES OF RESCISSION**1 NOTICE OF RESCISSION - Councillor Petch, Councillor Perram, Councillor Li****File Number:** GRP/10/5/001/6 - BP10/411

That Council rescind the previous resolution in relation to Item 4 – SKATE FACILITIES ACROSS THE CITY OF RYDE – Results from community consultation, passed at the Committee of the Whole 10/10 meeting held on 20 July 2010, namely:

- "(a) That Council commence planning and further community discussion on the provision of a Youth and Unstructured Recreation Precinct at Meadowbank Park;*
- (b) That Council commence planning and further community discussion on the provision of a Skate Spot at Blenheim Park;*
- (c) That Council commence planning and further community discussion on the provision of a Skate path along Shrimpton's Creek;*
- (d) That Council commence planning and further community discussion on the provision of a Skate path along the Ryde River Walk;*
- (e) That Council commence formal negotiations with Macquarie University for a managed facility at the Macquarie University;*
- (f) That Council allocate funding for the preparation of a feasibility study for a skate facility at the RALC;*
- (g) That Council allocate \$100,000 funding in the 2011/12 budget for the development of skate facilities in the City of Ryde."*