

Council Meeting**AGENDA NO. 19/11**

Meeting Date: Tuesday 8 November 2011
Location: Council Chambers, Level 6
Time: 7.30pm

Note: *This meeting will be recorded on audio tape for minute-taking purposes as authorised by the Local Government Act 1993.*

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14/11 DEFERRED MAYORAL MINUTE: GENERAL MANAGER'S PERFORMANCE REVIEW 2011 - The Mayor, Councillor Artin Etmekdjian

File Number: GRP/09/6/1/1/1 - BP11/642

This Mayoral Minute is deferred from the Council Meeting held on 11 October 2011.

The purpose of this Mayoral Minute is to present Council with the results of the General Manager's Performance Appraisal Panel and is now presented to Council for determination.

ATTACHED – UNDER SEPARATE COVER (Confidential) is the report from the Manager, Strategy and Organisation Development which includes the report from Chadwick and Associates. Chadwick and Associates were appointed by Council to facilitate the performance review process.

RECOMMENDATION:

That Council consider the **ATTACHED** Confidential reports in Closed Session and make a determination in accordance with those reports.

ATTACHMENTS

- 1 Report from the Manager, Strategy and Organisation Development – CIRCULATED UNDER SEPARATE COVER (Confidential)
- 2 Report from Chadwick and Associates – CIRCULATED UNDER SEPARATE COVER (Confidential)

Councillor Artin Etmekdjian
The Mayor

1 CONFIRMATION OF MINUTES - Council Meeting held on 11 October 2011

File No.: GRP/11/5/4/6 - BP11/151

In accordance with Clause 3.4.4 of Council's Code of Meeting Practice, a motion or discussion with respect to such minutes shall not be in order except with regard to their accuracy as a true record of the proceedings.

RECOMMENDATION:

That the Minutes of the Council Meeting 16/11, held on Tuesday 11 October 2011, be confirmed.

ATTACHMENTS

- 1** Minutes - Ordinary Council Meeting - 11 October 2011

ITEM 1 (continued)

ATTACHMENT 1



City of Ryde

Council Meeting

MINUTES OF MEETING NO. 16/11

Meeting Date: Tuesday 11 October 2011
Location: Council Chambers, Level 6
Time: 7.30pm

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

Councillor Butterworth left the meeting at 11.35pm and did not return.

Councillor Tagg left the meeting at 11.35pm and did not return.

Apologies: Councillors Campbell and Maggio.

Staff Present: General Manager, Acting Group Manager – Community Life, Group Manager - Corporate Services, Acting Group Manager – Environment & Planning, Group Manager - Public Works, General Counsel, Manager – Strategy and Organisational Developments, Manager – Governance, Manager – Urban Planning, Acting Manager – Community & Culture, Section Manager – Buildings, Chief Financial Officer, Consultant Town Planner, Environmental Engineer – Waste, Revenue Officer, Corporate Attendance, Insurance Claims Officer, Media & Community Relations Officer and Meeting Support Coordinator.

PRAYER

Reverend Michael Smith of Eastwood Anglican Church was present and offered prayer prior to the commencement of the meeting.

DISCLOSURES OF INTEREST

Councillor Tagg disclosed a less than significant non-pecuniary interest in Item 4 of the Council Meeting Report No. 16/11, for the reason that he is a member of the Ryde-Eastwood Leagues Club.

PRESENTATION OF THE PERPETUAL SHIELD FOR THE CORPORATE GLOBAL CHALLENGE

The Mayor, Councillor Etmekdjian presented the Perpetual Shield for the Corporate Global Challenge to the members of the Ryde Stryders team.

ITEM 1 (continued)

ATTACHMENT 1

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following person addressed the Council:-

No.	Name	Topic
1	Mr Chris McCarthy	ITEM 4 – PLANNING PROPOSAL RESULTS OF COMMUNITY CONSULTATION – 9-19 Second Avenue and part 14-18 Third Avenue, Eastwood

MAYORAL MINUTES

MM14/11 GENERAL MANAGER'S PERFORMANCE REVIEW 2011

RESOLUTION: (Moved by Councillors Petch and Pickering)

That Council consider the **ATTACHED** Confidential reports in Closed Session and make a determination in accordance with those reports.

Record of Voting:

For the Motion: Unanimous

Note: This Item was not considered at the meeting and will be listed on the Agenda for the Council Meeting No. 18/11 to be held on Tuesday, 8 November 2011.

COUNCIL REPORTS

1 CONFIRMATION OF MINUTES - Council Meeting held on 27 September 2011

RESOLUTION: (Moved by Councillors Petch and Butterworth)

That the Minutes of the Council Meeting 15/11, held on Tuesday 27 September 2011, be confirmed.

Record of Voting:

For the Motion: Unanimous

2 REPORT OF PLANNING AND ENVIRONMENT COMMITTEE MEETING 12/11 held on 4 October 2011

RESOLUTION: (Moved by Councillors Pickering and Perram)

That Council determine Item 3 of the Planning and Environment Committee report, noting that Items 1, 2 and 4 were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

3 15 DORA STREET, MARSFIELD. LOT 91 DP 36459. Application pursuant to Section 96(2) of the EP&A Act, 1979 to amend approved use of building as two boarding houses by division of both third bedrooms into two rooms. LDA NO. 2009/0721. Section 96 No. MOD2011/0033

RESOLUTION: (Moved by Councillors Pickering and Yedelian OAM)

- (a) That Council refuse the application and that the applicant be required to return the premises to the design as approved by the Land and Environment Court.
- (b) If the applicant fails to effect these design changes within a reasonable timeframe, Council commence legal action against the applicant.
- (c) That the persons who made submissions be advised of Council's decision.

Record of Voting:

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

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

Note: The General Counsel advised Council that if this matter is contested in the Land and Environment Court, the General Counsel will engage suitable external advisors to defend the Council's decision.

The reasons for refusal are as follows:-

- i. That the applicant did not comply with the Land and Environment Court's Development Consent by the addition of two rooms without prior Council consent.
- ii. That the applicant undertook illegal works without any Council approval.
- iii. That students may speed in the street.

RECOMMITTAL OF ITEM

RESOLUTION: (Moved by Councillors Petch and Pickering)

That Item 2 Part 3: 15 Dora Street, Marsfield be recommitted to confirm the reasons for Council refusing this application.

ITEM 1 (continued)

ATTACHMENT 1

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Li, Perram, Petch, Pickering, Salvestro-Martin, Tagg and Yedelian OAM

Against the Motion: Councillors Butterworth and O'Donnell

Item 3 was therefore recommitted.

3 15 DORA STREET, MARSFIELD. LOT 91 DP 36459. Application pursuant to Section 96(2) of the EP&A Act, 1979 to amend approved use of building as two boarding houses by division of both third bedrooms into two rooms. LDA NO. 2009/0721. Section 96 No. MOD2011/0033

RESOLUTION: (Moved by Perram and Yedelian OAM)

That the reasons for refusal be dealt with in seriatim.

Record of Voting:

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

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

The reasons for refusal were then dealt with in seriatim.

RESOLUTION: (Moved by Councillors Pickering and Yedelian OAM)

- i. That the applicant did not comply with the Land and Environment Court's Development Consent by the addition of two rooms without prior Council consent.

Record of Voting:

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

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

RESOLUTION: (Moved by Councillors Pickering and Yedelian OAM)

- ii. That the applicant undertook illegal works without any Council approval.

Record of Voting:

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

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

ITEM 1 (continued)

ATTACHMENT 1

MOTION: (Moved by Councillors Pickering and Yedelian OAM)

- iii. That students may speed in the street.

The Motion was put and **LOST**, there being three (3) votes for and seven (7) votes against.

Record of Voting:

For the Motion: Councillors Butterworth, Salvestro-Martin and Tagg

Against the Motion: The Mayor, Councillor Etmekdjian and Councillors Li, Perram, Petch, Pickering, O'Donnell and Yedelian OAM

RESOLUTION: (Moved by Councillors Pickering and Yedelian OAM)

- (a) That Council refuse the application and that the applicant be required to return the premises to the design as approved by the Land and Environment Court.

The reasons for refusal are as follows:-

- i. That the applicant did not comply with the Land and Environment Court's Development Consent by the addition of two rooms without prior Council consent.
 - ii. That the applicant undertook illegal works without any Council approval.
- (b) If the applicant fails to effect these design changes within a reasonable timeframe, Council commence legal action against the applicant.
 - (c) That the persons who made submissions be advised of Council's decision.

Note: The General Counsel advised Council that if this matter is contested in the Land and Environment Court, the General Counsel will engage suitable external advisors to defend the Council's decision.

3 REPORT OF WORKS AND COMMUNITY COMMITTEE MEETING 14/11 held on 4 October 2011

RESOLUTION: (Moved by Councillors Perram and Petch)

That Council determine Item 3 of the Works and Community Committee report, noting that Items 1 and 2 were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

3 ADOPTION OF THE PUTNEY PARK PLAN OF MANAGEMENT

RESOLUTION: (Moved by Councillors Perram and Petch)

- (a) That the Revised Putney Park Plan of Management (dated September 2011) be adopted and that the listings for Putney Park in the Generic Plan of Management be removed).
- (b) That a further report be provided to Council regarding a plan of action addressing the following matters:
 - to improve the site from Pellisier Road to the punt (relocation of gates);
 - the upgrading and remediation of the triangular park;
 - the improvement to the sea wall;
 - the removal of the Camphor Laurel trees;
 - the pruning of trees throughout the park to improve the security;
 - the development of the perimeter track; and
 - the exploration of provision of accessible equipment in the southern playground.
- (c) That all community members and organisations that made a submission be advised of the outcome.

Record of Voting:

For the Motion: Unanimous

4 PLANNING PROPOSAL RESULTS OF COMMUNITY CONSULTATION - 9-19 Second Avenue and part 14-18 Third Avenue, Eastwood

Note: Councillor Tagg disclosed a less than significant non-pecuniary interest in the Item for the reason that he is a member of the Ryde-Eastwood Leagues Club.

Note: Mr Chris McCarthy addressed the meeting in relation to this Item.

Note: A memorandum dated 11 October 2011 from the Acting Group Manager – Environment & Planning to all Councillors was tabled in relation to this Item and a copy is ON FILE.

MOTION: (Moved by Councillors Tagg and Pickering)

- (a) That the Planning Proposal for the rezoning of the 9-19 Second Avenue and part 14-18 Third Avenue, Eastwood (being LOT 1 in DP 455457; LOT A in DP 386523; LOTS 77, 78 and 79 in DP 4684; LOT B in DP 342511; LOT B in DP 341289; LOT B in 365296) from RE2 Private Recreation to R2 Low Density Residential under Ryde Local Environmental Plan 2010 be approved and submitted to the Director-General of the Department of Planning and Infrastructure requesting to bring the amending plan into effect.

ITEM 1 (continued)

ATTACHMENT 1

- (b) That Council enter into a Deed of Agreement with the Ryde-Eastwood Leagues Club Limited to require a master plan to be prepared for the site(s) in the event of the land being developed for housing. Such a plan is to allocate 400 square metres to be publicly accessible open space. The Deed of Agreement is to be registered against the land title of all the following parcels of land:
- LOT 1 in DP 455457;
 - LOT A in DP 386523;
 - LOTS 77, 78 and 79 in DP 4684;
 - LOT B in DP 342511;
 - LOT B in DP 341289; and
 - LOT B in DP 365296.

AMENDMENT: (Moved by Councillors O'Donnell and Yedelian OAM)

- (a) That the Planning Proposal for the rezoning of the 9-19 Second Avenue and part 14-18 Third Avenue, Eastwood (being LOT 1 in DP 455457; LOT A in DP 386523; LOTS 77, 78 and 79 in DP 4684; LOT B in DP 342511; LOT B in DP 341289; LOT B in 365296) from RE2 Private Recreation to R2 Low Density Residential under Ryde Local Environmental Plan 2010 be approved and submitted to the Director-General of the Department of Planning and Infrastructure requesting to bring the amending plan into effect.
- (b) That Council enter into a Deed of Agreement with the Ryde-Eastwood Leagues Club Limited to require a master plan to be prepared for the site(s) in the event of the land being developed for housing. Such a plan is to allocate 10% of the total site area to be publicly accessible open space. The Deed of Agreement is to be registered against the land title of all the following parcels of land:
- LOT 1 in DP 455457;
 - LOT A in DP 386523;
 - LOTS 77, 78 and 79 in DP 4684;
 - LOT B in DP 342511;
 - LOT B in DP 341289; and
 - LOT B in DP 365296.

The Amendment was put and **CARRIED** with six (6) votes For and four (4) votes Against, thereby becoming the Motion.

Record of Voting:

For the Amendment: The Mayor, Councillor Etmekdjian and Councillors Butterworth, Perram, Pickering, O'Donnell and Yedelian OAM

Against the Amendment: Councillors Li, Petch, Salvestro-Martin and Tagg

ITEM 1 (continued)

ATTACHMENT 1

RESOLUTION: (Moved by Councillors O'Donnell and Yedelian OAM)

- (a) That the Planning Proposal for the rezoning of the 9-19 Second Avenue and part 14-18 Third Avenue, Eastwood (being LOT 1 in DP 455457; LOT A in DP 386523; LOTS 77, 78 and 79 in DP 4684; LOT B in DP 342511; LOT B in DP 341289; LOT B in 365296) from RE2 Private Recreation to R2 Low Density Residential under Ryde Local Environmental Plan 2010 be approved and submitted to the Director-General of the Department of Planning and Infrastructure requesting to bring the amending plan into effect.
- (b) That Council enter into a Deed of Agreement with the Ryde-Eastwood Leagues Club Limited to require a master plan to be prepared for the site(s) in the event of the land being developed for housing. Such a plan is to allocate 10% of the total site area to be publicly accessible open space. The Deed of Agreement is to be registered against the land title of all the following parcels of land:
 - LOT 1 in DP 455457;
 - LOT A in DP 386523;
 - LOTS 77, 78 and 79 in DP 4684;
 - LOT B in DP 342511;
 - LOT B in DP 341289; and
 - LOT B in DP 365296.

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Butterworth, Li, Perram, Pickering, O'Donnell and Yedelian OAM

Against the Motion: Councillors Petch, Salvestro-Martin and Tagg

5 HERITAGE REFERRALS - COUNCIL'S INTERPRETATION OF 'WITHIN THE VICINITY' OF A HERITAGE ITEM

RESOLUTION: (Moved by Councillors Pickering and Yedelian OAM)

- (a) That Council's definition of 'within the vicinity' of a heritage item is to be based on the "Extended adjoining land" as defined by Figure 2.1.02 in Part 2.1 of the Notification of Ryde Development Control Plan 2010, and
- (b) That Exceptions as defined in this report of the Heritage / Strategic Planner dated 13 September 2011 be applied together with the definition (a) above when considering an impact of the proposed development on a Heritage Item or Conservation Area, and
- (c) That an internal Council policy is prepared to document the information contained within this report and to ensure a transparent procedural process is established.

ITEM 1 (continued)

ATTACHMENT 1

Record of Voting:

For the Motion: Unanimous

6 SANTA ROSA PARK AND ELS HALL PARK - Outcomes of the Re-Categorisation Public Hearings

RESOLUTION: (Moved by Councillors Yedelian OAM and O'Donnell)

- (a) That the portion of Santa Rosa Park as identified on Page 3 of the Lantz Marshall Public Hearing Report (as attached) be re-categorised as "General Community Use" for the purpose of supporting a community nursery.
- (b) That the portion of ELS Hall Park as identified on Page 6 of the Lantz Marshall Public Hearing Report (as attached) be re-categorised as "General Community Use" for the purpose of supporting the Ryde Indoor Sports Centre.
- (c) That the community nursery at Santa Rosa Park be permitted to commence as soon as possible.

Record of Voting:

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

Against the Motion: Councillor Butterworth

7 DISCLOSURE OF INTEREST RETURNS - 2010-2011

RESOLUTION: (Moved by Councillors Pickering and Petch)

- (a) That the Register of Pecuniary Interest Returns lodged as required under Section 450A of the Local Government Act be tabled.
- (b) That the Division of Local Government, Department of Premier and Cabinet be advised on this matter and provided with a copy of this report.

Record of Voting:

For the Motion: Unanimous

8 DRAFT 2010/2011 FINANCIAL STATEMENTS

RESOLUTION: (Moved by Councillors Petch and Pickering)

- (a) That pursuant to the provisions of Section 413 of the Local Government Act 1993, Council hereby declares that it has prepared General Purpose

ITEM 1 (continued)

ATTACHMENT 1

Financial Statements for the 2010/2011 financial year ending 30 June 2011 and has formed an opinion, based on the advice of Council officers, that these reports:

- i. Have been prepared in accordance with:
 - The Local Government Act 1993 (as amended) and the Regulations made thereunder;
 - The Australian Accounting Standards and professional pronouncements;
 - The Local Government Code of Accounting Practice and Financial Reporting.
- ii. Present fairly the operating result and financial position of the City of Ryde for the year ended 30 June 2011.
- iii. Accords with Council's accounting and other records and policies.
- (b) That the Special Purpose Financial Statements have been drawn up in accordance with the Local Government Code of Accounting Practice and Financial Reporting.
- (c) That the General and Special Purpose Financial Statements be certified by the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer (Chief Financial Officer) in accordance with section 413 (2)(c) of the Local Government Act 1993.
- (d) That pursuant to the provisions of Section 413 of the Local Government Act 1993, Council hereby declares that the Financial Statements (including General Purpose and Special Purpose Reports) for the year ending 30 June 2011 be referred for audit.
- (e) That Tuesday, 8 November 2011 be fixed for the date for the public meeting to present the audited financial statements and auditor's report for the year ended 30 June 2011 as required by section 419 of the Local Government Act 1993 and that the Council's external auditors be present.
- (f) That the following additional amounts be transferred to their respective reserves:
 - Employee Leave Entitlement Reserve - \$1,057,356
 - Asset Replacement Reserve - \$2,200,000

Record of Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

9 POLICY - EXPENSES RELATING TO THE GENERAL MANAGER AND SENIOR STAFF

MOTION: (Moved by Councillors Pickering and O'Donnell)

That the **ATTACHED** Expenses Relating to the General Manager and Senior Staff Policy be adopted.

AMENDMENT: (Moved by Councillors Butterworth and Pickering)

- (a) That the **ATTACHED** Expenses Relating to the General Manager and Senior Staff Policy be adopted.
- (b) That on a six monthly basis the expenses under this Policy be reported to Council.
- (c) That any reference to business class travel be removed from the Policy and accordingly amend Clause 4 in the section on Conferences.

Amendment to be considered in Seriatim

RESOLUTION: (Moved by Councillors Petch and Butterworth)

That the Amendment be dealt with in seriatim.

Record of Voting:

For the Motion: Unanimous

The Amendment was then dealt with in seriatim.

AMENDMENT: (Moved by Councillors Butterworth and Pickering)

- (a) That the **ATTACHED** Expenses Relating to the General Manager and Senior Staff Policy be adopted.

Record of Voting:

For the Amendment: Unanimous

AMENDMENT: (Moved by Councillors Butterworth and Pickering)

- (b) That on a six monthly basis the expenses under this Policy be reported to Council.

Record of Voting:

For the Amendment: The Mayor, Councillor Etmekdjian and Councillors Butterworth, Li, Perram, Petch, Pickering, Salvestro-Martin, Tagg and Yedelian OAM

ITEM 1 (continued)

ATTACHMENT 1

Against the Amendment: Councillor O'Donnell

AMENDMENT: (Moved by Councillors Butterworth and Pickering)

- (c) That any reference to business class travel be removed from the Policy and accordingly amend Clause 4 in the section on Conferences.

Record of Voting:

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

Against the Amendment: Councillor Petch

The Amendment was put and **CARRIED**, thereby becoming the Motion

Motion to be considered in Seriatim

RESOLUTION: (Moved by Councillors Petch and Butterworth)

That the Motion be dealt with in seriatim.

Record of Voting:

For the Motion: Unanimous

The Motion was then dealt with in seriatim.

RESOLUTION: (Moved by Councillors Butterworth and Pickering)

- (a) That the **ATTACHED** Expenses Relating to the General Manager and Senior Staff Policy be adopted.

Record of Voting:

For the Motion: Unanimous

RESOLUTION: (Moved by Councillors Butterworth and Pickering)

- (b) That on a six monthly basis the expenses under this Policy be reported to Council.

Record of Voting:

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

Against the Motion: Councillor O'Donnell

ITEM 1 (continued)

ATTACHMENT 1

RESOLUTION: (Moved by Councillors Butterworth and Pickering)

- (c) That any reference to business class travel be removed from the Policy and accordingly amend Clause 4 in the section on Conferences.

Record of Voting:

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

Against the Motion: Councillor Petch

RESOLUTION: (Moved by Councillors Butterworth and Pickering)

- (a) That the **ATTACHED** Expenses Relating to the General Manager and Senior Staff Policy be adopted.
- (b) That on a six monthly basis the expenses under this Policy be reported to Council.
- (c) That any reference to business class travel be removed from the Policy and accordingly amend Clause 4 in the section on Conferences.

10 POLICY - FACILITY OPENING AND PLAQUES

MOTION: (Moved by Councillors O'Donnell and Yedelian OAM)

That the **ATTACHED** policy and procedures for Facility Opening and Plaques be adopted.

AMENDMENT: (Moved by Councillors Petch and Tagg)

That the **ATTACHED** policy and procedures for Facility Opening and Plaques be adopted, subject to all Councillors names being included on plaques.

The Amendment was put and **CARRIED** with six (6) votes For and four (4) votes Against, thereby becoming the Motion.

Record of Voting:

For the Amendment: Councillors Butterworth, Li, Perram, Petch, Salvestro-Martin and Tagg

Against the Amendment: The Mayor, Councillor Etmekdjian and Councillors Pickering, O'Donnell and Yedelian OAM

RESOLUTION: (Moved by Councillors Petch and Tagg)

That the **ATTACHED** policy and procedures for Facility Opening and Plaques be adopted, subject to all Councillors names being included on plaques.

ITEM 1 (continued)

ATTACHMENT 1

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Butterworth, Li, Perram, Petch, Salvestro-Martin and Tagg

Against the Motion: Councillors Pickering, O'Donnell and Yedelian OAM

11 WEST RYDE VILLAGE SQUARE - Public Art

RESOLUTION: (Moved by Councillors Li and Yedelian OAM)

That Council endorses the public art proposal for the West Ryde Village Square as submitted by Coles Group Property Development.

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Li, Perram, Petch, Pickering, O'Donnell and Yedelian OAM

Against the Motion: Councillors Butterworth, Salvestro-Martin and Tagg

12 UPDATE ON THE ESTABLISHMENT OF MARKET/FAIR IN RYDE BY CHAMBER OF COMMERCE

RESOLUTION: (Moved by Councillors Yedelian OAM and Petch)

That a further report, including a Project Plan, be provided to Council following receipt of a formal proposal from the Chamber of Commerce as set out in this report.

Record of Voting:

For the Motion: Unanimous

COMPLETION OF BUSINESS

RESOLUTION: (Moved by Councillors Petch and Butterworth)

That the meeting time be extended for a period of 30 minutes, the time being 11.00pm.

Record of Voting:

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

Against the Motion: Councillor O'Donnell

ITEM 1 (continued)

ATTACHMENT 1

13 OVERVIEW OF CONDITION OF CORPORATE BUILDINGS AND ESSENTIAL WORKS - Civic Centre and Argyle Centre

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

- (a) That Council endorse the allocation of \$690,000 from the Investment Property Reserve for essential and urgent works at the Civic Centre and Argyle Centre.
- (b) That in respect of the replacement of the air conditioning equipment, Council exercise the exemption under Section 55 of the Local Government Act not to call tenders due to extenuating circumstances and the urgency of rectifying Council's system prior to the coming summer period to ensure the equipment is installed as soon as possible.

AMENDMENT: (Moved by Councillors Perram and Butterworth)

- (a) That Council endorse the allocation of \$500,000 from the Investment Property Reserve for essential and urgent works at the Civic Centre and Argyle Centre.
- (b) That in respect of the replacement of the air conditioning equipment, Council exercise the exemption under Section 55 of the Local Government Act not to call tenders due to extenuating circumstances and the urgency of rectifying Council's system prior to the coming summer period to ensure the equipment is installed as soon as possible.

The Amendment was put and **LOST** there being four (4) votes For and six (6) votes Against. The Motion was then put and **CARRIED**.

Record of Voting:

For the Amendment: Councillors Butterworth, Li, Perram and Tagg

Against the Amendment: The Mayor, Councillor Etmekdjian and Councillors Petch, Pickering, O'Donnell, Salvestro-Martin and Yedelian OAM

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

- (a) That Council endorse the allocation of \$690,000 from the Investment Property Reserve for essential and urgent works at the Civic Centre and Argyle Centre.
- (b) That in respect of the replacement of the air conditioning equipment, Council exercise the exemption under Section 55 of the Local Government Act not to call tenders due to extenuating circumstances and the urgency of rectifying Council's system prior to the coming summer period to ensure the equipment is installed as soon as possible.

ITEM 1 (continued)

ATTACHMENT 1

Record of Voting:

For the Motion: Unanimous

PRECIS OF CORRESPONDENCE FOR CONSIDERATION

There were no Precis of Correspondence for Consideration.

NOTICES OF MOTION

There were no Notices of Motion.

NOTICES OF RESCISSION

There were no Notices of Rescission.

QUESTIONS BY COUNCILLORS AS PER POLICY

There were 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 14 - DEVELOPMENT OF A SHARED PARTNERSHIP FOR A CORPORATE REPORTING PERFORMANCE SYSTEM

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.

ITEM 15 - POTENTIAL DEVELOPMENT PARTNERSHIP ARRANGEMENT FOR COULTER STREET CAR PARK

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.

ITEM 1 (continued)

ATTACHMENT 1

ITEM 16 - TENDER FOR CARTAGE & DISPOSAL OF FILL MATERIAL - COR-RFT-11/11

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.

ITEM 17 - 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.

ITEM 18 - RECRUITMENT OF GROUP MANAGER – COMMUNITY LIFE

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (a) personnel matters concerning particular individuals (other than Councillors).

MAYORAL MINUTE - MM14/11 GENERAL MANAGER'S PERFORMANCE REVIEW 2011

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (a) personnel matters concerning particular individuals (other than Councillors).

ITEM 1 (continued)

ATTACHMENT 1

RESOLUTION: (Moved by Councillors Petch and Butterworth)

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

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Butterworth, Li, Perram, Petch, Pickering, Salvestro-Martin and Tagg

Against the Motion: Councillors O'Donnell and Yedelian OAM

Note: The Council closed the meeting at 11.25pm. The public and media left the chamber.

COMPLETION OF BUSINESS

RESOLUTION: (Moved by Councillors Petch and Tagg)

That the meeting time be extended for Council to consider Items 14 and 18, the time being 11.25pm.

Record of Voting:

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

Against the Motion: Councillor Yedelian OAM

14 DEVELOPMENT OF A SHARED PARTNERSHIP FOR A CORPORATE REPORTING PERFORMANCE SYSTEM

RECOMMENDATION: (Moved by Councillors Butterworth and Petch)

- (a) That the General Manager be authorised to enter into contractual arrangements and execute the negotiated contract with LG Corporate Solutions Pty Ltd ACN: 105 930 069 ABN: 30 105 930 069.
- (b) That approval be obtained from the Minister of Local Government to enter into a public private partnership with LG Corporate Solutions Pty Ltd ACN: 105 930 069 ABN: 30 105 930 069.

Record of Voting:

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

Against the Motion: Councillor Perram

ITEM 1 (continued)

ATTACHMENT 1

15 POTENTIAL DEVELOPMENT PARTNERSHIP ARRANGEMENT FOR COULTER STREET CAR PARK

Note: This Item was not considered at the meeting and will be listed on the Agenda for the Council Meeting No. 18/11 to be held on Tuesday, 8 November 2011.

16 TENDER FOR CARTAGE & DISPOSAL OF FILL MATERIAL – COR-RFT-11/11

Note: This Item was not considered at the meeting and will be listed on the Agenda for the Council Meeting No. 18/11 to be held on Tuesday, 8 November 2011.

17 ADVICE ON COURT ACTIONS

Note: This Item was not considered at the meeting and will be listed on the Agenda for the Council Meeting No. 18/11 to be held on Tuesday, 8 November 2011.

18 RECRUITMENT OF GROUP MANAGER – COMMUNITY LIFE

RECOMMENDATION: (Moved by Councillors Petch and Butterworth)

- (a) That Council note the appointment of the selected candidate in accordance with Sections 335 and 337 of the Local Government Act.
- (b) That Council agree to meet with the selected candidate for dinner at the next convenient opportunity.

Record of Voting:

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

Against the Motion: Councillor Yedelian OAM

MAYORAL MINUTES

MM14/11 GENERAL MANAGER'S PERFORMANCE REVIEW 2011

Note: This Item was not considered at the meeting and will be listed on the Agenda for the Council Meeting No. 18/11 to be held on Tuesday, 8 November 2011.

OPEN SESSION

Note: Councillors Butterworth and Tagg left the meeting at 11.35pm and did not vote on the remaining Items.

RESOLUTION: (Moved by Councillors Pickering and Petch)

That Council resolve itself into open Council.

ITEM 1 (continued)

ATTACHMENT 1

Record of Voting:

For the Motion: Unanimous

Note: Open Council resumed at 11.36pm.

RESOLUTION: (Moved by Councillors Pickering and Yedelian OAM)

That the recommendations of Items considered 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.

Note: The following Items listed on the Agenda for the Council Meeting 16/11 were not considered at this Meeting and will be listed on the Agenda for Council Meeting 18/11 to be held on Tuesday, 8 November 2011:

- 15 POTENTIAL DEVELOPMENT PARTNERSHIP ARRANGEMENT FOR COULTER STREET CAR PARK (CONFIDENTIAL)
- 16 TENDER FOR CARTAGE & DISPOSAL OF FILL MATERIAL – COR-RFT-11/11 (CONFIDENTIAL)
- 17 ADVICE ON COURT ACTIONS (CONFIDENTIAL)

MAYORAL MINUTE

14/11 GENERAL MANAGER'S PERFORMANCE REVIEW 2011 (CONFIDENTIAL)

The meeting closed at 11.40pm.

CONFIRMED THIS 8TH DAY OF NOVEMBER 2011

Chairperson

2 CONFIRMATION OF MINUTES - Extraordinary Council Meeting held on 18 October 2011

File No.: GRP/11/5/4/6 - BP11/694

In accordance with Clause 3.4.4 of Council's Code of Meeting Practice, a motion or discussion with respect to such minutes shall not be in order except with regard to their accuracy as a true record of the proceedings.

RECOMMENDATION:

That the Minutes of the Extraordinary Council Meeting 17/11, held on Tuesday 18 October 2011, be confirmed.

ATTACHMENTS

- 1** Minutes - Extraordinary Council Meeting - 18 October 2011

ITEM 2 (continued)

ATTACHMENT 1



City of Ryde

Extraordinary Council Meeting

MINUTES OF MEETING NO. 17/11

Meeting Date: Tuesday 18 October 2011
Location: Council Chambers, Level 6
Time: 7.30pm

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

Apologies: Councillor Salvestro-Martin.

Staff Present: General Manager, Acting Group Manager – Community Life, Group Manager - Corporate Services, Acting Group Manager – Environment & Planning, Group Manager - Public Works, Manager – Strategy and Organisation Development, Manager – Urban Planning, Chief Financial Officer, Development Director – Civic Precinct Project, Project Manager – Ryde Town Centre, Team Leader – Strategic Planning, Media & Community Relations Officer and Manager – Governance.

DISCLOSURES OF INTEREST

Councillor Tagg declared a less than significant non-pecuniary interest in Item 1 – PLANNING PROPOSAL RESULTS OF COMMUNITY CONSULTATION – Ryde Civic Precinct.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

RESOLUTION: (Moved by Councillors Yedelian OAM and Petch)

That Council allow all speakers to address Council.

Record of Voting

For the Motion: Unanimous

The following persons addressed the Council regarding the following Items:

ITEM 1 – PLANNING PROPOSAL RESULTS OF COMMUNITY CONSULTATION – Ryde Civic Precinct

AND

ITEM 2 – CIVIC PRECINCT PROGRAM, PROCUREMENT, BUDGET AND FINANCIAL POSITION UPDATE

ITEM 2 (continued)

ATTACHMENT 1

No.	Name
1	Ms Mary Heffernan
2	Ms Suzanne Marks
3	Ms Denise Pendleton
4	Ms Edna Wilde OAM
5	Ms Helen Brown
6	Mr John Iosifidis
7	Mr Victor Gennusa
8	Dr Edward Watts
9	Ms Sheryl Barton
10	Mr Edmund Collingridge
11	Mr John Byrne
12	Mr Kevin Page
13	Mr Jerome Laxale
14	Mr Robert Slatter
15	Mr Keith Scott
16	Mr Wayne Simmons
17	Ms Diane Erickson
18	Mr Stefan Sojka
19	Ms Roslyn Lunsford
20	Mr John Fryer

MAYORAL MINUTES

There were no Mayoral Minutes.

COUNCIL REPORTS

1 PLANNING PROPOSAL RESULTS OF COMMUNITY CONSULTATION - Ryde Civic Precinct

Note: Councillor Tagg declared a less than significant non-pecuniary interest in this Item.

Note: The Ryde Civic Precinct Legal Opinion on the need to re-exhibit an amended Planning Proposal and Late Submissions were tabled and a copy is ON FILE.

MOTION: (Moved by Councillors Petch and Tagg)

That no further action be taken with regard to the Planning Proposal.

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

- (a) That the Planning Proposal with amended height controls (in accordance with the recommendation of the independent Planners report dated 18 October 2011) for the Ryde Civic Precinct be re-exhibited for 28 days.
- (b) That DCP 2010 – Part 4.4 Ryde Town Centre be amended to incorporate development controls for the Ryde Civic Precinct.

ITEM 2 (continued)

ATTACHMENT 1

- (c) That the draft amendments to DCP 2010 - Part 4.4 Ryde Town Centre is reported to Council.
- (d) That the General Manager write to the Director General of the Department of Planning and Infrastructure requesting a variation to the timeframe condition of the Gateway Process to this Planning Proposal.

The Amendment was put and **CARRIED** with six (6) votes For and five (5) votes Against, thereby becoming the Motion.

Record of Voting

For the Amendment: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

Against the Amendment: Councillors Butterworth, Li, Perram, Petch, and Tagg

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

- (a) That the Planning Proposal with amended height controls (in accordance with the recommendation of the independent Planners report dated 18 October 2011) for the Ryde Civic Precinct be re-exhibited for 28 days.
- (b) That DCP 2010 – Part 4.4 Ryde Town Centre be amended to incorporate development controls for the Ryde Civic Precinct.
- (c) That the draft amendments to DCP 2010 - Part 4.4 Ryde Town Centre is reported to Council.
- (d) That the General Manager write to the Director General of the Department of Planning and Infrastructure requesting a variation to the timeframe condition of the Gateway Process to this Planning Proposal.

FURTHER AMENDMENT: (Moved by Councillors Tagg and Petch)

That this matter be deferred to allow a referendum/poll to be conducted regarding this matter at the 2012 local government election.

The Further Amendment was put and **LOST** with five (5) votes For and six (6) votes Against.

Record of Voting

For the Further Amendment: Councillors Butterworth, Li, Perram, Petch, and Tagg

Against the Further Amendment: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

ITEM 2 (continued)

ATTACHMENT 1

The Motion was put and **CARRIED** with six (6) votes For and five (5) votes Against.

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

- (a) That the Planning Proposal with amended height controls (in accordance with the recommendation of the independent Planners report dated 18 October 2011) for the Ryde Civic Precinct be re-exhibited for 28 days.
- (b) That DCP 2010 – Part 4.4 Ryde Town Centre be amended to incorporate development controls for the Ryde Civic Precinct.
- (c) That the draft amendments to DCP 2010 - Part 4.4 Ryde Town Centre is reported to Council.
- (d) That the General Manager write to the Director General of the Department of Planning and Infrastructure requesting a variation to the timeframe condition of the Gateway Process to this Planning Proposal.

Record of Voting

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

Against the Motion: Councillors Butterworth, Li, Perram, Petch, and Tagg

2 CIVIC PRECINCT PROGRAM, PROCUREMENT, BUDGET AND FINANCIAL POSITION UPDATE

MOTION: (Moved by Councillors Campbell and Maggio)

1. That Council determine to progress to the end of stage 3 and delegate to the General Manager to undertake an EOI and tendering process in accordance with Option 1 as outlined in this report, and a further report recommending a preferred development partner be presented to Council by August 2012.
2. That the procurement process for tendering and selecting an appropriate development partner for a private public partnership with the City of Ryde be designed so that the selection criteria:-
 - Provides appropriate options for the provision of community, civic and administration facilities (as previously discussed with Council) located in Top Ryde.
 - Evaluates design excellence and sustainable practices (minimum 4 green star rating for the residential component and 5 green star rating for the commercial and civic elements) as a significant element of the evaluation process.

ITEM 2 (continued)

ATTACHMENT 1

- Evaluates overall site massing and urban design.
 - Evaluates quality of the design and the reputation of the design team nominated.
 - Evaluates demonstrated experience in building/developing multi million dollar mixed use developments.
 - Evaluates demonstrated financial integrity.
 - Evaluates commercial offer to Council.
 - Evaluates the standard and quality of the facilities, finishes and fit out offered in exchange for land sale.
3. That Council delegates to the General Manager the authority to negotiate extensions of procurement arrangements and execute all relevant documentation with four Civic Precinct team external providers (as listed in the information separately provided), where the commitment will exceed \$150,000 over Stages 1, 2 and 3 of the project (exercising Council's ability to resolve not to go to open tender when extenuating circumstances exist as per section 55(3) of the *Local Government Act 1993*).
4. That Council approve expenditure of \$2.6 million from the Civic Precinct Reserve to the Civic Precinct Project budget (with costs to be recouped from the project returns).
5. That the General Manager prepare a report for Council within 8 weeks outlining the potential redevelopment of the Council owned site, the Argyle Centre, as an affordable housing project site if that site becomes available with the relocation of the Community Life staff as a consequence of the Civic Centre redevelopment project. This report to include an outline of the proposed business model, governance arrangements, key project stages with projected timeframes and proposed community consultation processes.

AMENDMENT: (Moved by Councillors Petch and Butterworth)

That Council determine to stop the Civic Precinct Project in accordance with option 3 as outlined in this report and bring a further report to Council on priorities of works, costs and sources of funds to ensure the Civic Precinct and Argyle Centre complies with BCA standards and an acceptable working environment for staff.

The Amendment was put and **CARRIED** with six (6) votes For and five (5) votes Against, thereby becoming the Motion.

Record of Voting

For the Amendment: Councillors Butterworth, Li, Perram, Petch, Pickering and Tagg

Against the Amendment: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell and Yedelian OAM

ITEM 2 (continued)

ATTACHMENT 1

RECOMITTAL OF ITEM

RESOLUTION: (Moved by Councillors Pickering and Campbell)

That Item 2 - CIVIC PRECINCT PROGRAM, PROCUREMENT, BUDGET AND FINANCIAL POSITION UPDATE be recommitted.

Record of Voting

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

Against the Motion: Councillors Butterworth, Li, Perram, Petch and Tagg

AMENDMENT: (Moved by Councillors Petch and Butterworth)

That Council determine to stop the Civic Precinct Project in accordance with option 3 as outlined in this report and bring a further report to Council on priorities of works, costs and sources of funds to ensure the Civic Precinct and Argyle Centre complies with BCA standards and an acceptable working environment for staff.

The Amendment was put and **LOST** with five (5) votes For and six (6) votes Against.

Record of Voting

For the Amendment: Councillors Butterworth, Li, Perram, Petch and Tagg

Against the Amendment: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

MOTION: (Moved by Councillors Campbell and Maggio)

1. That Council determine to progress to the end of stage 3 and delegate to the General Manager to undertake an EOI and tendering process in accordance with Option 1 as outlined in this report, and a further report recommending a preferred development partner be presented to Council by August 2012.
2. That the procurement process for tendering and selecting an appropriate development partner for a private public partnership with the City of Ryde be designed so that the selection criteria:-
 - Provides appropriate options for the provision of community, civic and administration facilities (as previously discussed with Council) located in Top Ryde.
 - Evaluates design excellence and sustainable practices (minimum 4 green star rating for the residential component and 5 green star rating

ITEM 2 (continued)

ATTACHMENT 1

- for the commercial and civic elements) as a significant element of the evaluation process.
- Evaluates overall site massing and urban design.
 - Evaluates quality of the design and the reputation of the design team nominated.
 - Evaluates demonstrated experience in building/developing multi million dollar mixed use developments.
 - Evaluates demonstrated financial integrity.
 - Evaluates commercial offer to Council.
 - Evaluates the standard and quality of the facilities, finishes and fit out offered in exchange for land sale.
3. That Council delegates to the General Manager the authority to negotiate extensions of procurement arrangements and execute all relevant documentation with four Civic Precinct team external providers (as listed in the information separately provided), where the commitment will exceed \$150,000 over Stages 1, 2 and 3 of the project (exercising Council's ability to resolve not to go to open tender when extenuating circumstances exist as per section 55(3) of the *Local Government Act 1993*).
4. That Council approve expenditure of \$2.6 million from the Civic Precinct Reserve to the Civic Precinct Project budget (with costs to be recouped from the project returns).
5. That the General Manager prepare a report for Council within 8 weeks outlining the potential redevelopment of the Council owned site, the Argyle Centre, as an affordable housing project site if that site becomes available with the relocation of the Community Life staff as a consequence of the Civic Centre redevelopment project. This report to include an outline of the proposed business model, governance arrangements, key project stages with projected timeframes and proposed community consultation processes.

The Motion was put and **CARRIED** with six (6) votes For and five (5) votes Against.

Record of Voting

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

Against the Motion: Councillors Butterworth, Li, Perram, Petch, and Tagg

RECOMITTAL OF ITEM

RESOLUTION: (Moved by Councillors Petch and Tagg)

That Item 2 - CIVIC PRECINCT PROGRAM, PROCUREMENT, BUDGET AND FINANCIAL POSITION UPDATE be recommitted.

ITEM 2 (continued)

ATTACHMENT 1

Record of Voting

For the Motion: Councillors Li, Maggio, O'Donnell, Perram, Petch, Tagg and Yedelian OAM

Against the Motion: The Mayor, Councillor Etmekdjian and Councillors Butterworth, Campbell and Pickering.

Motion to be considered in Seriatim

RESOLUTION: (Moved by Councillors Petch and Tagg)

That the Motion be dealt with in seriatim.

Record of Voting

For the Motion: Councillors Li, Maggio, O'Donnell, Perram, Petch, Pickering, Tagg and Yedelian OAM

Against the Motion: The Mayor, Councillor Etmekdjian and Councillors Butterworth and Campbell

The Motion was then dealt with in seriatim

RESOLUTION: (Moved by Councillors Campbell and Maggio)

1. That Council determine to progress to the end of stage 3 and delegate to the General Manager to undertake an EOI and tendering process in accordance with Option 1 as outlined in this report, and a further report recommending a preferred development partner be presented to Council by August 2012.

Record of Voting

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

Against the Motion: Councillors Butterworth, Li, Perram, Petch, and Tagg

RESOLUTION: (Moved by Councillors Campbell and Maggio)

2. That the procurement process for tendering and selecting an appropriate development partner for a private public partnership with the City of Ryde be designed so that the selection criteria:-
 - Provides appropriate options for the provision of community, civic and administration facilities (as previously discussed with Council) located in Top Ryde.
 - Evaluates design excellence and sustainable practices (minimum 4

ITEM 2 (continued)

ATTACHMENT 1

green star rating for the residential component and 5 green star rating for the commercial and civic elements) as a significant element of the evaluation process.

- Evaluates overall site massing and urban design.
- Evaluates quality of the design and the reputation of the design team nominated.
- Evaluates demonstrated experience in building/developing multi million dollar mixed use developments.
- Evaluates demonstrated financial integrity.
- Evaluates commercial offer to Council.
- Evaluates the standard and quality of the facilities, finishes and fit out offered in exchange for land sale.

Record of Voting

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

Against the Motion: Councillors Butterworth, Li, Perram, Petch, and Tagg

RESOLUTION: (Moved by Councillors Campbell and Maggio)

3. That Council delegates to the General Manager the authority to negotiate extensions of procurement arrangements and execute all relevant documentation with four Civic Precinct team external providers (as listed in the information separately provided), where the commitment will exceed \$150,000 over Stages 1, 2 and 3 of the project (exercising Council's ability to resolve not to go to open tender when extenuating circumstances exist as per section 55(3) of the *Local Government Act 1993*).

Record of Voting

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

Against the Motion: Councillors Butterworth, Li, Perram, Petch, and Tagg

RESOLUTION: (Moved by Councillors Campbell and Maggio)

4. That Council approve expenditure of \$2.6 million from the Civic Precinct Reserve to the Civic Precinct Project budget (with costs to be recouped from the project returns).

Record of Voting

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

Against the Motion: Councillors Butterworth, Li, Perram, Petch, and Tagg

ITEM 2 (continued)

ATTACHMENT 1

RESOLUTION: (Moved by Councillors Campbell and Maggio)

5. That the General Manager prepare a report for Council within 8 weeks outlining the potential redevelopment of the Council owned site, the Argyle Centre, as an affordable housing project site if that site becomes available with the relocation of the Community Life staff as a consequence of the Civic Centre redevelopment project. This report to include an outline of the proposed business model, governance arrangements, key project stages with projected timeframes and proposed community consultation processes.

Record of Voting

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

Against the Motion: Councillors Butterworth, Li, Perram, Petch, and Tagg

RESOLUTION: (Moved by Councillors Campbell and Maggio)

1. That Council determine to progress to the end of stage 3 and delegate to the General Manager to undertake an EOI and tendering process in accordance with Option 1 as outlined in this report, and a further report recommending a preferred development partner be presented to Council by August 2012.
2. That the procurement process for tendering and selecting an appropriate development partner for a private public partnership with the City of Ryde be designed so that the selection criteria:-
 - Provides appropriate options for the provision of community, civic and administration facilities (as previously discussed with Council) located in Top Ryde.
 - Evaluates design excellence and sustainable practices (minimum 4 green star rating for the residential component and 5 green star rating for the commercial and civic elements) as a significant element of the evaluation process.
 - Evaluates overall site massing and urban design.
 - Evaluates quality of the design and the reputation of the design team nominated.
 - Evaluates demonstrated experience in building/developing multi million dollar mixed use developments.
 - Evaluates demonstrated financial integrity.
 - Evaluates commercial offer to Council.
 - Evaluates the standard and quality of the facilities, finishes and fit out offered in exchange for land sale.

ITEM 2 (continued)

ATTACHMENT 1

3. That Council delegates to the General Manager the authority to negotiate extensions of procurement arrangements and execute all relevant documentation with four Civic Precinct team external providers (as listed in the information separately provided), where the commitment will exceed \$150,000 over Stages 1, 2 and 3 of the project (exercising Council's ability to resolve not to go to open tender when extenuating circumstances exist as per section 55(3) of the *Local Government Act 1993*).
4. That Council approve expenditure of \$2.6 million from the Civic Precinct Reserve to the Civic Precinct Project budget (with costs to be recouped from the project returns).
5. That the General Manager prepare a report for Council within 8 weeks outlining the potential redevelopment of the Council owned site, the Argyle Centre, as an affordable housing project site if that site becomes available with the relocation of the Community Life staff as a consequence of the Civic Centre redevelopment project. This report to include an outline of the proposed business model, governance arrangements, key project stages with projected timeframes and proposed community consultation processes.

NATIONAL ANTHEM

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

The meeting closed at 10.47pm

CONFIRMED THIS 8TH DAY OF NOVEMBER 2011

Chairperson

3 CONFIRMATION OF MINUTES - Extraordinary Council Meeting held on 27 October 2011

File No.: GRP/11/5/4/6 - BP11/768

In accordance with Clause 3.4.4 of Council's Code of Meeting Practice, a motion or discussion with respect to such minutes shall not be in order except with regard to their accuracy as a true record of the proceedings.

RECOMMENDATION:

That the Minutes of the Extraordinary Council Meeting 18/11, held on Thursday, 27 October 2011, be confirmed.

ATTACHMENTS

- 1 Minutes - Extraordinary Council Meeting - 27 October 2011

ITEM 3 (continued)

ATTACHMENT 1



City of Ryde

Extraordinary Council Meeting

MINUTES OF MEETING NO. 18/11

Meeting Date: Thursday 27 October 2011
Location: Council Chambers, Level 6
Time: 7.30pm

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

Apologies: Councillors Butterworth, Petch, Perram and Tagg.

Staff Present: General Manager, Acting Group Manager – Community Life, Group Manager – Corporate Services, Acting Group Manager – Environment & Planning, Acting Group Manager - Public Works, Manager – Urban Planning, Development Director – Civic Precinct Project, Chief Financial Officer and Manager – Governance.

ADJOURNMENT

In accordance with Clause 2.5.1 of the Code of Meeting Practice, The Mayor, Councillor Etmekdjian adjourned the Extraordinary Council Meeting as a quorum was not present, the time being 7.33pm. The Council Meeting was adjourned to:

Thursday, 27 October 2011 at 8.03pm in the Council Chambers, Level 6 of the Civic Centre, 1 Devlin Street, Ryde.

The following Councillors were present:

The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM.

Apologies had been received from Councillors Butterworth, Petch, Perram, Salvestro-Martin and Tagg. It was noted that an apology was received from Councillor Salvestro-Martin via email at 7.21pm.

FURTHER ADJOURNMENT

In accordance with Clause 2.5.1 of the Code of Meeting Practice, The Mayor, Councillor Etmekdjian adjourned the Extraordinary Council Meeting as a quorum was not present, the time being 8.03pm. The Council Meeting was adjourned to:

Tuesday, 1 November 2011 at 7.30pm in the Council Chambers, Level 6 of the Civic Centre, 1 Devlin Street, Ryde.

Agenda of the Council Meeting No. 19/11, dated Tuesday 8 November 2011.

ITEM 3 (continued)

ATTACHMENT 1

The following Councillors were present:

The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM.

Apologies had been received from Councillors Butterworth, Petch, Perram, Salvestro-Martin and Tagg.

MEETING RECONVENED

The Meeting reconvened at 7.30pm on Tuesday, 1 November 2011 in the Council Chambers, Level 6 of the Civic Centre, 1 Devlin Street, Ryde.

The following Councillors were present:

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

The Mayor, Councillor Etmekdjian assumed the Chair.

Staff Present: General Manager, Acting Group Manager – Community Life, Group Manager – Corporate Services, Group Manager – Environment and Planning, Group Manager – Public Works, Manager – Urban Planning, Development Director – Civic Precinct Project, Project Manager – Ryde Town Centre and Councillor Support Coordinator.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

PUBLIC PARTICIPATION

RESOLUTION: (Moved by the Mayor, Councillor Etmekdjian and Councillor Campbell)

That Council allow all registered speakers to address Council.

Record of Voting:

For the Motion: Unanimous

The following persons addressed the Council regarding the following Items:

ITEM 1 – NOTICE OF RESCISSION – PLANNING PROPOSAL RESULTS OF COMMUNITY CONSULTATION – Ryde Civic Precinct
AND

ITEM 2 – NOTICE OF RESCISSION – CIVIC PRECINCT PROGRAM, PROCUREMENT, BUDGET AND FINANCIAL POSITION UPDATE

ITEM 3 (continued)

ATTACHMENT 1

Speakers
Mrs Susan Watts
Mr Noel Plumb
Mrs Lyn Slatter
Ms Julie Worsley
Mr Ping Tan
Mr Philip Peake
Ms Deanne Hinton
Ms Denise Pendleton
Ms Helen Brown
Ms Sheryl Barton
Ms Suzanne Marks
Mr Jerome Laxale

MAYORAL MINUTES

There were no Mayoral Minutes.

NOTICES OF RESCISSION

1 NOTICE OF RESCISSION - PLANNING PROPOSAL RESULTS OF COMMUNITY CONSULTATION - Ryde Civic Precinct - Councillor Vic Tagg, Councillor Ivan Petch, Councillor Justin Li

MOTION: (Moved by Councillors Tagg and Petch)

That Council rescind the previous resolution in relation to Item 1, passed at the Extraordinary Council Meeting held on Tuesday, 18 October 2011, namely:

- (a) *That the Planning Proposal with amended height controls (in accordance with the recommendation of the independent Planners report dated 18 October 2011) for the Ryde Civic Precinct be re-exhibited for 28 days.*
- (b) *That DCP 2010 – Part 4.4 Ryde Town Centre be amended to incorporate development controls for the Ryde Civic Precinct.*
- (c) *That the draft amendments to DCP 2010 - Part 4.4 Ryde Town Centre is reported to Council.*
- (d) *That the General Manager write to the Director General of the Department of Planning and Infrastructure requesting a variation to the timeframe condition of the Gateway Process to this Planning Proposal.*

ITEM 3 (continued)

ATTACHMENT 1

On being put to the Meeting, the voting on the Rescission Motion was six (6) all. The Mayor used his casting vote Against the Rescission Motion. The Rescission Motion was **LOST**.

Record of Voting:

For the Motion: Councillors Butterworth, Li, Perram, Petch, Salvestro-Martin and Tagg

Against the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

2 NOTICE OF RESCISSION - CIVIC PRECINCT PROGRAM, PROCUREMENT, BUDGET AND FINANCIAL POSITION UPDATE - Councillor Vic Tagg, Councillor Ivan Petch, Councillor Justin Li

MOTION: (Moved by Councillors Tagg and Butterworth)

That Council rescind the previous resolution in relation to Item 2, passed at the Extraordinary Council Meeting held on Tuesday, 18 October 2011, namely:

1. *That Council determine to progress to the end of stage 3 and delegate to the General Manager to undertake an EOI and tendering process in accordance with Option 1 as outlined in this report, and a further report recommending a preferred development partner be presented to Council by August 2012.*
2. *That the procurement process for tendering and selecting an appropriate development partner for a private public partnership with the City of Ryde be designed so that the selection criteria:-*
 - *Provides appropriate options for the provision of community, civic and administration facilities (as previously discussed with Council) located in Top Ryde.*
 - *Evaluates design excellence and sustainable practices (minimum 4 green star rating for the residential component and 5 green star rating for the commercial and civic elements) as a significant element of the evaluation process.*
 - *Evaluates overall site massing and urban design.*
 - *Evaluates quality of the design and the reputation of the design team nominated.*
 - *Evaluates demonstrated experience in building/developing multi million dollar mixed use developments.*
 - *Evaluates demonstrated financial integrity.*
 - *Evaluates commercial offer to Council.*
 - *Evaluates the standard and quality of the facilities, finishes and fit out offered in exchange for land sale.*

ITEM 3 (continued)

ATTACHMENT 1

3. *That Council delegates to the General Manager the authority to negotiate extensions of procurement arrangements and execute all relevant documentation with four Civic Precinct team external providers (as listed in the information separately provided), where the commitment will exceed \$150,000 over Stages 1, 2 and 3 of the project (exercising Council's ability to resolve not to go to open tender when extenuating circumstances exist as per section 55(3) of the Local Government Act 1993).*
4. *That Council approve expenditure of \$2.6 million from the Civic Precinct Reserve to the Civic Precinct Project budget (with costs to be recouped from the project returns).*
5. *That the General Manager prepare a report for Council within 8 weeks outlining the potential redevelopment of the Council owned site, the Argyle Centre, as an affordable housing project site if that site becomes available with the relocation of the Community Life staff as a consequence of the Civic Centre redevelopment project. This report to include an outline of the proposed business model, governance arrangements, key project stages with projected timeframes and proposed community consultation processes.*

On being put to the Meeting, the voting on the Rescission Motion was six (6) all. The Mayor used his casting vote Against the Rescission Motion. The Rescission Motion was **LOST**.

Record of Voting:

For the Motion: Councillors Butterworth, Li, Perram, Petch, Salvestro-Martin and Tagg

Against the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

NATIONAL ANTHEM

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

The meeting closed at 10.46pm.

CONFIRMED THIS 8TH DAY OF NOVEMBER 2011

Chairperson

**4 REPORT OF PLANNING AND ENVIRONMENT COMMITTEE MEETING
13/11 held on 18 October 2011**

File No. GRP/11/5/4/6 – BP11/695

Report Summary

Attached are the Minutes of the Planning and Environment Committee Meeting 13/11 held on 18 October 2011. The Minutes will be listed for confirmation at the next Planning and Environment Committee Meeting.

All Items 1, 2 and 3 were dealt with by the Committee within its delegated powers.

RECOMMENDATION:

That Council note that Items 1, 2 and 3 of the Planning and Environment Committee report were dealt with by the Committee within its delegated powers.

ATTACHMENTS

- 1** Minutes - Planning and Environment Committee - 18 October 2011

ITEM 4 (continued)

ATTACHMENT 1

City of Ryde

Planning and Environment Committee

MINUTES OF MEETING NO. 13/11

Meeting Date: Tuesday 18 October 2011

Location: Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde

Time: 4.02pm

Councillors Present: Councillors Pickering (Chairperson), O'Donnell and Yedelian OAM.

Apologies: Councillors Butterworth and Salvestro-Martin.

Staff Present: Acting Group Manager – Environment & Planning, Acting Manager Assessment, Manager Environmental Health & Building, Town Planner, Consultant Town Planner, Team Leader – Development Engineers, Business Support Coordinator – Environment & Planning and Meeting Support Coordinator.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

1 CONFIRMATION OF MINUTES - Meeting held on 4 October 2011

RESOLUTION: (Moved by Councillors O'Donnell and Yedelian OAM)

That the Minutes of the Planning and Environment Committee 12/11, held on Tuesday 4 October 2011, be confirmed.

Record of Voting:

For the Motion: Unanimous

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

2 152 ABUKLEA ROAD, EASTWOOD. LOT 69 DP 20353. Local Development Application for a new two storey dwelling, deck, 1.2m high front fence and alterations to existing cabana. LDA2011/0262.

Report: The Committee inspected the property at 152 Abuklea Road, Eastwood.

Note: A hand-drawn montage of the subject site, submitted by Mr Damien Briggs was tabled in relation to this Item and a copy is ON FILE.

ITEM 4 (continued)

ATTACHMENT 1

Note: Mr Derek Collins (objector), Mr Damien Briggs (objector) and Mr John Nassar and Mrs Lisa Nassar (owners) addressed the Committee in relation to this Item.

RESOLUTION: (Moved by Councillors O'Donnell and Yedelian OAM)

- (a) That Local Development Application No. 2011/262 at 152 Abuklea Road, Eastwood being LOT 69 DP 20353 be approved subject to the **ATTACHED** conditions (Attachment 1).
- (b) That the person who made submissions be advised of Council's decision.

Record of Voting:

For the Motion: Unanimous

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

3 6 DAWES CRESCENT, EASTWOOD. LOT 6 DP 30749. Local Development Application for Construction of a new dual occupancy (attached). LDA2010/0664.

Report: The Committee inspected the property at 6 Dawes Crescent, Eastwood.

RESOLUTION: (Moved by Councillors O'Donnell and Yedelian OAM)

- (a) That Local Development Application No. LDA2010/664 at 6 Dawes Crescent being LOT 6 DP 30749 be approved via a Deferred Commencement Consent subject to the **ATTACHED** conditions (Attachment 1).
- (b) That the persons who made submissions be advised of Council's decision.

Record of Voting:

For the Motion: Unanimous

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

The meeting closed at 5.38pm.

CONFIRMED THIS 1ST DAY OF NOVEMBER 2011.

Chairperson

5 REPORT OF PLANNING AND ENVIRONMENT COMMITTEE MEETING 14/11 held on 1 November 2011

File No. GRP/11/5/4/6 – BP11/697

Report Summary

Attached are the Minutes of the Planning and Environment Committee Meeting 14/11 held on 1 November 2011. The Minutes will be listed for confirmation at the next Planning and Environment Committee Meeting.

Item 1 was dealt with by the Committee within its delegated powers.

The following Committee recommendations for Items 2 and 3 are submitted to Council for determination in accordance with the delegations set out in Clause 5.3.2 of the Code of Meeting Practice relating to Charters, functions and powers of Committees:

- 2 4, 6 & 8 ANGAS STREET, MEADOWBANK. LOTS 1, 2 and 3 DP 14964. Local Development Application for demolition and construction of a residential flat development containing 40 apartments and parking for 62 cars. LDA2011/0376.**

Report: The Committee inspected the property at 4, 6 and 8 Angas Street, Meadowbank.

RECOMMENDATION: (Moved by Councillors O'Donnell and Pickering)

- (a) That Local Development Application No. 2011/0376 at 4, 6 and 8 Angas Street Meadowbank being LOTS 1, 2 and 3 DP 14964 be approved subject to the **ATTACHED** conditions (Attachment 1) with the exception of an amendment to Condition 37 to reflect the new CPI figures released on 27 October 2011 as follows:-

37. **Section 94 Contribution.** A contribution for the services in Column A and for the amount in Column B shall be made to Council prior to the issue of the Construction Certificate.

A	B
Community & Cultural Facilities	\$109,143.89
Open Space & Recreation Facilities	\$134,344.73
Civic & Urban Improvements	\$ 91,386.59
Roads & Traffic Management Facilities	\$ 12,465.79
Cycleways	\$ 7,786.43
Stormwater Management Facilities	\$ 24,749.49
Plan Administration	\$ 2,099.49
The total contribution is \$381,976.41	

ITEM 5 (continued)

This contribution is a contribution under the provisions of Section 94 of the Environmental Planning and Assessment Act, 1979 as specified in Section 94 Development Contributions Plan 2007 (2010 Amendment) adopted by City of Ryde on 16 March 2011.

The above amount, if not paid within the quarter that the consent is granted, shall be adjusted for inflation by reference to the Consumer Price Index published by the Australian Bureau of Statistics (Catalogue No 5206.0) on the basis of the contribution rates that are applicable at time of payment.

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

Record of Voting:

For the Motion: Councillors O'Donnell and Pickering

Against the Motion: Councillors Butterworth, Salvestro-Martin and Yedelian OAM

Note: This matter will be dealt with at the Council Meeting to be held on **8 NOVEMBER 2011** as dissenting votes were recorded

3 29 TRAMWAY STREET, WEST RYDE. LOT 9 DP 8283. Local Development Application for Demolition, multi dwelling housing (attached) consisting of 4 units & strata subdivision. LDA2011/0167.

Report: The Committee inspected the property at 29 Tramway Street, West Ryde.

Note: Councillor Yedelian OAM disclosed a less than significant non-pecuniary interest in this Item for the reason that one of the objectors is on a City of Ryde Advisory Committee of which he is the Chair.

Note: Ms Erika Coombe (objector), Ms Nora Alexanian (objector), Mr Mathew Rous (objector) and Mr Andrew Martin (on behalf of the applicant) addressed the Committee in relation to this Item.

RECOMMENDATION: (Moved by Councillors Butterworth and Yedelian OAM)

- (a) That this application be deferred to allow the applicant to submit amended plans addressing the issues of concern raised at the Planning and Environment Committee Meeting including site levels, finished floor levels and courtyards, privacy, protection of vegetation, overland flow and the provision of boundary fencing.
- (b) That the adjoining neighbours be notified of the amended plans and that a further report be provided to the next practicable Planning and Environment Committee Meeting after the end of the notification period.

ITEM 5 (continued)

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **8 NOVEMBER 2011** as substantive changes were made to the published recommendation

ATTACHMENTS

- 1 Minutes - Planning and Environment Committee - 1 November 2011

ITEM 5 (continued)

ATTACHMENT 1

City of Ryde

Planning and Environment Committee

MINUTES OF MEETING NO. 14/11

Meeting Date: Tuesday 1 November 2011

Location: Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde

Time: 4.05pm

Councillors Present: Councillors Pickering (Chairperson), Butterworth, O'Donnell, Salvestro-Martin and Yedelian OAM.

Councillor Salvestro-Martin arrived at 4.40pm and was not present for consideration of Item 1 or inspections.

Apologies: Nil.

Staff Present: Group Manager – Environment & Planning, Manager – Assessment, Manager – Environmental Health & Building, Business Support Coordinator – Environment & Planning, Team Leader – Major Development Team, Team Leader – Assessment, Team Leader – Development Engineers and Meeting Support Coordinator.

DISCLOSURES OF INTEREST

Councillor Yedelian OAM disclosed a less than significant non-pecuniary interest in Item 3 of the Planning and Environment Committee's Report No. 14/11- 1 November 2011, for the reason that one of the objectors is on a City of Ryde Advisory Committee of which he is the Chair.

1 CONFIRMATION OF MINUTES - Meeting held on 18 October 2011

Note: Councillor Salvestro-Martin was not present for consideration of this item.

RESOLUTION: (Moved by Councillors O'Donnell and Yedelian OAM)

That the Minutes of the Planning and Environment Committee 13/11, held on Tuesday 18 October 2011, be confirmed.

Record of Voting:

For the Motion: Unanimous

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

ITEM 5 (continued)

ATTACHMENT 1

- 2 4, 6 & 8 ANGAS STREET, MEADOWBANK. LOTS 1, 2 and 3 DP 14964. Local Development Application for demolition and construction of a residential flat development containing 40 apartments and parking for 62 cars. LDA2011/0376.**

Report: The Committee inspected the property at 4, 6 and 8 Angas Street, Meadowbank.

RECOMMENDATION: (Moved by Councillors O'Donnell and Pickering)

- (a) That Local Development Application No. 2011/0376 at 4, 6 and 8 Angas Street Meadowbank being LOTS 1, 2 and 3 DP 14964 be approved subject to the **ATTACHED** conditions (Attachment 1) with the exception of an amendment to Condition 37 to reflect the new CPI figures released on 27 October 2011 as follows:-

37. **Section 94 Contribution.** A contribution for the services in Column A and for the amount in Column B shall be made to Council prior to the issue of the Construction Certificate.

A	B
Community & Cultural Facilities	\$109,143.89
Open Space & Recreation Facilities	\$134,344.73
Civic & Urban Improvements	\$ 91,386.59
Roads & Traffic Management Facilities	\$ 12,465.79
Cycleways	\$ 7,786.43
Stormwater Management Facilities	\$ 24,749.49
Plan Administration	\$ 2,099.49
The total contribution is \$381,976.41	

This contribution is a contribution under the provisions of Section 94 of the Environmental Planning and Assessment Act, 1979 as specified in Section 94 Development Contributions Plan 2007 (2010 Amendment) adopted by City of Ryde on 16 March 2011.

The above amount, if not paid within the quarter that the consent is granted, shall be adjusted for inflation by reference to the Consumer Price Index published by the Australian Bureau of Statistics (Catalogue No 5206.0) on the basis of the contribution rates that are applicable at time of payment.

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

Record of Voting:

For the Motion: Councillors O'Donnell and Pickering

Against the Motion: Councillors Butterworth, Salvestro-Martin and Yedelian OAM

ITEM 5 (continued)

ATTACHMENT 1

Note: This matter will be dealt with at the Council Meeting to be held on **8 NOVEMBER 2011** as dissenting votes were recorded

3 29 TRAMWAY STREET, WEST RYDE. LOT 9 DP 8283. Local Development Application for Demolition, multi dwelling housing (attached) consisting of 4 units & strata subdivision. LDA2011/0167.

Report: The Committee inspected the property at 29 Tramway Street, West Ryde.

Note: Councillor Yedelian OAM disclosed a less than significant non-pecuniary interest in this Item for the reason that one of the objectors is on a City of Ryde Advisory Committee of which he is the Chair.

Note: Ms Erika Coombe (objector), Ms Nora Alexanian (objector), Mr Mathew Rous (objector) and Mr Andrew Martin (on behalf of the applicant) addressed the Committee in relation to this Item.

RECOMMENDATION: (Moved by Councillors Butterworth and Yedelian OAM)

- (a) That this application be deferred to allow the applicant to submit amended plans addressing the issues of concern raised at the Planning and Environment Committee Meeting including site levels, finished floor levels and courtyards, privacy, protection of vegetation, overland flow and the provision of boundary fencing.
- (b) That the adjoining neighbours be notified of the amended plans and that a further report be provided to the next practicable Planning and Environment Committee Meeting after the end of the notification period.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **8 NOVEMBER 2011** as substantive changes were made to the published recommendation

The meeting closed at 6.10pm.

CONFIRMED THIS 15TH DAY OF NOVEMBER 2011.

Chairperson

**6 REPORT OF WORKS AND COMMUNITY COMMITTEE - Meeting 15/11
held on 18 October 2011**

File No. GRP/10/3/001/5 – BP10/706

Report Summary

Attached are the Minutes of the Works and Community Committee Meeting 15/11 held on 18 October 2011. The Minutes will be listed for confirmation at the next Works and Community Committee Meeting.

All Items 1 and 2 were dealt with by the Committee within its delegated powers.

RECOMMENDATION:

That Council note that Items 1 and 2 of the Works and Community Committee report were dealt with by the Committee within its delegated powers.

ATTACHMENTS

- 1** Minutes - Works and Community Committee - 18 October 2011

ITEM 6 (continued)

ATTACHMENT 1

City of Ryde

Works and Community Committee

MINUTES OF MEETING NO. 15/11

Meeting Date: Tuesday 18 October 2011

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

Time: 4.35pm

Councillors Present: The Mayor, Councillor Etmekdjian and Councillors Perram (Chairperson), Maggio and Petch.

Councillor Maggio arrived at the meeting at 4.36pm and was not present for Item 1.

Apologies: Councillors Campbell, Li and Tagg.

Staff Present: Acting Group Manager – Community Life, Group Manager – Public Works and Councillor Support Coordinator.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

1 CONFIRMATION OF MINUTES - Meeting held on 4 October 2011

RESOLUTION: (Moved by Councillors Petch and the Mayor, Councillor Etmekdjian)

That the Minutes of the Works and Community Committee 14/11, held on Tuesday 4 October 2011, be confirmed.

Record of Voting:

For the Motion: Unanimous

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

2 PROPOSED CELEBRATION FOR INTERNATIONAL DAY OF PEOPLE WITH DISABILITY

Note: Councillor Maggio arrived at the meeting at 4.36pm during consideration of this item.

RESOLUTION: (Moved by Councillors Petch and Perram)

ITEM 6 (continued)

ATTACHMENT 1

- (a) That Council support the proposal for an event on 2 December 2011 at Brush Farm House in partnership with Side By Side Advocacy Inc. and others to celebrate International Day for People with Disability.
- (b) That Council's involvement in the partnership include the use of Brush Farm House for the event to the value of \$990 and a contribution of \$700 towards performance fees from the existing allocation in the Access and Equity budget for 2011/12.
- (c) That the organisers be advised that future assistance of this nature will require an application to the Community Grants Program.

Record of Voting:

For the Motion: Unanimous

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

The meeting closed at 4.46pm.

CONFIRMED THIS 1ST DAY OF NOVEMBER 2011.

Chairperson

**7 REPORT OF WORKS AND COMMUNITY COMMITTEE - Meeting 16/11
held on 1 November 2011**

File No. GRP/11/5/4/6 – BP11/698

Report Summary

Attached are the Minutes of the Works and Community Committee Meeting 16/11 held on 1 November 2011. The Minutes will be listed for confirmation at the next Works and Community Committee Meeting.

All Items 1 and 2 were dealt with by the Committee within its delegated powers.

RECOMMENDATION:

That Council note that Items 1 and 2 of the Works and Community Committee report were dealt with by the Committee within its delegated powers.

ATTACHMENTS

- 1** Minutes - Works and Community Committee - 1 November 2011

ITEM 7 (continued)

ATTACHMENT 1

City of Ryde

Works and Community Committee

MINUTES OF MEETING NO. 16/11

Meeting Date: Tuesday 1 November 2011

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

Time: 4.30pm

Councillors Present: Councillors Perram (Chairperson), Campbell and Petch.

Apologies: Councillors Li, Maggio and Tagg.

Staff Present: Group Manager – Public Works and Councillor Support Coordinator.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

1 CONFIRMATION OF MINUTES - Meeting held on 18 October 2011

RESOLUTION: (Moved by Councillors Petch and Campbell)

That the Minutes of the Works and Community Committee 15/11, held on Tuesday 18 October 2011, be confirmed.

Record of Voting:

For the Motion: Unanimous

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

2 TRAFFIC & PARKING MATTERS PRESENTED TO RYDE LOCAL TRAFFIC COMMITTEE MEETING held on 29 September 2011

RESOLUTION: (Moved by Councillors Campbell and Petch)

That Council adopt the traffic and parking measures involving:

1. BELMORE STREET, MEADOWBANK
Request for parking restrictions

That Council install Statutory 'No Parking', 'Mon – Fri' restrictions for the length of 5 metres on approach side and 2 metres on departure side of two (2) access driveways of the block of units located at No. 84-102 Belmore Street and that this be trialled for 6 months with a further report provided to the Committee.

ITEM 7 (continued)

ATTACHMENT 1

2. POTTS STREET, RYDE
Review of parking restrictions

That with regard to the following parking control measures to assist with resident amenity and/or access in the area:

- (a) Council and Police are requested to monitor parking and traffic flow along Potts Street.
- (b) Council approve a 'No Stopping' zone (8am-9.30am and 2.30pm-4pm, School Days) along the western side of Potts Street south of Victoria Road for length of 25 metres.
- (c) Council approve a 'No Stopping' zone (2.30pm-4pm, School Days) along Potts Street south of school access driveway in front of house No 84 and No 86 and extend up to Frederick Street.
- (d) Council approves a 'No Stopping' zone for ten (10) metres along Potts Street from Victoria Road intersection.
- (e) Residents be advised of Council's decision.
- (f) Proposal be trialled for a period of six months with a further report provided to the Committee.

3. BUFFALO ROAD, RYDE
Request for pedestrian crossing

That this matter be deferred to allow Council to undertake a risk assessment of pedestrian movements and report back to 24 November 2011 Ryde Local Traffic Committee (RLTC) on the results of the assessment.

4. RYRIE STREET, NORTH RYDE
Request for speed hump

- (a) That Council take no action to install traffic calming measures in Ryrie Street due to the 85th percentile speed (higher value) of 47.3 km/hr and Annual Average Daily Traffic (AADT) on Ryrie Street was 904 vehicles/day are both within the acceptable operational limits for a local road.
- (b) That Council undertake in twelve (12) months time a further review of accident statistics for Ryrie Street to confirm or otherwise if an accident trend is occurring and prepare a report to the Traffic Committee if this is indeed the case.

ITEM 7 (continued)

ATTACHMENT 1

5. ANDREW STREET, MELROSE PARK
Final drawing for construction

Council approve final drawings of the UPDATED traffic management scheme for Andrew Street, Melrose Park.

6. WEST PARADE, EASTWOOD
Request for a Works Zone

- (a) Work Zone be approved in front of 20 West Parade, Eastwood for a length of 25 metres for the period 23 August 2011 to 23 February 2012, subject to the associated work zone permit fee being paid in accordance with Council's approved Fees and Charges 2011/12.
- (b) Work Zone operates between the hours of 7am to 5pm, Monday to Friday, and 8am to 1pm on Saturday.
- (c) RTA approved traffic controllers be employed at all times to control ingress / egress movements within the Work Zone and from the site.

7. POPE STREET, TOP RYDE
Request for a Works Zone

- (a) That the approval for the Work Zone in front of the Top Ryde Shopping Centre in Pope Street for 20 metres in length for the period from 3 October 2011 to 3 March 2012, subject to the associated work zone permit fee being paid in accordance with Council's approved Fees and Charges 2011/12.
- (b) That the Work Zone operates between the hours of 7am to 5pm, Monday to Friday, and 8am to 1pm on Saturday.
- (c) That the RTA approved traffic controllers be employed at all times to control ingress / egress movements within the Work Zone and from the site.

8. ROAD CLOSURES, EASTWOOD
Granny Smith Festival – Saturday 15 October 2011

- (a) The following road closures and traffic management plan protocols be recommended to the RTA for approval as part of operation of the 2011 Granny Smith Festival.
- (b) Subject to approval of the temporary closure from the RTA, the following conditions apply:

ITEM 7 (continued)

ATTACHMENT 1

- i. That approval be given for the procession route and necessary temporary road are closed at the Granny Smith Festival half an hour prior to the Parade starting on Saturday, 15 October 2011. The Procession route and temporary road closures are along Lakeside Road, Glen Street, Shaftsbury Road, Rowe Street, The Avenue returning to Eastwood Oval via Lakeside Road.
- ii. That approval be given for the temporary closure of Rowe Street (Shaftsbury Road to Eastwood Plaza) and The Avenue (Rowe Street to Hillview Lane) and Progress Avenue (The Avenue to Hillview Road) and Trelawney Street (Rowe Street and Rutledge Street) from 6.00pm on Friday, 14 October 2011 to 9.00pm (or until stalls have been collected) on Saturday, 15 October 2011.
- iii. That approval be given for the temporary closure of Hillview Lane (between Shaftsbury Road and The Avenue) from 6.00am to 9.00pm on Saturday, 15 October 2011 and Hillview Road between Lakeside Road and West Parade from 8.30am to 5.00pm on Saturday, 15 October 2011.
- iv. That temporary "No Stopping" signs be erected on the eastern side of Shaftsbury Road between Rowe Street and Rutledge Street between 6.00am and 9.00pm Saturday, 15 October 2011.
- v. That temporary "No Stopping" signs be erected on Lakeside Road, between Hillview Road and Glen Street, between 6.00am and 9.00pm Saturday, 15 October 2011.
- vi. That the stall hire company be permitted to commence set up from 12.00 noon on Friday, 14 October 2011 on the Plaza and from 6.00pm on Rowe Street, The Avenue and Progress Avenue.
- vii. That large sized warning signs be erected notifying the public of the activities related to the Festival set up, the temporary road closures and alterations to bus routes.
- viii. That temporary bus stops be located in Wingate Avenue from 6.00am on Saturday, 15 October 2011 to 6.00am Sunday, 16 October 2011 and at the eastern side of the Plaza at West Parade, from 5.00pm on Friday, 14 October 2011 to 6.00am Sunday, 16 October 2011 and the affected bus stops be signposted to redirect patrons to the temporary location.
- ix. That temporary "No stopping" signs be erected in Rutledge Street on both sides between Trelawney Street and Shaftsbury Road.
- x. That the Eastwood Chamber of Commerce be advised of the proposals.
- xi. That the Traffic Officer stationed in Eastwood Police Station be notified in writing.

ITEM 7 (continued)

ATTACHMENT 1

**9. TWIN ROAD, NORTH RYDE
Forthcoming Special Events**

- (a) Temporary “No Parking” signs be installed on both sides of Twin Road between Badajoz Road and Wicks Road and “No Stopping” signs be installed ten (10) metres from the corners of side streets on Sunday, 18 December 2011 and on Thursday, 26 January 2012, for the respective special events Carols by Candlelight (December 2011) and Australia Day (January 2012).
- (b) Disabled parking be allowed in a designated area on the Common near the western end of Twin Road, with the area controlled on the day by SES personnel.
- (c) Necessary signposting be installed in advance of the event and affected residents in Twin Road and intersecting streets be advised of arrangements.
- (d) Steps be taken to ensure that only existing vehicle entry/exit points are used by vehicles and, other than disabled parking, no additional entry/exit points are used.
- (e) Cost for installation and removal of the necessary traffic signs is to be borne by the organiser.
- (f) Approval is subject to a submission to Council and verification from the insurers that the event is covered by an appropriate Public Liability Insurance in an amount not less than \$20 million.

**10. 2011 SPRING CYCLE EVENT
Request for Council support**

- (a) Council approves, in principle, the proposed route of the 2011 Spring Cycle Event to be held on Sunday, 16 October 2011.
- (b) Council’s Road and Community Safety Project Officer be requested to co-operate with Bicycle New South Wales concerning measures to promote road safety messages to the Ryde community prior to and during the event.
- (c) Council ensures that no construction work is planned along the proposed route on Sunday, 16 October 2011.
- (d) Council removes the existing bollards from the shared pathway between Rothesay Avenue and Bowden Street and between Railway Road and John Whitton Bridge prior to Sunday, 16 October 2011 (event date) and arrange for their reinstatement immediately after the conclusion of the Ride.
- (e) All costs associated with (d) above will be borne by Bicycle New South Wales including reinstatement.

ITEM 7 (continued)

ATTACHMENT 1

- (f) Bicycle New South Wales be requested to provide public liability insurance in the amount of \$20,000,000 covering the proposed period of activities and nominating Council as an interested party. A copy of the Certificate of Currency is to be submitted to Council before the event to protect City of Ryde against any claim arising from activities on Council land.
- (g) Bicycle New South Wales be requested to prepare a Traffic Management Plan which is to be forwarded to the RTA's Transport Management Centre (TMC) for approval and a copy provided to Council for reference purposes.

Record of Voting:

For the Motion: Unanimous

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

The meeting closed at 4.31pm.

CONFIRMED THIS 15TH DAY OF NOVEMBER 2011.

Chairperson

8 2010-2011 FINANCIAL STATEMENTS

Report prepared by: Chief Financial Officer

Report dated: 12/09/2011

File No.: FIM/07/6/4/2/2 - BP11/605

Report Summary

To present Council's 2010/2011 Annual Financial Statements (including General and Special Purpose Financial Statements) to the public following the public exhibition period and to allow Council's Team Manager – Financial Accounting, Council's External Auditor, Hill Rogers Spencer Steer and members of the Audit Committee to make a presentation to Council and answer questions in respect of the 2010/2011 Financial Statements.

RECOMMENDATION:

- (a) That in accordance with Section 419 of the Local Government Act, Council receive and note the Auditors Reports on the 2010/2011 Annual Financial Statements for the year ended 30 June 2011.
- (b) That any public submissions on the 2010/2011 Financial Reports be referred to Council's Auditors, Hill Rogers Spencer Steer, Chartered Accountants.
- (c) That Council suspend standing orders to allow a presentation by Council's staff and any comments by or questions of the external auditor, Hill Rogers Spencer Steer or members of the Audit Committee, in respect of the 2010/2011 Financial Statements including the Auditor's Reports.
- (d) That as detailed in this report, the amount of \$1,367,972 be transferred from the Employee Leave Entitlement Reserve to the Asset Replacement Reserve.

ATTACHMENTS

- 1 Income Statement - 2010/2011
- 2 Statement of Comprehensive Income - 2010/2011
- 3 Balance Sheet - 2010/2011
- 4 Statement of Changes in Equity - 2010/2011
- 5 Statement of Cash Flows - 2010/2011
- 6 Auditors Reports - 2010/2011
- 7 Completed Audited Financial Statments - 2010/2011 - CIRCULATED UNDER SEPARATE COVER

Report Prepared By:

John Todd
Chief Financial Officer

Report Approved By:

Roy Newsome
Group Manager - Corporate Services

ITEM 8 (continued)

Background

Council at its meeting of 11 October 2011 resolved to refer the draft Annual Financial Reports for the year ended 30 June 2011 to Audit.

The Council's Audit Committee had previously met on 10 October 2011 to review the 2010/2011 Annual Financial Statements and had recommended to Council that the reports be referred for Audit.

The Council's Auditors, Hill Rogers Spencer Steer, Chartered Accountants, have completed the audit and copies of the Auditor's Reports are included in the Annual Financial Statements, which were received on 24 October 2011.

The Annual Financial Statements were sent to the Department of Local Government on the 27 October 2011, ahead of the statutory 7 November 2011 timeframe.

The Annual Financial Statements together with the Auditor's Reports were placed on public exhibition from 26 October 2011 to 15 November 2011, inviting public submissions with the Annual Financial Statements to be presented to Council at its meeting of 8 November 2011. Submissions in accordance with Section 420 of the Local Government Act 1993, from members of the public regarding any aspect of the Financial Reports or Auditor's Reports will be received up to 15 November 2011, being seven days after the date of this meeting.

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

Report

Council's Financial Statements, which includes the Auditor's Reports for 2010/2011 have been completed and **CIRCULATED UNDER SEPARATE COVER**. The statements are now formally presented to the public as required by Section 419 of the Local Government Act 1993.

The Financial Statements consist of the following General Purpose Financial Statements:

- | | | |
|------|---|------------|
| i. | Income Statement | (ATTACHED) |
| ii. | Statement of Comprehensive Income | (ATTACHED) |
| iii. | Balance Sheet | (ATTACHED) |
| iv. | Statement of Changes in Equity | (ATTACHED) |
| v. | Cash Flow Statement | (ATTACHED) |
| vi. | Notes to the Financial Statements 1 to 23 | |
| vii. | Auditors Reports on the Statements | (ATTACHED) |

The Financial Statements also include Special Purpose Financial Statements. These relate to the following designated business activities of Council:

- Ryde Aquatic Leisure Centre
- Commercial Waste Removal

ITEM 8 (continued)

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

The Team Manager – Financial Accounting will make a presentation to the Council meeting on 8 November 2011 on Council's financial performance for the year. Council's External Auditors and members of the Audit Committee will also be present at the Council meeting to provide additional comments and to answer any questions on the Financial Reports and the Auditors Reports.

The Auditor has issued an unqualified opinion in the Audit Report, whilst Council's investment portfolio has been sufficient addressed in previous years and the remaining CDO investments will be monitored until maturity.

The following summary of the City of Ryde's financial results and key financial performance measures for 2010/2011, demonstrates Council's sound financial position:

Financial Results	2009 000's	2010⁽¹⁾ 000's	2011 000's
Operating Result	\$58,843	\$8.073	\$15,987
Operating Result Before Capital	(\$5,497)	(\$4,215)	\$448
Total Cash & Investments	\$66,366	\$69,064	\$63,051
Internal Reserves	\$48,582	\$49,684	\$51,676
Working Capital	\$4,331	\$4,549	\$4,205
Assets under Management	\$2.51B	\$2.54B	\$2.52B

(1) Adjusted for Contributed Assets that were derecognised, as a prior year error.

Performance Indicators

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

Note 13 Performance Indicators	2009	2010⁽¹⁾	2011
Unrestricted Current Ratio	3.45	4.67	4.79
Debt Service Ratio	1.40%	0.85%	0.83%
Rate Coverage Ratio	36.50%	61.16%	56.29%
Rates & Annual Charges Outstanding	3.90%	4.10%	3.99%
Building & Infrastructure Renewal Ratio	122.50%	49.24%	47.67%

(1) Adjusted for Contributed Assets that were derecognised, as a prior year error.

The result for 2010/2011 is a sound result for the City of Ryde that reflects the efforts of Council, all stakeholders and staff in maintaining Council's financial position.

Working Capital

Council's 2010/2014 Management Plan was adopted on a projected Working Capital position of \$3.14 million as at 30 June 2011. The 2010/2011 actual result is a Working Capital position of \$4.21 million an improvement of \$1.07 million on that forecast. Council's Working Capital was \$4.55 million in 2009/2010.

ITEM 8 (continued)

Reserves

At the Council meeting held on 11 October 2011, Council made additional transfers to reserve for Asset Replacement and Employee Leave Entitlements (ELE). Since meeting with the auditors the required level of ELE reserves has been reviewed, and has been suggested to be brought down to the equivalent of those over 55 or 26% of the total liability. Council had set it at the equivalent of those over 50, but the auditors felt that it may have been excessive. This means that an additional \$1.367 million is available to transfer to the Asset Replacement Reserve. The Financial Statements have been adjusted on this basis and it does not affect the level of Working Capital in making this adjustment.

Assets under Management

In 2010/2011 Council delivered a \$22.89 million Capital Works Program, excluding contributed assets, (\$24.8 million in 2009/10) with major projects including:

• Access	\$6.25 million
• Parks	\$1.32 million
• Stormwater & Parks Assets	\$1.44 million
• Buildings & Property	\$9.50 million
• Waste & Fleet	\$2.70 million
• Technology Systems	\$1.07 million
• Libraries	\$0.46 million
• Ryde Aquatic Leisure Centre	\$0.15 million

Council brought \$8.34 million in “contributed assets” to account this year (2009/10 \$5.46 million) which increased Council’s Assets under Management to \$2.52 billion. Due to a recognition error for the assets associated with the Top Ryde Shopping Centre development, i.e. Council leases the air space that the assets occupy and do not own the assets until the end of the lease period, an adjustment of \$38.22 million was made to prior two years to de-recognise those assets.

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

This is the third year since Council adopted Fair Value, with the full impact of depreciation being brought to account in Council’s Financial Statements resulting in Council’s depreciation expense decreasing by \$0.12 million in 2010/2011 to \$18.60 million.

Asset Management - Condition of Public Infrastructure

Council has undertaken a comprehensive asset management programme in order to improve asset management practices across the vast infrastructure assets within the City. This will be further reviewed in 2011/2012 with the development and creation of new Asset Management Plans (AMPs) for the 42 categories of assets.

ITEM 8 (continued)

As stated earlier in the report, the City of Ryde owns and maintains over \$2.52 billion worth of infrastructure including roads, parks, buildings, stormwater drainage, bridges, footpaths, lighting, seawalls and wharves with a current written down value, after depreciation, of over \$2.16 billion. Of this \$1.24 billion is land.

Special Schedule 7 which reports on the condition of infrastructure assets included in the Financial Statements shows that Council would need to spend approximately \$86.94 million to bring its infrastructure assets to a satisfactory standard. It also shows that we need to spend \$15.59 million per annum to maintain the current standard of the asset; which is approximately the level of maintenance undertaken during the year.

While the 2010/2011 results demonstrate Council is in a sound financial position in the short term, there are funding shortfalls to maintain its existing assets in a satisfactory condition as projected in Council's Long Term Financial Plan (LTFP). The plan provides critical information that fully informs Council of its forecasted financial position and commitments for the City of Ryde.

Council developed a LTFP in 2006 to obtain a financial projection that quantifies the operation of Council services for the next 20 years. The plan forecasts a cash shortfall based on Council expending \$20 million on asset renewal each year to bring its infrastructure up to a satisfactory standard.

Both the LTFP and Asset Management Plans will be updated ensuring that both are interlinked and are based around the Outcomes, Goals, Strategies and the Programs as disclosed in the City of Ryde's Community Strategic Plan – Ryde 2021, 4 Year Delivery Plan and 1 Year Operational Plan.

Investment Portfolio

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

The changes made in Council's investment portfolio has seen it consistently achieving results above its benchmark, with its performance being fully reported to Council in both the monthly investment report and additional reports to Council.

With these results and proceeds from sold written down CDO investments the balance of that Reserve was \$1.01 million at 30 June 2011.

Consultation

Internal Council business units consulted included:-

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

Internal Workshops held:-

- Not Applicable

ITEM 8 (continued)

City of Ryde Advisory Committees consulted included:-

- Audit Committee

External public consultation included:-

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

Critical Dates

Council's audited Financial Statements (including General and Special Purpose Financial Statements) are required to be submitted to the Department of Local Government by 7 November 2011. Council has met this requirement.

Council is required to hold a Council meeting to present the Audited Financial Statements and the Auditors Reports by no later than 6 December 2011 after the end of the financial year. With the presentation of the Annual Financial Statements to the public at its meeting of 8 November 2011, Council will meet this requirement.

Financial Impact

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

The Working Capital result of \$4.21 million as at the 30 June 2011 is one of Council's key financial indicators. This result is an improvement on the forecast of \$3.14 million as detailed in the original 2010/2014 Management Plan.

Policy Implications

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

Other Options

Not Applicable.

Conclusion

While the 2010/2011 result demonstrates Council's sound financial position, the City of Ryde, similar to all Local Governments across NSW, will continue to face a number of challenges in the years ahead.

Some of the key challenges will be to develop sources of revenues other than rates to take the pressure off ratepayers for Council to be in a position to address its financial needs in an environment of declining revenue in real terms.

Overall, the most important challenge for Council will be to continue to address maintaining and upgrading its \$1.29 billion of infrastructure and \$1.24 billion of land and a backlog of \$85.94 million to bring the infrastructure assets up to standard.

Arrangements have been made for a presentation to be made to Council by the Team Manager – Financial Accounting in respect of the 2010/2011 result, the External Auditor and members of the Audit Committee will also be present.

ITEM 8 (continued)

ATTACHMENT 1

General Purpose Financial Statements - Year Ended 30 June 2011

**INCOME STATEMENT
for the year ended 30 June 2011**

Original Budget* 2011 (\$'000)		Notes	Actual 2011 (\$'000)	Actual 2010 (\$'000)
INCOME FROM CONTINUING OPERATIONS				
55,816	Rates and Annual Charges	3(a)	56,338	54,496
11,161	User Charges and Fees	3(b)	10,942	11,401
2,489	Interest and Investment Revenue	3(c)	4,429	-
5,278	Other Revenues	3(d)	5,406	4,659
6,450	Grants & Contributions provided for operating purposes	3(e&f)	6,903	6,260
5,704	Grants & Contributions provided for capital purposes	3(e&f)	15,539	12,288
Other Income:				
-	Net gain from the disposal of assets	5	531	-
-	Net share of interests in joint ventures and associates using the equity method	19	-	-
86,898	TOTAL INCOME FROM CONTINUING OPERATIONS		100,088	89,104
EXPENSES FROM CONTINUING OPERATIONS				
33,766	Employee Benefits and On-costs	4(a)	33,644	32,614
344	Borrowing Costs	4(b)	242	202
22,793	Materials and Contracts	4(c)	21,185	19,525
18,500	Depreciation, Amortisation and Impairment	4(d)	18,598	18,715
11,027	Other Expenses	4(e)	10,432	9,329
-	Interest and Investment Losses	3(c)	-	627
-	Net Loss from the disposal of assets	5	-	19
-	Share of interests in joint ventures and associates using the equity method	19	-	-
86,430	TOTAL EXPENSES FROM CONTINUING OPERATIONS		84,101	81,031
468	OPERATING RESULT FROM CONTINUING OPERATIONS		15,987	8,073
-	Operating result from discontinued operations	24	-	-
468	NET OPERATING RESULT FOR THE YEAR	2(a)	15,987	8,073
(5,236)	NET OPERATING RESULT FOR THE YEAR BEFORE GRANTS & CONTRIBUTIONS PROVIDED FOR CAPITAL PURPOSES		448	(4,215)

* Original budget as approved by Council - Refer Note 16

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

ITEM 8 (continued)

ATTACHMENT 2

General Purpose Financial Statements - Year Ended 30 June 2011

**STATEMENT OF COMPREHENSIVE INCOME
for the year ended 30 June 2011**

	Notes	Actual 2011 (\$'000)	Actual 2010 (\$'000)
Net operating result for the year - from Income Statement		15,987	8,073
Other comprehensive income			
Gain (loss) on revaluation of infrastructure, property, plant and equipment	20(b)	-	-
Gain (loss) on revaluation of available-for-sale investments	20(b)	-	-
Realised available-for-sale investment gains recognised in revenue	20(b)	-	-
Adjustment to correct prior period errors	20(d)	-	-
Total other comprehensive income for the year		15,987	8,073
Total comprehensive income for the year			
Attributable to:			
- Council		15,987	8,073
- Minority Interests			

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

ITEM 8 (continued)

ATTACHMENT 3

General Purpose Financial Statements - Year Ended 30 June 2011

BALANCE SHEET

As at 30 June 2011

	Notes	2011 (\$'000)	2010 (\$'000)	2009 (\$'000)
ASSETS				
Current Assets				
Cash and Cash Equivalents	6(a)	8,532	27,806	44,987
Investments	6(b)	50,030	28,250	5,885
Receivables	7	5,792	6,158	6,288
Inventories	8	420	467	570
Other	8	969	405	330
Non-Current assets classified as held for Sale	22	-	971	-
Total Current Assets		65,743	64,057	58,060
Non-Current Assets				
Investments	6(b)	10,502	6,995	15,494
Receivables	7	938	933	488
Infrastructure, Property, Plant and Equipment	9	2,156,578	2,145,672	-
Investments accounted for using equity method	19	-	-	2,166,375
Investment Property	14	2,200	2,200	-
Intangible assets	25	-	-	2,315
Other	8	-	-	-
Total Non-Current Assets		2,170,218	2,155,800	2,184,672
TOTAL ASSETS		<u>2,235,961</u>	<u>2,219,857</u>	<u>2,242,732</u>
LIABILITIES				
Current Liabilities				
Payables	10(a)	15,393	15,437	16,068
Borrowings	10(a)	775	434	453
Provisions	10(a)	7,455	7,205	6,820
Total Current Liabilities		23,623	23,076	23,341
Non-Current Liabilities				
Payables	10(a)	-	-	-
Borrowings	10(a)	3,899	4,339	4,747
Provisions	10(a)	174	164	250
Total Non-Current Liabilities		4,073	4,503	4,997
TOTAL LIABILITIES		<u>27,696</u>	<u>27,579</u>	<u>28,338</u>
NET ASSETS		<u>2,208,265</u>	<u>2,192,278</u>	<u>2,214,394</u>
EQUITY				
Retained Earnings	20	1,689,889	1,673,902	1,696,018
Revaluation reserves	20	518,376	518,376	518,376
Council equity interest		2,208,265	2,192,278	2,214,394
Minority equity interest		-	-	-
TOTAL EQUITY		<u>2,208,265</u>	<u>2,192,278</u>	<u>2,214,394</u>

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

** third year included due to prior year error adjustment

ITEM 8 (continued)

ATTACHMENT 4

General Purpose Financial Statements - Year Ended 30 June 2011

STATEMENT OF CHANGES IN EQUITY
for the year ended 30 June 2011

	Notes	2011 (\$'000)							2010 (\$'000)						
		Retained Earnings			Asset Revaluation Reserve			Other Reserves	Council Equity			Minority Interest			Total Equity
		2011	2010	2009	2011	2010	2009		2011	2010	2009	2011	2010	2009	
Opening Balance	20	1,742,118	1,696,018	1,696,018	518,376	518,376	518,376	-	2,230,494	2,214,394	2,214,394	-	-	-	2,214,394
Correction of errors		(38,216)													
Changes in Accounting Policies															
Restated Opening Balance	20	1,673,902	1,696,018	1,696,018	518,376	518,376	518,376	-	2,192,278	2,184,205	2,184,205	-	-	-	2,184,205
Net Operating Result for the Year	20	15,987			-				15,987	8,073	8,073				8,073
Other Comprehensive Income	20														
Total Comprehensive Income	20	15,987			-				15,987	8,073	8,073				8,073
Closing Balance	20	1,689,889	1,673,902	1,673,902	518,376	518,376	518,376	-	2,208,265	2,192,278	2,192,278	-	-	-	2,192,278

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

ITEM 8 (continued)

ATTACHMENT 5

General Purpose Financial Statements - Year Ended 30 June 2011

**STATEMENT OF CASH FLOWS
for the year ended 30 June 2011**

Original Budget* 2011 (\$'000)	Notes	2011 (\$'000)	2010 (\$'000)
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts			
55,816 Rates & Annual Charges		56,353	54,249
12,092 User Charges & Fees		12,017	12,487
2,489 Investment Revenue and Interest		4,388	3,006
6,738 Grants and Contributions		15,092	12,944
5,529 Other		6,906	7,198
Payments			
(33,863) Employee Benefits and on-costs		(34,043)	(32,342)
(24,774) Materials and Contracts		(22,279)	(20,516)
(344) Borrowing Costs		(241)	(201)
(12,062) Other		(12,019)	(9,939)
Net cash provided (or used) in Operating Activities	11(b)	26,174	26,886
CASH FLOWS FROM INVESTING ACTIVITIES			
Receipts			
33,479 Sale of Investments		23,364	15,000
- Sale of Investment Property		-	-
- Sale of Real Estate Assets		1,008	-
853 Sale of Infrastructure, Property, Plant and Equipment		1,309	974
- Sale of Interests in Joint Ventures/Associates		-	-
- Proceeds from Boundary Adjustment		-	-
- Other		-	-
Payments			
(22,000) Purchase of Investments		(48,032)	(33,000)
- Purchase of Investment property		-	-
(75,396) Purchase of Property, Plant and Equipment		(22,998)	(26,614)
- Purchase of Real Estate		-	-
- Purchase of Interests in Joint Ventures/Associates		-	-
- Other		-	-
Net cash provided by (or used in) Investing Activities		(45,349)	(43,640)
CASH FLOWS FROM FINANCING ACTIVITIES			
Receipts			
- Borrowings and Advances		-	-
- Other		-	-
Payments			
(381) Borrowings and Advances		(427)	(427)
- Lease Liabilities		-	-
- Other		-	-
Net cash provided by (or used in) Financing Activities		(427)	(427)
(51,824) Net Increase (Decrease) in Cash & Cash Equivalents		(19,602)	(17,181)
27,806 Cash & Cash Equivalents at beginning Reporting Pd	11(a)	27,806	44,987
Cash & Cash Equivalents at end of Reporting Pd	11(a)	8,204	27,806

* Original budget as approved by Council - Refer Note 16

The above Statement of Cash Flows should be read in conjunction with the accompanying notes.

ITEM 8 (continued)

ATTACHMENT 6

Notes to the financial statements 30 June 2011

*Hill Rogers
Spencer Street*

CITY OF RYDE

GENERAL PURPOSE FINANCIAL STATEMENTS

INDEPENDENT AUDITORS' REPORT

REPORT ON THE FINANCIAL STATEMENTS

We have audited the accompanying **general purpose financial statements** of the **City of Ryde**, which comprises the Balance Sheet as at 30 June 2011, Income Statement, Statement of Comprehensive Income, Statement of Changes in Equity and Statement of Cash Flows for the year ended on that date, a summary of significant accounting policies and other explanatory notes and the Statement by Councillors and Management. The financial statements include the consolidated financial statements of the economic entity and the entities it controlled at year end or from time to time during the year.

Responsibility of Council for the Financial Statements

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

Auditors' Responsibility

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

Assurance Partners

T: +61 2 9222 5111 F: +61 2 9222 7930	Level 5, 1 Chifley Square Sydney NSW 2000 Australia	GPO Box 7666 Sydney NSW 2000	www.hill-rogers.com.au info@hills.com.au	Practising as Hill Rogers Spencer Trust Accountants Partners	ABN 56 453 338 956
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Specialising in public sector services

ITEM 8 (continued)

ATTACHMENT 6

Notes to the financial statements 30 June 2011

Hill Rogers
Spencer Steer

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

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

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

Independence

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

Auditor's Opinion

In our opinion,

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

HILL ROGERS SPENCER STEER

B. Hanger

BRETT HANGER
Partner

Dated at Sydney this 21st day of October 2011

City of Ryde
General Purpose Financial Statements
Independent Auditor's Report

Page 2

ITEM 8 (continued)

ATTACHMENT 6

Notes to the financial statements 30 June 2011

Hill Rogers
Spencer Sixer

21 October 2011

The Mayor
City of Ryde
1 Devlin Street
RYDE NSW 2112

1999

Audit Report - Year Ended 30 June 2011

We are pleased to advise completion of the audit of Council's books and records for the year ended 30 June 2011 and that all information required by us was readily available. We have signed our reports as required under Section 417(1) of the Local Government Act, 1993 and the Local Government Code of Accounting Practice and Financial Reporting to the General and Special Purpose Financial Statements.

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

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

1. RESULTS FOR THE YEAR

1.1 Operating Result

The operating result for the year was a surplus of \$15.987 million as compared with \$8.073 million in the previous year.

Abstract

Model 10000-001	Lead 1, 1 Chatter Suppressor	OPC Rev 1000	opcrv1000.doc	Building and PIP Hopper Spreader	2075-30-400-100-000
Model 20000-001	Lead 2, 1 Chatter Suppressor	OPC Rev 1000	opcrv2000.doc	Build, Transport and Storage	

Members of the International Association of Great Inland Lakes Research Societies
 Invited to contribute a volume entitled *Inter-lake Research Society*

ITEM 8 (continued)

ATTACHMENT 6

Notes to the financial statements 30 June 2011

*Hue Rogers
Spencer Steer*

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

	2011	% of	2010	% of	Increase
	\$000	Total	\$000	Total	(Decrease)
					\$000
Revenues before capital items					
Rates & annual charges	56,338	67%	54,498	68%	1,842
User charges, fees & other revenues	16,879	20%	16,080	20%	819
Grants & contributions provided for operating purposes	6,803	8%	6,360	8%	543
Interest & investment revenue	4,429	5%	3,373	4%	1,056
	84,549	100%	80,189	100%	4,360
Expenses					
Employee benefits & costs	33,644	40%	32,614	39%	1,030
Materials, contracts & other expenses	31,617	38%	28,073	34%	2,744
Depreciation, amortisation & impairment	18,598	22%	18,715	23%	(117)
Impairment of investments		0%	4,000	5%	(4,000)
Borrowing costs	242	0%	202	0%	40
	84,101	100%	84,404	100%	(303)
Surplus/(Deficit) before capital items	448		(4,215)		4,663
Grants & contributions provided for capital purposes	15,539		13,288		2,251
Net Surplus/(Deficit) for the year	15,987		8,973		7,914

The table above shows an overall increase over the previous year of \$7,914 million. The variance is mostly attributable to the increase in the value of contributed assets recognised for the year (2011 - \$8,340 million, 2010 - \$5,459 million) and the impairment of investments of \$4 million recognised in the prior year.

1.2 Funding Results

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

ITEM 8 (continued)

ATTACHMENT 6

Notes to the financial statements 30 June 2011

*Heidi Rogers
Spencer Steer*

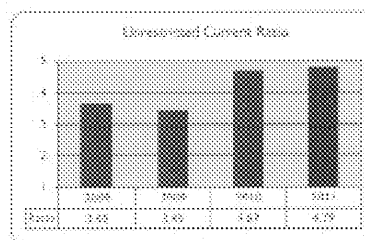
	2011	2010
<i>Funds were provided by:-</i>	\$000	\$000
Operating Results (as above)	15,987	8,073
Add back non funding items:-		
- Depreciation, amortisation & impairment	18,578	18,715
- Book value of non-current assets sold	1,433	993
- Non-cash Contributions of assets acquired	(2,348)	(2,453)
- (Gain)/Loss of fair value to investment properties	0	115
	<u>27,678</u>	<u>25,437</u>
Decrease/Redemption in Non-current investments	0	5,499
Transfers from externally restricted assets (net)	0	8,809
Transfers from internal reserves (net)	159	0
Net Changes in current/non-current assets & liabilities	<u>186</u>	<u>1,371</u>
	<u>28,023</u>	<u>40,916</u>
<i>Funds were applied to:-</i>		
Purchase and construction of assets	(22,597)	(28,709)
Increase/Purchase in Non-current investments	(3,567)	0
Principal repaid on loans	(427)	(427)
Transfers to externally restricted assets (net)	(3,836)	0
Transfers to internal reserves (net)	0	(15,553)
	<u>(29,347)</u>	<u>(40,699)</u>
Increase/(Decrease) in Available Working Capital	(244)	227

1. FINANCIAL POSITION

2.1 Unrestricted Current Ratio

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

After eliminating externally restricted assets and current liabilities not expected to be paid within the next 12 months net current assets amounted to \$47.897 million representing a factor of 4.79 to 1.



2.2 Available Working Capital ~ (Working Funds)

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

ITEM 8 (continued)

ATTACHMENT 6

Notes to the financial statements 30 June 2011

*Heidi Rogers
Spencer Steer*

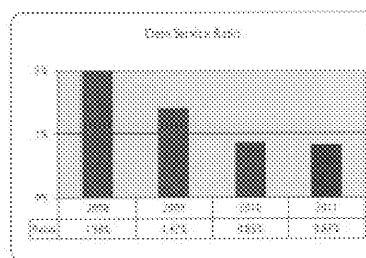
	2011	2010	Change
	\$000	\$000	\$000
Net Current Assets (Working Capital) as per Accounts	42,130	40,981	1,139
Add: Payables, provisions & inventories not expected to be realised in the next 12 months included above:	10,302	9,549	733
Adjusted Net Current Assets	52,432	50,530	1,872
Add: Budgeted & expected to pay in the next 12 months			
- Borrowings	447	434	13
- Employees leave entitlements	2,867	3,450	(583)
- Deposits & retention moneys	1,719	1,688	31
Less: Externally restricted assets	(4,525)	(2,689)	(1,836)
Less: Internally restricted assets	(48,725)	(48,884)	159
Available Working Capital as at 30 June	4,205	4,549	(344)

The balance of Available Working Capital should be at a level to manage Council's day to day operations including the financing of hard core debtors, stores and to provide a buffer against unforeseen and unbudgeted expenditures. Taking into consideration the nature and level of the internally restricted assets (Reserves) set aside we are of the opinion that Available Working Capital as at 30 June 2011 was sound.

2.3 Debt

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

Total debt at 30 June 2011 amounted to \$4.346 million.



2.4 Summary

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

ITEM 8 (continued)

ATTACHMENT 6

Notes to the financial statements 30 June 2011

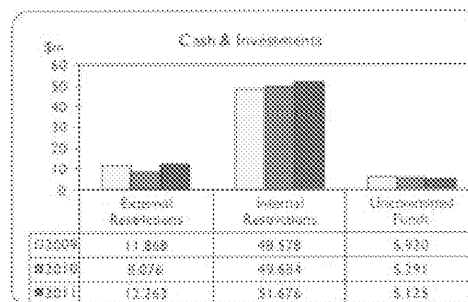
*Hill Rogers
Spencer Steer*

3. CASH ASSETS

3.1 Cash & Investments

Cash and investments held at the close of the year amounted to \$69.064million as compared with \$63.951 million and \$66.366 million at the close of financial years 2010 and 2009 respectively.

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



Externally restricted cash and investments are restricted in their use by externally imposed requirements and consisted of unexpended development contributions under Section 94 of \$4.553 million, domestic waste management charges of \$3.782 million and specific purpose grants, contributions and levies of \$3.928 million.

Internally restricted cash and investments have been restricted in their use by resolution or policy of Council to reflect forward plans, identified programs of works, and are, in fact, Council's "Reserves". These Reserves totalled \$51.676 million and their purposes are more fully disclosed in Note 6 of the financial statements.

Unrestricted cash and investments amounted to \$5.125 million, which are available to provide liquidity for day to day operations.

3.2 Cash Flows

The Statement of Cash Flows illustrates the flow of cash (highly liquid cash and investments) moving in and out of Council during the year and reveals that cash decreased by \$19.602 million to \$8.204 million at the close of the year.

In addition to operating activities which contributed net cash of \$26.175 million were the proceeds from the sale of investments (\$23.364 million) and other assets (\$2.317). Cash outflows other than operating activities were used to purchase investments (\$48.033 million), repay loans (\$427,000) and to purchase and construct assets (\$22.999 million).

ITEM 8 (continued)

ATTACHMENT 6

Notes to the financial statements 30 June 2011

*Hill Rogers
Spencer Steer*

4. RECEIVABLES

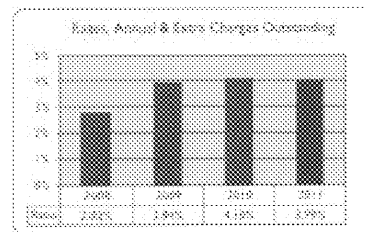
4.1 Rates & Annual Charges (excluding interest & extra charges)

Net rates and annual charges levied during the year totalled \$56.338 million and represented 56% of Council's total revenues.

Including arrears, the total rates and annual charges collectible was \$58.417 million of which \$56.353 million (96%) was collected.

4.2 Rates, Annual & Extra Charges

Arrears of rates, annual & extra charges stood at \$2.147 million at the end of the year and represented 3.99% of those receivables.



4.3 Other Receivables

Receivables (other than rates, annual & extra charges) totalled \$4.616 million and mainly consisted of user charges and fees (\$630,000), accrued interest on investments (\$827,000) and amounts due from government departments (\$2,434 million).

Those considered to be uncertain of collection have been provided for as doubtful debts and this provision amounted to \$223,000.

5. PAYABLES

5.1 Employees Leave Entitlements

Council's provision for its liability toward employees leave entitlements and associated on costs amounted to \$7.629 million.

A cash reserve of \$1.971 million was held at year end representing 26% of this liability and was, in our opinion, sufficient to meet unbudgeted and unanticipated retirements.

5.2 Deposits, Retentions & Bonds

Deposits, retentions and bonds held at year end amounted to \$7.641 million which was fully funded by internally restricted cash and investments.

ITEM 8 (continued)

ATTACHMENT 6

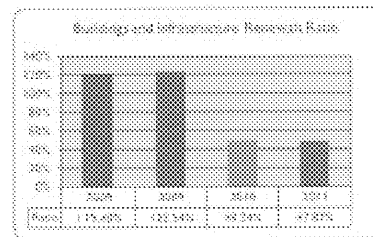
Notes to the financial statements 30 June 2011

*Hill Rogers
Spencer Steer*

6. BUILDINGS AND INFRASTRUCTURE RENEWALS

The Buildings and Infrastructure Renewals ratio measures the rate at which these assets are renewed against the rate at which they are depreciating.

The ratio indicates that asset renewals for 2011 represented 48% of the depreciation charges for these assets. An industry benchmark is considered to be 100%.



7. MANAGEMENT LETTER

An audit management letter addressing the findings from our interim audit was issued on 29 June 2011. This included our recommendations on possible ways to strengthen and/or improve procedures, management's comments and proposed actions.

8. CONCLUSION

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

Yours faithfully,
HILL ROGERS SPENCER STEER

B. Hanger

BRETT HANGER
Partner

ITEM 8 (continued)

ATTACHMENT 6

Special Purpose Financial Statements – Year Ended 30 June 2011

*Hue Rogers
Spencer Steer*

CITY OF RYDE

SPECIAL PURPOSE FINANCIAL STATEMENTS

INDEPENDENT AUDITORS' REPORT

REPORT ON THE FINANCIAL STATEMENTS

We have audited the accompanying **special purpose financial statements** of the **City of Ryde**, which comprises the Balance Sheet as at 30 June 2011, Income Statements for the year ended on that date, a summary of significant accounting policies and other explanatory notes and the Statement by Councillors and Management.

Responsibility of Council for the Financial Statements

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

Auditors' Responsibility

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

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

Assurance Partners

T +61 2 9133 5211 Level 3, 1 Cliffway Square GPO Box 2896 www.msa.com.au Practising as MSA Rogers Spencer ABN 56 435 336 964
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ITEM 8 (continued)

ATTACHMENT 6

Special Purpose Financial Statements – Year Ended 30 June 2011

Hill Rogers
Spencer Steer

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

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

Independence

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

Auditor's Opinion

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

Basis of Accounting

Without modifying our opinion, we draw attention to Note 1 to the financial statements, which describes the basis of accounting. The financial statements have been prepared for the purpose of fulfilling the financial reporting requirements of the Division of Local Government. As a result, the financial statements may not be suitable for another purpose.

HILL ROGERS SPENCER STEER

B. Hanger

BRETT HANGER
Partner

Dated at Sydney this 21st day of October 2011

9 INVESTMENT REPORT - September 2011

Report prepared by: Chief Financial Officer

Report dated: 11/10/2011

File No.: GRP/09/6/1/7 - BP11/667

Report Summary

This report provides details of Council's performance of its investment portfolio for the month of September 2011 and compares it against key benchmarks.

Council's financial year to date return is 5.96%, 0.97% above benchmark. Income from interest on investments and proceeds from sale of investments totals \$1.09M, which is \$342K above budget projections.

To date, the funds from the sale of the Flinders, Glenelg, and the maturity of the Quartz CDOs as part of the Lehman/Grange IMP, have been transferred to the Financial Security Reserve. The Financial Security Reserve, following this transfer of additional funds has a balance of \$1.04M.

Council continues to invest in term deposits to take advantage of the Federal Government's guarantee. The guarantee was recently varied to lower the cap to \$250K from 1 February 2012.

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

RECOMMENDATION:

That the report of the Chief Financial Officer, dated 11 October 2011 on INVESTMENT REPORT – September 2011, be endorsed.

ATTACHMENTS

There are no attachments to this report.

Report Prepared By:

John Todd
Chief Financial Officer

Report Approved By:

Roy Newsome
Group Manager - Corporate Services

ITEM 9 (continued)

Report

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

All Council's investments complied with the Minister for Local Government's Investment Order dated 12 January 2011 and Council's Investment Policy when acquired, however the following investments are now outside the Minister's Order:

Investment	Rating	Maturity
• Alpha CDO *	B-	20/03/2012
• Grange IMP - Merimbula CDO	N/R	20/06/2013
- Torquay CDO	CCC-	20/06/2013
- Scarborough CDO	D	23/06/2014
- Global Bank Note CDO	N/R	20/09/2014
• Oasis CDO *	CC	04/09/2014
• Camelotfund	AA	01/03/2012
• FOCUS Note	AA	20/12/2012

(Note * Council at its meeting of 25 May 2010 wrote down/ impaired the Alpha, Covent Garden and Oasis CDO's 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.

The following points should be noted in respect of Council's investment portfolio for September:

- Council's remaining CDOs (Alpha and Oasis) are still performing and paying interest as it becomes due. These amounts are transferred to the Financial Security Reserve as and when they are received.
- Council's investment in the Global Protected Property Note VII matured, and \$1M principal was returned to Council.

Recent information through newspaper articles on 25 October 2011 has indicated that PMI, a subordinate of the Oasis CDO, may cause a default on the Oasis CDO which would see a loss of principal of over 30%, Council is yet to receive formal notification of this matter. This CDO has been fully written down by Council and if this default does take place it is anticipated that there would only be one more default before there is a complete loss of principal.

Investment Performance Commentary

At the Council meeting on Tuesday 27 September there was a question in relation to the status of the investment, Global Protected Property Note VII, issued by AB Svensk ExportKredit, which was due to mature on 20 September.

ITEM 9 (continued)

This investment was entered into on 13 March 2007 for the sum of \$1m, which was funded from the proceeds of a similar investment with the same issuer, which had been purchased on 16 July 2006. Council sold that investment making \$283,800 in interest and profit on the \$1m invested.

The current investment has not performed, due to the downturn associated with the Global Financial Crisis (GFC) and its estimated value being less than its purchase price, due to market considerations and has been undervalued in the market indicatively \$974k in the August Investment report.

This investment has since matured and the principal of \$1m has been returned to Council, with no interest paid on maturity.

Council's performance against the benchmark for returns of its investment portfolio for the month of September 2011 and the financial year to date are as follows:

	Sep 2011	12 Mth	Fin YTD
Council Return	5.89	5.87	5.96
Benchmark	4.81	5.02	5.00
Variance	1.08	0.85	0.97

Council's year to date return has outperformed the benchmark and at 5.96% is 0.97% above benchmark.

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

Cash/Term Deposits	\$58.9M	65.5%
Floating Rate Notes	\$12.0M	13.3%
Certificates of Deposit	\$3.0M	3.3%
Other Financial Products	\$1.0M	1.1%
Total Cash Investments	\$74.9M	
Property	\$15.1M	16.8%
Total Investment Portfolio	\$90.0M	

Council continues to utilise the Federal Government's current guarantee (\$1m) investing in Term Deposits with a range of Approved Deposit Taking Institutions (ADI's) on short to medium term investments (generally 30 days to 6 months maturity) where more competitive rates are available.

The Federal Government has announced that a new guarantee cap will come into force from 1 February 2012 of \$250k. Existing term deposits continue to be covered at the current level from now until 31 December 2012, or until the deposit matures, whichever occurs sooner. This arrangement will apply to term deposits which existed on 10 September 2011. If such a term deposit matures before 1 February 2012 and is rolled over, then the new \$250k cap will apply from 1 February 2012. If such a term deposit matures after 1 February 2012 and is rolled over, then the new \$250k cap will apply from the rollover date.

ITEM 9 (continued)

Council staff have met with Oakvale Capital Limited, following their appointment as our Independent Investment Advisor. Oakvale will be assisting Council staff in reviewing Council's current Investment Policy, including the split of investments by term, institution etc. and will be reporting back to Council the outcome of that review. It is anticipated that the review will be completed by the end of November and the revised policy will be reported to Council in December.

As advised to Council over the last three (3) investment reports, Council staff have taken the term of Council's investments into account when making or renewing investments. To this end, investments of approximately \$10 million has been placed with the four (4) major banks for up to five years to provide Council with continued sound investment returns over this period in addition to improving the balance in the term of its portfolio.

Financial Security Reserve (FSR)

The Financial Security Reserve has a balance of \$1.04M as at 30 Sept 2011 as detailed below;

Financial Security Reserve	(\$'000)
Balance 1 July 2011	1,005
Interest on Written Down CDO's ⁽¹⁾	31
Proceeds from Sales & Maturities ⁽²⁾ of Written Down CDO's	-
Balance of Financial Security Reserve	1,036

(1) Council continues to receive interest on the written down CDO investments.

(2) There have been no sales to date in 2011/2012.

Economic Commentary

Europe continues to be a major concern for the global economy with a number of countries with debt above GDP. The Bank of England, the Federal Reserve, the Bank of Japan, and the Swiss National Bank have joined forces in a co-ordinated move to provide liquidity to the struggling European banking system.

The Swiss National Bank pegged their currency to the Euro (EUR) in order to stop its rise and to protect the Swiss. The outcome of this move will be monitored by regulators across the world.

China's manufacturing activity fell for the third straight month in June, however Chinese manufacturing is, officially, still expanding, but the pace of that expansion is slowing. Chinese CPI fell to 6.2% in August, down from a 37 month high of 6.5% in July.

Locally, the RBA left rates on hold in their October meeting, but noted that risks to the economy were growing. Employment figures in August dropped 9.7K, and the unemployment rate rose to 5.3%, and the quarterly measure of underemployment (those who want more work but can't get it) rose to 12.3%. Whilst historically 5.3% is

ITEM 9 (continued)

a low number, combining this with the 12.3% underemployment rate would suggest that the employment market is not as tight as the headline number would imply. The economy also shed 35,000 full time jobs in the last 2 months. This, along with offshore ructions (possibly a Eurozone default) could lead to more weakness in the non-mining (and largest) service portion of the Australian economy.

Legal Issues

As previously reported to Council, the LGFS Rembrandt CDO Investment and the Grange (Lehman Brothers) IMP Investment are currently before the Courts. Further discussions with Council's legal advisor Piper Alderman, confirm that these proceedings are still continuing with no formal update at this stage. Council staff have requested to be provided with an update as soon as practicable. A further update will be reported to Council, once there is a change in the current circumstances.

Investment Advisory Service

Oakvale Capital Limited has accepted their appointment as Council's Independent Investment Advisory Service.

Council's Property Investment Portfolio

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

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

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

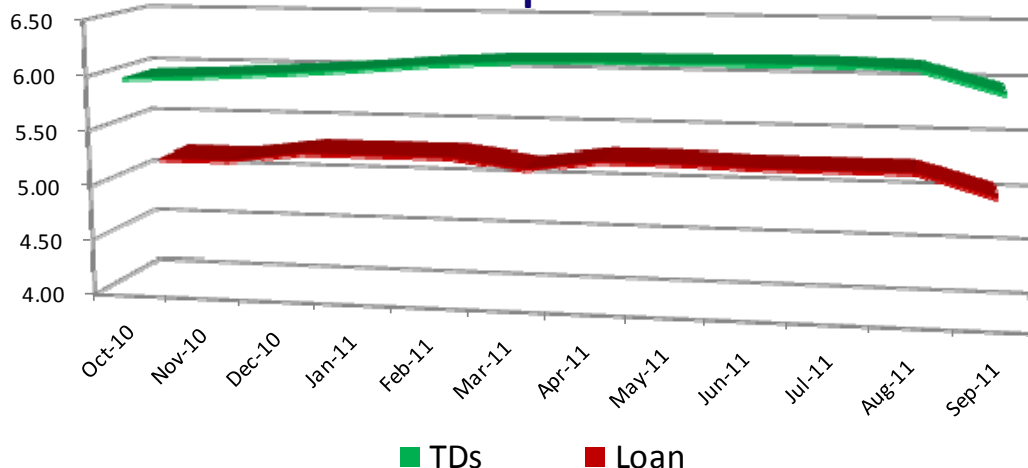
Loan Liability

Council's loan liability as at 30 September 2011 was \$4.2 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 90 Day BBSW + 20 basis points and is reset every quarter.

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)

**Term Deposits/Loan Interest Rate
Comparison**



Comparative Financial Data

Council Loan Current interest rate

Current interest rate 5.20%

Term Deposit

Current average interest rate 6.04%

Debt Service Ratio

Category 3 Councils 2008/09 3.03%

City of Ryde 2009/10 0.80%

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

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

Types of Investments:

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

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

ITEM 9 (continued)

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

Credit Rating Information

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

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

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

Note: Ratings from 'AA' to 'CCC' may be modified by the addition of a plus (+) or minus (-) sign to show relative standing within the major rating categories.

A "p" after the rating is a commonly used shorthand method of indicating that the investment principal is given a rating, but the interest is not. This is most commonly used for capital protected products, where the income stream is derived from a number of factors and/or variables which are unable to be reliably estimated, such as share prices.

ITEM 9 (continued)

INVESTMENT SUMMARY AS AT 30 SEPTEMBER 2011

Issuer	Investment Name	Investment Rating	Invested at 30-Sep-11 \$000's	Annualised Period Return (%)	12 Month Average Return on Current Investments	Return since 01 July 2011	% of Total Invested	Indicative Market Value ** \$000's	% Market Value
Alpha Financial Products	1. Alpha	B-	0	0.96	0.97	0.97	0.00	0	0.00%
Helix Capital	2. OASIS	CC	0	6.72	6.83	6.85	0.00	0	0.00%
Westpac	3. Focus	AA	500	0.00	0.00	0.00	0.67	481	96.21%
Westpac	4. Camelotfund	AA	500	0.00	0.00	0.00	0.67	494	98.87%
Grange	5. Grange IMP	Unrated	0	10.43	13.93	10.00	0.00	0	100.00%
Westpac	6. Westpac At Call	AA	482	4.99	4.83	4.85	0.64	482	100.00%
CBA	7. CBA TCD 5 Yr (Floating)	AAA	1,000	6.19	6.23	6.28	1.34	1,024	102.35%
Bank of Queensland	8. Bank of Queensland TD	AAA	1,000	6.41	6.47	6.41	1.34	1,000	100.00%
Bankwest	9. Bankwest Term Deposit	AA	1,000	6.13	6.11	6.12	1.34	1,000	100.00%
ANZ	10. ANZ Term Deposit	AAA	1,000	5.91	5.61	5.91	1.34	1,000	100.00%
ANZ	11. ANZ Term Deposit	AAA	1,000	5.88	5.88	5.88	1.34	1,000	100.00%
ANZ	12. ANZ Term Deposit	AAA	1,000	5.98	5.86	5.98	1.34	1,000	100.00%
NAB	13. NAB Term Deposit	AA	1,000	6.60	6.60	6.60	1.34	1,000	100.00%
MyState CU	14. MyState CU TD	AAA	1,000	6.25	6.16	6.25	1.34	1,000	100.00%
Police & Nurses Credit Union	15. Police & Nurses Credit Union	AAA	1,000	6.21	6.14	6.21	1.34	1,000	100.00%
Bankwest	16. Bankwest Term Deposit	AA	1,000	5.99	6.06	6.07	1.34	1,000	100.00%
Bankwest	17. Bankwest TD	AA	1,000	6.09	6.09	6.09	1.34	1,000	100.00%
Bankwest	18. Bankwest TD	AA	1,000	6.09	6.05	6.09	1.34	1,000	100.00%
Bankwest	19. Bankwest Term Deposit	AA	1,000	6.19	6.14	6.19	1.34	1,000	100.00%
NAB	20. NAB Term Deposit	AA	1,000	5.99	6.20	6.09	1.34	1,000	100.00%
Railways CU	21. Railways CU	AAA	1,000	6.30	6.12	6.30	1.34	1,000	100.00%
New England Credit Union	22. Community Mutual Group TD	AAA	1,000	5.69	6.21	6.10	1.34	1,000	100.00%
Community CPS	23. Community CPS TD	AAA	1,000	5.70	6.08	5.70	1.34	1,000	100.00%
Bendigo and Adelaide Bank	24. Bendigo Bank TD	AAA	1,000	5.76	6.07	6.01	1.34	1,000	100.00%
CUA	25. Credit Union Australia TD	AAA	1,000	6.28	6.28	6.28	1.34	1,000	100.00%
Peoples Choice CU	26. Peoples Choice CU	AAA	1,000	5.97	6.29	6.16	1.34	1,000	100.00%
Bank of Cyprus (Aust)	27. Bank of Cyprus (Aust) TD	AAA	1,000	6.17	7.04	6.80	1.34	1,000	100.00%
Australian Defence Credit Union	28. Australian Defence CU TD	AAA	1,000	6.36	6.24	6.36	1.34	1,000	100.00%
Qantas Staff CU	29. Qantas Staff CU TD	AAA	1,000	5.85	6.07	5.94	1.34	1,000	100.00%
Southern Cross CU	30. Southern Cross CU TD	AAA	1,000	6.24	6.30	6.24	1.34	1,000	100.00%
SGE CU	31. SGE Credit Union TD	AAA	1,000	6.04	6.02	6.04	1.34	1,000	100.00%
B&E Ltd	32. B & E Building Soc TD	AAA	1,000	5.81	6.14	6.10	1.34	1,000	100.00%
Victoria Teachers CU	33. Victoria Teachers CU	AAA	500	6.21	6.22	6.23	0.67	500	100.00%
Me Bank	34. ME Bank TD	AAA	1,000	6.26	6.25	6.26	1.34	1,000	100.00%
Bankwest	35. Bankwest Term Deposit	AA	1,000	7.00	6.66	7.00	1.34	1,000	100.00%
IMB	36. IMB TD	AAA	1,000	6.19	6.14	6.14	1.34	1,000	100.00%
Sutherland CU	37. Sutherland CU TD	AAA	1,000	6.19	6.10	6.19	1.34	1,000	100.00%
Summerland CU	38. Summerland CU TD	AAA	1,000	6.04	6.09	6.04	1.34	1,000	100.00%
Wide Bay CU	39. Wide Bay CU TD	AAA	1,000	6.24	6.17	6.24	1.34	1,000	100.00%
Northern Beaches CU	40. Northern Beaches CU TD	AAA	1,000	6.51	6.51	6.51	1.34	1,000	100.00%
Queenslanders CU	41. Queenslanders CU TD	AAA	1,000	5.97	6.23	6.13	1.34	1,000	100.00%
Maitland Mutual	42. Maitland Mutual Bldg Soc TD	AAA	1,000	5.49	5.59	5.49	1.34	1,000	100.00%
AMP	43. AMP eASYSaver	AAA	989	5.56	5.81	5.74	1.32	989	100.00%
South West CU	44. South West CU TD	AAA	1,000	5.82	6.14	6.10	1.34	1,000	100.00%
Big Sky CU	45. Big Sky CU TD	AAA	1,000	6.14	6.10	6.14	1.34	1,000	100.00%
Gateway CU	46. Gateway CU TD	AAA	1,000	6.35	6.41	6.35	1.34	1,000	100.00%
Suncorp-Metway	47. Suncorp-Metway TD	AAA	1,000	5.80	6.24	6.07	1.34	1,000	100.00%
Newcastle Perm Bldg Soc	48. Newcastle Perm Bldg Soc	AAA	1,000	6.19	6.14	6.19	1.34	1,000	100.00%
Queensland Teachers CU	49. Queensland Teachers CU	AAA	1,000	5.86	6.31	5.86	1.34	1,000	100.00%

ITEM 9 (continued)

ING	50. ING TD	AAA	1,000	6.62	6.57	6.62	1.34	1,000	100.00%
Greater Bldg Soc	51. Greater Bldg Soc TD	AAA	1,000	6.07	6.26	6.22	1.34	1,000	100.00%
Police CU (SA)	52. Police CU - SA	AAA	1,000	6.36	6.32	6.36	1.34	1,000	100.00%
Bank of Queensland	53. BoQ TCD	BBB+	2,000	6.38	6.51	6.46	2.67	2,000	100.00%
Suncorp-Metway	54. Suncorp Metway FRN	A+	1,001	6.08	6.17	6.15	1.34	1,001	100.00%
Intech CU	55. Intech CU TD	AAA	1,000	5.51	5.97	5.82	1.34	1,000	100.00%
Laiki Bank (Aust)	56. Laiki Bank TD	AAA	1,000	6.07	6.25	6.22	1.34	1,000	100.00%
AMP	57. AMP TD	A	1,000	7.14	7.14	7.14	1.34	1,000	100.00%
Rabobank	58. Rabobank TD	AAA	1,000	5.99	6.44	6.35	1.34	1,000	100.00%
Bendigo and Adelaide Bank	59. Adelaide Bank	BBB+	1,000	6.52	6.53	6.55	1.34	1,000	100.00%
WaW CU	60. WAW CU Coop	AAA	1,000	5.98	6.20	6.16	1.34	1,000	100.00%
Community First CU	61. Community First CU TD	AAA	1,000	6.19	6.19	6.19	1.34	1,000	100.00%
CBA	62. CBA TD	AAA	1,000	5.84	5.86	5.84	1.34	1,000	100.00%
HBS	63. Heritage Bldg Soc	AAA	1,000	6.35	6.35	6.35	1.34	1,000	100.00%
CBA	64. CBA TD	AAA	1,000	5.85	5.86	5.85	1.34	1,000	100.00%
NSW Teachers CU	65. NSW Teachers CU TD	AAA	1,000	6.36	6.36	6.36	1.34	1,000	100.00%
Rabobank	66. Rabodirect At-call	AAA	969	5.54	5.70	5.68	1.29	969	100.00%
Me Bank	67. ME Bank At Call Account	BBB	968	5.74	5.75	5.75	1.29	968	100.00%
NAB	68. NAB FRN	AA	1,001	6.20	6.26	6.25	1.34	988	98.74%
NAB	69. NAB FRN	AA	997	6.31	6.32	6.32	1.33	984	98.74%
CBA	70. CBA FRN	AA	999	6.38	6.37	6.37	1.33	986	98.72%
Westpac	71. Westpac FRN	AA	996	6.44	6.43	6.43	1.33	985	98.85%
CBA	72. CBA FRN	AA	997	6.43	6.42	6.42	1.33	984	98.72%
CBA	73. CBA FRN	AA	998	6.16	6.15	6.15	1.33	991	99.32%
NAB	74. NAB FRN	AA	990	6.52	6.51	6.51	1.32	978	98.75%
Westpac	75. Westpac FRN	AA	997	6.06	6.06	6.06	1.33	985	98.85%
NAB	76. NAB FRN	AA	991	6.21	6.21	6.21	1.32	978	98.74%
CBA	77. CBA FRN	AA	990	6.44	6.44	6.44	1.32	977	98.72%
NAB	78. NAB Flexi Deposit	AA	1,000	6.13	6.13	6.13	1.34	1,000	100.00%
ING	79. ING TD	A+	1,000	6.15	6.15	6.15	1.34	1,000	100.00%
			74,865	5.94	6.05	6.01	100	74,746	

*Monthly returns when annualised can appear to exaggerate performance

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

Return including Matured/Traded Investments

Weighted Average Return	5.89	5.87	5.96
Benchmark Return: UBSA 1 Year Bank Bill Index (%)	4.81	5.02	5.00
Variance From Benchmark (%)	1.08	0.85	0.97

Investment Income

	\$000's
This Period	397
Financial Year To Date	1,092
Budget Profile	750
Variance from Budget - \$	342

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	- Merimbula CDO	NR
	- Torquay CDO	CCC-
	- Global Bank Note CDO	NR
	- Scarborough	D
Oasis CDO		CC
ALPHA CDO		B-



John Todd Date: 11/10/2011

ITEM 9 (continued)

Council's Investment Powers

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

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

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

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

Overview of Investments

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

1. **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, and subsequently to CCC in October 2010. This investment has now been regraded to B-. 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.
2. **OASIS (Originally AA now CC):** 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

ITEM 9 (continued)

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.

3. **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. 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.
4. **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.
5. **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>	
Torquay CDO *	20/06/2013	
Merimbula CDO	20/06/2013	
Scarborough CDO *	23/06/2014	
AAA (Berryl) Global Bank Note CDO	20/09/2014	
HSBC FRN *	22/09/2016	22/09/2011

* If not called an additional margin paid

6. **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.

ITEM 9 (continued)

- 7. 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.
- 8. Bank of Queensland Term Deposit (AAA):** This investment is a 181 day term deposit paying 6.25% (6.41% annualised) and matures on 24 February 2012.
- 9. Bankwest Term Deposit (AA):** This investment is a 97 day term deposit, paying 6.00% (6.13% annualised), and matures on 5 Jan 2012.
- 10. ANZ Term Deposit (AA):** This investment is a 90 day term deposit, paying 5.78% (5.91% annualised), and matures on 6 Dec 2011.
- 11. ANZ Term Deposit (AA):** This investment is a 90 day term deposit, paying 5.75% (5.88% annualised), and matures on 1 Dec 2011.
- 12. ANZ Term Deposit (AA):** This investment is a 91 day term deposit, paying 5.85% (5.98 annualised), and matures on 12 Dec 2011.
- 13. NAB Term Deposit (AA):** This investment is a 3 year term deposit, paying 6.60% p.a., and matures 4 April 2014.
- 14. MyState Credit Union Term Deposit (AAA):** This investment is a 180 day term deposit, paying 6.15% (6.25% annualised) and matures on 4 October 2011.
- 15. Police & Nurses Credit Union (AAA):** This investment is a 153 day term deposit, paying 6.10% (6.21% annualised) and matures on 3 Oct 2011.
- 16. Bankwest Term Deposit (AA):** This investment is a 61 day term deposit paying 5.80% (5.94% annualised) and matures on 10 Oct 2011.
- 17. Bankwest Term Deposit (AA):** This investment is a 182 day term deposit paying 6.00% (6.09% annualised) and matures on 28 Oct 2011.
- 18. Bankwest Term Deposit (AA):** This investment is a 180 day term deposit paying 6.00% (6.09% annualised) and matures on 6 Mar 2012.
- 19. Bankwest Term Deposit (AA):** This investment is a 180 day term deposit paying 6.10% (6.19% annualised) and matures on 6 Dec 2011.
- 20. NAB Term Deposit (AA):** This investment is a 91 day term deposit paying 5.86% (5.99% annualised) and matures on 14 Nov 2011.
- 21. Railways CU (AAA):** This investment is a 182 day term deposit paying 6.20% (6.30% annualised) and matures on 5 December 2011.

ITEM 9 (continued)

- 22. Community Mutual Group (New England) Term Deposit (AAA):** This investment is a 30 day term deposit paying 5.55% (5.69% annualised) and matures on 5 October 2011.
- 23. Community CPS Term Deposit (AAA):** This investment is a 32 day term deposit paying 5.56% (5.70% annualised) and matures on 4 October 2011.
- 24. Bendigo Bank Term Deposit (AAA):** This investment is a 120 day term deposit paying 5.65% (5.76% annualised) and matures on 11 January 2012.
- 25. Credit Union Australia Term Deposit (AAA):** This investment is a 179 day term deposit paying 6.18% (6.28% annualised) and matures on 23 January 2011.
- 26. Peoples Choice Credit Union Term Deposit (AAA):** This investment is a 120 day term deposit paying 6.13% (6.26% annualised) and matures on 27 Sep 2011.
- 27. Bank of Cyprus (Aust) Term Deposit (AAA):** This investment is a 95 day term deposit paying 6.00% (6.17% annualised) and matures on 3 January 2012.
- 28. Australian Defence Force CU Term Deposit (AAA):** This investment is a 182 day term deposit paying 6.26% (6.36% annualised) and matures on 5 Dec 2011.
- 29. Qantas Staff Credit Union (AAA):** This investment is a 32 day term deposit paying 5.70% (5.85% annualised) and matures on 4 October 2011.
- 30. Southern Cross CU Term Deposit (AAA):** This investment is a 183 day term deposit paying 6.15% (6.24% annualised) and matures on 14 December 2011.
- 31. SGE Credit Union Term Deposit (AAA):** This investment is a 90 day term deposit paying 5.95% (6.04% annualised) and matures on 18 October 2011.
- 32. B & E Ltd Building Society Term Deposit (AAA):** This investment is a 120 day term deposit paying 5.70% (5.81% annualised) and matures on 11 January 2012.
- 33. Victoria Teachers CU Term Deposit (AAA):** This investment is a 150 day term deposit paying 6.10% (6.21% annualised) and matures on 16 February 2012.
- 34. Members Equity Bank Term Deposit (AAA):** This investment is a 182 day term deposit paying 6.16% (6.26% annualised) and matures on 31 Oct 2011.
- 35. Bankwest TD (AA):** This investment is a 4 year term deposit paying 7.00% (7.00% annualised) and matures on 13 February 2015.
- 36. IMB Building Society Term Deposit (AAA):** This investment is a 182 day term deposit paying 6.10% (6.19% annualised) and matures on 31 January 2012.

ITEM 9 (continued)

- 37. Sutherland Credit Union Term Deposit (AAA):** This investment is a 183 day term deposit paying 6.10% (6.19% annualised) and matures on 11 October 2011.
- 38. Summerland Credit Union Term Deposit (AAA):** This investment is a 183 day term deposit paying 5.95% (6.04% annualised) and matures on 11 October 2011.
- 39. Wide Bay Credit Union Term Deposit (AAA):** This investment is a 183 day term deposit paying 6.15% (6.24% annualised) and matures on 11 October 2011.
- 40. Northern Beaches Credit Union Term Deposit (AAA):** This investment is a 177 day term deposit paying 6.40% (6.51% annualised) and matures on 12 October 2011.
- 41. Queenslanders Credit Union Term Deposit (AAA):** This investment is a 152 day term deposit paying 5.85% (5.97% annualised) and matures on 25 January 2012.
- 42. Maitland Mutual Building Society (AAA):** This investment is a 32 day term deposit paying 5.36% (5.49% annualised) and matures on 4 October 2011.
- 43. AMP eASYSaver at call account (AAA):** This investment is an at-call account earning 5.60%. No fees are payable by Council on this investment.
- 44. South West Credit Union Term Deposit (AAA):** This investment is a 120 day term deposit paying 6.11% (6.24% annualised) and matures on 20 Sep 2011.
- 45. Big Sky Credit Union Term Deposit (AAA):** This investment is a 180 day term deposit paying 6.05% (6.14% annualised) and matures on 4 October 2011.
- 46. Gateway Credit Union Term Deposit (AAA):** This investment is a 182 day term deposit paying 6.25% (6.35% annualised) and matures on 16 December 2011.
- 47. Suncorp-Metway Term Deposit (AAA):** This investment is a 150 day term deposit paying 5.70% (5.80% annualised) and matures on 23 February 2012.
- 48. Newcastle Permanent Building Society (AAA):** This investment is a 182 day term deposit paying 6.10% (6.19% annualised) and matures on 31 Oct 2011.
- 49. Queensland Teachers Credit Union (AAA):** This investment is a 120 day term deposit paying 5.75% (5.86% annualised) and matures on 17 January 2012.
- 50. ING Term Deposit (AAA):** This investment is a 2 year term deposit paying 6.84% (6.62% annualised) and matures on 18 Feb 2013.
- 51. Greater Building Society (AAA):** This investment is a 120 day term deposit paying 5.95% (6.07% annualised) and matures on 10 January 2012.

ITEM 9 (continued)

- 52. Police Credit Union – SA Term Deposit (AAA):** This investment is a 156 day term deposit paying 6.25% (6.36% annualised) and matures on 12 Oct 2011.
- 53. Bank of Queensland TCD (BBB+):** This is a certificate of deposit issued at a margin of 140 points above 90 day BBSW, maturing 11 November 2013.
- 54. Suncorp Metway FRN (A+):** This is a floating rate note purchased at a margin of 106 points above 90 day BBSW, maturing 18 June 2013.
- 55. Intech CU Term Deposit (AAA):** This investment is a 30 day term deposit paying 5.38% (5.51% annualised) and matures on 12 October 2011.
- 56. Laiki Bank Term Deposit (Aust) (AAA):** This investment is a 120 day term deposit paying 5.95% (6.07% annualised) and matures on 17 January 2012.
- 57. AMP Term Deposit (A):** This investment is a 4 year term deposit paying 7.14% (7.14% annualised) and matures on 16 February 2015.
- 58. Rabobank Term Deposit (AAA):** This investment is a 180 day term deposit paying 5.90% (5.99% annualised) and matures on 5 March 2012.
- 59. Adelaide Bank FRN (BBB+):** This is a floating rate note issued at a margin of 140 points above 90 day BBSW, maturing 17 March 2014.
- 60. WAW CU Coop Term Deposit (AAA):** This investment is a 95 day term deposit paying 5.85% (5.98% annualised), and matures on 3 January 2012.
- 61. Community First CU Term Deposit (AAA):** This investment is a 182 day term deposit paying 6.10% (6.19% annualised), and matures on 4 October 2011.
- 62. CBA Term Deposit (AA):** This investment is a 60 day term deposit paying 5.71% (5.85% annualised) and matures on 1 November 2011.
- 63. Heritage Building Society Term Deposit (AAA):** This investment is a 182 day term deposit paying 6.25% (6.35% annualised), and matures on 10 October 2011.
- 64. CBA Term Deposit (AA):** This investment is a 60 day term deposit paying 5.70% (5.84% annualised) and matures on 4 November 2011.
- 65. NSW Teachers Credit Union Term Deposit (AAA):** This investment is a 182 day term deposit paying 6.25% (6.35% annualised), and matures on 10 October 2011.
- 66. Rabodirect At-Call (AAA):** This investment is an at call account, paying the short term money market rate. These funds are used for operational purposes.

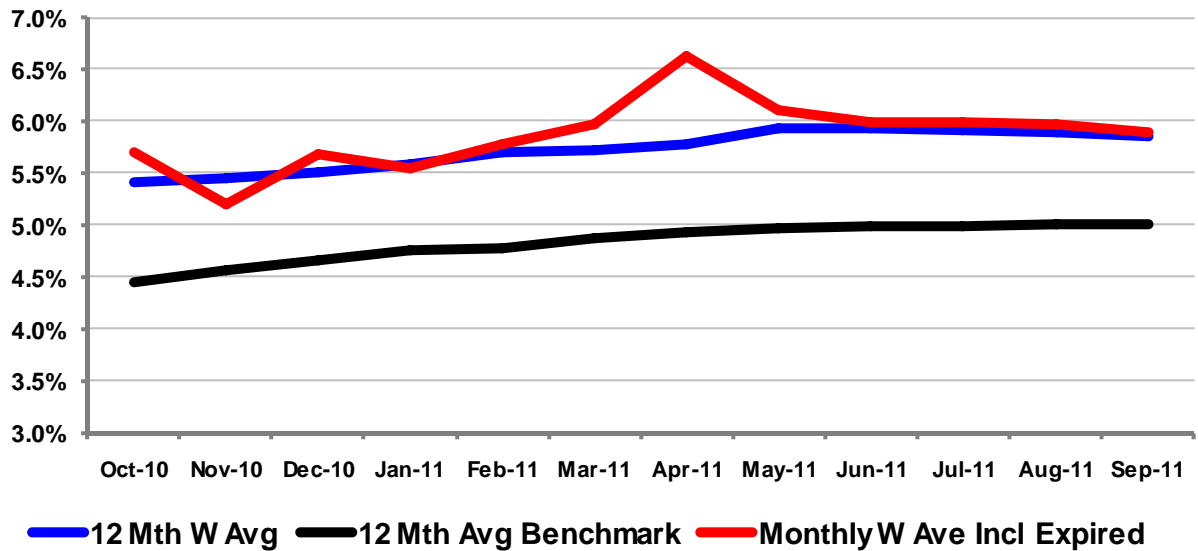
ITEM 9 (continued)

- 67. Members Equity Bank At-Call Account (BBB):** This investment is an at call account, paying the short term money market rate. These funds are used for operational purposes.
- 68. National Australia Bank Floating Rate Note (AA):** This investment is a senior, unsecured floating rate note paying 115 above BBSW. This investment matures 21 June 2016.
- 69. National Australia Bank Floating Rate Note (AA):** This investment is a senior, unsecured floating rate note paying 125 above BBSW. This investment matures 21 June 2016.
- 70. CBA Floating Rate Note (AA):** This investment is a senior, unsecured floating rate note purchased at a yield of 120 above BBSW. This investment matures 2 Aug 2016.
- 71. Westpac Floating Rate Note (AA):** This investment is a senior, unsecured floating rate note purchased at a yield of 123 above BBSW. This investment matures 9 May 2016.
- 72. CBA Floating Rate Note (AA):** This investment is a senior, unsecured floating rate note purchased at a yield of 125 above BBSW. This investment matures 2 Aug 2016.
- 73. CBA Floating Rate Note (AA):** This investment is a senior, unsecured floating rate note purchased at a yield of 110 above BBSW. This investment matures 21 July 2015.
- 74. National Australia Bank Floating Rate Note (AA):** This investment is a senior, unsecured floating rate note purchased at a yield of 142 above BBSW. This investment matures 21 June 2016.
- 75. Westpac Floating Rate Note (AA):** This investment is a senior, unsecured floating rate note purchased at a yield of 117 above BBSW. This investment matures 9 November 2015.
- 76. National Australia Bank Floating Rate Note (AA):** This investment is a senior, unsecured floating rate note purchased at a yield of 140 above BBSW. This investment matures 21 June 2016.
- 77. CBA Floating Rate Note (AA):** This investment is a senior, unsecured floating rate note purchased at a yield of 140 above BBSW. This investment matures 2 Aug 2016.
- 78. NAB Flexi Deposit (AA):** This is a 1 year Term deposit, paying 6.00% for the first quarter, then paying 125bps above BBSW every quarter after that.

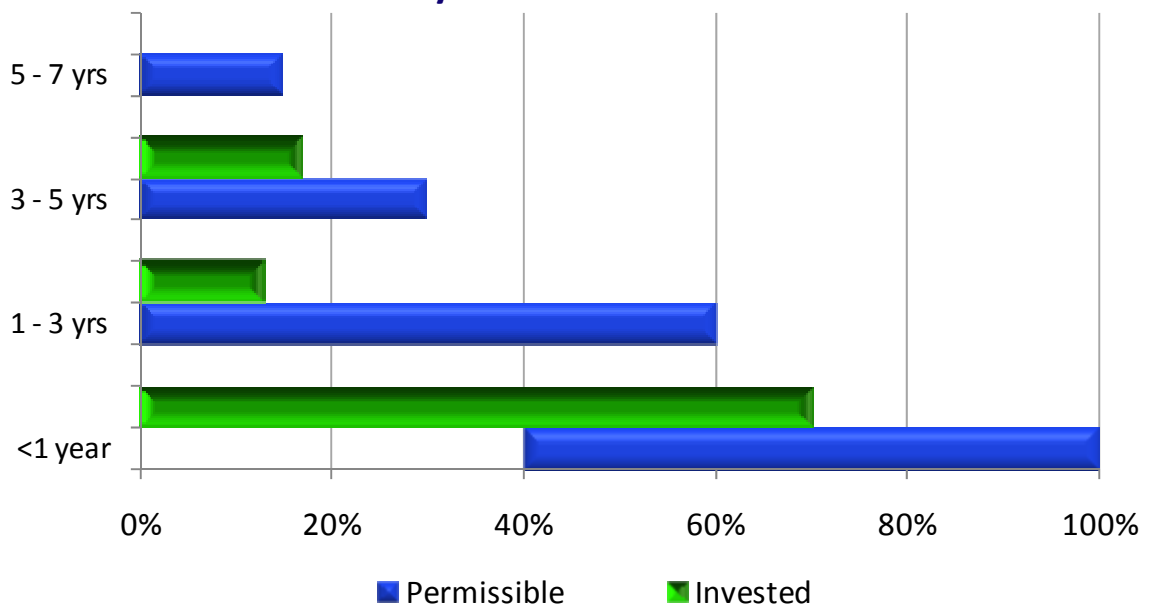
ITEM 9 (continued)

79. ING Term Deposit (A+): This investment is a 122 day term deposit paying 6.03% (6.15% annualised), and matures on 30 January 2012.

Performance - All Investments



Policy Limits on Maturities

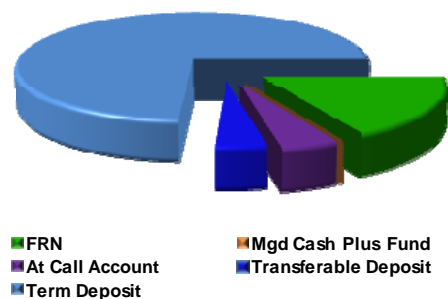


ITEM 9 (continued)

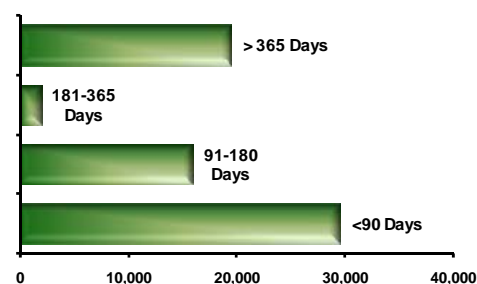
Active Investment by Institution



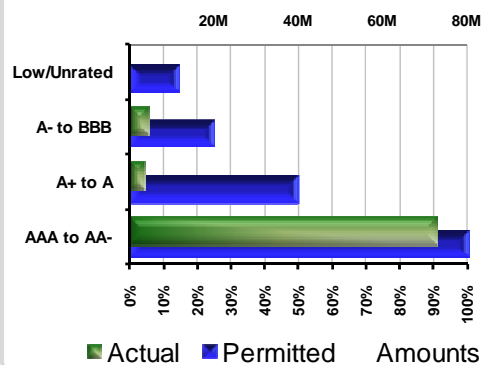
Summary by Investment Type



Summary by Duration



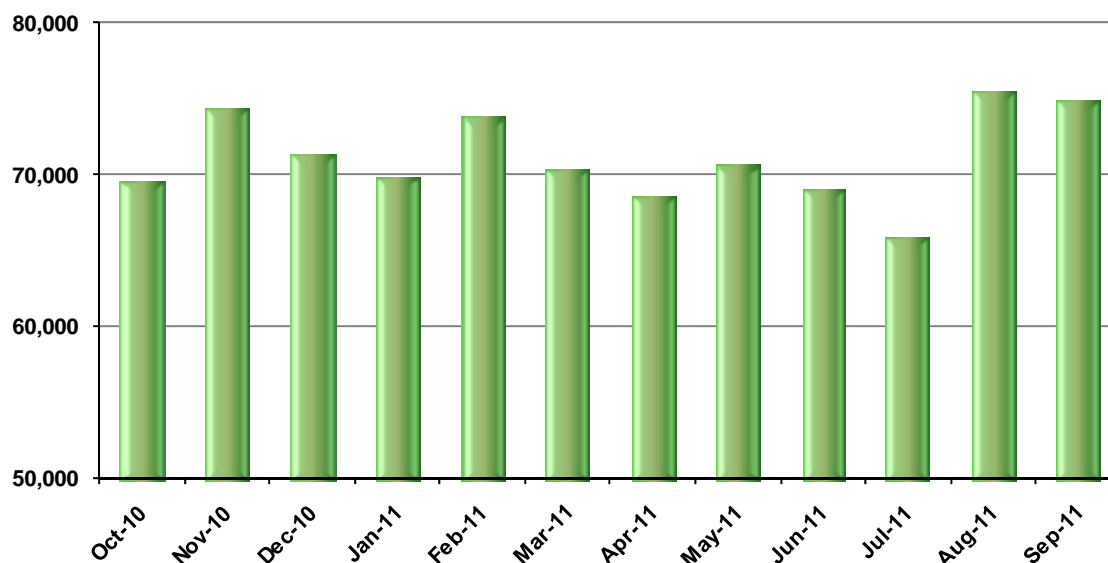
Investment Summary by Rating



	>365 days	<365 days
Cash/TDs	\$6.0M	\$52.9M
TCDs	\$3.0M	\$0.0M
FRN's	\$12.0M	\$0.0M
Mgd Funds	\$0.0M	\$0.0M
Other	\$0.5M	\$0.5M
CDO's	\$0.0M	\$0.0M
	\$21.5M	\$53.4M

ITEM 9 (continued)

Total Funds Invested



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

Income from interest on investments and proceeds from sales of investments totals \$1.09M, being \$342K above budget projections as per the Delivery and Operational Plan.

To date, the funds from the sale of the Flinders, Glenelg, and the maturity of the Quartz CDOs as part of the Lehman/Grange IMP, have been transferred to the Financial Security Reserve. The Financial Security Reserve, following this transfer of additional funds has a balance of \$1.04M.

ITEM 9 (continued)

Policy Implications

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

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

Other Options

Not applicable.

Conclusion

Council's year to date return to September 2011 is 5.96%, which is 0.97% above the benchmark.

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

With the change in the guarantee, down to \$250k from 1 February, a proportion of Council's investments, approximately \$10 million has been placed into longer term (4-5 years) senior debt in the form of Floating Rate Notes (FRN's) with the major Australian Banks. This is in accordance with Council's Investment Policy and will ensure the best longer term rates of return for Council.

Council staff have met with Oakvale Capital Limited, following their appointment as our Independent Investment Advisor. Oakvale will be assisting Council staff in reviewing Council's current Investment Policy, including the split of investments by term, institution etc. and will be reporting back to Council the outcome of that review. It is anticipated that the review will be completed by the end of November and the revised policy will be reported to Council in December.

10 TOP RYDER COMMUNITY BUS SERVICE, CONTINUATION OF SERVICE

Report prepared by: Senior Sustainability Co-ordinator - Transport and Environment

Report dated: 29/09/2011

File No.: ENV/08/3/8 - BP11/634

Report Summary

This report will update the Council on the results of the extended trial including:

1. The service results for the Top Ryder Community Bus Service;
2. The trial business partnership with Optus;
3. The revised route selection to accommodate even more vibrant destinations for the service; and
4. To outline other business partnerships being progressed to further financially support the service.

This report proposes to extend the Top Ryder Community Bus Service to 30 June 2013 given the trial with Optus is proving successful and the service is the most visible and successful sustainable transport solution for the Ryde LGA. The service continues to be well regarded and used by the local community, having transported over 150,000 passengers since the service began on 22 July 2008.

The financial viability of the existing service is confirmed and substantially satisfies Council's funding cap requirement of \$100,000 pa for 2011/12 with the balance of cost to run the service being made up from separate business partnerships and sponsorship arrangements.

RECOMMENDATION:

- (a) That Council approve an extension of the Top Ryder Community Bus Service to 30 June 2013.
- (b) That an adjustment be made to the December review of the 2011/12 budget for the sum of \$55,000 to cover Council costs during the operation of the service for the remainder of this year.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Craig Heal

Senior Sustainability Co-ordinator - Transport and Environment

Report Approved By:

Sam Cappelli

Manager - Environment

Dominic Johnson

Group Manager - Environment & Planning

ITEM 10 (continued)

Background

Council on 21 June 2011 resolved:

- (a) *That Council approve an initial extension of the Top Ryder Community Bus Service for the period of 4 months to enable the business partnership arrangement referred to in the report to be trialled.*
- (b) *That an adjustment to the September review of the 2011/12 budget for the sum of \$45,335 be made to cover Council costs during the period of the trial, not to include funding from the Domestic Waste Management Charge.*
- (c) *That during the trial period consideration be given to possible route adjustments Including optimising connections with local clubs.*
- (d) *That a further report be provided to Council at the end of the trial period to assess the success of the new business partnership arrangement and determine whether or not the service should be extended to 30 June 2012 and beyond.*

Council is reminded below on the history of the service:

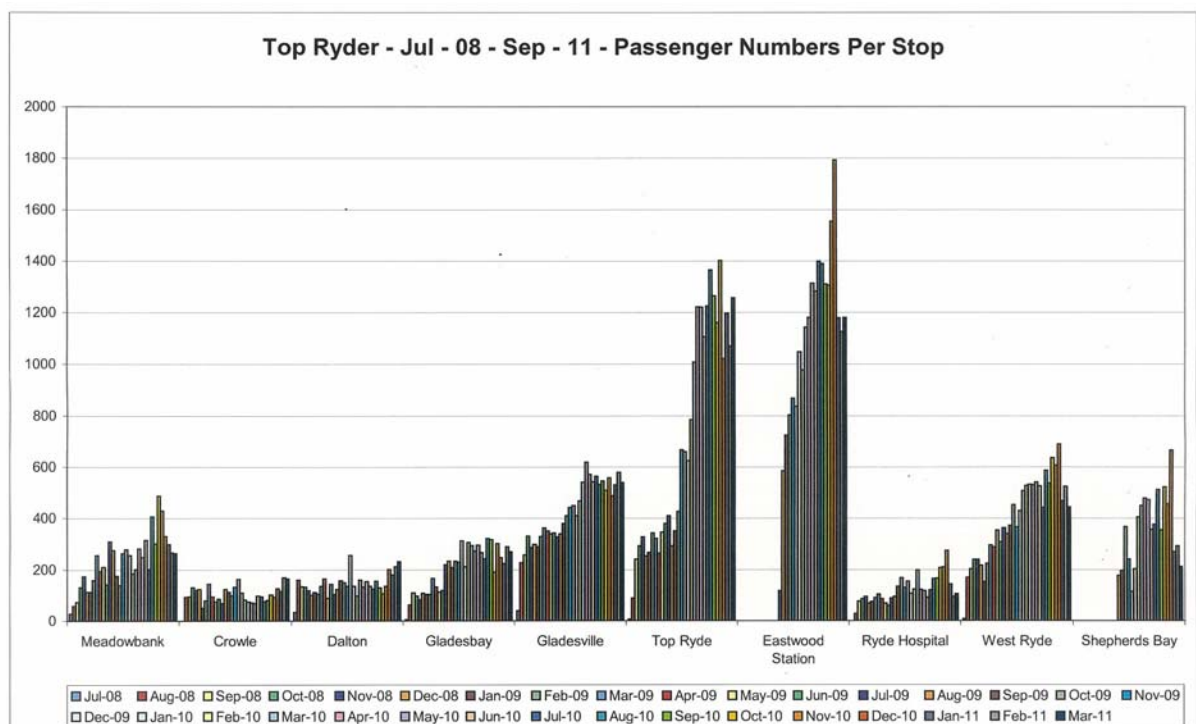
- The Top Ryder service commenced on 22 July 2008 and was run in partnership with the owners of the Top Ryde City Shopping Centre (formerly the Bevillestra Group). This partnership ended 19 October 2010.
- 2x25 seat buses both with wheelchair access provide the service and are fully owned by Council, currently valued at \$110,000.
- The service connects five of the six major centres of the CoR and smaller local destinations. West Ryde, Gladesville, Meadowbank Station, Eastwood and Top Ryde. The service provides the local community a free service running six days per week Monday to Saturday and on Public Holidays between the hours of 9.30am to 3.00pm.
- Council has engaged the services of VIP Car Higher Services to manage the operation of the Top Ryder and the Optus bus shuttle services.
- The buses are fuelled on the environmentally preferred B20 bio-diesel which reduces greenhouse gas emissions by 17% when compared to 100% diesel and forms a key part of Council's Climate Change and greenhouse gas reduction commitments.

ITEM 10 (continued)

Report

1. The service results for the Top Ryder Community Bus Service

Patronage of the Top Ryder in the trial extension period has been very good. The buses have averaged 4,800 passengers per month which is in line with normal performance. It has had 57,684 passengers in the preceding 12 months. This has been achieved without any extensive marketing due to the uncertainty of the service.



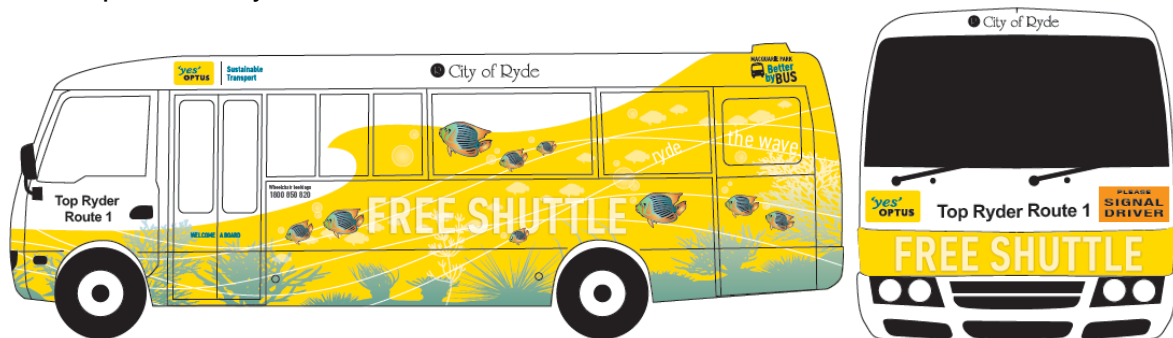
2. The trial business partnership with Optus

The Top Ryder Community Bus Service is now financially viable due to the trial business partnership with Optus. This partnership is yielding over \$6,200 per month and is contracted till 17 of August 2012 subject to the minimum trial period to 17 February 2012.

This business arrangement commenced on 18 August 2011 and provides an after hours bus shuttle service using one of our buses. This partnership has proved very successful with Optus. The buses are running on time and to budget. Optus' contract management to date have been very pleased with the service and in particular the driver and record keeping for audit purposes. It is likely that the current contract period will be extended but this is dependent on Council extending the Top Ryder service, as recommended.

ITEM 10 (continued)

Bus livery is now complete. This was a condition of the sponsorship arrangement. The livery designs are below. Co-branding of the City of Ryde and Optus exists and it is clear it is still a free community bus for Ryde. The Top Ryder name will still feature prominently.



3. Cost of service

The annual cost of the operating the Top Ryder Community Bus Service, which included running and maintenance costs, for 2010/11 was \$215,000. The service transported over 64,000 passengers during 2010/11 which represents a cost per trip of \$3.30. The participation rate is 83% based on a round trip.

4. The revised route selection to accommodate even more vibrant destinations for the service

Given optimum operating requirements to connect 5 key centres of Ryde and desired reliability of the service the service route and frequency, should remain substantially unchanged. Some minor tweaking is however possible to better connect the some of the local clubs in the close vicinity of the current route. Residents have previously expressed a desire to connect with these clubs. Investigations show it may be possible to a limited extent to allow this to occur provided places are substantially on route so as not to impact the current level of service. It is important that the regularity of 5 runs for each of the buses is maintained and that each run takes no longer than 1 hour. The Gladesville Sporties, Ryde Ex Services Club and Ryde Eastwood Hawks Club are on or near route and this is being considered. There are also opportunities to pursue those clubs for sponsorship to help fund the Top Ryder service and these opportunities are being explored

5. Other Business partnerships being progressed to financially support the Top Ryder

Preliminary discussions have again been had with the Top Ryde Shopping Centre and they have expressed a desire to again sponsor the service, subject to the service being extended, as proposed. Other potential business partners like the local clubs mentioned above are also keen to sponsor the service but they too are waiting to see if the service is extended for 12 months or longer. This lack of certainty has been a weakness in being able to engage with other partners and sponsors in the past. Funds up to \$40k per year may be available.

ITEM 10 (continued)

Consultation

Internal Council business units consulted included:-

- Regulatory Services
- Risk and Audit
- Plant & Fleet
- Environment
- Community Relations and Events

Internal Workshops held:-

- Not Applicable

External public consultation included:-

- Optus
- VIP Higher Bus Service

Comments

Nil as the body of this report cover issues arising from consultation.

Critical Dates

The Top Ryder service was extended to 1 November 2011. If Council decides to discontinue the service, one (1) month should be given to notify the local community of the cancelled service.

The business agreement with Optus must run till at least 17 February 2012 and this can still be accommodated should Council decide to cease operating the Top Ryder service.

Financial Impact

The Top Ryder Community Bus service cost Council \$215,000, including running and maintenance costs in 2010/11 and, taking into account the new Optus business arrangement, this cost is expected to rise to \$290,000 p/a for 2011/12 and 2012/13.

This annual cost will be funded from:

1. Council Operating Budget \$100,000 p/a
2. Revenue from the Optus business arrangement gross \$135,000 including GST for 2011/12 and \$154,000 including GST for 2012/13
3. Revenue from other sponsorship opportunities is estimated at \$36,000 p/a

Council has resolved to cap its contribution to the Top Ryder service at \$100,000 p/a (see previous reports to Council 17 August 2010 and 21 June 2011) with the balance to be made up from business partnership and sponsorship funding.

Any extension to the service beyond 30 June 2013 (the duration of the proposed extension detailed in this report) will consider future funding sources for the Top Ryder service in accordance with the above and be the subject of a future report to Council.

ITEM 10 (continued)

Policy Implications

There are no policy implications through adoption of the recommendations.

Other Options

Council may decide to discontinue the service and sell off both buses which have a current residual value of \$110,000. Under this scenario, appropriate notices will be placed in the local media advising of Council decision.

Council may also decide to lower the current level of service by reducing the frequency of service to five days instead of six days per week. However, each day is well patronised by the local users. The community has a reliance on the service running six days per week and the external funding contributors support the service on the expectation that the buses provide advertising potential six days a week.

Conclusion

The service is well established and is relied upon by many residents in the local community. Over 150,000 passengers have been transported by the Top Ryder since the service began and numbers continue to grow.

The service is a key component of the wider City transport connection network and is considered a fast and efficient service that supports long term community transport initiatives and reduces the number of local car trips within the Ryde LGA.

11 TENDER FOR PROFESSIONAL SERVICES / CONSULTANTS - DEVELOPMENT ASSESSMENT. Establishment of a Panel of Preferred and Alternate Consultants.

Report prepared by: Manager Assessment

Report dated: 24/10/2011

File No.: GRP/11/4/3/6 - BP11/727

Report Summary

This report is to advise Council of the outcomes of the Request for Tender # *COR – EOI – 01 /11* relating to Professional Services/Consultants – Development Assessment. It recommends Council create a panel of preferred and alternate consultants to be used on a rotation basis for three (3) years.

RECOMMENDATION:

That Council endorse the selected Consultants identified in the Panel of Preferred and Alternate Consultants to be used on a rotational basis, subject to satisfactory performance, for a period of three (3) years.

ATTACHMENTS

- 1 COR - EOI - 01/11 - CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL
- 2 Evaluation report - CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL
- 3 Evaluation matrix - CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL
- 4 List of preferred and alternate consultants - CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL

Report Prepared By:

Liz Coad
Manager Assessment

Report Approved By:

Dominic Johnson
Group Manager - Environment & Planning

ITEM 11 (continued)

Background

The City of Ryde seeks to develop a new system with increased transparency for the engagement of consultants to provide necessary services for development assessment.

The last tender to establish a panel of Consultants at the City of Ryde was undertaken in 2008 which came into effect in 2009. This previous tender was for Consultants to be used across Council – the current tender was undertaken specifically for services to be provided for development assessment.

This tender is a sub-project of the Best Value Review of the development assessment process.

The aim is to provide service efficiencies in the referral process for development applications for skills not available in-house and also to provide flexibility in the workforce to deal with fluctuations in workloads and improve customer service.

The Tender results in a panel of preferred candidates and alternate candidates, who will then be selected by a subsequent method of engagement over a three year period.

Subsequent methods of engagement would include a direct approach to a consultant offering work on the basis of skills/price, or alternatively, if the work is more complex or for a contracted period (e.g. providing structural engineering advice on applications in landslip zones for six months), quotes may be sought from three consultants on the panel.

The skills provided on the panel, particularly those not available in-house, may also be beneficial in policy review undertaken by the Urban Planning unit subject to a subsequent method of engagement, such as three competitive quotes being obtained from consultants on the panel.

There is a procedure under Council's procurement framework to deal with unsatisfactory performance, including removal from the panel.

Report

The Request for Tender was publicly advertised in the Sydney Morning Herald and on Council's e-procurement site (Tenderlink) from 15 March 2011 until 5 April 2011.

As a result a total of 63 companies or individuals (sole traders) submitted 89 submissions under the following nine skill categories:

- Town Planning Consultant
- Bushfire Consultant
- Consultant Structural Engineer
- Consultant Landscape Architect*
- Access Consultant
- Consultant Development Engineer

ITEM 11 (continued)

- Consultant Architect
- Consultant Heritage Officer
- Consultant Traffic Engineer

A tender evaluation panel consisting of the following members was established to assess the responses:

- Liz Coad, Manager Assessment
- Scott Cox, Manager Environmental Health & Building
- John Todd, Chief Financial Officer

A Tender Evaluation report (**CONFIDENTIAL**) is **CIRCULATED UNDER SEPARATE COVER**. Pursuant to Section 10A(2)(d) of the Local Government Act 1993, this document is listed as confidential as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the persons who supplied it. Furthermore, it is considered that discussion in an open meeting would, on balance, be contrary to the public interest as it could affect Council's ability to secure the preferred tenderer and divulge information of a commercial arrangement.

The assessment was based on the following criteria as outlined in the Tender evaluation plan –

- Cost – hourly/daily charges.
- Capability – proposed staff including curriculum vitae and location related to ability to do site inspections.
- Demonstrated Experience – previous experience in development assessment and demonstrated understanding of Local Government environment.

Tender submissions were evaluated by the assessment panel utilising an Assessment matrix (**CONFIDENTIAL**) which is **CIRCULATED UNDER SEPARATE COVER** along with an easy read version of the outcomes listing both preferred and alternate consultants in each of the nine tender categories.

As a result of the Tender Evaluation, 45 were listed as “Preferred”, 31 were listed as “Alternate” and 13 were found to be unacceptable or non-compliant over the nine skill categories.

*In relation to the category Consultant Landscape Architect, a further tender is likely to be recommended as part of the final report for the Best Value Review, to have Arborists included on the panel. As Councillors are aware, the DCP Part 9.6 Tree Preservation is currently being reviewed, and the outcomes of this review may impact the complexity of the information customers are required to submit with their development application related to trees and the resources needed to make assessment of tree issues with development applications.

ITEM 11 (continued)

Consultation

Internal Council business units consulted included:

- Risk and Audit
- Urban Planning

Internal workshops held

- Not applicable

City of Ryde Advisory Committees consulted included:

- Not applicable

External public consultation included:

- Not applicable

Critical Dates

There are no critical dates or deadlines to meet however, Council staff would like this panel to be operational as soon as possible to provide increased transparency, a flexible workforce and improved customer service.

Financial Impacts

Funds for expenditure on Consultants have already been approved in the current budget for the Assessment Unit, being \$355,000 for 2011/2012. Any engagement of consultants will be within the budget allocated unless further approval is granted by Council through the quarterly budget review process. Similarly, an engagement of Consultants for policy review by Urban Planning would be for projects already approved and budgeted for by Council.

Policy Implications

There are no policy implications through adoption of the recommendation.

Other Options

None applicable.

Conclusion

As detailed in this report, Council has completed the tender process for a panel of experts to provide professional service in development assessment.

A panel of preferred and alternate consultants has been identified.

12 FEE/CHARGE ESTABLISHMENT FOR LIBRARY PUBLICATION

Report prepared by: Section Manager Library Program

Report dated: 20 October 2011

File No.: LIB/09/10/5 - BP11/718

Report Summary

This report recommends that a \$10.40 fee be added to the schedule of fees and charges for the sale of a library publication. The book, *Sweet and Savoury Family Favourites* is a compilation of recipes submitted by forty City of Ryde residents.

There have been over 200 initial expressions of interest in the book and the library budget can only fund the printing of 135 copies. Most of these copies will be given to contributors or archived. Selling the books will allow for the printing of additional copies in order to meet the anticipated demand.

RECOMMENDATION:

- (a) That the fee/charge of \$10.40 for the purchase of *Sweet and Savoury Family Recipes* be publicly exhibited for a period of not less than 28 days from 9 November to 6 December 2011.
- (b) That a further report be presented to Council for consideration after the exhibition period, should any submissions be made.
- (c) If no submissions are made it is recommended that the price be confirmed by Council and the sale of the book proceed without the requirement of a further report to Council.

ATTACHMENTS

- 1 Sample pages from the book - CIRCULATED UNDER SEPARATE COVER 7 Pages

Report Prepared By:

Kim Thomson
Section Manager Library Program

Report Approved By:

Baharak Sahebekhtiari
Acting Group Manager - Community Life

ITEM 12 (continued)

Background

In celebration of History Week, Ryde Library Service compiled a recipe book reflecting the cultural heritage of the area's residents. The concept was well received with forty residents submitting recipes, memories and photographs of the ancestor or relative that inspired the recipe. The book was launched during History Week in September.

Report

The 2011/12 fees and charges schedule includes approved fees for a number of publications currently for sale in the library. The establishment of a comparable fee for this new publication is proposed.

An initial print run of 250 is planned. Over 200 expressions of interest were received at the launch event and we anticipate this to increase significantly once it is made available.

Financial Impact

There is a financial impact of \$1,400 for the production of 135 copies of the book, *Sweet and Savoury Family Favourites*, which can be funded from the current library budget, which could be supplied free of charge to the contributors and placed in the library collection.

To be able to supply additional publications Council would have to either fund this through a Quarterly Budget Adjustment or set a fee for the sale of the publication, which has been recommended at \$10.40 per book.

Initially responses to a call for expressions of interest have indicated that if Council were to adopt a fee of \$10.40 per book, it could afford to have another 115 books printed, a total of 250 books, using the proceeds from the sale of 115 books and the funds available in the budget, which would allow Council to meet the initial demand. Council could then continue to sell and/or donate some of the remaining books.

Conclusion

The publication will be promoted widely and will be available for purchase at all library locations.

13 MEMORANDUM OF UNDERSTANDING BETWEEN CITY OF RYDE AND MACQUARIE UNIVERSITY

Report prepared by: Manager - Customer Services

Report dated: 25/10/2011

File No.: CUS/10/3/4/002 - BP11/735

Report Summary

This report advises Council that over the past few months, discussions have taken place between Macquarie University and the City of Ryde in formalising a collaborative relationship in working together and establishing the basis for how this would operate.

It is proposed that the City of Ryde and Macquarie University establish a long term partnership that leverages the University's research capability and Participation and Community Engagement (PACE) program in assisting Council by either conducting research and/or undertaking projects related to the City of Ryde's 2021 Community Strategic Plan.

As a result, the City of Ryde and Macquarie University have developed a Draft Memorandum of Understanding (MOU) under which to progress and define the terms of a long-term collaborative relationship between the parties that harnesses the research, planning and development capacities of the University as a strategic asset for the pursuit of the City of Ryde's 2021 Community Strategic Plan. The shared vision detailed in the MOU, is to develop an enduring 'town and gown' relationship of international standing that demonstrates the importance of knowledge to the City's aspiration to be the place for "lifestyle and opportunity @ your doorstep".

Therefore this report seeks Council's endorsement of the Draft Memorandum of Understanding, by delegating the authority to the General Manager in finalising the MOU (with any minor adjustments) and resolving to affix the Seal of Council.

RECOMMENDATION:

- (a) That Council endorse the Draft Memorandum of Understanding (MOU) with Macquarie University as ATTACHED to this report.
- (b) That Council delegate to the General Manager the authority to make any minor adjustments that may be necessary in finalising the Draft MOU.
- (c) That the Mayor and General Manager be authorised to affix the Seal of Council to the Memorandum of Understanding on behalf of the City of Ryde.

ATTACHMENTS

- 1 Macquarie Ryde Partnership - Memorandum of Understanding (MQ Revision)
- 2 Macquarie/Ryde Partnership Projects for 2011/2012

ITEM 13 (continued)

Report Prepared By:

Angela Jones-Blayney
Manager - Customer Services

Report Approved By:

Roy Newsome
Group Manager - Corporate Services

ITEM 13 (continued)

Background

An initial meeting with senior university representatives was held on 2 September 2011 to discuss the development of a draft Memorandum of Understanding between the parties. As a result of the outcome of discussions at this meeting, a draft MOU was developed by representatives from the City of Ryde and Macquarie University to articulate our goals, commitments and objectives (Draft MOU in **ATTACHMENT 1**). A second meeting was held with University representatives on 13 October 2011 to discuss the content of the draft MOU and further explore the potential of the relationship.

The proposed partnership presents an enormous opportunity for City of Ryde to complement its own capacities with the extensive resources of a leading university in our local government area.

Initial expectations with the developing partnership include the provision of Research, Planning and Development support by Macquarie University to grow and enhance City of Ryde initiatives. The MOU has been drafted to include the expectation that at its base the partnership will yield:

- Models for program and project design, development, evaluation and assessment tailored to complement the existing City of Ryde Project Management framework.
- Models for Macquarie University to contribute to City of Ryde's workforce planning (including creating greater opportunity for women and members of culturally and linguistically diverse communities) and development through research, planning and ongoing student placements and internships.
- Model for longitudinal studies on City of Ryde's actual and perceived progress by our community against the goals and outcomes described in the City of Ryde 2021 Community Strategic Plan.
- Exploration of further and continuing opportunities to partner with Not for Profit, Government and Business sectors to develop initiatives to deliver on City of Ryde's vision of "lifestyle and opportunity @ your doorstep".
- Undertake the development of specific projects on an ongoing basis.

Details with regard to how projects will be selected, financed and delivered, the number of projects and when projects will be undertaken will be defined and recommended by the Partnership Steering Group.

In order to progress and better inform the conversation relating to identified projects, a list of projects and base budget projects have been extracted from Council's Operational and Four Year Delivery Plan. Projects that have linkages based on place, market segment or theme have been linked under broad headings to identify the potential to be delivered through this partnership with Macquarie University.

ITEM 13 (continued)

The projects that City of Ryde is considering co-developing in partnership with Macquarie University in the initial year of the project are detailed in **ATTACHMENT 2**.

Report

The establishment of a long-term collaborative relationship between the City of Ryde and Macquarie University will enable a strong partnership to be formed that will harness the research capacities of the University in developing a strategic asset for the City's pursuit of its Community Strategic Plan. This partnership would involve:

- Research, including routine data collection, analysis and evaluation and a broader open-ended research agenda.
- Student-based engagement across the undergraduate and graduate course work programs through Participation and Community Engagement (PACE).
- Institutional engagement around issues of site development, community impacts and sustainability.

It is expected that this partnership will achieve:

- Development of a credible, high-profile public think tank branded as Macquarie-Ryde Futures (or similar) that develops global recognition of the region as an innovative location in urban, community, technology and related research.
- Integration of strategic research planning with Council workforce planning, community development and urban planning initiatives, the University's innovative Participation and Community Engagement program to secure long-term capacities to collect data relevant to regular evaluation, enhancement and development of the City's Community Strategic Plan and the University's capacity to deliver innovative service and research to its host communities.
- Development of national and international recognition of Macquarie-Ryde as a centre of world class research, innovation, civic engagement, leadership and service.

As part of this collaborative relationship City of Ryde is exploring the potential of creating an on-line Community of Interest Network (COIN) in a joint venture with Macquarie University. Through the development of this product with Macquarie University, it is anticipated that the platform can be delivered at a lower cost and with a higher degree of flexibility than would be available if sourced through a private provider.

It is anticipated that this COIN would allow City of Ryde and Macquarie University, in partnership, to establish base line and longitudinal research with the City of Ryde to measure how community perception of their local Council has shifted over time.

ITEM 13 (continued)

In particular this research will identify whether the community has perceived a shift against the goals of our City of Ryde 2021 Community Strategic Plan so that we will understand which actions by which agencies have created that shift in community perception.

In support of the MOU and to demonstrate their commitment to this initiative Macquarie University are proposing to provide direct funding of \$300K over two years to establish and host the partnership, with a further \$200K to co-fund the agreed projects.

Negotiations between the parties have culminated in the creation of a Draft Memorandum of Understanding (MOU).

The Draft MOU is not legally binding on either party, and simply identifies a way forward to progress the proposal and deliver the identified projects.

Consultation

Internal Council business units consulted included:-

- General Manager.
- Executive Team.
- Manager Strategy and Organisation Development.
- Manager Customer Service.
- Section Manager, Community Engagement and Social Media.

Internal Workshops held:-

- Not applicable.

City of Ryde Advisory Committees consulted included:-

- Not Applicable.

External public consultation included:-

- Discussions with Macquarie University that include:
 - Professor Jim Piper, Deputy Vice Chancellor (Research), Macquarie University.
 - Professor Gail Whiteford, Pro Vice Chancellor (Social Inclusion), Macquarie University.
 - Professor Richard Howitt, Professor of Human Geography, Macquarie University.

Critical Dates

There are no critical dates or deadlines to be met. However, if Council supports this initiative, it is the intention for projects to be commenced in early 2012.

ITEM 13 (continued)

Financial Impact

Adoption of the recommendations outlined in this report will have no financial impact as projects will be funded from existing budget allocations identified in the City of Ryde's Four Year Delivery Plan 2011 - 2015. This project will be co-ordinated by the Manager Customer Service and involve the General Manager, Executive Team and Service Unit Managers depending on the projects being undertaken.

Macquarie University has offered to provide funding of \$300K over two years to establish and host the partnership, with an additional \$200K to be used on a co-funding basis for specific projects. In addition Macquarie University is likely to provide substantial in-kind contributions through undergraduate and postgraduate course work and academic oversight on a long-term basis.

Policy Implications

There are no policy implications through adoption of the recommendations.

Other Options

If Council does not pursue this course of action there would be a need to source external providers to deliver the objectives outlined above.

Conclusion

The proposed Memorandum of Understanding between the City of Ryde and Macquarie University presents an ideal opportunity for Council to establish coherent links between the City of Ryde and Macquarie University.

The Memorandum of Understanding will also facilitate the development of a long-term commitment and cooperative participation with a significant educational institution within our local government area that will enable community capacity-building through institutional development and program evaluation in ways that provide reliable data for longitudinal research projects.

The partnership will play a key role in assisting delivery of the outcomes, principles and objectives outlined in the City of Ryde 2021 Community Strategic Plan and Four Year Delivery Plan 2011 – 2015.

ITEM 13 (continued)

ATTACHMENT 1

Macquarie/Ryde Futures Strategy Group
Proposed
Memorandum of Understanding
Between
Macquarie University and City of Ryde Council

Purpose

The purpose of this Memorandum of Understanding (MOU) is to frame a long-term collaborative relationship between Macquarie University (University) and the City of Ryde Council (City) that harnesses the research, planning and development capacities of the University as a strategic asset for the City's pursuit of its Community Strategic Plan. The MOU will frame a strong and diverse partnership between the University and the City and will encompass clarity on the following areas of collaboration and development:

- Research, including routine data collection, analysis, evaluation as well as broader open-ended and long term research agendas.
- Planning, including institutional engagement around issues of strategic planning, place management, site development, community impacts, use of technology, leadership/workforce development and sustainability.
- Development, including student-based engagement across the undergraduate and graduate coursework in City of Ryde programs and projects through the Participation and Community Engagement program (PACE).
- Funding and in-kind contributions from each partner.
- Intellectual property issues arising from research.
- Publications.

Vision

Our shared vision is to develop an enduring 'town and gown' relationship of international standing that demonstrates the importance of knowledge to the City's aspiration to be the place to be for lifestyle and opportunity @ your doorstep.

The vision will be realised by:-

- Public commitment to a Research Partnership for the period 2012-2032.
- Development of a credible, high-profile public think tank branded as Macquarie-Ryde Futures (or similar) that develops global recognition of the region as an innovative location in urban, community, technology and related research.

ITEM 13 (continued)

ATTACHMENT 1

- Integration of strategic research planning with Council including; strategy development, community capacity building, urban planning, place making, workforce planning (including creating greater opportunity for women and members of culturally and linguistically diverse communities), leadership development, environmental sustainability and the utilisation of technologies to enhance citizen engagement and customer service.
 - The University's innovative Participation and Community Engagement program will secure long-term capacities to collect data relevant to regular evaluation, enhancement and development of the City's Community Strategic Plan, and the University's capacity to deliver innovative service and research to its host communities.
 - Development of national and international recognition of Macquarie-Ryde as a centre of world class research, innovation, civic engagement, leadership and service.
-

Commitment

- Macquarie University will host the initiative and provide research leadership, developing a series of four-year strategic plans, externally referenced reviews and reporting.
- Macquarie University will provide a Full-Time Programs Director for the partnership.
- Macquarie University will provide financial support in research-related funding and additional support for approved projects in the initial three-year period 2012-2014 (See Schedule A – Financial Commitments).
- Macquarie University will coordinate the development of high quality, sustainable programs of research-based placements, service learning, community service and related opportunities across the undergraduate learning and teaching program through its PACE initiative, and under the strategic leadership of the Steering Group to foster strong and diverse links across the breadth of the City's and the University's portfolios.
- Macquarie University will support development of a strong research network within the University to provide leadership across diverse research areas that fosters innovative research in collaboration with the City of Ryde and commercial and community interests within the Ryde LGA.
- Macquarie University will develop a strategic plan that delivers routine data collection, project and program evaluation reporting on a range of target areas.
- City of Ryde will:-
 - commit funding annually for approved projects linked to its Strategic Plan and its four year delivery plan (See Schedule A – Financial Commitments).
 - seek external funding sources to commit to identified projects.
- City of Ryde will contribute to the management of this initiative by providing :-
 - a nominated project manager for each identified project.
 - its project management methodology (PM CoR).

ITEM 13 (continued)

ATTACHMENT 1

- mutually scoped and agreed projects by February of each financial year for commencement in July of the following financial year.

- City of Ryde will collaborate in the development of :-

- shared knowledge.
- intellectual property.
- commercial undertakings in partnership with the university.

Governance/Management

Steering Group

Makeup

DVC-R (University), Provost (University), PVC-SI (University), General Manager (City), Group Manager Environment and Planning (City), Group Manager Public Works (City), Group Manager Community Life (City), Group Manager Corporate Services (City) and Programs Director (ex officio).

Role

The Steering Group will be responsible for:

- Strategic forward planning related to the Partnership
- Seeking out and developing partnerships that create opportunities for broader exposure and development of co-developed projects
- Monitoring, and as required making changes to, the working structure of the Partnership
- Reviewing and monitoring progress of approved projects
- Assessing and approving projects

Operation

The Steering Group will meet no less than quarterly at a time and place of their choosing.

Programs Director

Role

The Programs Director will be responsible for:

- Regular monitoring of work undertaken within the partnership
- Responding to arising issues
- Reporting to the Steering Committee on a regular basis
- Oversight of the Project Delivery Program (Outcomes), Project Delivery Program (Research) and Project Delivery Group (PACE).

ITEM 13 (continued)

ATTACHMENT 1

Project Delivery Program (Outcomes)

Role

Portfolio of all Projects related to City of Ryde's seven Outcomes. These projects will sit within this program with oversight from the Programs Director. Each project will be lead by a Project Manager and be monitored by, and in accordance with, the PM CoR framework.

Project Delivery Program (Research)

Role

Portfolio of all Projects related to research. These projects will sit within this program with oversight from the Programs Director. Each project will be lead by a Project Manager in accordance with and will be monitored by and the PM CoR framework.

Project Delivery Group (PACE)

Makeup

Programs Director, PACE Director (University), Manager (City)

Role

Portfolio of all Projects related to, and involving the University's PACE program. These projects will sit within this program with oversight from the Programs Director. Each project will be lead by a Project Manager in accordance with and will be monitored by and the PM CoR framework.

National Partnerships Group

Local Partnerships Group

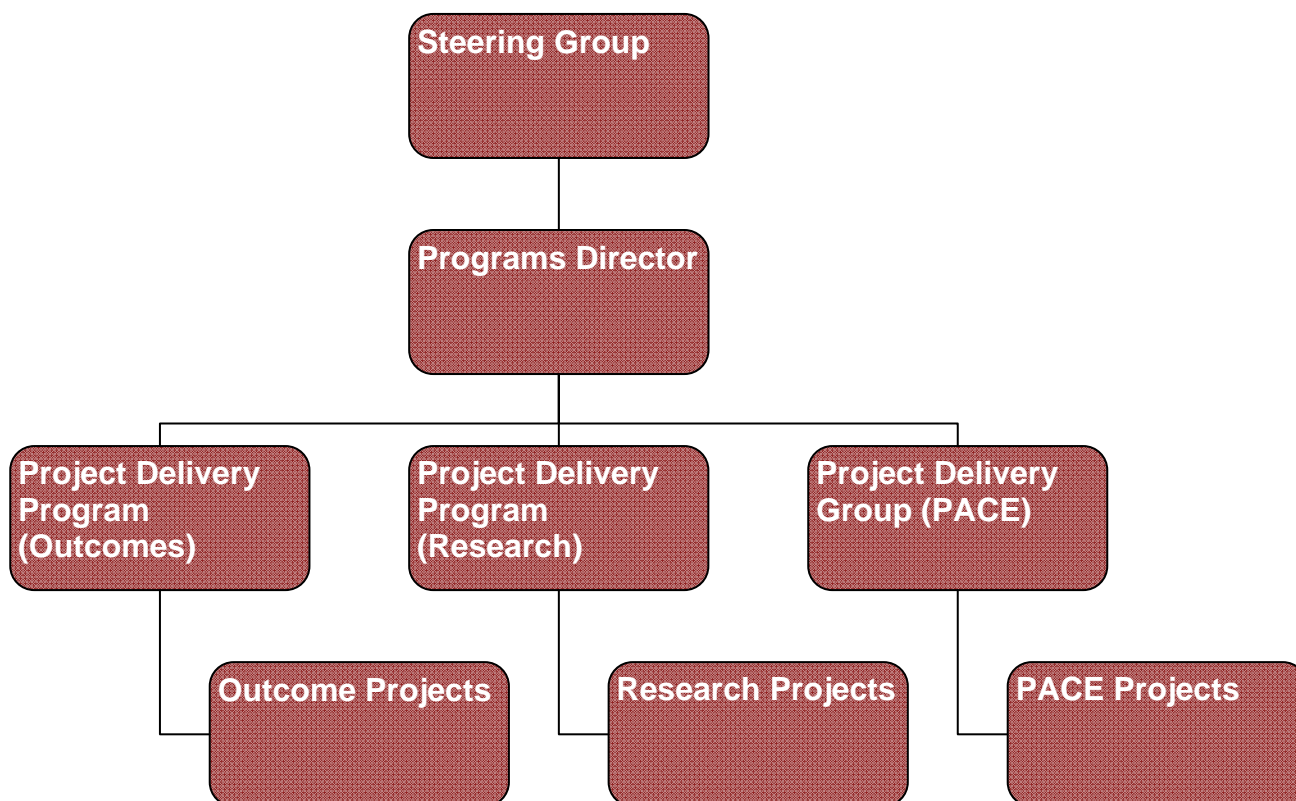
Site-based Coordination Group



To be convened as necessary at the discretion of the Steering Committee.
Leadership and membership to be determined.

ITEM 13 (continued)

ATTACHMENT 1



Goals of Partnership

As core outcomes of the partnership, it is expected that it will see the development and ongoing use of the following tools:-

- Models for program and project design, development, evaluation and assessment tailored to complement the existing PM CoR framework.
- Models for Macquarie University to contribute to City of Ryde's workforce planning and development through research, planning and ongoing student placements and internships.
- Model for longitudinal studies on City of Ryde's actual and perceived progress against goals and outcomes (as outlined in the City of Ryde Community Strategic Plan) based on surveying of residents and market research conducted through the Community of Interest platform.
- Exploration of further and continuing opportunities for Macquarie University and City of Ryde to partner with Not for Profit, Government and Business sectors to develop initiatives to deliver on City of Ryde's vision of lifestyle and opportunity @ your doorstep

Each year the partnership will also undertake specific projects:

- The projects will be chosen by the Steering Committee from a selection of projects that form part of, or contribute to, City of Ryde's Community Strategic Plan.

ITEM 13 (continued)

ATTACHMENT 1

- Projects will be submitted to, and decided on, by members of the Steering Committee in February of each year for commencement in July of each year.
 - The Programs Director will also consider forward planning of projects over a rolling four year period based on City of Ryde's four year delivery plan.
 - Funding for each project will be sourced from Macquarie University, City of Ryde and, where possible, external sources such as State and Federal Government, philanthropic trusts or grants or other partnerships.
-

Non binding Memorandum of Understanding

This Memorandum of Understanding constitutes a statement of the mutual intentions of the parties and each party agrees that:

- it does not constitute an obligation binding on either side;
 - it does not contain all matters upon which agreement must be reached in order for the Agreement to be consummated;
 - it creates no rights in favour of either party; and
 - this Memorandum of Understanding imposes no commitment on any person to proceed with the Agreement.
-

Term of the Agreement

In signing this Memorandum each partner agrees to commit to the provisions contained within for a period commencing at the signing of the Memorandum and concluding on 30 June 2016. At the conclusion of this period the partners may undertake, by mutual agreement, to extend the partnership in its current form or to alter it in any way including adding other partners or to cease the partnership.

Review of the Memorandum of Understanding

The Memorandum of Understanding will be reviewed by both parties in June 2012. The purpose of this review will be to examine the Memorandum in light of the experience of both parties over the first six months of the partnership.

ITEM 13 (continued)

ATTACHMENT 1

Execution Page

City of Ryde

On 2011
the Common Seal of the
Council of the City of Ryde
was affixed hereto pursuant
to a resolution of Council on
8 November 2011 in the presence of

Clr Artin Etmekdjian
Mayor

John Neish
General Manager

Macquarie University

Professor Judyth Sachs
Deputy Vice Chancellor and Provost

Professor Jim Piper
Deputy Vice Chancellor (Research)

ITEM 13 (continued)

ATTACHMENT 1

Schedule A – Financial Commitments

Contributing Partner	Purpose of Funds	Amount
Macquarie	Establishment and hosting of the partnership including provision of a full time Programs Director for 3 years	\$300,000
City of Ryde	Project funding as directed by the Steering Committee	\$50,000 per project (Minimum)
Macquarie	Additional support funding for projects as directed by the Steering Committee	\$50,000 per project (max \$200,000 in the first three years)

ITEM 13 (continued)

ATTACHMENT 2

Macquarie/City of Ryde Partnership Projects for 2011/2012

	Outcome	Program	Project	Description	Responsible Unit	Group	Allocated Budget
1	City of Progressive Leadership	Customer and Community Relations program	Community of Interest Network (COIN) Platform Development	Development of an online platform that allows community members to use social media tools to engage with; each other, council, community groups and local business.	Customer Service	Corporate Services	\$ 60,000 Base Budget
2	City of Progressive Leadership	Customer and Community Relations program	Survey and Market Research Framework Development	Development of a survey and research methodology to operate within the COIN to provide data on community perceptions on progress against goals and feedback on priorities, budget allocation and potential rate rises.	Customer Service	Corporate Services	\$ 50,000 Base Budget
3	City of Environmental Sensitivity	Waste and Recycling Program	Waste to Energy Project	Exploration of the feasibility and implementation of a domestic waste to energy conversion process	Waste	Public Works	\$ 50,000
4	City of Prosperity	Centres and Neighbourhood Program	Designing better cities – Macquarie Park Case Study	Design and development of the Macquarie Park precinct as a Case Study within the Designing Better Cities and Regional Centres project run by the Cooperative Research Centre	Urban Planning	Environment and Planning	\$ 50,000 (Park and Ride Research Project)
5	City of Progressive Leadership	Organisational Development Program	Workforce Plan	Develop a Workforce Plan that meets the needs of the integrated planning and reporting framework and drives retention and attraction.	Strategy and Organisation Development	General Manager	\$ 20,000
6	City of Prosperity	Centres and Neighbourhood Program	Town Centre Upgrades Implementation	Design and construction of public domain upgrades across our town centres.	Urban Planning	Environment and Planning	\$ 100,000
7	City of Connections	Traffic and Transport Program	Proposed Traffic Analysis Project	Monitoring and analysis of traffic and movement patterns to enable better planning	Traffic & Governance	Public Works	TBD

14 SUPPORT FOR ABORIGINAL STUDENTS IN NSROC AREA

Report prepared by: Social Policy and Planning Co-ordinator

Report dated: 1/11/2011

File No.: GRP/11/4/3 - BP11/765

Report Summary

The comparatively low numbers of Aboriginal students attending Northern Sydney Department of Education and Training (DET) region in comparison to all DET regions in NSW, means any population based criteria for the funding of Aboriginal students in the North Sydney DET region results in poor funding outcomes for schools in the North Sydney region and compounds systemic disadvantage for Aboriginal students.

This issue was recently highlighted by Marsden High School in a request to Lane Cove Council for funding for an existing under funded Aboriginal Education Worker at their school.

As a result Lane Cove Council commissioned a number of reports with the purpose of addressing this issue. These reports resulted in a number of Council resolutions.

In response to these resolutions on 28 June 2011 the Council resolved:

That the City of Ryde obtain a report on Lane Cove Council's support for an educational program for Aboriginal students in the NSROC area and investigate how Ryde Council may be involved.

This report will provide feedback on Council staff investigations on options for City of Ryde involvement with Aboriginal students in NSROC and Marsden High school.

This report proposes that City of Ryde continue to work with Marsden High School to explore project partnership options with Aboriginal students.

This report also proposes that City of Ryde use the Northern Sydney Aboriginal Social Plan's recommendation to lobby the Department of Education and Training to address the range of Aboriginal Education issues, and write to the Minister for Aboriginal Affairs and member for Ryde, the Hon. Victor Dominello M.P. to put the issue of funding an Aboriginal Education Worker at Marsden High School before the Minister for Education, the Hon. Adrian Piccoli M.P.

RECOMMENDATION:

- (a) That City of Ryde continues to work with Marsden High School to explore project partnership options with Aboriginal students.
- (b) That Council provide relevant funding and grant information to high schools regarding Aboriginal education initiatives.

ITEM 14 (continued)

- (c) That Council write to the Minister for Aboriginal Affairs and member for Ryde, the Hon. Victor Dominello M.P. to put the issue of ongoing funding for an Aboriginal Education Worker at Marsden High School before the Minister for Education, the Hon. Adrian Piccoli M.P.

ATTACHMENTS

- 1 Information from Lane Cove Council on Request to NSROC to fund Aboriginal Education

Report Prepared By:

Jonathan Nanlohy
Social Policy and Planning Co-ordinator

Report Approved By:

Baharak Sahebekhtiari
Acting Group Manager - Community Life

ITEM 14 (continued)

Background

City of Ryde Staff have obtained copies of reports by Lane Cove Council that have considered the issues in the funding of Aboriginal Education programs in the NSROC area and the request for ongoing funding for an Aboriginal Education Worker in Marsden High School in particular (see **ATTACHMENT 1**).

The Lane Cove Council reports highlighted the comparatively low numbers of Aboriginal students attending Northern Sydney DET region in comparison to all DET regions in NSW. As a result State and Federal Government programs which focus on improving engagement, attendance, retention and literacy and numeracy achievements for Aboriginal students are poorly funded in Northern Sydney.

The reports considered Marsden High School's request for Lane Cove Council to contribute towards the ongoing funding of Marsden High School's part-time Aboriginal Education Worker. The reports also provided information on the importance of the role of Marsden High School's part-time Aboriginal Education Worker has in addressing the poor literacy and numeracy outcomes experienced by its sixteen Aboriginal students.

Lane Cove Council considered the report on 20 June 2011 and resolved that it:-

1. Grant financial assistance of \$800 towards the program (Marsden High School Aboriginal Education Initiatives) subject to public notice being given and no objections being received;
2. Send a copy of our report to member Councils of NSROC and request a similar contribution to contribute towards the employment of a teacher; and
3. Review the education component of the Northern Sydney Aboriginal Social Plan and prepare a report to Council prior to the proposal being presented to NSROC that would provide a more focused long term solution to the education needs of the NSROC area.

In response to Lane Cove Council's above resolutions in a Notice Of Motion on 28 June 2011 City of Ryde Council resolved:

That the City of Ryde obtain a report on Lane Cove Council's support for an educational program for Aboriginal students in the NSROC area and investigate how Ryde Council may be involved

The following report provides an update on Lane Cove Council's and NSROC's response to the Lane Cove Council reports as well as feedback on Council staff investigations on options for Ryde Council involvement with Aboriginal students in NSROC and Marsden High school.

ITEM 14 (continued)

Report

Council staff held discussions with both NSROC and Marsden High School about the scope of support that City of Ryde and NSROC can play in providing support for Aboriginal Education programs in Marsden High School.

Council staff had discussions with NSROC Executive Director, Carolynne James NSROC regarding their support for Aboriginal Education programs in the NSROC area. NSROC believes that the Northern Sydney Aboriginal Social Plan's recommendation that NSROC Councils lobby the Department of Education and Training to address the range of Aboriginal education issues is an appropriate response. However the request for direct funding of an Aboriginal Education Worker at Marsden High School may be beyond the brief of NSROC as the funding of positions within state government high schools is the responsibility of State government.

Council staff held discussions with Marsden High School regarding the scope of possible partnerships projects with a focus upon Aboriginal students. In these discussions Marsden High School indicated that, while interested in projects, a key need identified by the School was for funding towards the Aboriginal Education Worker's position. The position supports Aboriginal children who are potentially at risk and helps them to improve school retention and completion rates. Council staff undertook to continue working with Marsden High School in seeking the involvement of students in City of Ryde youth activities and in particular pursuing project partnerships with Marsden High School and its Aboriginal students.

Council staff will identify and provide grant and funding information to Marsden High School and other high schools regarding Aboriginal education programs and initiatives.

Consultation

- Not Applicable.

Internal Workshops held:-

- Not Applicable.

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.

ITEM 14 (continued)

Financial Impact

Adoption of the option(s) outlined in this report will have no financial impact.
There will be no on-going costs of maintaining this project / equipment / proposal

Policy Implications

There are no policy implications through the adoption of the recommendation

Other Options

There are no other options considered.

Conclusion

The comparatively low numbers of Aboriginal students attending Northern Sydney DET region in comparison to all DET regions in NSW means any population based criteria for the funding of Aboriginal students in the North Sydney DET region results in poor funding outcomes for schools in the North Sydney region and compounds systemic disadvantage for Aboriginal students. Council can take on an advocacy role with both State and Federal government for the funding of Aboriginal programs in Ryde and the NSROC region to address such systemic disadvantage.

The funding of an employee of a public high school is the responsibility of the State government not local government. Such funding by Council is neither appropriate or sustainable.

Council has an ongoing role in working with Aboriginal students in high schools in Ryde by continuing to initiate and facilitate project partnerships with Aboriginal students and by providing relevant funding and grant information to high schools regarding Aboriginal education initiatives

ITEM 14 (continued)

ATTACHMENT 1

ORDINARY COUNCIL

7/03/2011

TO: General Manager (Peter Brown)

**FOR
ACTION**

Subject: Request to NSROC to Fund Aboriginal Education
Target Date: 21/03/2011
Notes:

NOTICE OF MOTION NO. 9

SUBJECT: REQUEST TO NSROC TO FUND ABORIGINAL EDUCATION

61 **RESOLVED** on the motion of Councillors Bennison and Brooks-Horn that a report come back to Council regarding the proposal outlined in the Notice of Motion for possible submission to the next meeting of NSROC.

For the Motion were Councillors Bennison, Brooks-Horn, Forrest, Gaffney, Longbottom, McIlroy, Palmer, Smith and Tudge (Total 9).
Against the Motion was Nil (Total 0).

ACTION TAKEN BY OFFICER

ITEM 14 (continued)

ATTACHMENT 1

**Ordinary Council Meeting 7 March 2011
NOTICE OF MOTION NO. 9**

Reference: Notice of Motion No. 9
Subject: Request to NSROC to Fund Aboriginal Education
Record No: SU902 - 7746/11
Author(s): Councillor Scott Bennison

Executive Summary

Ian Bulgin has been the co-ordinator for Aboriginal Education at Marsden High School for the past 12 years.

Marsden High School is in a situation where they have a small number of Aboriginal and sometimes Torres Strait Islander children (fluctuating from between 6 to 14). Many of these students suffer disadvantage in a number of areas. They are very lucky to currently have the opportunity to employ a trained Aboriginal Education Worker (AEW) who does excellent work.

Obtaining ongoing funding (e.g. over three to five years) to support these students has been very difficult. Hence they are investigating alternative possibilities. Ian has approached me to ask for help to fund this important position.

The funds would be paid to Marsden High School. The School set up a trust fund within the school's account system. The Principal, Mrs Denise Lofts, will ensure that the funds are managed to maximise the employment of an Aboriginal Education Assistant to assist the sixteen Aboriginal students to improve their access to education. At any time the school's accounts person, Mrs Cathie Rust, will be able to forward relevant documentation or an acquittal as to how the funds have been spent.

RECOMMENDATION

That:-

1. Council agree to put this request to the next meeting of NSROC and request a combined funding of \$7,000 toward the total cost of this position;
2. NSROC review the level of financial commitment for this position on an annual basis.

Councillor Scott Bennison
Councillor

ATTACHMENTS:

AT-1 [View](#) Application to Apply for Funding to Employ an Aboriginal Education Worker (AEW) 2 Pages

ITEM 14 (continued)

ATTACHMENT 1

ORDINARY COUNCIL

18/04/2011

TO: Manager - Community Services (Eric Poulos)

**FOR
ACTION**

Subject: Request to Northern Sydney Regional Organisation of Councils
(NSROC) to fund Aboriginal Education
Target Date: 2/05/2011
Notes:

HUMAN SERVICES DIVISION REPORT NO. 5

SUBJECT: REQUEST TO NORTHERN SYDNEY REGIONAL ORGANISATION OF COUNCILS
(NSROC) TO FUND ABORIGINAL EDUCATION

135 RESOLVED on the motion of Councillors Forrest and McIlroy that the matter be deferred
and a full report come back to Council regarding the program.

For the Motion were Councillors Bennison, Brooks-Horn, Forrest, Gaffney, Longbottom,
McIlroy, Palmer, Smith and Tudge (Total 9).
Against the Motion was Nil (Total 0).

ACTION TAKEN BY OFFICER

The matter has been researched and a Report will go to Council on 20 June 2011.

ITEM 14 (continued)

ATTACHMENT 1

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<p align="center">Ordinary Council Meeting 18 April 2011 HUMAN SERVICES DIVISION REPORT NO. 5</p>
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Reference: Human Services Division Report No. 5

Subject: Request to Northern Sydney Regional Organisation of Councils (NSROC) to fund Aboriginal Education

Record No: SU902 - 13872/11

Author(s): Eric Poulos

Executive Summary

At the Ordinary Council meeting of 7 March 2011, Councillor Bennison proposed a Notice of Motion to request that NSROC fund Aboriginal education initiatives at the Marsden School, a school located in West Ryde. It was proposed that a report come back to Council about the matter.

This report proposes that Lane Cove Council support Marsden School in its efforts to secure funds through other appropriate sources rather than recommending providing direct funds. It recommends that the Council request NSROC write to the Hon. Victor Dominello M.P., the State Member for Ryde and also the Minister for Aboriginal Affairs, to make representations to his colleague, the Hon. Adrian Piccoli M.P. in his capacity as Minister for Education about the Department of Education supporting programmes which increase the capacity for Aboriginal children to attain their education potential.

Background

As the Notice of Motion pointed out, many Aboriginal students suffer disadvantage in a number of areas when it comes to school education. In 2009, over 46,000 Aboriginal students were enrolled in NSW government schools across the state, making up 5.5 percent of the total NSW public school population. The retention rate (young people staying at school) from Year 7/8 to Year 12 in 2009 was 45% for Aboriginal students compared with 77% for non-Aboriginal students. Generally, when at school, Aboriginal children collectively have lower outcomes in numeracy and literacy. The NSW Department of Education and Training has responsibility for taking steps to improve these outcomes.

Discussion

Council would also be familiar with NSROC's strategic planning priorities in which NSROC takes account of current issues facing local government broadly and Councils in the northern Sydney region such as transport, planning and infrastructure. Aboriginal education issues have not been identified as one of NSROC's priorities.

Lane Cove Council is one of the eleven Councils involved in the Northern Sydney Aboriginal Social Plan, and a key recommendation in the Plan is that the councils actively lobby the Department of Education and Training to address issues related to accessing educational services, the effectiveness of current Aboriginal educational programs and lower outcomes in numeracy and literacy for Aboriginal children.

The Marsden School is in the Ryde Local Government Area, whose local Member of Parliament is the Hon. Victor Dominello M.P. who has been appointed Minister for Aboriginal Affairs. It would be very appropriate to lobby through the local member to put this issue before the Minister for Education, the Hon. Adrian Piccoli M.P.

Conclusion

In response to Councillor Bennison's Notice of Motion, it is suggested that Council, request NSROC write to the Hon. Victor Dominello M.P., the State Member for Ryde and also the Minister for Aboriginal Affairs, to make representations to his colleague, the Hon. Adrian Piccoli M.P. in his

ITEM 14 (continued)

ATTACHMENT 1

ORDINARY COUNCIL

20/06/2011

TO: Community Development Officer (Carol Sinclair)

**FOR
ACTION**

Subject: Request to Northern Sydney Regional Organisation of Councils (NSROC) to Fund Aboriginal Education
Target Date: 4/07/2011
Notes:

HUMAN SERVICES DIVISION REPORT NO. 7

SUBJECT: REQUEST TO NORTHERN SYDNEY REGIONAL ORGANISATION OF COUNCILS (NSROC) TO FUND ABORIGINAL EDUCATION

223 RESOLVED on the motion of Councillors Bennison and Brooks-Horn that Council:-

1. Grant financial assistance of \$800 towards the program subject to public notice being given and no objections being received;
2. Send a copy of our report to member Councils of NSROC and request a similar contribution to contribute towards the employment of a teacher; and
3. Review the education component of the Northern Sydney Aboriginal Social Plan and prepare a report to Council prior to the proposal being presented to NSROC that would provide a more focused long term solution to the education needs of Aboriginal students in the NSROC area.

For the Motion were Councillors Bennison, Brooks-Horn, Forrest, Gaffney, Longbottom, McIlroy, Palmer and Smith (Total 8).
Against the Motion was Nil (Total 0).

ACTION TAKEN BY OFFICER

ITEM 14 (continued)

ATTACHMENT 1

Ordinary Council Meeting 20 June 2011
HUMAN SERVICES DIVISION REPORT NO. 7

Reference: Human Services Division Report No. 7
Subject: Request to Northern Sydney Regional Organisation of Councils (NSROC) to Fund Aboriginal Education
Record No: SU902 - 23509/11
Author(s): Eric Poulos

Executive Summary

Following a report to the meeting of 18 April 2011 about the Aboriginal Education Program, Council requested a full report come back regarding the Marsden School, West Ryde program. This report outlines the Aboriginal Education Program at Marsden High School, West Ryde based on information provided by the school, the Department of Education and independent research.

Background

The following people were consulted in the preparation of this report:-

- Mrs. Denise Lofts, the Principal at Marsden High School;
- Ian Bulgin, a Human Society and Its Environment (HSIE) teacher, responsible for Aboriginal Education at Marsden High School; and
- David Lardner, Department of Education and Training (DET), North Sydney Region, Project Officer – Aboriginal Education.

Marsden High School is located in West Ryde, a well established residential area in the Ryde Local Government Area (LGA). It is a coeducational High School providing quality learning for years 7-12. There are around 750 students enrolled, with about 62% being boys and 38% girls. Approximately 90% of its students complete Year 12 and around 90% of these go on to attend university or TAFE on completing their HSC. About 20 students are Aboriginal, which is approximately 2.7% of the student population. Across the Northern Sydney DET region there are a total of 315 Aboriginal students. This is the lowest number across all the ten DET regions in NSW.

The school currently employs a part-time Aboriginal Education Officer on Tuesdays and Wednesdays. Their role is to act as a liaison between Aboriginal students, the school and the community. In NSW, the retention rate (young people staying at school) from Year 7/8 to Year 12 in 2009 was 45% for Aboriginal students compared with 77% for non-Aboriginal students. Generally, when at school, Aboriginal children collectively have lower outcomes in numeracy and literacy. The Principal, Mrs. Denise Lofts provided information from the *Lead4Learning* website (<http://deniselofts.wordpress.com/>) where she noted: "Aboriginal education will always remain a focus. Those Aboriginal students who complete year 12, adds 12 years to their life expectancy. That is a powerful statistic."

Comparisons between Aboriginal and non-Aboriginal children can be measured through the National Assessment Program – Literacy and Numeracy (NAPLAN), national tests. These tests controlled by the Federal Government measure literacy and numeracy for all students in Australia. Students are assessed using common national tests in Reading, Writing, Language Conventions (Spelling, Grammar and Punctuation) and Numeracy. Where these tests confirm that Aboriginal children are disadvantaged and score lower, the Federal Government provides funds to the State Government to put into their schools to improve the outcomes for Aboriginal children.

The Aboriginal Worker at Marsden High supports Aboriginal children who potentially are at risk and helps them to improve school retention and completion rates and cut off the potential for leaving school and performing poorly. They would call on a range of resources and strategies such as:-

ITEM 14 (continued)

ATTACHMENT 1

Ordinary Council Meeting 20 June 2011
HUMAN SERVICES DIVISION REPORT NO. 7

1. Identifying students at risk and support them with an Aboriginal team;
2. Tutoring students in class;
3. Providing Aboriginal mentors to students;
4. Encouraging Aboriginal students to come and stay at school and decrease their rate of absenteeism;
5. Addressing cultural awareness issues with staff so that cultural differences are understood and not considered a deficit;
6. Promoting confidence in students by having positive Aboriginal role models, Aboriginal vocation days, and guest community speakers to talk to students;
7. Using the Aboriginal team in school to regularly contact parents to explain the school policy and expectations;
8. Promoting Aboriginal community involvement in the school decision making, reading programs and the school's literacy and numeracy programs so they can act as mentors / tutors;
9. Informing students of appropriate pathways with their learning; and
10. Setting up and having an effective Aboriginal Education Consultative Group (AECG) with the involvement of school staff and the Aboriginal community. (The NSW AECG is an Aboriginal community-based organisation made up of volunteer members who are involved in local and regional AECG's throughout NSW. The NSW AECG Inc. is recognised as the principal source of advice on behalf of Aboriginal communities on issues relating to education and training).

While there are State and Federal Government programs such as the *Schools in Partnership* initiative, and the *Norta Norta* Program (see **AT-1**) which focus on improving engagement, attendance, retention, and literacy and numeracy achievements for Aboriginal students, these are poorly funded in Northern Sydney. The *Norta Norta* Program is a supplementary program which provides targeted support to Aboriginal students to accelerate progress in student achievement. The focus of the program is to provide learning assistance in the key areas of literacy and numeracy to improve educational outcomes for Aboriginal students. 648 schools and 1,958 Aboriginal and Torres Strait Islander students were identified to receive *Norta Norta* Program funding in 2009. These students were at or below the national minimum standards for reading and numeracy in 2008 National Assessment Program Literacy and Numeracy (NAPLAN) results for Year 3, 5, 7 and 9. David Lardner, from DET noted that he had only around \$2,000 in funds to distribute to Aboriginal children in Northern Sydney, some of which went to Marsden High School.

Ian Bulgin, a HSIE teacher at the school noted: "Funding for the Aboriginal students that attend schools in Northern Sydney Region has been very difficult to access for many years due to the small numbers of students in many different schools across the region. Sadly, many of these students still suffer considerable social and economic disadvantage. At Marsden High School, West Ryde we have 20 students enrolled. We believe that the most effective way to assist these students and their parents and carers is to employ an Aboriginal Education Worker to support these students". Essentially, any funds that Council and/or NSROC would provide would go towards maintaining the part-time employment of the worker. The school has applied to both the State and Federal Government (see **AT-2**) - Marsden High School - Aboriginal Students 2011 Application to Apply for Funding to Employ an Aboriginal Education Worker (AEW).

Discussion

Issues for Council to Consider

In response to Councillor Bennison's motion, Council has been provided with information to discuss what role it will take in relation to Marsden High School. Based on the above information, Council should consider:-

1. Whether it has a role in approaching NSROC to assist to fund the Aboriginal Education Worker;

ITEM 14 (continued)

ATTACHMENT 1

**Ordinary Council Meeting 20 June 2011
HUMAN SERVICES DIVISION REPORT NO. 7**

2. Whether it will support Aboriginal education in a school out of the Lane Cove area and not for Lane Cove residents; and
3. What Local Government's role is in terms of contributing to an approach where both the State Government (through the NSW Department of Education and Training) and the Federal Government have major responsibilities.

Conclusion

It is considered that Council has before it information on which to discuss what its next step will be in the matter. There is no impediment for Council to provide funds to the Marsden High School or to encourage NSROC to do so. As a matter of principle, Council's financial assistance is tied to its social, cultural and management planning priorities. While a worthwhile cause, support for the proposal can not be seen as a high priority in any of these documents.

RECOMMENDATION

That:-

1. The report be received and noted; and
2. Council consider what role it will take in approaching NSROC to contribute funds to employ an Aboriginal Education Worker to support Aboriginal students at Marsden High School.

Donald Gibson
Acting Executive Manager - Human Services
Human Services Division

ATTACHMENTS:

- | | | |
|----------------------------------|--|---------|
| AT-1 View | Aboriginal Education and Training Initiatives in NSW Government Schools | 1 Page |
| AT-2 View | Marsden High School - Aboriginal Students 2011 Application to Apply for Funding to Employ an Aboriginal Education Worker (AEW) | 2 Pages |

15 GENERAL MANAGER'S PERFORMANCE OBJECTIVES 2011/12

Report prepared by: General Manager

Report dated: 28/10/2011

File No.: COR2011/446 - BP11/750

Report Summary

In accordance with the General Manager's contract and following the completion of last year's performance agreement, a new performance agreement is to be agreed between the Council and the General Manager for the 2011/12 year.

The aim of this report is to:

- give an explanation as to why the objectives have been proposed
- recommend a range of objectives which will form the basis of the General Manager's Performance Agreement
- adopt the degree of difficulty ratings suggested by the assessor Mr Errol Chadwick as a basis for next years assessment
- establish the timeframe for the review of the General Manager's contract

RECOMMENDATION:

- (a) That the attached objectives (see Attachment 1) and associated degree of difficulty scores be adopted as the basis for the General Manager's performance agreement and that the Mayor sign the agreed performance criteria on behalf of Council.
- (b) That the General Manager develop a performance agreement action plan which specifically identifies milestones to be achieved for the agreed objectives within 2 months of this report being adopted and in accordance with Clause 7.4 of the General Managers contract.
- (c) That the General Manager's 2011/12 performance review be conducted in August 2012 in accordance with the methodology utilised for the 2010/11 review.

ATTACHMENTS

- 1** Performance Objectives
- 2** Degree of Difficulty

Report Prepared By:

John Neish
General Manager

ITEM 15 (continued)

Background

The General Manager commenced employment with the City of Ryde on the 4 January 2010 on a five year contract in accordance with the standard conditions of contract as stipulated by (clause 338) of the Local Government Act 1993.

On 12 April 2011 Council resolved as follows:

1. *That the Mayor with assistance from the Manager of Strategy and Organisational Development call for Expressions of Interest and select a suitably qualified consultant to assist in the establishment of the General Manager's Performance Process in accordance with the Performance Criteria outlined in this Mayoral Minute.*
2. *That funds for this consultant be utilised from the General Manager's budget.*
3. *That on appointment, the consultant establish a process by which a review committee is established and a process for the assessment of the performance of the General Manager. Such an assessment to utilise the performance criteria and the performance delivery approach outlined in this Mayoral Minute and in accordance with the draft guidelines established by the Department of Premier and Cabinet (Division of Local Government).*

Following a selection process undertaken in accordance with this resolution, Chadwick and Associates was chosen to facilitate the General Manager's performance review for 2010/11.

The performance assessment was conducted by an appraisal committee consisting of the Mayor Councillor Etmekdjian, the former Deputy Mayor Councillor Petch, Councillor Butterworth and Councillor Tagg.

The appraisal committee rated the General Manager's performance as *performance which consistently met all requirements of the position and tended in a number of areas toward high or excellent performance which definitely exceeded better than normally expected.*

The outcomes of this review were previously circulated to Councillors and reported to Council on 11 October 2011. Due to the lateness of Council's business at the last meeting, this item has been deferred to tonight's meeting.

Performance objectives are now required for the 2011/12 year. As outlined at the Councillor workshops held on 27 September 2011 and 4 October 2011, the draft objectives attached to this report (**ATTACHMENT 1**) are proposed. An additional objective relating to interaction between Councillors and the Executive team has been suggested as a result of the last workshop. The context for suggesting the 2011/12 objectives are outlined in this report.

ITEM 15 (continued)

Councillors will also be aware, that to enable the assessment of the 2011/12 objectives, a degree of difficulty rating for each objective is recommended by Mr Chadwick (**ATTACHMENT 2**) with a rating of 5 being the hardest degree of difficulty. This was previously circulated to Councillors prior to the workshops.

Once the objectives (which form the performance criteria) have been adopted by Council, Clause 7.4 of the contract stipulates that:-

Within two months after signing or varying the performance agreement, the employee will prepare and submit to Council an action plan which sets out how the performance criteria are to be met

Accordingly, an action plan with specific milestones will be developed for each objective and reported to Council quarterly to enable the monitoring of progress. All known and potential exceptions or variations to the milestones will be advised. These project milestones will be reported to Council in due course.

Report

1. Context for Establishing 2011/12 Objectives

The General Manager's Performance objectives for 2011/12 will continue to focus on developing the organisations ability to deliver our Mission:

*Working with our community and partners
to provide strategic leadership, effective projects
and quality customer services*

As previously reported to Council, a management of change process was introduced last year to further build our capability over the next five years. This requires the:-

- development of a strategic Plan which reflects the aspirations of our community
- realignment of structures to clearly define roles and accountabilities for its delivery
- redesign of key corporate processes to identify true costs and reduce waste
- optimum use of technology to enable:-
 - on line transactions for members of the public
 - more effective methods of gathering data and reporting to improve management decisions
 - more efficient workflows
- development of a workforce culture focused on :-
 - customer service

ITEM 15 (continued)

- cross unit collaboration
 - effective and efficient project delivery
 - upholding the highest of ethics and the management of risk
- Strengthening of the City of Ryde's Brand and reputation as a trusted partner
- Long term financial surety to manage and develop its asset portfolio on behalf of the community

Last year, we completed our Strategic Plan Ryde 2021. To ensure that it turned from planning to reality, we realigned our budgeting and reporting format, realigned our structures in several key areas, focused on role clarity and accountability to remove duplication of effort and to hold individuals more accountable for their results. In addition we reviewed delegations to consistently apply them across the organisation. We also introduced a business planning model which pushed accountability further down through the organisation to Service Unit Manager level. This was supported with enhanced training focus on management and project management skills.

We also placed an emphasis on leadership capability (whilst addressing gender inequity in managerial roles) and undertook a baseline survey of the organisation's workplace culture.

Leadership and relationships between Councillors and the Executive team were highlighted in the Department of Local Government's Developing Better Practice Review. The review was conducted in March/April 2009 with the final report dated March 2010 and recommended that 'strategies to maintain and build a more productive working relationship between Councillors and Council officers should be explored and implemented'.

To address this issue a specific workshop was held on 22 May 2010 and an agreed action plan was developed. On 22 June 2010 Council resolved:

- (c) *That Council endorse a follow up workshop to be scheduled in six months time to monitor the progress and implementation of the draft charter and the other agreed actions from this workshop.*

Despite two attempts to hold a workshop, the workshops did not occur as a result of lack of Councillor response. As a consequence the workshops were cancelled.

Our greatest liability and risk still remains the backlog of asset maintenance and renewal. In the past year we focused on role accountability for each of our 38 asset types. Across the organisation we have redefined the roles of:-

- *business manager* – a role with accountability for the customer interface for those that use the assets, and the scoping of the projects for renewal or development of those assets

ITEM 15 (continued)

- *project delivery manager* – a role with accountability for the design, cost control and contract administration requirements of the business manager
- *implementation agent* – a role with accountability for the delivery of maintenance and construction services in the most cost effective way to meet the requirements of the business manager

In doing so, we have designed a process for project management heavily dependent on cross unit collaboration across all groups in Council. However, this cultural shift will require several years of bedding down, as new skills are learnt across our organisation and technology is used to streamline processes and better track and report on progress.

2010/11 has established the baseline from which the next steps of the management of change process can be built. This change process will be ongoing as we continually find new ways to improve our focus and capability across the organisation to improve customer service and project delivery. To date, we do not have a definitive corporate change management roadmap (known as a Corporate Plan) and during 2011/12 this will be a priority.

In addition to the management of change process, we focused on delivering a wide range of services and projects for our customers whilst maintaining tight fiscal control. We will continue to utilise Best Value methodology to drive service improvements in areas which are critical to Council's operations and our public image with our customers.

2. Overview of Corporate Priorities for 2011/12

The priorities for 2011/12 will build on our earlier work, place a focus on advancing our mission further and enhance the capability of the organisation.

In particular, I am proposing that Council endorse objectives which will deliver:

- Stronger more reliable community engagement to:
 - establish a baseline of community perceptions of Ryde as a place to live (aligned to the goals and outcomes of our strategic plan)
 - better understand the community's priorities for Council expenditure or cutbacks
 - balance overall community views with single issue pressure groups
 - better engage the community on key policy development
 - Improve our knowledge of community satisfaction with Council's services

ITEM 15 (continued)

- strengthen the community's ability to participate in voluntary and local community life
- improve the community's understanding of Council services and contribution to their quality of life

Councillors raised the need to improve community engagement and responsiveness at their workshop on 4 October 2011. Also, as Councillors are aware, there are legislative requirements for the Council to report back to the community (at the completion of the next term of Council) on how we have progressed against the goals of our strategic plan. The community engagement methodology will enable this to happen.

- Improved performance management and reporting (to service unit level managers), to ensure that the management of an individual's performance is objectively assessed against annual business plans, consistently applied by those that evaluate performance of others and is aligned to our leadership model and salary system. The improved performance management process will objectively assess staff in terms of:-
 - financial performance against approved budgets
 - customer satisfaction results which are independently researched and used to respond to customer satisfaction and service improvement
 - responsiveness to customers (CRMs and correspondence) to provide improved customer service
 - performance indicators on issues such as attendance, utilization of Council provided services etc
 - project delivery against project milestones and budget
 - team culture (as measured by the results of our bi-annual staff cultural survey)

This project will enable a performance culture that supports our mission, is objective in its nature and is consistently applied across the organisation. Council will monitor progress quarterly as reported in our quarterly reviews.

- Strong partnerships with key government, not for profit and private sector entities to further enhance our ability to meet the aspirations of our community strategic plan.

ITEM 15 (continued)

This will bring further resources to the City of Ryde, enable ambitious project delivery as well as utilise the skill sets of other sectors. Smart partnerships will help to position the City of Ryde within other sectors and position the City of Ryde as an innovative council.

- Enhanced managerial ability to deliver capital and non capital projects and start the process of a four year project scoping and cash flow management approach.

This will enable a more effective and efficient budgeting approach, drive enhanced project delivery for all managers involved and reduce the amount of carry over for projects that are within our direct control.

- A comprehensive asset management approach which identifies longer term asset requirements for 38 asset categories, including new asset creation, asset condition, replacement and renewal requirements i.e. our total asset management accountability. As a result, our assets will appropriately support future service delivery and be realistically costed into our longer term financial plan.

This will enable us to fully understand the real asset condition, costs and challenges ahead, establish realistic targets for revenue and enable us to more wisely use our developer contributions on agreed priorities.

- An enhanced workplace and leadership culture which:
 - demonstrates an improvement in the results of the 2010 culture survey
 - further encourages participation of women in managerial positions
 - focuses on the development of section managers (ie those that report to service unit managers) including developing managerial skills, accountabilities and delegations
 - strengthens cross organisational collaboration with clarity of role accountability, asset planning and delivery and team based project management

This will create higher staff morale which, in turn, reduces the costs of staff turnover, retains corporate knowledge, strengthens teamwork, motivates the workforce to innovate and improve customer service. All of this is a critical component of our management of change program.

- Improved service delivery for:
 - development assessment through the roll out of the year 1 agreed priorities arising from the Best Value review

ITEM 15 (continued)

- sporting field bookings and maintenance through the adoption of new policies and procedures as identified in the best value review
- council's media, publications and marketing presence through the implementation of a best value review of Council's public affairs, image, marketing and publications service
- on line transactions with the public utilising state of the art, secure technology

These initiatives continue the specific improvement of a range of Council services which are important to the organisations customer interface

- With such a complex array of services and projects and a fiscal environment which is subject to many variables, it is critical that tight fiscal control is held across all areas, to keep the Councils financial position on track against budget. Good governance and management of risk is required to maintain a focus on operational, capital and non capital projects which deliver a variety of services and amenity to the local residents. The fiscal control of the organisation builds confidence that the organisation is well managed.
- A constructive interface between the Mayor, Councillors and members of the Executive Team is a critical component of progressive leadership. At the workshop held on 4 October 2011, some Councillors expressed a view that they felt that Councillors should be kept better informed. Council has now changed its meeting procedure allowing more time for workshops and communication opportunities between Councillors and the Executive Team. This will provide more detailed information of progress against the service targets and projects outlined in the Operational Plan and can target areas which the majority of Councillors request.

To address these initiatives the attached objectives are submitted for Councils determination.

3. Timing of the 2012 General Managers Performance Review

Council will note that *Objective 10 – Financial Management* states that the General Manager be held accountable for the delivery of the annual budget (as amended each quarter). The budget position of Council is not generally known until August of each year.

Clause 7.5 of the General Manager's contract states that the performance appraisal must be conducted at least annually. Given that this years appraisal was to July 2011, the next appraisal will be due in August 2012.

It is therefore proposed that the General Manager's performance is assessed in August 2012.

ITEM 15 (continued)

Consultation

Internal Council business units consulted included:-

- All Group Managers and many Service Unit Managers

Internal Workshops held:-

- Councillor workshops have been held on 27 September 2011 and 4 October 2011

Financial Impact

All of these objectives have been allowed for in the Councils 2011/12 Operational Plan and by subsequent Council resolutions. Therefore there is no further financial impacts of the adoption of these recommended actions.

Conclusion

The setting of the General Manager's objectives establishes organisational priorities for 2011/12. These objectives have been developed to further build the capacity of the organisation to deliver the Mission and Vision.

ITEM 15 (continued)

ATTACHMENT 1

**Proposed Performance Objectives and Degree of Difficulty Ratings for
2011/12 for Review in October 2012**

The following objectives are proposed subject to Council agreement to proceed and appropriately resource in keeping with our Four Year Delivery Plan, Annual Operating Plan and quarterly adjustments as required.

I will be considered effective, subject to the responsibility remaining within my control when the following objectives are achieved.

Objective 1 –
Community and Customer Engagement (Degree of Difficulty Score 5)

To establish the first year set up of a 'community of interest network' (COIN) for the City of Ryde as an 'on line' network of interested residents' which provide statistically validated views on:

- customer satisfaction ratings on a range of services
- resident views on progress against the goals of our strategic plan (at the end of the next term of Council) to meet statutory requirements
- council policy through on line forums
- priorities for Council expenditure
- levels of service delivery

The COIN will be established in a way that utilizes market research techniques, strengthens local communities of interest, promotes local volunteering and encourages local business loyalty.

Note: the COIN will take two years to fully develop to a level where a statistically validated sample of participating residents can be created.

An action plan with specific milestones will be developed and reported to Council quarterly to enable the monitoring of progress and assessment of completion. All known and potential exceptions or variations to the milestones will be advised and if necessary, appropriate recommendations will be made.

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ATTACHMENT 1

Objective 2-

Enhanced Performance Appraisal Process for Managers (Degree of Difficulty Score 5)

To develop a comprehensive performance appraisal system for managers down to service unit level (26 managers in total). The performance appraisal system will measure performance against delivery of agreed business plans quarterly and annually and will appraise managers accordingly.

The performance appraisal system to be supported by:

- an automated objective reporting tool (Corporate Performance Reporting or CPR) – refer objective three below.
- coaching on expected leadership style
- extensive training and support for those conducting a performance appraisal and their counselling for performance improvement ability
- a transparent pay and progression methodology (based on performance)
- a process for addressing inadequate performance and recognising excellence

An action plan with specific milestones will be developed and reported to Council quarterly to enable the monitoring of progress and assessment of completion. All known and potential exceptions or variations to the milestones will be advised and if necessary, appropriate recommendations will be made.

Objective 3-

Develop a Corporate Plan to enhance Corporate Capacity and steer the Management of Change Process (Degree of Difficulty Score 5)

To complete a Corporate Plan designed to improve the overall capability of the organisation to deliver its mission over time. The Corporate Plan will identify priority projects and associated estimated costs for the management of change process over for inclusion in the Four Year Delivery Plan.

The Corporate Plan will enhance organisational capability across 7 specific program areas and in particular focus this year on human resources planning, financial planning, asset management planning and the use of technologies to drive organisation efficiencies and improvement.

ITEM 15 (continued)

ATTACHMENT 1

The Corporate Plan will be supported by a number of specific projects in its first year. Corporate improvement projects which will be delivered during 2011/12 are:

1. The upgrade of identified year one modules (which operate on our Technology One platform) to optimise our systems capabilities across a wide range of identified service areas
2. The development and implementation of an automated performance reporting tool (Corporate Performance Reporting or CPR). which reports from several data sets and provides reports for performance appraisal and quarterly review on:
 - financial performance against approved budgets
 - customer satisfaction results which are independently researched and measured against initial baselines
 - responsiveness to customers (Customer Request Management System and Correspondence logging)
 - performance indicators linked to accountabilities eg attendance levels etc
 - project delivery against project milestones and budget
 - team culture (as measured by the results of our bi-annual cultural climate survey)
3. The development and implementation of year 1 identified on line forms and notification letters to :-
 - reflect our new branding
 - simplify Council forms to make them easier to fill out
 - simplify on line payments
 - promote plain English
 - make it easier for customers to transact with Council on line
4. The implementation of a new budgeting tool – Chameleon to be utilised by managers so that budget information :
 - is timely and easy to monitor
 - aids effective financial decision making
 - improves efficiencies in budget management and administration
5. The project plan for Geospatial Programme Integration Management System (GPIMS) is fully scoped and stage one implemented. GPIMS is a geospatial asset management and works allocation system which enables effective and efficient management of customer requests, works ordering, staff, plant and material deployment and will assist to identify and capture unit rates for capital works. In addition it enables

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ATTACHMENT 1

the forward planning and integration of asset renewal within the 10 year financial plan.

GPIMS will be supported by the most cost effective and appropriate workflows for each task, the most appropriate organisational structure, re-engineered work processes, procedures and controls within Civil Works and will be fully operational in 2013

A fully detailed, costed and scoped project plan for GPIMS will be developed in 2011/12 to ensure its operations in 2012/13.

Objective 4 –

Develop Strategic Partners to Enhance Project Delivery and Commercial Returns to Council (Degree of Difficulty Score 4)

Strategic partnerships are in place which enhance the delivery of Council's strategic plan with the following organisations/agencies:

- Macquarie University, to utilise its knowledge and funding sources on a range of Council related projects
- State government and the private sector partners, to strengthen their commitment to Macquarie Park and a more innovative approach to Council's property development approaches
- Sporting bodies to jointly fund parks infrastructure such as sports ground lighting
- Not for profit voluntary agency 'Do Something' to pilot a local volunteering approach aligned to the COIN
- A software company to support and commercialise Council's intellectual property on the Corporate Performance Reporting
- Touched by Olivia, Federal and State Governments and the Private Sector to jointly fund Yamble all abilities playground

Each strategic partnership will be underpinned by a clear Memorandum of Understanding, or contractual arrangements including the specification of the measurable benefits to Council and its community.

An action plan with specific milestones will be developed and reported to Council quarterly to enable the monitoring of progress and assessment of completion. All known and potential exceptions or variations to the milestones will be advised and if necessary, appropriate recommendations will be made.

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Objective 5 –
Enhanced Project Management and Delivery (Degree of Difficulty Score 5)

To develop a comprehensive project management process which applies to all of Council's capital and non capital projects identified in our Annual Operating Plan which improves milestone reporting and is supported by:-

- a project management office which monitors and reports on project compliance
- a project management training module specifically designed for Ryde's project management approach and is supported by project management training for all responsible for project management
- a cash flow approach which (where appropriate) phases project expenditure over multiple years

An action plan with specific milestones will be developed and reported to Council quarterly to enable the monitoring of progress and assessment of completion. All known and potential exceptions or variations to the milestones will be advised and if necessary, appropriate recommendations will be made.

Objective 6 –
Implementation of Year One Best Value Review Actions for Development Assessment (Degree of Difficulty Score 5)

To improve development assessment customer service, through stage one recommendations of the development assessment Best Value review designed to improve timeliness and quality of the development assessment service, develop staff customer management skills, streamline DA processes, optimise use of technology, provide adequate staff resources. The following will be specifically completed in 2011/12:

- independently gather and report customer satisfaction/dissatisfaction data for both applicants and objectors
- introduce plain English smart forms for lodgement of development applications
- improve integration of the planning advisory team with the assessment team
- implement a more streamlined assessment workflow process
- implement an Express Development Application Service for non complex DAs

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- improve certification workflows
- establish enhanced Tech One systems capabilities to support future improvement of 'on line' lodgement and monitoring
- increase staff capability for engineering assessment inputs
- more easily interpret and assess, a simplified DCP for dwelling houses and dual occupancy (dependent on Council approval)
- more easily interpret and assess, policy for heritage considerations (dependent on Council approval)
- provide customer management training for staff
- enhance use of consultants relating to major developments (from fees generated by larger development application fees)
- operational agreements with inputs from Community Life and Public works inputs to the assessment process
- standardised conditions of consent
- further delegation of decision making to assessment team leaders

Note: the initiatives of the best value review for year one do not complete the raft of reforms planned. In particular until Tech One upgrades are completed this year the full roll out of Infoplan systems which enable 'on line' lodgement and improved tracking capability.

An action plan with specific milestones will be developed and reported to Council quarterly to enable the monitoring of progress and assessment of completion. All known and potential exceptions or variations to the milestones will be advised and if necessary, appropriate recommendations will be made.

Objective 7 –

Implementation of Best Value Review for Sports Fields Booking, Usage Policies and Maintenance (Degree of Difficulty Score 4)

A comprehensive sports fields booking service for customers, through recommendations of the best value review including implementation of new policies, streamlined process, upgrading of technology and improved cross unit collaboration for grounds maintenance and project delivery including:

- independent gathering of customer information data for sporting clubs

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ATTACHMENT 1

- introduction of plain English forms for on line grounds bookings
- stronger integration of policy enforcement with the ranger service
- implementation of a more streamlined and transparent grounds allocation process (subject to Council agreement on policy changes)
- improved resources for maintenance and capital works commissioning
- an appropriate structure within recreation services
- establishment of annual service level agreements with inputs from Public works

An action plan with specific milestones will be developed and reported to Council quarterly to enable the monitoring of progress and assessment of completion. All known and potential exceptions or variations to the milestones will be advised and if necessary, appropriate recommendations will be made.

Objective 8 –

To Undertake Best value Review of Councils Public Relations, Community Engagement, Web presence, Marketing and Publications (Degree of Difficulty Score 4)

To undertake a best value review of the way that Council integrates its approach to Community Engagement, marketing, media management and publications across all of Council's operations.

The aim of the review will be to determine the best structure for integrated delivery, provide role clarity and service accountability, understand principle customer segmentation, integrate external and internal communications across all mediums including, print media, publications, the website and a community of interest network. In addition, the review will identify corporate expenditure on printing and design of publications, business papers and photocopying with the view to minimise costs to Council and maximise return on investments.

An action plan with specific milestones will be developed and reported to Council quarterly to enable the monitoring of progress and assessment of completion. All known and potential exceptions or variations to the milestones will be advised and if necessary, appropriate recommendations will be made.

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ATTACHMENT 1

Objective 9 –

Improved Workplace Culture (Degree of Difficulty Score 5)

To further enhance the leadership style of the organisation and improve the overall Council wide results of the Voice staff culture survey against the 2010/11 baseline and specifically to:

- undertake a 360 degree leadership survey and provide personal coaching for managers at Group, Service Unit and Section level (for 50 managers)
- provide a targeted leadership mentoring program for women who aspire to become managers
- participate in the LGMA management challenge in 2012
- respond and keep staff informed about the executive teams response to the findings of the 2010/11 staff culture survey

*Note :-*The effectiveness of these measures will be made when the staff cultural survey is held again in August 2012. The objective measure of improvement against the overall passion and progress scores will be the basis on which the success of this objective will be measured.

An action plan with specific milestones for each of the above projects will be developed and reported to Council quarterly to enable the monitoring of progress and assessment of completion. All known and potential exceptions or variations to the milestones will be advised and if necessary, appropriate recommendations will be made.

Objective 10 –

Financial Management (Degree of Difficulty Score 5)

The 2011/12 budget for its base expenditure and delivery of affordable capital and non capital works is developed with input from staff and Councilors and approved by the due date.

Once established, tight fiscal control will ensure the budgets delivery in accordance with each quarterly variation. The budget will be developed in consideration of the likely revenue sources for Council next year, whilst keeping the pressures for expenditure growth to within acceptable limits over the next four years.

The budget will be presented to Council by program (as per last year) and will ensure that Council's :-

- adopted Four Year Delivery Plan aligns to its Strategic Plan by Outcome and Program area

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- staff establishment (EFT) remains within Council's previously adopted limits
- controllable costs are kept within CPI limits
- non controllable costs are fairly estimated
- appropriate sources of revenue will be conservatively estimated according to the likely level of achievement

An action plan with specific milestones to frame and deliver the budget by July 2012 will be developed and reported to Council. All known and potential exceptions or variations to the budget will be advised each quarter and if necessary, appropriate recommendations will be made.

Objective 11 –
Civic Precinct Project (Degree of Difficulty Score 5)

To progress the Civic Precinct Project to the final gateway (subject to Council's determination) by August 2012. This is the third component of the Civic Precinct Project as resolved by Council. During this stage the following will occur:-

- height and massing variations as recommended by Council, will be determined by state government following community consultation
- modelling of the development mix will be finalised to provide the best possible sustainable return to Council balanced against community concerns, prior to calling for Expressions of Interest (EOI) from likely bidders
- environmental, social and financial specifications will be agreed prior to calling Expressions of Interest
- Council chambers, community facilities and staff accommodation requirements will be clearly specified with no significant oversight
- contracts are drafted, to ensure competitive design and the best sustainable returns (Social Environmental and Economic) to Council is appropriately prioritised, for inclusion in the tender documents and process
- following an EOI process, contracts are tendered and assessed (in accordance with Council's agreed timeframes) and awarded
- community and Council is kept informed of key stages with due consideration of confidentially sensitive issues

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ATTACHMENT 1

- cost benefit and cost consequence of all risks are quantified and advised

An action plan with specific milestones will be developed and reported to Council quarterly to enable the monitoring of progress and assessment at completion. All known and potential exceptions or variations to the milestones will be advised and if necessary, appropriate recommendations will be made.

Objective 12 –
Interface between Councillors and the General Manager
(Degree of Difficulty Score 4)

To continue to address the recommendations from the Department of Local Governments Better Practice Review relating to the relationships between Councillors, General Manager and Executive Team.

This will include:-

1. The development of a policy for the constructive interface between the Mayor and the General Manager (in accordance with the Local Government Act) and previously established conventions, so that each can assist the other in fulfilling their respective roles positively in a way which is understood by all Councillors
2. A formalised quarterly meeting/workshop (which coincides with the quarterly review) between the Councillors and the Executive Team so that :-
 - a quarterly report of the General Manager and the Group Manager 's group related activities can be presented
 - Councillors can seek clarification on any matter reported in the quarterly review
 - Councillors can seek clarification on any issue of interest to them in their role as Councillors
3. Four monthly one to one meetings between the General Manager and each individual Councillor to discuss issues of concern or interest to both parties
4. Agreement to seek a follow up workshop from that held on 22 May 2010 to continue the dialogue and review progress by both parties to the commitments made at that time. This workshop (to be facilitated by an independent facilitator) will identify opportunities and threats to maintain and build upon the relationship of respect, professional governance and leadership which provides a positive and supportive working climate between elected representatives and the Executive Team.

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Proposed General Manager's Performance Objectives | 2011-12

**Proposed 'Degree of Difficulty' rating for the
General Manager's performance objectives 2011-12**

Difficulty score definitions:

1. Easily achieved.
2. Small level of challenge.
3. Important but routine.
4. Significant degree of difficulty.
5. High level of difficulty.

Objective 1: Community and customer engagement. (Difficulty score 5)

Arguably the most important yet challenging task/obligation facing Council, each Councillor and their Organisation is the achievement and maintenance of a positive and constructive interface as between the Corporation and its constituent's communities/customers.

The difficulty of this challenge is exacerbated by a number of ongoing factors including:

- The vast array of often disparate and sometimes incompatible functions/services of Council.
- The policing/enforcing roles.
- Identifying and quantifying the needs from the wants.
- Defining and adhering to the critically important balance in operational and financial terms as between service levels, scope and that of total asset management.
- The community's traditional lack of understanding of and empathy for Council services.
- The difficult economic environment impacting upon the community's ability to pay and Council's ability to provide. E.g. Rate pegging and unavoidable cost increases.

The vast majority of public sector entities buckle under this challenge and intentionally or otherwise withdraw from or minimise their customer interface obligations. This performance objective clearly embraces the importance of this accountability and systematically confronts the challenge. The objective sets out to bring about positive cultural change both within the Organisation and its community/customer base whilst tracking and recording progress toward the clearly defined and quantified objectives. With almost a void of precedent this objective carries an unambiguous level of difficulty.

Objective 2: Enhanced performance appraisal process for Manager's. (Difficulty score 5)

Any Corporation's most valuable asset is its human resources. All other tangible assets of a Corporation are vested into the day to day care of its employees. This includes all capital assets such

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as buildings, civil infrastructure, fleet, all intellectual property, all current and potential customers and other stakeholders. A Corporation's survival, viability and relevance are in the hands of its current employees.

An employee's ability to be continually and optimally productive for an employer is dependent on two critically important factors and the level of capability of those factors within the Organisation. Those factors are:

- The people management practises being applied across the Organisation. E.g. motivation skills, delegation skills, communication skills and recognition.
- The management disciplines being universally applied and adhered to across the Organisation. E.g. Effective devolution of accountability, effective business planning and effective performance management.

It is the discipline of performance management that this objective is comprehensively addressing. Targeting the management workforce and their people management capability, financial and operational competence, identifying specific development needs, identifying and addressing exceptional and inadequate performance, building on and retaining their value to the business so necessary towards underpinning the future of the Corporation and its ability to manage change.

As with objective one, this discipline is not handled well in the public sector and there is little precedent to follow. The objective is critically important and equally difficult.

Objective 3: Develop a Corporate plan to build corporate capacity and steer the management of change process. (Difficulty score 5)

There is a high degree of interdependency as between objectives one, two and three. Travel too far down the road of building capability in one of these areas without similar focus on the others and the required benefits will not be as forthcoming. This same interdependency exists between these three disciplines/objectives and the 2010-11 performance objectives, one, two, four and seven. The primary focus of this objective is the building of a dramatically upgraded management capability that provides fiscal and related operational data vital to the making of timely and effective management decisions needed to achieve required outcomes. I.e. gaining control over outcomes. As mentioned in the objective, the plan will embrace the next four years (medium term) with specific projects targeted for the current appraisal period. Being an objective that requires the ploughing of totally new fields and requiring a paradigm shift in IT platform usage, scope and timeliness of data collection, recording and reporting, this objective brings with it a high level of challenge.

Objective 4: Develop strategic partners to enhance project capacity. (Difficulty score 4)

There is a high level of originality and pro-activity underpinning this objective. The objective presents a happy and long term rewarding outcome to Council whilst building a positive environment at the previously mentioned (objective one) and compellingly important Council/community/customer

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interface. The objective further provides brave but necessary quantified and measurable outcomes upon which the General Manager and the Organisation can be measured.

The objective is certainly not routine and the projected outcomes, if achieved, compelling.

Objective 5: Enhanced project management and delivery. (Difficulty score 5)

A significant percentage of Council's annual budget is allocated to capital expenditure. I.e. The construction, reconstruction, rehabilitation of current and future tangible assets. The term project management has become a universally used terminology for the management oversight/accountability of such an activity. I.e. converting an investor's cash into a built asset.

The restructuring being undertaken down and across the Organisation by the General Manager and his executive team clearly and unambiguously defines the staff/employee accountability for service delivery to Council's customers and clients as also being 'the owner' of the tangible assets integral to such service delivery. E.g. Chief librarian acting as 'owner' of the current and future library building and the collection it houses. Such asset owners, being accountable for presenting the case for capital expenditure approval must also be accountable for how such approved funds are expended. It is acknowledged these asset owners/service deliverers cannot be expected to be skilled project managers. Acknowledgement of the above sets the scene for this performance objective. The building of a centralised project management capability including appropriate financial and operational processes, procedures, controls, skills and accountable entity(s) that will provide a timely, professional, cost effective and operationally efficient project management service to asset owner/service deliverers to formally agree briefs.

The immediate and ongoing fiscal and operational benefits to Council could well be immense whilst underpinning and reinforcing staff accountability. This high outcome benefit will not be achieved without successful cultural change and the difficult yet achievable challenge that presents.

**Objective 6: Best value review for improved service delivery – development assessment.
(Difficulty score 5)**

Council's appointed performance review committee made it clear to the General Manager during their assessment of his 2010-11 performance that the interface as between Council's planning function and its customers was their area of most concern. In particular examples were sighted of specific applicant(s) complaint and the seemingly excessive average length of time take to process applications. This is often a highly emotion charged, sensitive and complex area of Council activity and service provision, undertaken in an environment where government legislation and Council policies and codes are often seen by an applicant as uncompromising, inappropriate, pervasive and even illogical. Add to the mix an increasingly litigious society and the challenge is manifestly clear.

This object clearly acknowledges this environment and embraces the concerns raised by Council's review committee. In fact this best value review was commenced prior to the forthcoming performance period and benefits/improvements are targeted in this 2011-12 objective to be

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forthcoming in the immediate months ahead. There is a high to very high degree of difficulty in this objective, not only because of the environment previously mentioned but also because the problems/concerns not only need be resolved but be seen to be resolved by Council/Councillors. Fulfilment of this objective over the next twelve months will provide the intended platform for further enhancement to this function projected in this objective and over the following performance period.

Objective 7: Best value review for sports fields booking, usage policies and maintenance.
{Difficulty score 4}

This objective addresses a high profile potentially sensitive and expensive area of Council activity and service provision and one which can incur community chagrin instead of accolades if not implemented expertly. The best value review this objective represents embraces the full gamut of sporting facilities of the city and the optimal use by the community of these facilities. Coincidental to that objective are those of cost efficiencies and making the facilities and services a pleasant and appreciated experience for both the cities passive and active sporting communities. The objective includes performance measures that will provide tangible evidence that the outcomes required have been achieved. This is both an important and challenging objective and by definition non-routine.

Objective 8: Best value review of Councils public relations, community engagement, web presence, marketing and publications. {Difficulty score 4}

The interrelated disciplines embraced by this review are not generally recognised for their level of importance by the public sector generally nor local government in particular. The prevailing attitude (and continuing to be the case in the majority of large Federal and state bureaucracies, such as the tax department and RTA) historically has been one of 'we have a monopoly, we are in an essential service so be happy with what you get'. Progressive local government entities are recognising in recent times the importance of a positive image of their Corporation in the minds of stakeholders. How effort and expertise spent on creating a positive attitude toward the business from customers and third party entities that can influence outcomes, can avoid potholes and headwind and make much smoother for service delivery, the road ahead.

This objective clearly recognises the importance of creating and maintaining a positive image and timely accurate and empathetic communication. It also recognises the critical importance of securing and building the necessary skills and having processes in place that ensure optimal use/impact of and from those skills. If this objective is achieved the results will be manifest and high impact.

Objective 9: Improved work place culture. {Difficulty score 5}

A close interrelationship exists between this objective and the other human resource capability building objectives i.e. one, two and three. All carry with them recognition of the fundamental importance of ensuring effective ongoing use of the total people resources of the business and the ability to comprehensively manage change. Without the supporting influences and simultaneous

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building and application across the total workforce of the capability in each of these four interdependent objectives, efforts to build in any one of them would be doubly difficult and the benefits short lived. It is also worthy to note that a number of the General Manager's 2010-11 objectives (three and four, in particular) reflected required and interdependent business discipline and management practice introduction and capability building. The targeted outcome of this objective (nine) carries considerable challenge yet indicates confidence in the positive and measurable outcomes expected from the other interdependent objectives mentioned.

Objective 10: Financial management. (Difficulty score 5)

The succinctness of this objective tends to disguise understanding of the wide ranging and challenging initiatives it embraces. These challenges and initiatives can be grouped into two broad categories namely:

- i. Proposing and implementing an approved budget and related operated plan in a pervading environment of local and international hardship and uncertainty that:
 - Will deliver all Council services,
 - Will deliver responsibly, Council's total asset management obligations,
 - Will embrace significant additional Council approved initiatives,
 - Will ensure maintenance of the Corporations enviable financial condition,
 - Will deliver all of the above whilst the Organisation undertakes the introduction and implanting of a fully scoped management of change process; and
- ii. Redesign of the Corporations budgeting and operational planning and reporting process to ensure:
 - the decisions and objectives defined by Council in its strategic and related medium to longer term plans are embraced within and implemented by the approved annual budget and related operating plans,
 - The budgeting process, including related systems, procedures and controls will be a compelling management tool thereby enabling more timely financial and operational decision making and thereby control over required outcomes.

All of the above illustrates a significant departure from the traditional public sector budgeting approach of upgrading last year's budget with an 'X' percent up or down variation.

Objective 11: Civic precinct project. (Difficulty score 5)

Produced by Teral Chardwick, Chartered Accountants

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As mentioned in the foot note to this objective, the civic precinct project carries with it two compelling and competing themes. It is simultaneously contentious and important for the Council and the community it represents. Being a high cost project to create, yet likely more costly if not created and demanding a decision in an unsympathetic economic environment.

It is not Council's executive staffs' responsibility to make the decision to proceed or otherwise, yet it is their job to present to Council in accurate, timely and quantified terms the cost/cost benefit/cost consequences of the project and then assist Council to arrive in a timely manner at the correct decision. Once that decision is made it will also be management's job to gain community acceptance of that decision. All the issues make for a volatile mix and demanding a high level of professionalism, political sensitivity and good governance. All of which will be most evident if not applied.

Objective 12 Interface between Councillors and General Manager. (Difficulty score 4)

The working relationship that exists as between a corporations General Manager and his/her chairperson, the board of directors/Council and each Director/Councillor, is of critical importance. The efficacy of this interface in total and by each component part does and will have a compelling impact on the corporations direction, performance, (financial and operational) relevant and long term viability. This interface efficacy or otherwise will have a direct impact on:

- the relevant and quality of Council policies and decisions
- Councillors ability to represent the corporation to their respective community(s) and vica versa
- effective use of Councillor, Council and Executive Management time and the cost benefit/consequences of that time use
- The image of the corporation and its component parts in the eyes of its community, community groups, government (s) and government instrumentalities
- the working climate(morale) throughout the organisation and within Council
- the level of trust and respect felt by all and able to be shown to each other

This commentator is on the view that the day to day accountability for the effectiveness of this interface rests primarily with the chief executive and with able support from his/her day to day boss, the chairperson/mayor.

It does as it said, take two to tango however so wherever possible formal processes need be put in place and adhered to so that trust and respect shown will be able to be rewarded or able to be identified and addressed by exception.

This objective no 12 I believe is directed to this end and comprehensively so. A positive outcome is likely to be at the top of the Mayors and the General Managers issues of importance and rightly so.



NOTICES OF MOTION

1 SKATEBOARD CLINICS FOR ALL AGES AND ABILITIES IN THE CITY OF RYDE - Councillor Roy Maggio

File Number: CLM/11/1/5/6 - BP11/715

MOTION:

- (a) That Council prepare a report within a month that identifies a suitable venue for a skateboard clinic to be conducted during the school holiday period. This report should also include estimated costs to Council, identify any insurance risks or liabilities and the process that would be required to engage interested parties to organise and promote skateboard clinics for all ages and abilities in the City of Ryde.
- (b) That Council endorse the establishment of a "Wheeled Sports Advisory Committee" whose specific purpose will be to work with the Ryde Youth Council to investigate potential options for developing a skate park and any other wheeled sports facilities in the City of Ryde, with all terms of references consistent with Council Policy.

2 COMMEMORATIVE PLAQUE AT THE RYDE AQUATIC LEISURE CENTRE - Councillor Roy Maggio

File Number: CLM/11/1/5/6 - BP11/764

MOTION:

That Council endorses the concept of a **Commemorative Plaque** to be displayed at the Ryde Aquatic Leisure Centre incorporating an engraved photograph as well as written information honouring the dedication of Forbes and Ursula Carlile have given to the sport of swimming in Ryde and embarking on the 50th Year Anniversary of the Ryde Carlile Swimming Club.

**3 PARKING IN THE AREA SURROUNDING DICKSON AVENUE, WEST
RYDE - Councillor Roy Maggio**

File Number: CLM/11/1/5/6 - BP11/783

MOTION:

That Council:

- (a) As a matter of urgency investigate and report on the implementation of two hour timed parking in the area surrounding Dickson Avenue, West Ryde to a boundary determined following public consultation.
- (b) Investigate and report on implementing a resident parking scheme, whereby residents of the immediate surrounds of Dickson Avenue, West Ryde can opt to participate.
- (c) Remove the proposal for calming measures in Dickson Avenue, West Ryde.
- (d) Refer this matter to Council's Traffic Committee for consideration to making recommendations on how this scheme should be introduced.

4 ROTARY HEALTH HAT DAY - Councillor Victor Tagg

File Number: CLM/11/1/5/6 - BP11/793

MOTION:

That Ryde Council gets involved with Rotary Health Hat Day next year.

5 MEN'S SHED - Councillor Gabrielle O'Donnell

File Number: GRP/09/3/2/7 - BP11/795

MOTION:

That the General Manager investigate the feasibility of setting up a Men's Shed and report back to Council.

CONFIDENTIAL ITEMS

16 NSROC TENDER 11/11 - Road Surfacing, Patching and Associated Works

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.

Report prepared by: Section Manager - Infrastructure Programs

Report dated: 11/10/2011

File No.: COR2011/360 - BP11/668

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17 DEFERRED REPORT: TENDER FOR CARTAGE & DISPOSAL OF FILL MATERIAL - COR-RFT-11/11

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.

Report prepared by: Environmental Engineer - Waste

Report dated: 28/09/2011

File No.: GRP/11/3/6/6 - BP11/631

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18 DEFERRED REPORT: POTENTIAL DEVELOPMENT PARTNERSHIP ARRANGEMENT FOR COULTER STREET CAR PARK

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.

Report prepared by: General Manager

Report dated: 22/09/2011

File No.: GRP/11/3/6/6 - BP11/615

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19 DEFERRED REPORT: ADVICE ON COURT ACTIONS

Confidential

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

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

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

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

Report prepared by: General Counsel, Public Officer,

Report dated: 22 September 2011

File No.: GRP/11/7/1/6 - BP11/618

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20 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.

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- (c) fully discussed in that advice.

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

Report prepared by: General Counsel, Public Officer, Public Officer

Report dated: 19 October 2011

File No.: GRP/11/7/1/6 - BP11/693

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