

5 MAY 2011

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## NOTICE OF MEETING

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You are advised that the

Ordinary Meeting of Council

will be held in the

Council Chambers, Level 6, on

**TUESDAY 10 MAY 2011 AT 7.30PM.**

**Council Meeting****AGENDA NO. 6/11**

**Meeting Date:** Tuesday, 10 May 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.*

**NOTICE OF BUSINESS**

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**1 CONFIRMATION OF MINUTES - Council Meeting held on 12 April 2011****File No.:** GRP/11/5/4/6 - BP11/90

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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 5/11, held on Tuesday 12 April 2011, be confirmed.

**ATTACHMENTS**

- 1** Minutes - Ordinary Council Meeting - 12 April 2011

**ITEM 1 (continued)****ATTACHMENT 1**

City of Ryde

**Council Meeting****MINUTES OF MEETING NO. 5/11**

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**Meeting Date:** Tuesday 12 April 2011  
**Location:** Council Chambers, Level 6  
**Time:** 7.30pm

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

**Apologies:** Councillor Butterworth.

**Staff Present:** General Manager, Group Manager – Community Life, Group Manager - Corporate Services, Group Manager – Environment & Planning, Group Manager - Public Works, General Counsel, Media & Community Relations Officer, Manager, Strategy and Organisation Development, Chief Financial Officer and Manager Governance.

**PRAYER**

Pastor Dean Moore of the Ryde Baptist Church was present and offered a prayer prior to the commencement of the meeting.

**DISCLOSURES OF INTEREST**

Councillor Tagg disclosed a less than significant non-pecuniary interest in Item 3 of the Council's Report No. 5/11 - 20-34 ASHBURN PLACE, GLADESVILLE.

**PUBLIC PARTICIPATION**

The following persons addressed the Council:

<b>Name</b>	<b>Topic</b>
Ms Cathy Merchant	Notice of Motion 3 - MANAGEMENT PLAN FOR THE FIELD OF MARS
Ms Hazel Myers	Item not listed on the Agenda – Resolution on West Ryde Easter Fair – Matter of Urgency, Committee of the Whole – 5 April 2011

**ITEM 1 (continued)****ATTACHMENT 1****MAYORAL MINUTES****GENERAL MANAGER'S PERFORMANCE ASSESSMENT - The Mayor Artin Etmekdjian MM02/11 – BP11/251**

**RESOLUTION:** (Moved by The Mayor, Councillor Etmekdjian and Councillor Maggio)

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).

**Record of Voting:**

For the Motion: Unanimous

**COUNCIL REPORTS****1 CONFIRMATION OF MINUTES - Council Meeting held on 22 March 2011**

**RESOLUTION:** (Moved by Councillors Petch and Yedelian OAM)

That the Minutes of the Council Meeting 4/11, held on Tuesday 22 March 2011, be confirmed.

**Record of Voting:**

For the Motion: Unanimous

**2 REPORT OF WORKS AND COMMUNITY COMMITTEE MEETING 5/11 held on 05 April 2011**

**RESOLUTION:** (Moved by Councillors Maggio and Petch)

That Council determine Items 2, 3 and 4 of the Works and Community Committee report, noting that Items 1, 5 and 6 were dealt with by the Committee under delegated authority.

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

For the Motion: Unanimous

**2 DEFERRED REPORT - SIGNIFICANT TREE REGISTER NOMINATION  
- Linton Avenue, West Ryde**

**RESOLUTION:** (Moved by Councillors Maggio and Tagg)

- (a) That the *Cinnamomum camphora* (Camphor Laurel) tree located at 2 Linton Avenue not be listed on Council's Significant Tree Register.
- (b) That the *Cinnamomum camphora* (Camphor Laurel) tree located at 6 Linton Avenue West Ryde be listed on Council's Significant Tree Register.

**Record of Voting:**

For the Motion: Unanimous

**3 BUFFALO CREEK CROSSING - Between Pidding and Malvena  
Street, Ryde**

Note: General Counsel provided a verbal report in relation to this Item.

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

That Council note the information provided in the report to the Works and Community Committee 5/11 and that no further action be taken.

**Record of Voting**

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

Against the Motion: Councillors Li, Petch and Tagg

**4 COUNCILLOR AND STAFF ACCESS TO RYDE AQUATIC LEISURE  
CENTRE THROUGH CITY OF RYDE WELLNESS PROGRAM**

**MOTION:** (Moved by Councillors Maggio and Petch)

- (a) That City of Ryde staff be provided with 50% subsidy on the adult casual Aquatic Entry & Multi Visit Pass to the Ryde Aquatic Leisure Centre with access available Monday to Friday from opening to 3.00pm and that this be trialled for 6 months.
- (b) That staff employed directly at the Ryde Aquatic Leisure Centre be given 100% subsidy (i.e. free) on entry fees for training purposes at the Ryde Aquatic Leisure Centre.

**ITEM 1 (continued)****ATTACHMENT 1**

**AMENDMENT:** (Moved by Councillors Campbell and Salvestro-Martin)

- (a) That City of Ryde staff be provided with 50% subsidy on the adult casual Aquatic Entry & Multi Visit Pass to the Ryde Aquatic Leisure Centre with access available Monday to Friday and that this be trialled for 6 months.
- (b) That staff employed directly at the Ryde Aquatic Leisure Centre be given 100% subsidy (i.e. free) on entry fees for training purposes at the Ryde Aquatic Leisure Centre.

The Amendment was put and **LOST** there being three (3) votes For and eight (8) votes Against.

**Record of Voting**

For the Amendment: Councillor, Campbell, O'Donnell and Salvestro-Martin

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

**FURTHER AMENDMENT:** (Moved by Councillors O'Donnell and Salvestro-Martin)

- (a) That City of Ryde Councillors and staff be provided with 50% subsidy on the adult casual Aquatic Entry & Multi Visit Pass to the Ryde Aquatic Leisure Centre with access available Monday to Friday and that this be trialled for 6 months.
- (b) That staff employed directly at the Ryde Aquatic Leisure Centre be given 100% subsidy (i.e. free) on entry fees for training purposes at the Ryde Aquatic Leisure Centre.

The Amendment was put and **LOST** there being two (2) votes For and nine (9) votes Against.

**Record of Voting**

For the Amendment: Councillors O'Donnell and Salvestro-Martin.

Against the Amendment: The Mayor, Councillor Etmekdjian and Councillors Campbell, Li, Maggio, Perram, Petch, Pickering, Tagg and Yedelian OAM

The Motion was then Put and **CARRIED**

**RESOLUTION:** (Moved by Councillors Maggio and Petch)

- (a) That City of Ryde staff be provided with 50% subsidy on the adult casual Aquatic Entry & Multi Visit Pass to the Ryde Aquatic Leisure Centre with access available Monday to Friday from opening to 3.00pm and that this be trialled for 6 months.

**ITEM 1 (continued)****ATTACHMENT 1**

- (b) That staff employed directly at the Ryde Aquatic Leisure Centre be given 100% subsidy (i.e. free) on entry fees for training purposes at the Ryde Aquatic Leisure Centre.

**Record of Voting**

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

Against the Motion: Councillor O'Donnell

**3 REPORT OF PLANNING AND ENVIRONMENT COMMITTEE MEETING 4/11 held on 05 April 2011**

**RESOLUTION:** (Moved by Councillors Pickering and Yedelian OAM)

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

**Record of Voting:**

For the Motion: Unanimous

- 4 20-34 ASHBURN PLACE, GLADESVILLE. LOT 22 DP708012, LOT 1 DP 1098428 & LOT 2 DP10088. Application pursuant to Section 96(1A) of the EP&A Act 1979 to delete condition 108 for Privacy Screens for the Approved Nursing Home. LDA 2003/1222. S96 MOD 2010/0135.**

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

**RESOLUTION:** (Moved by Councillors Pickering and Campbell)

That this application be deferred to allow the Group Manager Environment and Planning to endeavour to mediate a solution between the applicant and the neighbours and that a further report be provided to the Planning and Environment Committee.

**Record of Voting**

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

Against the Motion: Councillor Tagg



**ITEM 1 (continued)****ATTACHMENT 1****4 DRAFT FOUR YEAR DELIVERY PLAN 2011-2015 including ONE YEAR OPERATIONAL PLAN 2011/2012**

**MOTION:** (Moved by Councillors Petch and Yedelian OAM)

- (a) That, pursuant to Section 404 & 405 of the Local Government Act 1993, the document titled "Draft Four Year Delivery Plan 2011-2015 including One Year Operational Plan 2011/2012", inclusive of the 2011/2012 Draft Budget, Fees and Charges and Capital Works Program be endorsed as the Draft Four Year Delivery Plan 2011-2015 including One Year Operational Plan 2011/2012 of the City of Ryde.
- (b) That the Draft Four Year Delivery Plan 2011-2015 including One Year Operational Plan 2011/2012 be publicly exhibited for a period of not less than 28 days from 20 April 2011 to 30 May 2011.
- (c) That following the public exhibition period detailed in part (b), Council consider all public submissions at its meeting to be held on Tuesday 14 June 2011 prior to formally adopting its Four Year Delivery Plan 2011-2015 including the One Year Operational Plan 2011/2012.

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

- (a) That, pursuant to Section 404 & 405 of the Local Government Act 1993, the document titled "Draft Four Year Delivery Plan 2011-2015 including One Year Operational Plan 2011/2012", inclusive of the 2011/2012 Draft Budget, Fees and Charges and Capital Works Program be endorsed as the Draft Four Year Delivery Plan 2011-2015 including One Year Operational Plan 2011/2012 of the City of Ryde.
- (b) That the Draft Four Year Delivery Plan 2011-2015 including One Year Operational Plan 2011/2012 be publicly exhibited for a period of not less than 28 days from 20 April 2011 to 30 May 2011.
- (c) That following the public exhibition period detailed in part (b), Council consider all public submissions at its meeting to be held on Tuesday 14 June 2011 prior to formally adopting its Four Year Delivery Plan 2011-2015 including the One Year Operational Plan 2011/2012.
- (d) That monies be made available in the draft Four Year Delivery Plan 2011-2015 for the purchase of a new piano at North Ryde Community Centre (Cox's Road).

The Amendment was put and **LOST** there being four (4) votes For and seven (7) votes Against.

**Record of Voting**

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

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

**ITEM 1 (continued)****ATTACHMENT 1**

The Motion was then put and **CARRIED**

**RESOLUTION:** (Moved by Councillors Petch and Yedelian OAM)

- (a) That, pursuant to Section 404 & 405 of the Local Government Act 1993, the document titled "Draft Four Year Delivery Plan 2011-2015 including One Year Operational Plan 2011/2012", inclusive of the 2011/2012 Draft Budget, Fees and Charges and Capital Works Program be endorsed as the Draft Four Year Delivery Plan 2011-2015 including One Year Operational Plan 2011/2012 of the City of Ryde.
- (b) That the Draft Four Year Delivery Plan 2011-2015 including One Year Operational Plan 2011/2012 be publicly exhibited for a period of not less than 28 days from 20 April 2011 to 30 May 2011.
- (c) That following the public exhibition period detailed in part (b), Council consider all public submissions at its meeting to be held on Tuesday 14 June 2011 prior to formally adopting its Four Year Delivery Plan 2011-2015 including the One Year Operational Plan 2011/2012.

**Record of Voting:**

For the Motion: Unanimous

**NOTICES OF MOTION**

**1 LETTERS OF CONGRATULATIONS TO STATE MEMBERS - Councillor Sarkis Yedelian OAM**

**RESOLUTION:** (Moved by Councillors Yedelian OAM and Petch)

That Council write to the newly elected state Members and Ministers, Victor Dominello of Ryde, Anthony Roberts of Lane Cove and Greg Smith of Epping, congratulating them on their re-election on Saturday, 26<sup>th</sup> of March 2011 – NSW State elections and congratulate them on their elevation to the Ministry.

**Record of Voting:**

For the Motion: Unanimous

**2 PURCHASE OF RESIDENTIAL PROPERTY IN PUTNEY - Councillor Vic Tagg**

**MOTION:** (Moved by Councillors Tagg and Li)

That Council should set aside money in our budget 2011- 2012 for the purchase of a residential property in Putney (at market value), if it is found to be the burial site of Bennelong.

**ITEM 1 (continued)****ATTACHMENT 1**

This, if confirmed, is a significant heritage finding and Ryde Council should ensure that it takes the appropriate steps to securing the property for the people of Ryde.

The Motion was put and **LOST**

**Record of Voting**

For the Motion: Councillor Tagg

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

**3 MANAGEMENT PLAN FOR THE FIELD OF MARS - Councillor Gabrielle O'Donnell**

Note: Ms Merchant addressed Council in relation to this Item.

**RESOLUTION:** (Moved by Councillors O'Donnell and Maggio)

- (a) That the General Manager report back to Councillors on the implementation of the Management Plans for the Field of Mars and Brush Farm Park.
- (b) That Council organise an onsite meeting with members of the Ryde Hunters Hill Flora and Fauna Society to consider variations to the contract for the track extension at the Field of Mars.

**Record of Voting:**

For the Motion: Unanimous

**4 FOOTPATHS - Councillor Gabrielle O'Donnell**

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

- (a) That the General Manager report to Council on the feasibility of increasing the width of footpaths to 1.5 metres to allow for two way traffic and also on an education plan to encourage residents to keep the footpaths outside their property clear of vegetation, parked cars, garbage bins etc so that walking becomes a more attractive form of transport.
- (b) That the General Manager report to Council on 3 May 2011 on the feasibility of joining the Global Corporate Challenge.

**RESOLUTION:** (Moved by Councillors Maggio and Yedelian OAM)

**ITEM 1 (continued)****ATTACHMENT 1**

That the Notice of Motion 4 be dealt with in seriatim.

Against: Councillors Campbell and Salvestro-Martin

The Motion was then dealt with in seriatim.

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

- (a) That the General Manager report to Council on the feasibility of increasing the width of footpaths to 1.5 metres to allow for two way traffic and also on an education plan to encourage residents to keep the footpaths outside their property clear of vegetation, parked cars, garbage bins etc so that walking becomes a more attractive form of transport.

**Record of Voting**

For the Motion: Councillors Campbell, Li, O'Donnell, Perram, Petch and Salvestro-Martin

Against the Motion: The Mayor, Councillor Etmekdjian and Councillors Maggio, Pickering, Tagg and Yedelian OAM

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

- (b) That the General Manager report to Council on 3 May 2011 on the feasibility of joining the Global Corporate Challenge.

**Record of Voting:**

For the Motion: Unanimous

**RESOLUTION:**

- (a) That the General Manager report to Council on the feasibility of increasing the width of footpaths to 1.5 metres to allow for two way traffic and also on an education plan to encourage residents to keep the footpaths outside their property clear of vegetation, parked cars, garbage bins etc so that walking becomes a more attractive form of transport.
- (b) That the General Manager report to Council on 3 May 2011 on the feasibility of joining the Global Corporate Challenge.

**PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA**

Earlier in the Meeting, Ms Hazel Myers addressed Council regarding Committee of the Whole Meeting – 5 April 2011 – Matter of Urgency – WEST RYDE EASTER FAIR.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**NATIONAL ANTHEM**

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

The meeting closed at 9.47pm.

CONFIRMED THIS 3<sup>rd</sup> DAY OF MAY 2011

Chairperson

## **2 REPORT OF PLANNING AND ENVIRONMENT COMMITTEE - Meeting 5/11 held on 3 May 2011**

**File No. GRP/10/3/001/5 – BP10/706**

### **Report Summary**

Attached are the Minutes of the Planning and Environment Committee Meeting 5/11 held on 3 May 2011. The Minutes will be listed for confirmation at the next Planning and Environment Committee Meeting.

Items 1, 2 and 4 were dealt with by the Committee within its delegated powers.

The following Committee recommendation for item 3 is 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:

### **3 76 EPPING ROAD, NORTH RYDE. LOT 2 DP 505422. Local Development Application for alterations and change of use of existing dwelling house to a boarding house containing eight (8) bedrooms. LDA2010/0112.**

Report: The Committee inspected the property at 76 Epping Road, North Ryde.

Note: Mr Andrew Brody (objector) and Mr Peter Hall (applicant's architect) addressed the meeting in relation to this item.

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

- (a) That Local Development Application No. 2010/112 at 76 Epping Road North Ryde being Lot 2 DP 505422 be approved subject to the **ATTACHED** conditions (Attachment 1).
- (b) That this matter be referred to Manager Health & Building for appropriate enforcement action regarding the illegal internal alterations to the premises.
- (c) That the persons who made submissions be advised of Council's decision.

### **Record of Voting:**

For the Motion: Councillors O'Donnell and Salvestro-Martin

Against the Motion: Councillors Pickering and Yedelian OAM

The matter is now AT LARGE.

Note: This matter will be dealt with at the Council Meeting to be held on **10 MAY 2011** as dissenting votes were recorded.

### **ATTACHMENTS**

- 1 Minutes - Planning and Environment Committee - 3 May 2011**

**ITEM 2 (continued)****ATTACHMENT 1**

City of Ryde

**Planning and Environment Committee****MINUTES OF MEETING NO. 5/11**

**Meeting Date:** Tuesday 3 May 2011  
**Location:** Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde  
**Time:** 4.04pm

**Councillors Present:** Councillor Pickering (Chairperson), The Mayor, Councillor Etmekdjian and Councillors O'Donnell, Salvestro-Martin and Yedelian OAM.

Councillor Yedelian OAM arrived at 4.06pm and was not present for consideration of item 1.

Councillor Salvestro-Martin arrived at 5.00pm and was not present for consideration of item 1.

The Mayor, Councillor Etmekdjian was present for consideration of item 1 only.

**Apologies:** Councillor Butterworth.

**Staff Present:** Group Manager – Environment and Planning, Manager Assessment, Manager Environmental Health and Building, Acting Team Leader Assessment, Senior Town Planner, Senior Town Planner, Meeting Support Coordinator and Executive Officer.

**DISCLOSURES OF INTEREST**

There were no disclosures of interest.

**1 CONFIRMATION OF MINUTES - Meeting held on 5 April 2011**

**RESOLUTION:** (Moved by Councillors O'Donnell and Pickering)

That the Minutes of the Planning and Environment Committee 04/11, held on Tuesday 5 April 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 2 (continued)****ATTACHMENT 1**

- 2 589-603 & 607-619 VICTORIA ROAD, RYDE. Lots A & B DP 403323, Lot 1 DP 856439, Lot 2 DP 7793 & Lot 1 DP 1000478. Local Development Application for alterations and upgrade of the Hunter Holden dealership. LDA2010/672.**

Note: Mr Arthur Zouglis (applicant's project manager) addressed the meeting in relation to this item.

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

- (a) That Local Development Application No. 2010/672 for external upgrading of the existing car dealership at 589-603 Victoria Road and 607-619 Victoria Road, Ryde, be approved 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.

- 3 76 EPPING ROAD, NORTH RYDE. LOT 2 DP 505422. Local Development Application for alterations and change of use of existing dwelling house to a boarding house containing eight (8) bedrooms. LDA2010/0112.**

Report: The Committee inspected the property at 76 Epping Road, North Ryde.

Note: Mr Andrew Brody (objector) and Mr Peter Hall (applicant's architect) addressed the meeting in relation to this item.

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

- (a) That Local Development Application No. 2010/112 at 76 Epping Road North Ryde being Lot 2 DP 505422 be approved subject to the **ATTACHED** conditions (Attachment 1).
- (b) That this matter be referred to Manager Health & Building for appropriate enforcement action regarding the illegal internal alterations to the premises.
- (c) That the persons who made submissions be advised of Council's decision.

**Record of Voting:**

For the Motion: Councillors O'Donnell and Salvestro-Martin

Against the Motion: Councillors Pickering and Yedelian OAM



**ITEM 2 (continued)****ATTACHMENT 1**

The matter is now AT LARGE.

Note: This matter will be dealt with at the Council Meeting to be held on **10 MAY 2011** as dissenting votes were recorded

**4 20 WEST PARADE, EASTWOOD. LOT 2 DP 808844. Application pursuant to Section 96(2) of the Environmental Planning and Assessment Act, 1979 to amend the approved new hotel and associated facilities. LDA No. 2009/0700. Section 96 No. MOD2010/0168.**

Note: Mr Edward Malouf (applicant) addressed the meeting in relation to this item.

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

- (a) That the Section 96 application MOD2010/0168 to modify Local Development Application No. 2009/0700 at 20 West Parade, Eastwood being Lot 2 DP 808844 be approved subject to the following:

**1. That condition no. 1 of the consent be amended to read as follows:**

1. Development is to be carried out in accordance with the following plans and support information submitted to Council except as amended by other conditions of consent:

<b>Plan and Documents</b>	<b>Description</b>	<b>Issue</b>	<b>Date</b>
DA1501	Site Analysis & Demolition Plan	<b>3</b>	<b>26/11/2010</b>
DA1511	Floor space details	<b>4</b>	<b>26/11/2010</b>
DA2101	Basement Level – Proposed	<b>8</b>	<b>19/01/2011</b>
DA2102	Ground Floor – Proposed	<b>6</b>	<b>26/11/2010</b>
DA2104	Roof Plan	<b>4</b>	<b>26/11/2010</b>
DA2105	Showing Internal Dimensions	<b>1</b>	<b>26/11/2010</b>
DA2202	Landscaping	<b>1</b>	<b>26/11/2010</b>
DA2601	Sections	<b>2</b>	<b>24/1/2011</b>
DA3101	Elevations	<b>4</b>	<b>26/11/2010</b>
DA3301	Sections	<b>3</b>	<b>26/11/2010</b>
DA5101	Schedule of Finishes – Page 1	<b>3</b>	<b>26/11/2010</b>
DA5102	Schedule of Finishes – Page 2	<b>1</b>	<b>26/11/2010</b>
-	Waste management Plan	-	
-	Venue Management Plan	-	<b>March 2010</b>
-	Security Management Plan	-	<b>March 2010</b>

**2. Condition number 108 be amended to read as follows:**

108. 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 **any Occupation Certificate**.

**ITEM 2 (continued)****ATTACHMENT 1**

<b>A</b>	<b>B</b>
Community & Cultural Facilities	\$7,285.04
Open Space & Recreation Facilities	\$0
Civic & Urban Improvements	\$11,587.77
Roads & Traffic Management Facilities	\$2,938.02
Cycleways	\$989.45
Stormwater Management Facilities	\$4,060.78
Plan Administration	\$262.72
Carparking	\$784,373.81

**The total contribution payable to Council is \$811,497.54**

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 16/3/2011.

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.

**3. That the following additional condition be included in the consent:**

223. The finishes are to be in accordance with the two finishes shown on drawings numbered DA 5101/3 & DA5102/1. Details in accordance with these plans must be submitted and approved as part of Construction Certificate drawings.

(b) That the RailCorp 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 5.55pm.

CONFIRMED THIS 17TH DAY OF MAY 2011.

Chairperson

### **3 REPORT OF WORKS AND COMMUNITY COMMITTEE - Meeting 06/11 held on 19 April 2011**

**File No. GRP/10/3/001/5 – BP10/706**

#### **Report Summary**

Attached are the Minutes of the Works and Community Committee Meeting 6/11 held on 19 April 2011. The Minutes will be listed for confirmation at the next Works and Community Committee Meeting.

Items 1 and 6 were dealt with by the Committee within its delegated powers.

The following Committee recommendations, items 2, 3, 4, 5 and 7, 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 TREE MANAGEMENT REVIEW - 69 Ford Street, North Ryde**

Note: The Committee inspected the site at 69 Ford Street, North Ryde.

**RECOMMENDATION:** (Moved by Councillors Maggio and Perram)

That the one (1) *Eucalyptus saligna* (Sydney Blue Gum) located on the property of 69 Ford Street, North Ryde be conditionally approved for removal. The condition being that prior commitment is given to include the replacement planting of 1 tree of a similar species that is 1.5 metres at the time of planting and will reach a minimal height of 8 metres at maturity.

#### **Record of Voting**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on 10 MAY 2011 as  
- substantive changes were made to the published recommendation.

#### **3 TREE MANAGEMENT REVIEW - 2-8 Belmore Street, Ryde**

Note: The Committee inspected the site at 2-8 Belmore Street, Ryde.

**RECOMMENDATION:** (Moved by Councillors Maggio and Perram)

That the twelve (12) *Casuarina cunninghamiana* (River She-oak), seven (7) *Callistemon viminalis* (Bottlebrush), one (1) *Celtis australis* (European Hackberry/Nettle Tree) and one (1) *Pittosporum undulatum* (Sweet Pittosporum) located on the property of 2-8 Belmore Street, Ryde be conditionally approved for removal. The condition being that prior commitment is given to include the replacement planting of 10 trees that are 1.5 metres at the time of planting and will reach a minimal height of 8 metres at maturity.

**ITEM 3 (continued)****Record of Voting**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on 10 MAY 2011 as  
- substantive changes were made to the published recommendation.

**4 TREE MANAGEMENT REVIEW - 124 Ryde Road, Gladesville**

Note: The Committee inspected the site at 124 Ryde Road, Gladesville.

**RECOMMENDATION:** (Moved by Councillors Petch and Maggio)

That the one (1) *Corymbia maculata* (Spotted Gum) located on the property of 124 Ryde Road, Gladesville be conditionally approved for removal. The condition being that prior commitment is given to include the replacement planting of 1 tree that is 1.5 metres at the time of planting and will reach a minimal height of 8 metres at maturity.

**Record of Voting**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on 10 MAY 2011 as  
- substantive changes were made to the published recommendation.

**5 TREE MANAGEMENT REVIEW - 3 Zanco Road, Marsfield**

Note: The Committee inspected the site at 3 Zanco Road, Marsfield.

**RECOMMENDATION:** (Moved by Councillors Maggio and Petch)

That the one (1) *Eucalyptus elata* (River Peppermint) located on the property of 3 Zanco Road, Marsfield be conditionally approved for removal. The condition being that prior commitment is given to include the replacement planting of 1 tree that is 1.5 metres at the time of planting and will reach a minimal height of 8 metres at maturity.

**Record of Voting**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on 10 MAY 2011 as  
- substantive changes were made to the published recommendation.

**ITEM 3 (continued)****7 PUBLIC PRIVATE PARTNERSHIP - Bevillesta & City of Ryde - Signage Rights, Southern Pedestrian Bridge, North Face - Status Report.**

**RECOMMENDATION:** (Moved by Councillors Petch and Perram)

That a further report be submitted to Council once the Expression of Interest process has been completed.

**Record of Voting**

For the Motion: Councillors Petch and Perram.

Against the Motion: Councillor Maggio.

Note: This matter will be dealt with at the Council Meeting to be held on 10 MAY 2011 as  
- dissenting votes were recorded.

**ATTACHMENTS**

**1** Minutes - Works and Community Committee - 19 April 2011

**ITEM 3 (continued)****ATTACHMENT 1**

City of Ryde

**Works and Community Committee****MINUTES OF MEETING NO. 6/11****Meeting Date:** Tuesday 19 April 2011**Location:** Committee Room 1, Level 5, Civic Centre, 1 Devlin Street, Ryde**Time:** 4.30pm

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

**Apologies:** Councillors Campbell, Li and Tagg.

**Staff Present:** Group Manager – Community Life, Group Manager - Public Works, Manager Waste and Fleet, Manager Open Space, Manager Governance, Coordinator Natural Areas, Tree Management Officer and Meeting Support Coordinator.

**DISCLOSURES OF INTEREST**

There were no disclosures of interest.

**COMMITTEE REPORTS****1 CONFIRMATION OF MINUTES - Meeting held on 5 April 2011**

**RESOLUTION:** (Moved by Councillors Perram and Petch)

That the Minutes of the Works and Community Committee 05/11, held on Tuesday 5 April 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 TREE MANAGEMENT REVIEW - 69 Ford Street, North Ryde**

Note: The Committee inspected the site at 69 Ford Street, North Ryde.

**RECOMMENDATION:** (Moved by Councillors Maggio and Perram)

That the one (1) *Eucalyptus saligna* (Sydney Blue Gum) located on the property of 69 Ford Street, North Ryde be conditionally approved for removal. The condition being that prior commitment is given to include the replacement planting of 1 tree of a

**ITEM 3 (continued)****ATTACHMENT 1**

similar species that is 1.5 metres at the time of planting and will reach a minimal height of 8 metres at maturity.

**Record of Voting**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on 10 MAY 2011 as  
- substantive changes were made to the published recommendation.

**3 TREE MANAGEMENT REVIEW - 2-8 Belmore Street, Ryde**

Note: The Committee inspected the site at 2-8 Belmore Street, Ryde.

**RECOMMENDATION:** (Moved by Councillors Maggio and Perram)

That the twelve (12) *Casuarina cunninghamiana* (River She-oak), seven (7) *Callistemon viminalis* (Bottlebrush), one (1) *Celtis australis* (European Hackberry/Nettle Tree) and one (1) *Pittosporum undulatum* (Sweet Pittosporum) located on the property of 2-8 Belmore Street, Ryde be conditionally approved for removal. The condition being that prior commitment is given to include the replacement planting of 10 trees that are 1.5 metres at the time of planting and will reach a minimal height of 8 metres at maturity.

**Record of Voting**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on 10 MAY 2011 as  
- substantive changes were made to the published recommendation.

**4 TREE MANAGEMENT REVIEW - 124 Ryde Road, Gladesville**

Note: The Committee inspected the site at 124 Ryde Road, Gladesville.

**RECOMMENDATION:** (Moved by Councillors Petch and Maggio)

That the one (1) *Corymbia maculata* (Spotted Gum) located on the property of 124 Ryde Road, Gladesville be conditionally approved for removal. The condition being that prior commitment is given to include the replacement planting of 1 tree that is 1.5 metres at the time of planting and will reach a minimal height of 8 metres at maturity.

**Record of Voting**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on 10 MAY 2011 as  
- substantive changes were made to the published recommendation.

**ITEM 3 (continued)****ATTACHMENT 1****5 TREE MANAGEMENT REVIEW - 3 Zanco Road, Marsfield**

Note: The Committee inspected the site at 3 Zanco Road, Marsfield.

**RECOMMENDATION:** (Moved by Councillors Maggio and Petch)

That the one (1) *Eucalyptus elata* (River Peppermint) located on the property of 3 Zanco Road, Marsfield be conditionally approved for removal. The condition being that prior commitment is given to include the replacement planting of 1 tree that is 1.5 metres at the time of planting and will reach a minimal height of 8 metres at maturity.

**Record of Voting**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on 10 MAY 2011 as  
- substantive changes were made to the published recommendation.

**6 RECOGNITION OF BUSINESSES THAT HAVE BEEN IN LONG TERM SERVICE IN THE CITY OF RYDE**

**RESOLUTION:** (Moved by Councillors Petch and Perram)

- (a) That when Council is approached by businesses and clubs, for the celebration of either 50, 75 or 100 year anniversaries Council provide a plaque recognising the services provided to the community which includes the group's name, the celebration occasion and the names of the Mayor, 11 Councillors and the General Manager.
- (b) That the General Manager has the delegation to approve an approach from a business or club to celebrate an anniversary and that it is reported to Councillors through the Councillor Information Bulletin.
- (c) That businesses and clubs are invited to attend a Council meeting to receive the recognition plaque.

**Record of Voting**

For the Motion: Unanimous

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

**7 PUBLIC PRIVATE PARTNERSHIP - Bevillesta & City of Ryde - Signage Rights, Southern Pedestrian Bridge, North Face - Status Report.**

**RECOMMENDATION:** (Moved by Councillors Petch and Perram)

That a further report be submitted to Council once the Expression of Interest process has been completed.



**ITEM 3 (continued)**  
**Record of Voting****ATTACHMENT 1**

For the Motion: Councillors Petch and Perram.

Against the Motion: Councillor Maggio.

Note: This matter will be dealt with at the Council Meeting to be held on 10 MAY 2011 as  
- dissenting votes were recorded.

The meeting closed at 5.58pm.

CONFIRMED THIS 3RD DAY OF MAY 2011.

Chairperson

#### **4 REPORT OF WORKS AND COMMUNITY COMMITTEE - Meeting 07/11 held on 3 May 2011**

**File No. GRP/10/3/001/5 – BP10/706**

##### **Report Summary**

Attached are the Minutes of the Works and Community Committee Meeting 7/11 held on 3 May 2011. The Minutes will be listed for confirmation at the next Works and Community Committee Meeting.

Items 1, 3, 4 and 6 were dealt with by the Committee within its delegated powers.

The following Committee recommendations, items 2 and 5, 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 TREE MANAGEMENT REVIEW - 43 Cecil Street, Denistone East**

Note: The Committee inspected the site at 43 Cecil Street, Denistone East.

**RECOMMENDATION:** (Moved by Councillors Perram and Maggio)

That the application to remove one (1) *Eucalyptus saligna* (Sydney Blue Gum) located on the property of 43 Cecil Street, Denistone East be conditionally approved for removal. The condition being that prior commitment is given to include the replacement planting of 1 tree that is 1.5 metres at the time of planting and will reach a minimal height of 8 metres at maturity.

##### **Record of Voting**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on 10 May 2011 as substantive changes were made to the published recommendation

##### **5 TREE MANAGEMENT REVIEW - 27 Wood Street, Eastwood**

Note: The Committee inspected the site at 27 Wood Street, Eastwood.

**RECOMMENDATION:** (Moved by Councillors Maggio and Perram)

That the application to remove one (1) *Washingtonia filifera* (Cotton Palm) located on the property of 27 Wood Street, Eastwood be conditionally approved for removal. The condition being that prior commitment is given to include the replacement planting of 1 tree that is 1.5 metres at the time of planting and will reach a minimal height of 8 metres at maturity.

**ITEM 4 (continued)**

**Record of Voting**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on 10 May 2011 as substantive changes were made to the published recommendation

**ATTACHMENTS**

**1** Minutes - Works and Community Committee - 3 May 2011

**ITEM 4 (continued)****ATTACHMENT 1**

City of Ryde

**Works and Community Committee****MINUTES OF MEETING NO. 7/11****Meeting Date:** Tuesday 3 May 2011**Location:** Committee Room 1, Level 5, Civic Centre, 1 Devlin Street, Ryde**Time:** 4.35pm

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

Councillor Li arrived at 4.55pm and was not present for the consideration of Item 1.

The Mayor, Councillor Etmekdjian was present for the consideration of Item 1 only.

**Apologies:** Councillors Campbell, Petch and Tagg.

**Staff Present:** Group Manager – Community Life, Group Manager – Public Works, Manager – Open Space, Manager – Governance, Coordinator Natural Areas, Tree Management Officer and Councillor Support Coordinator.

**DISCLOSURES OF INTEREST**

There were no disclosures of interest.

**1 CONFIRMATION OF MINUTES - Meeting held on 19 April 2011**

Note: Councillor Li was not present for the consideration of this item.

**RESOLUTION:** (Moved by Councillors Perram and The Mayor, Councillor Etmekdjian)

That the Minutes of the Works and Community Committee 06/11, held on Tuesday 19 April 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 4 (continued)****ATTACHMENT 1****2 TREE MANAGEMENT REVIEW - 43 Cecil Street, Denistone East**

Note: The Committee inspected the site at 43 Cecil Street, Denistone East.

**RECOMMENDATION:** (Moved by Councillors Perram and Maggio)

That the application to remove one (1) *Eucalyptus saligna* (Sydney Blue Gum) located on the property of 43 Cecil Street, Denistone East be conditionally approved for removal. The condition being that prior commitment is given to include the replacement planting of 1 tree that is 1.5 metres at the time of planting and will reach a minimal height of 8 metres at maturity.

**Record of Voting**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on 10 May 2011 as substantive changes were made to the published recommendation

**3 TREE MANAGEMENT REVIEW - 4-6 Harvard Street, Gladesville**

Note: The Committee inspected the site at 4-6 Harvard Street, Gladesville.

**RESOLUTION:** (Moved by Councillors Maggio and Perram)

That the application to remove one (1) *Citharexylum spinosum* (Fiddlewood) and one (1) *Eucalyptus nicholii* (Narrow-leafed Peppermint Gum) located on the property of 4-6 Harvard Street, Gladesville be refused and that both trees be approved for pruning in accordance with staff recommendations.

**Record of Voting**

For the Motion: Unanimous

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

**4 TREE MANAGEMENT REVIEW - 57 Acacia Avenue, Ryde**

Note: The Committee inspected the site at 57 Acacia Avenue, Ryde.

**RESOLUTION:** (Moved by Councillors Maggio and Perram)

That the application to remove one (1) *Eucalyptus saligna* (Sydney Blue Gum) located on the property of 57 Acacia Avenue, Ryde be refused and that the tree be approved for pruning in accordance with staff recommendations.

**Record of Voting**

For the Motion: Unanimous

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

**ITEM 4 (continued)****ATTACHMENT 1****5 TREE MANAGEMENT REVIEW - 27 Wood Street, Eastwood**

Note: The Committee inspected the site at 27 Wood Street, Eastwood.

**RECOMMENDATION:** (Moved by Councillors Maggio and Perram)

That the application to remove one (1) *Washingtonia filifera* (Cotton Palm) located on the property of 27 Wood Street, Eastwood be conditionally approved for removal. The condition being that prior commitment is given to include the replacement planting of 1 tree that is 1.5 metres at the time of planting and will reach a minimal height of 8 metres at maturity.

**Record of Voting**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on 10 May 2011 as substantive changes were made to the published recommendation

**6 TRAFFIC & PARKING MATTERS PRESENTED TO RYDE LOCAL TRAFFIC COMMITTEE MEETING held on 31 March 2011**

**RESOLUTION:** (Moved by Councillors Perram and Li)

That Council adopt the traffic and parking measures involving:

**ITEM 1****WATTS ROAD, RYDE,  
PORTER STREET, MEADOWBANK  
GLADSTONE AVENUE, RYDE - Parking restrictions**

- a. Statutory 'No Stopping' in Watts Road on the south eastern corner of Roland Avenue and Watts Road intersection and "No Parking" extend across No. 7A and No.7 frontage with Watts Road. The warrant for the "No Parking" restriction is to be reviewed annually.
- b. "No Stopping" restriction for 6 metres in length along Porter Street opposite to the driveway access of industrial property no. 2 Porter Street.
- c. "No Parking" restrictions across the frontage of No's 28, 30 and 32 Gladstone Avenue and that this be reviewed in 6 months which would allow for the development on the opposite side of the street to be completed.

**ITEM 2****ANTHONY ROAD AND PARK AVENUE, WEST RYDE  
Intersection safety**

- a. That two (2) warning signs "CAUTION DRIVEWAYS" (W2-206) be installed in Anthony Road, north of Park Avenue facing southbound traffic for a period of 6 months.
- b. That additionally, driveway delineation lines be extended on the oncoming side by one (1) metre.

**ITEM 4 (continued)****ATTACHMENT 1****ITEM 3  
RAILWAY PARADE AND MAY STREET, EASTWOOD  
Change to Weekend Parking Restrictions**

Changes to the parking restrictions on the weekend are not proposed at this time along Railway Parade and May Street.

**ITEM 4  
HERBERT STREET, WEST RYDE  
Short Term Parking**

The installation of 1P (8.30am to 6pm, Mon-Fri; 8.30am to 12.30pm, Sat) for four (4) parking spaces in Herbert Street on the south side closer to the shops.

**ITEM 5  
COX'S ROAD, NORTH RYDE  
Time Restricted parking along the frontage of KU Preschool**

Install restricted P15minute (AM: 8.30 to 10.00; PM: 2.00 to 4.00, Mon – Fri) parking along the frontage of K U Preschool located at 147-151 Cox's Road, North Ryde.

**ITEM 6  
BELMORE STREET, RYDE  
Pedestrian Access**

A pedestrian refuge along Belmore Street be investigated, designed and estimated prior to a further report being presented to the Traffic Committee and that this include budgetary timing.

**ITEM 7  
WATERLOO ROAD, MACQUARIE PARK  
Additional bus zones**

Waterloo Road, Macquarie Park – Additional Bus Zones

- a. To further enhance one-way traffic movements westbound, Council place appropriate signage, line marking and parking controls at the intersections formed by the service road and Waterloo Road.
- b. Council install a 42 metre bus stop/lay over zone within the existing service road, along the frontage of the old school campus in Waterloo Road between Eden Park Drive and Wicks Road.
- c. Council place zones/controls only until such time as the Macquarie Park DCP Road No.11 junction is constructed with Waterloo Road, after which the bus operator will need to secure alternative arrangements.

**ITEM 4 (continued)****ATTACHMENT 1****ITEM 8  
HERRING ROAD, MACQUARIE PARK**

Council note that the Traffic Committee advised that due to change of circumstances, this proposal is now not applicable and therefore withdrawn.

**ITEM 9  
WEST RYDE EASTER FAIR (LATE ITEM)**

That Council approve the application received from the West Ryde Easter Festival Committee for the road closure of Market Street on Saturday, 16 April 2011 between 7.00am and 4.00pm subject to the conditions within the Traffic Management Plan, which must have the concurrence of the RTA.

**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 5.56pm.

CONFIRMED THIS 17TH DAY OF MAY 2011.

Chairperson



## 5 REGISTERS - State Environmental Planning Policy No. 1 & Variations Under Clause 4.6 (LEP 2010)

**Report prepared by:** Manager Assessment

**Report dated:** 13/04/2011

**File No.:** GRP/11/6/3/6 - BP11/293

### Report Summary

This report details DAs approved in the period 12 November 2010 to 15 March 2011 with a variation using State Environmental Planning Policy No. 1 (SEPP 1) & Variation under Clause 4.6 (LEP 2010).

Date of Determination	Property Address	DA No.	Description of development	Description of variation	Amount of variation & what was the variation for
12/11/2010	448 Lane Cove Road, Macquarie Park	MOD 2010/0133 (Section 96)	Modifications to approved residential flat building to change unit bedroom mix and add an additional parking space.	Variation to RLEP 2010. As 5 two bedroom units are proposed, a site area of 980m <sup>2</sup> is to be provided. The site area is 974.8m <sup>2</sup> . This represents a shortfall of 5.2m <sup>2</sup> . The non-compliance is minor, the development satisfies the criteria outlined in clause 4.6 (LEP 2010), and the variation was supported.	Variation of 0.53% to site area.
25/11/2010	18 Tarrants Avenue, Eastwood	LDA 2010/0052	Demolition, new two storey dwelling.	Variation to Ryde Planning Scheme Ordinance. The subject site has an area of 529m <sup>2</sup> . The proposal is to replace an existing dwelling on the lot and as such the SEPP 1 submitted was supported.	Variation of 8.79% to site area.
16/12/2010	33 Abuklea Road, Marsfield	LDA 2010/0206	Demolition, construction of a new two storey dwelling, inground swimming pool, front and return fences.	The subject site has a width of 14.39m at 7.5m from the street alignment. The proposal is to replace an existing dwelling on the lot and as such the SEPP 1 submitted was supported.	Variation of 4.07% to width at 7.5m from the street alignment.

**ITEM 5 (continued)**

Date of Determination	Property Address	DA No.	Description of development	Description of variation	Amount of variation & what was the variation for
23/12/2010	7 Linton Avenue, West Ryde	LDA 2010/0304	Demolition, construction of new two storey dwelling and inground swimming pool.	The subject site has a width of 12.95m at 7.5m from the street alignment. The proposal is to replace an existing dwelling on the lot and as such the SEPP 1 submitted was supported.	Variation of 13.67% to width at 7.5m from the street alignment
25/1/2011	70 Pittwater Road, Gladesville	LDA 2010/0189	Demolition, new two storey dwelling.	The subject site has a width of 13.7m at 7.5m from the street alignment. The proposal is to replace an existing dwelling on the lot and as such the SEPP 1 submitted was supported.	Variation of 8.67% to width at 7.5m from the street alignment.

**RECOMMENDATION:**

That the report of the Manager Assessment dated 30 March 2011 on REGISTERS - State Environmental Planning Policy No. 1 & Variations under Clause 4.6 (LEP 2010) be endorsed.

**ATTACHMENTS**

There are no attachments for this report.

Report Prepared By:

**Liz Coad**  
**Manager Assessment**

Report Approved By:

**Dominic Johnson**  
**Group Manager Environment and Planning**

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**6 ENDORSEMENT OF THE OUR HARBOUR AGREEMENT**

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**Report prepared by:** Client Manager**Report dated:** 21 March 2011**File No.:** GRP/11/6/3/3 - BP11/230

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**Report Summary**

At a meeting of the Sydney Harbour Councils held 13 January 2011 the 'Our Harbour' Agreement was amended to remove matters no longer relevant. It was resolved to circulate the amended agreement to all Sydney Harbour Councils for endorsement. Given that the City of Ryde Council is a signatory to the current Our Harbour Agreement, the revised agreement has been submitted to Council for endorsement.

The amendments are of a relatively minor scope and serve to revise and update the current agreement. The Agreement is important in ensuring that Sydney Harbour is managed effectively and in a holistic manner. As such, it is recommended that Council endorse the amended agreement.

**RECOMMENDATION:**

- (a) That Council endorse in principle the revised Our Harbour Agreement as attached to this report.
- (b) That a copy of Council's resolution endorsing the revised Our Harbour Agreement be forwarded to Sydney Harbour Councils.

**ATTACHMENTS**

- 1 Draft Our Harbour Agreement

Report Prepared By:

**Adrian Melo**  
**Client Manager**

Report Approved By:

**Meryl Bishop**  
**Manager - Urban Planning****Dominic Johnson**  
**Group Manager Environment and Planning**

**ITEM 6 (continued)****Background**

A Sydney Harbour Council's meeting was held 13 January 2011 at which, various revisions were made to the 'Our Harbour' Agreement and its eight core issues. The City of Ryde was represented at this meeting by Council Planning Staff.

Council was advised of the meeting and outcomes in a Councillor Information Bulletin dated 27 January 2011.

**Report**

The 'Our Harbour' Agreement is an agreement between the Sydney Harbour Councils and former ministries of Planning and Minister for Ports and Waterways for managing Sydney Harbour, its tributaries and catchment as a special place.

The agreement is entered into for the following purposes:

1. To provide the Sydney Harbour Councils with an enduring mechanism for action to better research, plan for, manage and protect the whole harbour and catchment, consistent with their primary obligations to their local communities and within their powers and resources.
2. To enable the Sydney Harbour Councils to collaborate and negotiate effectively with the New South Wales Government and its agencies in a coordinated manner on matters concerning the management of Sydney Harbour and its catchment.
3. To acknowledge and formalise the New South Wales Government's participation and commitment to managing Sydney Harbour and its catchment.

At the meeting held 13 January 2011, the attendees resolved to amend the agreement to remove all matters no longer relevant and to circulate the amended agreement to all Sydney Harbour Councils for endorsement. The proposed amendments are of minor scope and primarily removed matters that were longer relevant. The amendments will not have any substantial ramifications for the application of the agreement. A copy of the amended agreement is **ATTACHED**.

This report seeks the endorsement of the revised Our Harbour Agreement by Council.

Following receipt of the endorsement of the amended agreement from all of the Sydney Harbour Councils, the following will be undertaken on behalf of Sydney Harbour Councils:

- (a) Approach the Ministers regarding the continued application of the 'Our Harbour' Agreement and its eight core issues and request The Minister for Planning and the Minister for Ports and Waterways to renew the 'Our Harbour Agreement' (as amended); and
- (b) That the 'Our Harbour' Agreement be adopted into planning policy.

**ITEM 6 (continued)****Consultation**

No Consultation has been undertaken.

**Critical Dates**

There are no critical dates or deadlines to be met.

**Financial Impact**

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

**Policy Implications**

There are no policy implications through adoption of the recommendation as Council is currently a signatory to the current Our Harbour Agreement and the proposed amendments are minor.

**Other Options**

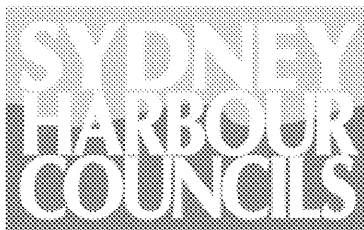
The only other option is the rejection of the Our Harbour Agreement. This is not recommended as this will mean that Council is not party to any agreements which govern the management or use of Sydney Harbour. The amended agreement is considered acceptable.

**Conclusion**

Given the relatively minor nature of the proposed changes to the Our Harbour Agreement and that it is an important tool in the ongoing management of Sydney Harbour, it is recommended that the Council endorse in principle the amended agreement in its current form.

**ITEM 6 (continued)**

**ATTACHMENT 1**



**'DRAFT'**

**'Our Harbour' Agreement**

An agreement between

The Sydney Harbour Councils, the Minister for Planning and Minister for Ports and Waterways for managing Sydney Harbour, its tributaries and catchment as a special place.

**ITEM 6 (continued)****ATTACHMENT 1****1.0 Preamble**

- 1.1 **Considering** that Sydney Harbour, its waterways, foreshores and catchment area constitute an internationally recognised fusion of the built, natural and cultural environments: the city, the bush and harbour, and its people;
- 1.2 **Recognising** that the current generations hold the responsibility and honour of enhancing and managing the intrinsic values associated with the harbour and its catchment for the benefit of future generations;
- 1.3 **Acknowledging** that the New South Wales Government sees the Sydney Harbour catchment as a system, which must be managed as a single complex place, and has developed new and innovative mechanisms to manage Sydney Harbour and its catchment on a whole-of-government basis;
- 1.4 **Acknowledging** that this agreement requires the cooperation of the Sydney Foreshore Harbour Authority, the State Property Authority, Sydney Metropolitan Catchment Management Authority, The Department of Climate Change and Water, The Sydney Coastal Councils, The Sydney Harbour Federation Trust and the Indigenous peoples of Sydney Harbour.
- 1.5 **And recognising** that the Councils of the Sydney Harbour catchment are taking a whole-of-local-government place management approach to the harbour, while maintaining the focus and integrity of community involvement at the local level:
- 1.6 **Therefore this agreement is entered into for the following purposes:**
  - 1.6.1 To provide the Sydney Harbour Councils with an enduring mechanism for action to better research, plan for, manage and protect the whole harbour and catchment, consistent with their primary obligations to their local communities and within their powers and resources.
  - 1.6.2 To enable the Sydney Harbour Councils to collaborate and negotiate effectively with the New South Wales Government and its agencies in a coordinated manner on matters concerning the management of Sydney Harbour and its catchment.
  - 1.6.3 To acknowledge and formalise the New South Wales Government's participation and commitment to managing Sydney Harbour and its catchment.

Continued.../2

## ITEM 6 (continued)

## ATTACHMENT 1

● Page 2

April 19, 2011

**2.0 The Parties**

**2.1** The parties to this agreement are the Sydney Harbour Councils, the Minister for Planning, the Minister for Ports and Waterways and the members of the Sydney Harbour Councils as listed in Schedule One.

**2.2 The roles and functions of the Sydney Harbour Councils include:**

- representation of the interests of their respective communities;
- providing local governance including the development of policy and the provision of works, services and community programs;
- contributing to the delivery of outcomes for the whole of the harbour;
- consistently liaising and collaborating with the agencies and councils of the harbour on a whole of government basis;
- promoting strategic and coordinated whole of government management of Sydney Harbour and its catchment;
- sharing information on the management of Sydney Harbour and its catchment and developing joint responses to emerging Sydney Harbour issues; and
- recognising that the *Sharing Sydney Harbour Regional Action Plan* is the primary guide to principles, directions and priorities in the management of Sydney Harbour and its catchment; and, is the basis for coordination, collaboration and whole of government management actions for Sydney Harbour and its catchment

**2.3 The roles and functions of the Minister for Planning and the Minister for Ports and Waterways include:**

- representing the New South Wales Government's commitment to managing Sydney Harbour and its catchment.
- promoting strategic and coordinated whole of government management of Sydney Harbour and its catchment
- promoting collaboration within government, and between government and other peak stakeholder groups
- sharing information on the management of Sydney Harbour and its catchment and develop joint responses to emerging Sydney Harbour issues
- recognising that the *Sharing Sydney Harbour Regional Action Plan* is the primary guide to principles, directions and priorities in the management of Sydney Harbour and its catchment; and, is the basis for coordination, collaboration and whole of government management actions for Sydney Harbour and its catchment.



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## 3.0 Agreement

**3.1 The Sydney Harbour Councils, individually and jointly, working with the New South Wales Government will address, in managing their respective local areas, the following eight core issues.**

- 3.1.1 *The harbour is the focus of Sydney.*** Sydney Harbour is of fundamental importance to the residents, and workers of the harbour catchment, to the people of the Sydney region and its visitors, to all of New South Wales and to all the people of Australia. All spheres of government need to work as one to protect and manage all aspects of the harbour without favouring single sectors or special interests at the expense of the harbour's integrity and sustainability.
- 3.1.2 *The quality of the physical and natural environments is under pressure.*** The urgent and continuing attention of all levels of government is needed for the protection and restoration of the terrestrial and aquatic environments and for the rehabilitation and maintenance of infrastructure, both through new programs and the concerted implementation of existing action and management plans.
- 3.1.3 *The harbour is a key cultural and recreational resource.*** Projects in the *Sharing Sydney Harbour Regional Action Plan* – particularly the cultural audit and the Sydney Harbour Dreaming project *Tuhbowgule Nangamay* – provide enhanced opportunities for community involvement and for links to the full range of cultural, educational, and recreational resources.
- 3.1.4 *Our maritime industries are in danger of disappearing from the Harbour.*** All spheres of government, acting together, need to act to ensure that Sydney Harbour remains a working harbour with (a) suitable zones and policies administered by councils on land which is appropriate for a wide range of water related activities and (b) a stock of well located government-owned land available for water related activities under secure tenure and affordable terms.
- 3.1.5 *There is concern over the privatisation of the harbour foreshore.*** All spheres of government need to enhance the ecological and urban qualities of the shoreline, to seize every opportunity to increase the public ownership of foreshore land, and to progressively remove impediments to access to and from the water, for instance through the foreshore and access improvement program of the *Sharing Sydney Harbour Regional Action Plan*.
- 3.1.6 *Foreshore developments should display the highest possible quality of design.*** All spheres of government must adopt consistent standards for the design of all elements added to the harbour environment, must share a commitment to quality, must maintain and enhance views to and from the water, and must actively and consistently re-establish the native plant communities of the harbour catchment.
- 3.1.7 *A complex arrangement of administrative responsibilities has developed around the harbour.*** In Sydney Harbour there are necessarily a very large number of distinct roles and responsibilities, technical, administrative, regulatory, financial, local and central. Inter-agency and inter-government coordination mechanisms must continue to be developed as the only way to enable the planning and place management outcomes to be achieved with efficiency and effectiveness. Of highest priority are the mechanisms established under this agreement.
- 3.1.8 *Proactive consultation is essential.*** Forums are needed for the resolution of issues between all harbour councils and agencies, based on the principles of this agreement. The sustainable management of Sydney Harbour is not achieved through unilateral action but through meaningful prior consultation between agencies and the Sydney Harbour Councils.

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**3.2 The Sydney Harbour Councils establish, by this agreement, mechanisms for whole-of-council, whole-of-local-government and whole-of-government action, having the following elements.****3.2.1 *Sydney Harbour Councils*** the Sydney Harbour Councils comprise the Mayors of each of the Councils party to this agreement. The Sydney Harbour Councils will:

- meet at six monthly intervals, and in special session as required;
- implement, investigate and negotiate matters arising between councils and the state government, insofar as they relate to the management of Sydney Harbour and its catchment;
- provide a forum for discussion and agreement on local issues which have strategic implications for the harbour;
- on an annual basis elect from amongst the Mayors of each of the member Councils a Chairperson;
- the Council from which the Chairperson is elected will be responsible for providing the secretariat service, including meeting agendas and minutes of meetings held in that year;
- meetings shall rotate amongst member Councils;
- meetings shall be conducted in accordance with the NSW Local Government Meetings Regulations;
- the records of the Sydney Harbour Councils will be held and maintained by the member Council providing the secretariat service;
- the logo and image for the Sydney Harbour Councils shall be as displayed on the cover of this agreement.

**3.3** The Local Government and Shires Association of NSW is invited to participate as an observer at meetings of the Sydney Harbour Councils.**3.4** By this agreement each Council adopts the *Sharing Sydney Harbour Regional Action Plan* (as amended from time-to-time) (i) as the primary guide to principles, directions and priorities in the management of Sydney Harbour, (ii) as the basis for coordination, collaboration and whole-of-government action, and (iii) as a plan to be actively implemented.**3.5** By this agreement each Council commits to consider:

- 3.5.1 the *Australian Natural Heritage Charter* (see Schedule 2) and the *Burra Charter* (see Schedule 3) as formal policy of the council, for implementation through planning instruments, contracts and programs;
- 3.5.2 adopting and implementing the *Spectacle Island Declaration* (see Schedule 4) and actively participating in the processes associated with the continuing evolution of the *Spectacle Island Declaration* by the community;
- 3.5.3 participating in the development and application of the Sydney Harbour research agenda aimed at deepening our knowledge of the harbour's ecosystems and urban environments;
- 3.5.4 developing and maintaining close working relationships with the Aboriginal peoples of the area to recognise, protect and restore the cultural heritage of the Sydney Harbour catchment area for the benefit of all peoples;
- 3.5.5 jointly adopting consistent statutory planning provisions for development that impacts on the harbour;

**ITEM 6 (continued)****ATTACHMENT 1**

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  - 3.5.6 fulfilling their responsibilities within their powers and resources in implementing catchment and stormwater management plans;
  - 3.6.6 jointly formulating common policies on harbour issues such as seawalls, public and private wharves and jetties, the use and significance of foreshore mechanisms including building lines and the Mean High Water Mark, the retention of public foreshore land, the retention of bushland, and the use of environmental levies to achieve the purposes of this agreement.

**4.0 Duration and review**

This Agreement shall remain in force for a period of three years after its date of commencement, or such other time as the parties may agree.

**5.0 Schedules****6.0 Signatures**

## **7 PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR THE MAYOR AND OTHER COUNCILLORS POLICY - REVIEW AND PUBLIC EXHIBITION**

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**Report prepared by:** Councillor Support Coordinator

**Report dated:** 19/04/2011

**File No.:** CLR/07/8/9/6 - BP11/305

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### **Report Summary**

This report is presented to Council for its endorsement to place on public exhibition the Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors Policy that is required to be undertaken on an annual basis. This Policy was not exhibited in 2010 and therefore this report is seeking Council's endorsement to advertise and invite public submissions for a period of not less than 28 days.

The policy has also been reviewed and some changes are proposed to clarify the communication expenses that will be reimbursed under this policy together with meeting costs associated with Councillors who are appointed to Executive Member positions in organisations relevant to Local Government.

### **RECOMMENDATION:**

- (a) That Council endorse the public exhibition of the revised Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors Policy for a period of at least 28 days.
- (b) That after the exhibition period of the draft policy, a further report be provided to Council seeking the adoption of the draft Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors Policy and detailing any submissions received.

### **ATTACHMENTS**

- 1 Draft Policy on the Expenses and Provisions of Facilities for the Mayor and other Councillors

Report Prepared By:

**Sheron Chand**  
**Councillor Support Coordinator**

Report Approved By:

**Shane Sullivan**  
**Manager - Governance**

**Roy Newsome**  
**Group Manager - Corporate Services**

**ITEM 7 (continued)****Background**

The Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors Policy was last adopted by Council at its meeting held on 28 September 2010. The purpose of this policy is to comply with the Local Government Act and guidelines issued by the Division of Local Government (DLG) and to ensure that there is accountability and transparency in the facilities provided to Councillors and the reimbursement of expenses incurred by Councillors in carrying out their civic duties.

When the review was undertaken in 2010, due to the changes being considered minor, no public advertising of the revised Policy occurred. Section 253 (3) of the Local Government Act 1993 (LGA) states that there is no need for Council to publicly advertise where Council is of the opinion that the changes are not substantial. However, Section 253 (5) of the LGA requires Council to give public notice to amend or adopt this Policy and allow up to 28 days for public submissions.

Council has recently received advice from the DLG requesting Councils to publicly exhibit their 'Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors Policy', regardless of whether the policy has been amended.

Therefore, this report is submitted to Council to consider the suggested amendments and to endorse the Policy for public exhibition.

**Report**

The **ATTACHED** revised Payment of Expenses and Provisions of Facilities for the Mayor and Other Councillors Policy is provided to Council for its consideration and to place it on public exhibition for 28 days. After the public exhibition period, a further report will be provided to Council seeking the adoption of the policy and detailing any submissions received. Council then is required to notify and provide the Director-General, the Division of Local Government, Department of Premier and Cabinet, with a copy of the adopted policy and details of any submissions received.

The following amendments are proposed in the attached revised Policy;

- An additional part (6) to clause 7 – “Attendance at seminars, conferences and training courses” which reads as follows:  
  
“(6) Councillors, who are Executive Members of an organisation relevant to Council’s interest by way of a Council resolution, shall be entitled to seek reimbursement and support for their attendance to the Executive Meetings held by the organisation. Council will meet the cost of the Councillor’s transportation and accommodation expenses, including the cost of meals. The support provided to Councillors in their capacity as an Executive Member of an organisation shall only be valid for the period they hold such a position.”

The purpose of this clause is to allow a formal provision of support to Councillors who are Executive members in an organisation in the interest of Council. While Council has resolved to support Councillors holding various

**ITEM 7 (continued)**

Executive positions related to Local Government, this clause clearly covers the costs that will be reimbursed.

- An additional part (3) to clause 13 – “Communication costs and expenses” which reads as follows:  
  
“(3) Where the communication costs include the provision of a communication device through a communication plan, Council shall reimburse the costs associated with the plan, including email, internet and telephone access and usage. Communication costs also include expenses incurred by a Councillor for the proportion of leasing, renting or repayment costs associated with any communication device used by a Councillor in undertaking their role as a Councillor.”

The purpose of this clause is to confirm that the proportion of communication costs and expenses relating to Council business, such as email, internet and telephone access and usage together with any costs associated with a communication device either included in the communication plan or part of a leasing, rental or repayment arrangement, are covered by this provision. The amount to be reimbursed is for the proportion of use for Council related business.

This Clause relates to the reimbursement of communication expenses with Clause 24 – “Home Office and Equipment” of the policy detailing the equipment that is provided to Councillors.

**Consultation**

External public consultation included:-

- The Division of Local Government, Department of the Premier and Cabinet

**Critical Dates**

The draft Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors Policy will be placed on public exhibition after Council has considered and endorsed the revised policy. All submissions received after the exhibition period will be presented to Council for consideration prior to the adoption of the policy.

**Financial Impact**

There are no financial or budget implications with the recommendations detailed in this report, as Council has allocated funds in its budget for Councillor expenses.

**Policy Implications**

The **ATTACHED** revised Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors Policy will be placed on public exhibition for a period of 28 days prior to it being considered by Council for adoption. Additions to the policy are noted in ***bold italics*** and any deletions are noted with a ~~strike through~~.

**ITEM 7 (continued)****Other Options**

Council can resolve not to adopt the proposed amendments to the draft Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors Policy and proceed with the exhibition of this policy.

**Conclusion**

In accordance with the requirements of the Division of Local Government, Council is required to annually adopt the Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors Policy. The DLG also requires Council to give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions. As the policy was not exhibited in 2010, this report is provided to Council seeking its endorsement to publicly exhibit the policy; in keeping with the requirements of the DLG.

The report also details the proposed amendments to the Policy in the areas of reimbursement of expense for Councillors who hold Executive Committee positions on organisations related to Local Government and clarification of what is classified as communication costs.

## ITEM 7 (continued)

## ATTACHMENT 1



## Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors – Council Policy

### Scope

- (1) This Policy, and associated procedures and guidelines, may be cited as the Policy on the Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors and is effective from 28 September 2010.
- (2) In this Policy, and associated procedures and guidelines, unless otherwise stated, the expression "Councillor" refers to all Councillors of the City of Ryde, including the Mayor and Deputy Mayor.

### Purpose

This Policy ensures that Councillors have access to the facilities and support required to fulfil their civic duties. It also aims to ensure that the facilities provided to Councillors to carry out their civic functions are equitable and in keeping with legislative requirements.

In addition, the purpose of this Policy, and associated procedures and guidelines, is to ensure that there is accountability and transparency in the reimbursement of expenses incurred or to be incurred by the Councillors.

### Objectives

- (1) The objective of this Policy is to describe those expenses incurred or to be incurred by, and the facilities provided to the Councillors of the City of Ryde, the cost of which shall be met by the Council.
- (2) This Policy also aims to uphold and demonstrate the following key principles:
  - (a) Conduct: Councillors must act lawfully, honestly and exercise a reasonable degree of care and diligence in carrying out their functions under the Act or any other Act,
  - (b) Participation, equity and access: The provisions of the Policy are to be non-discriminatory and used in an equitable manner to enable the full participation by Councillors from different walks of life. The provisions of the Policy shall also be at an appropriate level to encourage members of the community, particularly under-represented groups such as those in primary caregiver roles, to seek election to Council by ensuring that they would not be financially or otherwise disadvantaged in undertaking the civic functions of a Councillor.

The Policy shall also take into account and make reasonable provision for the special needs of Councillors to allow access to the appropriate parts of Council premises, and facilities, and maximise participation in the civic duties and business of Council.

Policy on the Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors		
Owner: Governance	Accountability: Mayoral and Councillor support service	Policy: CSG005
Trim Reference: D10/67513	Review date: Annual	Endorsed: 28/09/2010 - COUNCIL



**ITEM 7 (continued)****ATTACHMENT 1**

## Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors – Council Policy

- (c) Accountability and transparency: The details and range of benefits provided to the Councillors are to be clearly stated and be fully transparent and acceptable to the local community.
- (d) Reasonable expenses: Councillors shall only be reimbursed for expenses reasonably incurred in their performance of their role as a Councillor.
- (3) Only those entitlements specifically described in this Policy shall be provided by the Council.

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### References - Legislation

This Policy is made pursuant to Sections 252 - 254 of the Local Government Act 1993.

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### Review Process and Endorsement

As required by Section 252 (1) of the Act, the Policy is to be adopted by Council annually, within 5 months after the end of each year.

As required by Section 253 of the Act, public notice of at least 28 days is required to be given of Council's intention to adopt or amend the Policy. Public notice is not required if an amendment is "not substantial". The term "not substantial" shall be taken to mean minor changes to wording of the Policy or changes to monetary provisions or rates that are less than 5%. It shall also mean minor changes to the standard of the provision of equipment and facilities. Any new category of expenses, facilities and equipment included in the Policy will, however, require public notice no matter how minor.

As required by Section 253 (5) of the Act, public notice of 28 days is required to be given prior to each annual adoption process, even if there is no proposed change to the Policy.

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### Attachments

Title
Procedure – Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors
Guidelines – Councillor Attendance at Conferences
Form – Councillor Reimbursement

Policy on the Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors		
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Trim Reference: D10/67513	Review date: Annual	Endorsed: 28/09/2010 - COUNCIL

**ITEM 7 (continued)****ATTACHMENT 1**

## Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors – Procedure

**Related Policy**

These procedures relate to the Policy on the Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors.

**Reporting requirements**

Section 428 of the Act and clause 217 of the Local Government (General) Regulation ("the Regulation") require Council to include in each Annual Report a copy of the Policy and details of the cost of implementing the Policy. These sections are set out in Clause 6.

**Payment of expenses generally****Payment of Councillor Fees**

- 1 (1) An annual fee is paid to each Councillor by the Council. The fee is the amount fixed by the Council under Division 5 of Part 2 of Chapter 9 of the Act in accordance with the appropriate determination of the Local Government Remuneration Tribunal.
- (2) Unless otherwise provided for in this policy, the annual fee paid to each Councillor is intended to offset the costs involved in discharging the functions of civic office including, but not limited to, all incidental and out-of-pocket expenses relating to transport, clothing, home office expenses, home telephone and postage costs.
- (3) All fees payable under this policy shall be paid monthly in arrears for each month (or part of a month) for which the Councillor holds office.
- (4) Unless otherwise stated, no entitlement under this Policy shall be treated as being a private benefit that requires a reduction in the Councillors Fee.

**Reimbursement and reconciliation of expenses**

- 2 (1) Reimbursement of costs and expenses to Councillors under part 13 – Communication costs will only be made upon the production of appropriate receipts and tax invoices, and the completion of the "Request for Councillor Reimbursement" form. Expenses and costs incurred must be in accordance with the requirements of this Policy.
- (2) Reimbursement of other costs and expenses to Councillors will only be made upon the production of appropriate receipts and tax invoices, and the completion of the "Request for Councillor Reimbursement" form. Expenses and costs incurred must be in accordance with the requirements of this Policy. Where no

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## Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors – Procedure

receipts or tax invoices are submitted, a Councillor shall be required to sign a Statutory Declaration to confirm that the expense was incurred. If a Statutory Declaration is provided in lieu of receipts and tax invoices, Councillors are required to personally retain any supporting documentation for audit purposes and shall be required to produce this documentation to Council upon request.

- (3) The General Manager or one other delegated employee shall assess all such claims and if considered to be reasonable and to be legitimately payable under this Policy, shall approve the claim for payment and payment shall be made within seven (7) days.
- (4) Should the General Manager or delegated employee decide that the claim should not be paid, the General Manager shall explain such decision to the Councillor and should the Councillor still consider that the claim should be paid, it shall be considered that a dispute exists and the provisions of the Disputes clause of this policy shall apply. See Clause 33.

### Payments in advance

- 3 (1) Councillors may request payment in advance in anticipation of expenses to be incurred in attending conferences, seminars and training away from home. Councillors may also request an advance payment for the cost of any other service or facility covered by the Policy. However, Councillors must fully reconcile all expenses against the cost of the advance within one (1) week of their return, with receipts, and submit these details to the General Manager or his/her delegated employee for verification. Any unspent money is required to be returned at this time.
- (2) The maximum value of a cash advance is \$500.

### Establishment of monetary limits and standards

#### Monetary Limits

- 4 Monetary limits are stated in this Policy against each expense category as required. These monetary limits set out the maximum amount payable in respect of any facility or expense. Any additional cost incurred by a Councillor in excess of any limit set shall be considered a personal expense that is the responsibility of the Councillor. All monetary amounts stated are exclusive of GST.

#### Time Limits

- 5 Reimbursement of costs and expenses to Councillors must be made within 3 months of the cost or expense being incurred.

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## Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors – Procedure

### Spouse and partner expenses

- 6 (1) In limited circumstances, Council shall meet certain costs incurred by a Councillor on behalf of their spouse, partner or accompanying person that are properly and directly related to the role of the Councillor in the performance of his or her duties, such as attendance at official Council functions that are of a formal and ceremonial nature when accompanying Councillors within metropolitan Sydney.
- (2) Costs and expenses incurred by the Councillor on behalf of their spouse, partner or accompanying person will be reimbursed if the cost or expense relates specifically to the ticket, meal and/or direct cost of attending the function, including carer costs. Peripheral expenses such as grooming, special clothing and transport are not considered reimbursable expenses.
- (3) Each Councillor is entitled to seek reimbursement up to \$300 per annum for the purposes of sub-clause (2). Official receipts will be required for reimbursement under this clause.
- (4) In recognition of the importance of a good work and family balance, spouses, partners or accompanying persons are welcome to join Councillors whilst attending events away from home. In such circumstances, Council will not require reimbursement of costs if no additional travel and accommodation expenses are incurred over and above what would have been expended by the individual Councillor. For example, if the person/s travel as a passenger in the Councillor's vehicle and are able to be accommodated in the same room already provided as standard to the Councillor, it will be considered that no additional cost has been incurred by Council.
- (5) Where a spouse, partner or accompanying persons do attend an event away from home with the Councillor, all additional costs of the person/s will not be met by Council except for attendance at official dinners or ceremonies associated with the event and for which partners are invited to attend. This provision does not extend to social outings and tours which may be provided as part of a "partners program".
- (6) Each Councillor is entitled to seek reimbursement up to \$300 per annum for the purposes of sub-clause (5). Official receipts will be required for reimbursement under this clause.

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## Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors – Procedure

### SPECIFIC EXPENSES

#### Attendance at seminars, conferences and training courses

- 7 (1) Council approval is required for Councillors to attend seminars or conferences on behalf of the Council by way of a report to be included in the Council business papers. Any application to attend a seminar or conference will require full details of the purpose, expected total costs, and expected benefits.
- (2) After returning from the seminar, conference or training course, the Councillor/s, or accompanying member of Council staff, shall provide a written report to Council on the aspects of the event relevant to Council business and/or the local community. No written report is required for the Annual Conferences of the Local Government Associations or for compulsory training courses or seminars required by any Government agency.
- (3) Council will pay the seminar, conference or training course registration fees charged by the organisers including the costs of related official meals and associated tours where they are relevant to the business and interests of the Council. Any time and costs incurred in undertaking activities not related to attendance at the event shall not be included in the expenses paid by Council.
- (4) Council will also meet the reasonable cost of transportation and accommodation associated with attendance at the seminar, conference or training course, including the cost of meals (and reasonable cost of drinks) when they are not otherwise included in the fees. Each Councillor is entitled to seek reimbursement up to \$100 per meal for the purpose of this sub-clause up to a limit of 3 meals per day. Official receipts will be required for reimbursement under this clause.
- (5) Councillors shall be entitled to seek reimbursement for attendance at dinners and other non-Council functions where briefings relevant to the Council's interest are provided by key members of the community, politicians, government departments and business. Each Councillor is entitled to seek reimbursement up to \$300 per annum for the purposes of this sub-clause. Official receipts will be required for reimbursement under this clause.
- (6) ***Councillors, who are Executive Members of an organisation relevant to Council's interest by way of a Council resolution, shall be entitled to seek reimbursement and support for their attendance to the Executive Meetings held by the organisation. Council will meet the cost of the Councillor's transportation and accommodation expenses, including the cost of meals. The support provided to Councillors in their capacity as an Executive Member of an organisation shall only be valid for the period they hold such a position.***

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**Payment of Expenses and  
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Procedure**

- (6) (7) No payment shall be reimbursed for any component of a ticket that is additional to the cost of the function, such as a donation to a political party, candidate's electoral fund or some other private benefit.
- (7) (8) When determining attendance at conferences and seminars consideration will be given to the Councillor Attendance at Conference guidelines.

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## Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors – Procedure

### Training and education expenses

- 8 (1) An induction program shall be conducted by the General Manager for Councillors upon election to Council and every subsequent re-election. This program may include the provision of resources and the attendance at training courses.
- (2) Provision for other training and education for Councillors will be made separately in Council's budget via the adopted Management Plan. All Councillors will be offered the same access to the same training in accordance with the budget allocated.

### General travel and accommodation arrangements

- 9 (1) All travel by Councillors to a seminar, conference or training course shall be undertaken by utilising the most direct route and the most practical and economical mode of transport subject to any personal medical considerations or extenuating circumstances.
- (2) Economy class air travel will be provided as standard for travel within Australia although business class air travel will be allowed for longer haul travel to the Northern Territory and Western Australia. The cost of any upgrade shall be the responsibility of the Councillor. Business class air travel will be allowed for any overseas travel (subject to Council approval).
- (3) Where trains are used, first class train travel will be provided, including sleeping berths where available.
- (4) Council shall also meet the cost of any transfers between a Councillor's residence and a transport interchange (ie: airport) and between the transport interchange and hotel or venue, such costs not to exceed the cost of taxi fares.
- (5) Council shall reimburse travel expenses to a seminar, conference or training course by a Councillor whilst using their own private vehicle by way of a reimbursement for each kilometre travelled for the specific journey, plus any road tolls and parking fees necessarily incurred. The rate of reimbursement for kilometres travelled shall be equivalent to the rates prescribed in the relevant legislation or policies applicable to employees of the Council. Council is not liable for any traffic, parking or transport fines, or costs of petrol, oil, depreciation, repair, maintenance, insurance or registration incurred by Councillors whilst using their private vehicles on Council related business.
- (6) Any accommodation required by Councillors will be provided by Council subject to availability, access to venue and cost. A reasonable standard of accommodation is considered to be 4 – 4.5 star although 5 star accommodation will be provided where no suitable alternative accommodation is available. The cost of any upgrade shall be the responsibility of the Councillor.

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## Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors – Procedure

### Local travel arrangements and expenses

- 10
- (1) Under normal circumstances, Councillors are expected to provide their own transport to and from the Civic Centre and the Councillor's home and place of work for the purpose of undertaking Council business.
  - (2) Transport to and from the Civic Centre and a Councillor's home and/or place of work may be provided by the Council at the discretion of the General Manager having regard to the circumstances, whenever it is not practicable for a Councillor to use his or her normal method of transport.
  - (3) Council shall reimburse expenses incurred by Councillors for travel on Council related business outside a 15km radius of the Ryde Civic Centre, excluding the NSROC region. Travel expenses include use of a private vehicle, use of public transport, taxis, hire cars, travel using a Council vehicle and associated costs such as parking and road tolls. Except for the provisions of clause 16(5), actual costs will be reimbursed. Council is not liable for any traffic, parking or transport fines, or costs of petrol, oil, depreciation, repair, maintenance, insurance or registration incurred by Councillors whilst travelling on Council related business.
  - (4) A Council vehicle (with or without a driver), a hire car, or a taxi voucher may be provided to a Councillor for the purpose of attending any Council related event at the discretion of the General Manager having regard to the circumstances.
  - (5) Nothing in this Policy prevents a Councillor from travelling in a Council vehicle with a staff member who is also attending any Council related event.

### Interstate or overseas travel

- 11
- (1) Council approval is required for interstate or overseas travel for which reimbursement is sought by Councillors. Any travel proposals for Councillors to travel interstate or overseas requires to be included in the non-confidential business papers of Council for which due public notice has been given. Such proposals cannot be considered in a late report or Mayoral Minute.
  - (2) Any application for interstate or overseas travel will require full details of the travel including itinerary, expected total costs, reasons for the travel and expected benefits. Council does not allow the retrospective re-imbursement of such travel expenses so all expenses must be approved in advance.
  - (3) After returning from interstate or overseas travel, the Councillor, or an accompanying member of Council staff, shall provide a written report to Council on the aspects of the trip relevant to Council business and/or the local community.

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## Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors – Procedure

### Incidental Expenses

- 12 (1) Council shall reimburse reasonable out of pocket or incidental expenses associated with attending conferences, seminars or training courses incurred by Councillors.
- (2) Incidental expenses include, but are not limited to, in-house hotel television, telephone or facsimile calls, internet charges, refreshments, laundry and dry cleaning, and newspapers.
- (3) Each Councillor is entitled to seek reimbursement up to \$20 per day for the purposes of this clause.

### Communication costs and expenses

- 13 (1) Councillors are entitled to seek reimbursement for communications costs and expenses covering the areas of email, internet, telephone (both fixed and mobile) and postage.
- (2) Each Councillor is entitled to seek reimbursement up to \$300 per month (\$3600 per annum) for the purposes of this clause.
- (3) ***Where the communication costs include the provision of a communication device through a communication plan, Council shall reimburse the costs associated with the plan, including email, internet and telephone access and usage. Communication costs also include expenses incurred by a Councillor for the proportion of leasing, renting or repayment costs associated with any communication device used by a Councillor in undertaking their role as a Councillor.***

### Meals and refreshments

- 14 (1) Morning and afternoon tea may be provided to each Councillor when in attendance at the Civic Centre during normal office hours. A meal including drinks may be provided to each Councillor at the Civic Centre whenever the Councillor is required to attend at the Civic Centre, or leave from or return to the Civic Centre, for a Council related event.
- (2) Meals and refreshments may also be provided to Councillors when attending a local community event or festival. The General Manager, shall determine when such meals and refreshments are to be provided.
- (3) Pursuant to clauses 7(3), 7(4) and 7(5), meals and refreshments may also be provided to Councillors when attending a seminar, conference or training course.

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## Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors – Procedure

### Care and other related expenses

- 15 (1) Where a Councillor has responsibilities for the care and support of any relative, the Council may reimburse the actual cost incurred by the Councillor to engage professional care for the relative whenever considered necessary by the Councillor in order for the Councillor to discharge the functions of civic office.
- (2) The total amount paid to a Councillor in a financial year under sub-clause (1) shall not exceed an amount equivalent to 25% of the Councillors fee set for that year.
- (3) In this clause, *relative* shall have the same meaning as set out in the Dictionary in the Local Government Act.

*Relative, in relation to a person, means any of the following:*

- (a) *the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the person or of the person's spouse;*
  - (b) *the spouse or de facto partner of the person or of a person referred to in paragraph (a)*
- (4) Where a Councillor has a special requirement, such as disability and access needs, Council shall meet reasonable costs and expenses required in order for that Councillor to discharge the functions of civic office.
- (5) The total amount paid to a Councillor in a financial year under sub-clause (4) shall not exceed an amount equivalent to 25% of the Councillors fee set for that year, however, Council can approve additional expenditure in extenuating circumstances.
- (6) Each application for care and support of a relative or for meeting the special requirements of a Councillor is to be made in writing to the General Manager or his/her delegated officer and will be assessed on its merits. The General Manager may use his/her discretion to refer the matter to Council for determination.

### Insurance provisions and expenses

- 16 (1) In accordance with Section 382 of the Local Government Act, Council is insured against public liability and professional indemnity claims up the value of \$300 million and \$200 million respectively. Councillors are included as a named insured on this Policy.
- (2) Councillors are also provided additional liability protection by way of the Councillors and Officers Liability Policy, and personal injury protection by way of the Personal Accident Policy.

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- (2) Insurance protection is only provided if a claim arises out of or in connection with the Councillor's performance of his or her civic duties or exercise of his or her functions as a Councillor. All insurances are subject to any limitations or conditions set out in the policies of insurance.
- (4) Council shall pay the insurance policy excess in respect of any claim accepted by Council's insurers, whether defended or not.

### Legal assistance provisions and expenses

- 17 (1) Council may, if requested, indemnify or reimburse the reasonable legal expenses of:
- (a) a Councillor defending an action arising from the performance in good faith of a function under the Local Government Act; or
  - (b) a Councillor defending an action in defamation provided the statements complained of were made in good faith in the course of exercising a function under the Act; or
  - (c) a Councillor for proceedings before the Local Government Pecuniary Interest and Disciplinary Tribunal or an investigative body provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the Tribunal or investigative body makes a finding substantially favourable to the Councillor.
- (2) Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the Act are distinguished from expenses incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term in office. For example, expenses arising from an investigation as to whether a Councillor acted corruptly would not be covered by this section.
- (3) Council will not meet the costs of an action in defamation taken by a Councillor as plaintiff in any circumstances and will not meet the costs of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.
- (4) The provisions of this section shall not apply in respect of any enquiry, investigation or hearing initiated at the request of, or to any legal proceedings taken by, the Council itself.

### ADDITIONAL MAYORAL EXPENSES

#### Mayoral Fee

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- 18 (1) An annual fee is paid to the Mayor by the Council. The fee shall be the amount fixed by the Council under Division 5 of Part 2 of Chapter 9 of the Act in accordance with the appropriate determination of the Local Government Remuneration Tribunal.
- (2) Unless otherwise provided for in this Policy, the annual fee paid to the Mayor is intended to offset the additional costs involved in discharging the functions of the mayoral office over and above the costs incurred by other Councillors.
- (3) In the event that the Council resolves to pay an annual fee to the Deputy Mayor, the amount of such annual fee shall be deducted from the amount determined to be paid to the Mayor.
- (4) All fees payable under this policy shall be paid monthly in arrears for each month (or part of a month) for which the Mayor holds office.
- (5) Unless otherwise stated, no entitlement under this Policy shall be treated as being a private benefit that requires a reduction in the Mayoral Fee.

### Civic Expenses

- 19 Council shall meet the cost of providing refreshments and associated expenses for civic functions, civic receptions and any other formal event hosted by the Mayor, subject to adequate funds being allocated and available in the Council's adopted Management Plan.

### Communication costs and expenses

- 20 Council shall reimburse up to an additional \$250 per month (\$3,000 per annum) for communication costs and expenses for the Mayor, over and above the monthly expenditure limit prescribed in clause 13.

## PROVISION OF FACILITIES - GENERAL PROVISIONS

### Provision of facilities generally

- 21 (1) Facilities, equipment and services shall be provided to Councillors to support them in undertaking their role as elected members of the Council.
- (2) The equipment supplied under sub-clause (1) shall be of adequate capacity and functionality to generally undertake the role of Councillor. Unless otherwise resolved by the Council, the equipment shall be provided to a Councillor only once during the term of each Council. Council remains in ownership of the equipment and will be responsible for maintenance, replacement, insurance, technology upgrades and supply of consumables, and the equipment is required to be returned at the end of the term of each Councillor. However, Councillors shall be offered the option to purchase the

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subject equipment that they have been in possession of, at the conclusion of their term, at current market value. Unless stated otherwise, the Councillor shall be responsible for all other costs of operation, for such equipment.

### Private use of equipment and facilities

- 22** (1) Council facilities, equipment and services are not to be used for private purposes unless the use is incidental, unavoidable and of a minor nature.
- (2) Where a Councillor obtains a private benefit for the use of a facility provided by the Council, the Councillor shall be invoiced for the amount of the private benefit with repayment to be in accordance with Council's normal terms. The value of the benefit shall be determined by Council in non-confidential session of a Council meeting.
- (3) Council facilities, equipment and services are not to be used to produce election material or for any other political purposes.
- (4) Unless otherwise stated, no entitlement under this Policy shall be treated as being a private benefit that requires a reduction in the Mayoral fee or the Councillors fee.

### PROVISION OF FACILITIES - SPECIFIC PROVISION OF EQUIPMENT AND FACILITIES FOR COUNCILLORS

#### Stationery and other items

- 23** (1) Each Councillor may receive:
- (a) 2500 sheets of plain white A4 paper per year;
  - (b) 500 plain white DLE envelopes per year;
  - (c) 500 business cards per year (as set out in the Corporate Identity Guidelines);
- the year commencing from the date of election to Council and each subsequent anniversary.
- Additional supplies of the above stationery items may be provided by the General Manager if considered warranted having regard to the particular needs of any Councillor.
- (2) Each Councillor may be issued from time to time with name badges, a security access card, ties/scarves and other corporate apparel or accessories for

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personal use. Security access cards are required to be returned when the Councillor ceases to hold office.

- (3) Stationery is not to be used to produce election material or for any other political purposes.

### Home Office and Equipment

- 24 The following equipment and facilities may be provided by the Council at a location nominated by the Councillor:

a personal computer with office and related software  
(up to a total value of \$3,000)

a printer which may include or have attached facilities for facsimile, scanning, photocopying and telephone answering  
(up to a total value of \$1,000)

All amounts stated are inclusive of GST

### Parking

- 25 Councillors shall be provided with allocated parking at the Civic Centre for attendance at meetings and functions in the performance of their role as a Councillor and be provided with a parking permit sticker for use when parking in the Civic Centre Car Park. No other parking concessions within the City of Ryde will be granted and Council will not indemnify Councillors for any damage to their vehicles whilst utilising this facility.

### Secretarial Support

- 26 Secretarial support may be provided at the discretion of the General Manager for each Councillor at the Civic Centre. This may include typing, photocopying or use of a telephone. All expenses incurred including the cost of staff shall be met by the Council.

### Delivery of Material

- 27 At least once weekly each Councillor may receive a delivery of material from Council including business papers, correspondence, newspapers, etc delivered to one property address nominated by the Councillor.

### PROVISION OF ADDITIONAL EQUIPMENT AND FACILITIES FOR THE MAYOR

#### Mayoral Office

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- 28 A furnished Mayoral Office shall be provided by the Council at the Civic Centre, including a computer with office and related software (including access to email and internet).

### Secretarial Support

- 29 Secretarial support shall be provided by the Council. All necessary staff, office equipment, furnishings, printing, stationery, postage and other general office expenses shall be met by the Council, subject to adequate funds being available in the Council's adopted Management Plan.

### Motor Vehicle

- 30 (1) A Toyota Camry Hybrid Level 2 (or general equivalent) shall be provided by the Council and shall be fully maintained for use by the Mayor for Council related business. The vehicle may be used for private purposes by the Mayor. The cost of petrol used for private purposes shall be the responsibility of the Mayor.
- (2) A car parking space shall be allocated at the Civic Centre for the Mayoral vehicle.

### Ceremonial Clothing

- 31 The Mayor shall be supplied with a suitable robe and chains of office.

### Other equipment and facilities

- 32 (1) In addition to equipment and facilities already provided to the Mayor as a Councillor, the Mayor shall be entitled to the following equipment and facilities:
- (a) an additional 500 business cards per year of term (as set out in the Corporate Identity Guidelines),
  - (b) 200 Christmas Cards per year of term,
  - (c) corporate attire and presentation gifts for use in connection with civic and ceremonial functions eg: tie, scarfs, mementos
- (2) The General Manager shall have discretion to provide the Mayor with further equipment and facilities, not otherwise specified in this Policy, subject to funding being made available in the adopted Management Plan and the provision of such equipment or facilities is considered reasonable for the efficient and effective performance of the Office of the Mayor. Should the General Manager exercise his/her discretion to provide the Mayor with further equipment and

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facilities, not otherwise specified in this Policy a report detailing the provision shall be presented to Council.

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### OTHER MATTERS

#### Disputes

- 33 Should any Councillor consider that a dispute exists at any time regarding this policy, the parties to the dispute shall provide a written report on the nature of the dispute and the General Manager shall submit such reports to the next meeting of the Council to have the dispute determined by a resolution of the Council having regard to this policy, the Act and any other relevant law. The decision of the Council shall be binding on all of the parties.

#### Attachments

Number	Title
1.	Legislative Provisions
2.	Guidelines – Councillor Attendance at Conferences
3.	Form

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### LEGISLATIVE PROVISIONS

The relevant legislative provisions are set out below. In this legislation, the expression "year" means the period from 1 July to the following 30 June.

#### Local Government Act

#### **252 Payment of expenses and provision of facilities**

- (1) *Within 5 months after the end of each year, a council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, the deputy mayor (if there is one) and the other councillors in relation to discharging the functions of civic office.*
- (2) *The policy may provide for fees payable under this Division to be reduced by an amount representing the private benefit to the mayor or a councillor of a facility provided by the council to the mayor or councillor.*
- (3) *A council must not pay any expenses incurred or to be incurred by, or provide any facilities to, the mayor, the deputy mayor (if there is one) or a councillor otherwise than in accordance with a policy under this section.*
- (4) *A council may from time to time amend a policy under this section.*
- (5) *A policy under this section must comply with the provisions of this Act, the regulations and any relevant guidelines issued under section 23A.*

#### **253 Requirements before policy concerning expenses and facilities can be adopted or amended**

- (1) *A council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions.*
- (2) *Before adopting or amending the policy, the council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment.*
- (3) *Despite subsections (1) and (2), a council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the council is of the opinion that the proposed amendment is not substantial.*
- (4) *Within 28 days after adopting a policy or making an amendment to a policy for which public notice is required to be given under this section, a council is to forward to the Director-General:*

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(a) a copy of the policy or amendment together with details of all submissions received in accordance with subsection (1), and

(b) a statement setting out, for each submission, the council's response to the submission and the reasons for the council's response, and

(c) a copy of the notice given under subsection (1).

- (5) A council must comply with this section when proposing to adopt a policy each year in accordance with section 252 (1) even if the council proposes to adopt a policy that is the same as its existing policy.

### 254 Decision to be made in open meeting

The council or a council committee, all the members of which are councillors, must not close to the public that part of its meeting at which a policy for the payment of expenses or provision of facilities is adopted or amended, or at which any proposal concerning those matters is discussed or considered.

### 428(pt) Annual reports

(1) Within 5 months after the end of each year, a council must prepare a report as to its achievements with respect to the objectives and performance targets set out in its management plan for that year.

(2) A report must contain the following:

(f) the total amount of money expended during the year on mayoral fees and councillor fees, the council's policy on the provision of facilities for use by councillors and the payment of councillors' expenses, together with a statement of the total amount of money expended during that year on the provision of such facilities and the payment of such expenses,

### Local Government (General) Regulation

### 217(pt) Additional information for inclusion in annual report

(a1) details of the total cost during the year of the payment of the expenses of, and the provision of facilities to, councillors in relation to their civic functions (as paid by the council, reimbursed to the councillor or reconciled with the councillor), including separate details on the total cost of each of the following:

(i) the provision during the year of dedicated office equipment allocated to councillors on a personal basis, such as laptop computers, mobile telephones and landline telephones and facsimile machines installed

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*in councillors' homes (including equipment and line rental costs and internet access costs but not including call costs),*

- (ii) telephone calls made by councillors, including calls made from mobile telephones provided by the council and from landline telephones and facsimile services installed in councillors' homes,*
- (iii) the attendance of councillors at conferences and seminars,*
- (iv) the training of councillors and the provision of skill development for councillors,*
- (v) interstate visits undertaken during the year by councillors while representing the council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses,*
- (vi) overseas visits undertaken during the year by councillors while representing the council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses,*
- (vii) the expenses of any spouse, partner or other person who accompanied a councillor in the performance of his or her civic functions, being expenses payable in accordance with the Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors for Local Councils in NSW prepared by the Director-General from time to time,*
- (viii) expenses involved in the provision of care for a child of, or an immediate family member of, a councillor, to allow the councillor to undertake his or her civic functions,*

### 403 Payment of expenses and provision of facilities

*A policy under section 252 of the Act must not include any provision enabling a council:*

- (a) to pay any councillor an allowance in the nature of a general expense allowance, or*
- (b) to make a motor vehicle owned or leased by the council available for the exclusive or primary use or disposition of a particular councillor other than a mayor.*

Under Section 248A of the Act, Council must not, unless otherwise permitted, pay an annual fee to a Councillor for any period during which the Councillor is suspended from office or the right to be paid any fee is suspended.

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Under Section 254A of the Act, Council may resolve that an annual fee not be paid to a Councillor or the amount reduced if the Councillor is absent, with or without leave, from meetings of the Council for a period not more than 3 months or in any circumstances prescribed by regulation. A fee must not be paid if the period of absence exceeds 3 months.

Under clause 404 of the Regulation, a prescribed circumstance for non-payment or reduction of a Councillor's annual fee is where payment would adversely affect the Councillor's entitlement to a pension, benefit or allowance and the Councillor is agreeable to the non-payment or reduction.

A Councillor may elect not to accept any entitlement under this Policy, except that the Mayor and every Councillor must be paid the appropriate minimum fees determined by the Local Government Remuneration Tribunal (unless the provisions of Section 254A of the Act apply). Payment of the appropriate minimum fees determined by the Remuneration Tribunal is a requirement of Sections 248 (4) and 249 (4) of the Act.

### Other Government and Council Policy provisions

This Policy has been prepared with reference to other Government and Council Policy provisions as follows:

- (1) Department of Local Government Circular No. 06-57, 5 September 2006, *"Guidelines for the Payment of Expenses and Provision of Facilities to the Mayor and Councillors."*
- (2) Department of Local Government Circular No. 05-08, 9 March 2005, *"Legal Assistance for Councillors and Council Employees"*
- (3) ICAC Publication *"No excuse for misuse"*, November 2002
- (4) City of Ryde *"Code of Conduct"*

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## Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors – Procedure

### Related Policy

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

### Guidelines

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

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

Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors - Procedure		
Owner: Governance	Accountability: Mayoral and Councillor support service	Issue: 28 September 2010
Trim Reference: D10/67513	Policy: Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors	Page 21

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## 8 REPORT ON OUTSTANDING RESOLUTIONS

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**Report prepared by:** Manager - Governance

**Report dated:** 29 April 2011

**File No.:** GRP/11/5/4/6 - BP11/80

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### **Report Summary**

This Report is submitted to Council to review the status of outstanding reports and confirm the date reports are due to be provided to Council as at 2 May 2011.

### **RECOMMENDATION:**

That the report on Outstanding Resolutions be endorsed.

### **ATTACHMENTS**

1 Outstanding Resolutions Report as at 2 May 2011

Report Prepared By:

**Shane Sullivan**  
**Manager - Governance**

Report Approved By:

**Roy Newsome**  
**Group Manager - Corporate Services**

**ITEM 8 (continued)**

## ATTACHMENT 1

## Outstanding Resolutions - Report

Meeting Details	Resolution	Due Date of Report	Comments
Council 20/10/2009	<b>PUBLIC- PRIVATE PARTNERSHIP (PPP) - Bevilista and Council and City of Ryde - Signage Rights, Southern Pedestrian Bridge, North Face - COMPLETED</b> GM 18/09 Item 7  (b) That consideration of this matter be deferred and a further report be presented back to Council providing supplementary information and options for Council's consideration.	<b>Anticipated date</b> 27/04/2010  <b>Group</b> Public Works  <b>Responsible Officer</b> George Deedes	<i>Report expected 27 April 2010.</i>  <i>Negotiations have commenced with the Developer concerning any income which Council could expect from its portion of the Bridge signage. However, the Developer has declined to take the signage package to the market for tender, as the advertising market is generally depressed at the present time, and has decided to await market recovery in order to secure the best price. Report anticipated February 2011. (Updated 03/12/10)</i>  <i>City of Ryde will meet in late-November 2010 with its own Consultant to discuss the potential of utilising the advertising sign (the Council's sign) on the northern face of the southern bridge to produce income for Council. (Updated 10/11/10).</i>  <i>Governance issues need to be resolved with Manager Audit &amp; Risk - Advice to indicate best way to proceed. Council has instigated discussions regarding options received and needs to assess income possibilities.</i>  <i>Report to Council on 19/4/2011 - Recommendation: That a further report be submitted to Council once the Expression of Interest process has been completed. (Updated 02/05/2011).</i>  <i>(Completed - to be removed following Council Meeting of 10 May 2011)</i>



## ITEM 8 (continued)

## ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 8/12/2009	<b>Resolution</b>  <b>NOTICE OF MOTION 5:CEO FORUM - COMPLETED</b>  (a) That the General Manager report to Council on the cost and feasibility of implementing a CEO Forum. The CEO forum event would focus on large companies and is a tangible outcome, consistent with the Economic Development Strategy, where the City of Ryde can show cohesive leadership and representation of the City's economic interests.  (b) That this Motion be referred to the Economic Development Advisory Committee for their comment and feedback.	9/11/2010  <b>Anticipated date</b> 19/04/2011  <b>Group</b> Environment and Planning  <b>Responsible Officer</b> Meryl Bishop	<b>Comments</b>  <i>Report delayed in part due to the necessity to recruit a new Economic Development Officer who would have primary carriage of this process.</i>  <i>Report to Committee of the Whole Meeting on 19 April 2011.</i>  <b>COMPLETED - to be removed following Council Meeting 10 May 2011</b>
Meeting Details  Council 24/08/2010	<b>Resolution</b>  <b>DEEBLE STREET - Landscaping Works</b>  a) That this matter be deferred to allow for negotiations between Council and the owner of 70A Champion Road with the view to leasing the road area, and that following these negotiations a further report be prepared for the Works & Community Committee's consideration.	<b>Due Date of Report</b>  <b>Anticipated date</b> 17/05/2011  <b>Group</b> Public Works  <b>Responsible Officer</b> George Dedes	<b>Comments</b>  <i>Report expected for Meeting to be held on 17/05/2011. (Updated: 02/05/2011).</i>

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## ITEM 8 (continued)

## ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 24/08/2010	<b>RYDE TRAFFIC COMMITTEE</b>  PITTWATER ROAD, GLADESVILLE – Request for a Pedestrian Crossing – Marked or Signalised (iii) That a further review be undertaken and a report provided for the Committee's consideration in 6 months.  PRINCES STREET, RYDE – Pedestrian Refuge (iv) That a further report be prepared for the Committee's consideration in 6 months	1/05/2011  <b>Anticipated Date</b> 21/06/2011  <b>Group</b> Public Works  <b>Responsible Officer</b> Anthony Ogle	<b>Pinwater Rd Gladesville - Marked Pedestrian Crossing</b> The Traffic Committee previously did not agree to the crossing. The Works Committee resolved that the matter be reviewed. Pedestrian and comins have been arranged with a view to re-presenting an argument to the RTA member of the Committee for the crossing. The matter is intended for the May Traffic Committee, followed by a Report to Council in June 2011.  <b>Princes St Ryde - Changed intersection arrangements &amp; Marked pedestrian Crossing</b> The Traffic Committee agreed to kerb extensions and a median to improve the intersection for pedestrians to cross. The Traffic Committee did not agree to a marked crossing. The Works Committee resolved that the matter be revived with the intent of re-presenting an argument to the Traffic Committee for the crossing based on the actual circumstances once the works are done. The works are still pending and due to be done in April. Once complete a pedestrian audit and comins can be done on the "settled" in use patterns. It is anticipated this will then go to the July Traffic Committee, followed by a report to Council in August 2011.

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## ITEM 8 (continued)

## ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 24/08/2010	<b>EXTENSION OF TOP RYDER COMMUNITY BUS SERVICE - COMPLETED</b>  (c) A further report come to Council during the 2011/12 budget deliberations regarding the success in securing sponsorship/advertising deals to inform future decisions regarding the extension or cessation of the service.	12/04/2011  <b>Anticipated date</b> 19/04/2011  <b>Group</b> Environment and Planning	<b>Comments</b>  <i>Report to Committee of the Whole Meeting on 19 April 2011.</i>  <i>COMPLETED - to be removed following Council Meeting 10 May 2011</i>
		<b>Responsible Officer</b> Sam Cappelli	
<b>Meeting Details</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments</b>
Council 9/11/2010	<b>GLEN RESERVE - CRIME PREVENTION ACTIONS - COMPLETED</b>  (c) That a report to Council be prepared after the findings of the lighting consultant's report are available.	<b>Anticipated date</b> 19/04/2011  <b>Group</b> Community Life  <b>Responsible Officer</b> Chris Helmund	<i>Lighting consultant has been engaged by Park Assets. Report back to council on the outcome of the report expected April 2011. Due to lighting consultant advice the date has been changed to the 3rd week of April.</i>  <i>COMPLETED (to be removed from listing following Council Meeting on 10 May 2011)</i>

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## ITEM 8 (continued)

## ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 9/11/2010	<b>Notice of Motion: CINEMA IN THE PLAZA</b>  That a report be prepared considering the expansion of the Cinema in the Park program to include regular outdoor screening of family friendly films at Council plaza areas on a weeknight in order to support small businesses and to provide activities for children and young people. Council is to consult with local businesses, schools, chamber of commerce and community groups to consider sponsorship and funding of the project.	<b>Anticipated Date</b> 21/06/2011  <b>Group</b> Community Life  <b>Responsible Officer</b> Derek McCarthy	<i>This matter will be reported to COW on 21 June 2011, as part of the report on the 2011 Events.</i>

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## ITEM 8 (continued)

## ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 23/11/2010	<b>WALKING AS A MEANS OF TRANSPORT AND EXERCISE</b> That Ryde City Council recognises that walking is an important means of transport and exercise. Council promotes walking as a means of transport and exercise and asks the General Manager to report back to Council on the following recommendations.	<b>Anticipated Date</b> 17/05/2011  <b>Group</b> Public Works	<i>Report prepared for Works &amp; Community Committee meeting to be held on 17 May 2011. Note: Report is headed "Public Roads - Pedestrians and Footpaths", and addresses a resolution from the Meeting held on 12/4/2011 "Footpaths" - "(a) That the General Manager report to Council on the feasibility of increasing the width of footpaths to 1.5 metres to allow for 2-way traffic, and also on the education plan to encourage residents to keep the footpaths outside their property clear of vegetation, parked cars, garbage bins, etc., so that walking becomes a more attractive form of transport."</i> <i>(Updated: 02/05/2011)</i>
	1. Two way pedestrian traffic requires an unobstructed width of at least 1.5 m, rather than 1.2 m, and any new footpaths be built to this requirement. 2. RCC introduce an education program to ensure that the footpath outside properties is clear i.e. reduce the problem of vegetation encroachment at its source. 3. Residents are requested not to park their cars on the footpath and in particular where the footpath crosses the driveway. 4. Residents are asked to keep the area of the driveway exit clear so that they are not reversing blindly across the driveway. 5. Increase Council's official footpath height clearance of 2.1 to 3.0. 6. Garbage bins are kept off the footpath. Where the nature strip is too narrow or non-existent advise residents to put their bins in the gutter where the road is wide enough. 7. RCC treat vegetation such as hedges the same as walls or fences i.e. classify them as an illegal construction if they grow too large that they interfere with pedestrian traffic. 8. In the case of footpath closures for maintenance council staff ensures a safe alternative route is available for all types of pedestrians.	<b>Responsible Officer</b> Anthony Ogle	

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## ITEM 8 (continued)

## ATTACHMENT 1

Meeting Details		Resolution	Due Date of Report	Comments
Council	23/11/2010	<b>REQUESTS FOR WAIVER OF FEES FOR EVENTS IN PARKS</b>	5/04/2011	<i>Report being prepared for June 2011.</i>
		(e) That a policy report be brought back to Council on waiver of fees.	Anticipated date 7/06/2011	
			Group Community Life	
			Responsible Officer Simon Harrison	
Meeting Details		Resolution	Due Date of Report	Comments
Committee of the Whole	7/12/2010	<b>SAFETY EVALUATION OF TREES WITHIN THE CITY OF RYDE</b>	19/07/2011	<i>Reviewing other Council's Development Control Plan and tree policies.</i>
		(b) That a review of the City Of Ryde's Development Control Plan 2010 Part 9.6 Tree Preservation be undertaken and reported to Council in six months.	Anticipated date 19/07/2011	
			Group Community Life	
			Responsible Officer Simon Harrison	

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## ITEM 8 (continued)

## ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Committee of the Whole 7/12/2010	<b>NOTIFICATION OF DEVELOPMENT APPLICATIONS DCP - Review Status Report - COMPLETED</b>  That a review of Section 2.1 – Notification of Development Applications of City of Ryde Development Control Plan 2010 and associated process be carried out to address the issues raised in this report, and that a further report be provided to Council in March 2011 once the review process is completed.	22/03/2011  Anticipated date  5/04/2011  Group Environment and Planning	<i>Report to Committee of the Whole Meeting on 5 April 2011.</i>  <i>COMPLETED (to be removed from listing following Council Meeting on 10 May 2011).</i>
Responsible Officer Meryl Bishop			
Meeting Details	Resolution	Due Date of Report	Comments
Committee of the Whole 7/12/2010	<b>WEST RYDE COMMUNITY FACILITY - Establishment of Framework for Rental Contribution by Community Tenants</b>  That this matter be deferred to enable extensive consultation with affected stakeholders to achieve a more sustainable model to enable the continuing provision of services by these community organisations.	3/05/2011  Anticipated date  26/07/2011  Group Community Life	<i>Ongoing negotiations with community partners have commenced and are progressing.</i>
Responsible Officer Baharak Saleh			

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## ITEM 8 (continued)

## ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Committee of the Whole 7/12/2010	<b>DRAFT VOLUNTARY PLANNING AGREEMENTS POLICY</b> (b) That the outcomes of the public exhibition of the draft City of Ryde Planning Agreements Policy and Attachments be reported to Council.	<b>Anticipated date</b> 7/06/2011  <b>Group</b> Environment and Planning	<i>Independent detailed legal advice requires significant reworking of the policy and procedures.</i>  <i>Report to Committee of the Whole Meeting on 7 June 2011.</i>
		<b>Responsible Officer</b> Meryl Bishop	
Meeting Details	Resolution	Due Date of Report	Comments
Committee of the Whole 1/02/2011	<b>MM101: DISASTER RELIEF APPEAL - COMPLETED</b>  (d) That Council reports back to the community on the funds raised with details made available on Council's website, at City of Ryde Libraries, the Mayoral Column and the Ryde City View.	<b>Anticipated date</b> 3/05/2011  <b>Group</b> Community Life  <b>Responsible Officer</b> Derek McCarthy	<i>To coincide with the Mayor's Golf Day fundraiser 31 March.</i>  <i>Report provided to COW 3 May 2011.</i>  <i>COMPLETED (to be removed from listing following Council Meeting on 10 May 2011)</i>

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## ITEM 8 (continued)

## ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Committee of the Whole 1/02/2011	<b>RYDE PLANNING AND BUSINESS CENTRE</b>  (b) That Council review the operations of both Centres after six (6) months by conducting surveys and that a further report be prepared for Council's consideration.	1/12/2011  <b>Anticipated date</b> 1/12/2011  <b>Group</b> Corporate Services  <b>Responsible Officer</b> Manager, Customer Service	<i>Review to be conducted after six months with report due to Council in December 2011.</i>
Meeting Details Council 22/02/2011	<b>Resolution</b>  <b>CREATION OF A RYDE TRUST - COMPLETED</b>  That this matter be deferred and resubmitted to Council following the State Government election.	<b>Due Date of Report</b>  <b>Anticipated date</b> 10/05/2011  <b>Group</b> Public Works  <b>Responsible Officer</b> Terry Dodds	<b>Comments</b>  <i>Report submitted to Meeting to be held on 10 May 2011. (Completed - to be removed following Council meeting on 10 May 2011)</i>

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## ITEM 8 (continued)

## ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 22/02/2011	<b>6(e): TRAFFIC &amp; PARKING MATTERS PROPOSED FOR IMPLEMENTATION AS AGREED BY LOCAL TRAFFIC COMMITTEE 6(e) Matter 6: Andrew Street, Melrose Park - Preferred Option</b>	<b>Anticipated date</b>	<b>Re: Andrew Street, Melrose Park - Preferred Option.</b> <i>Investigation underway - timing of report to be advised.</i> <i>Updated 15/3/11.</i>
	6(e)(i) That the matter be deferred pending further consultation with the affected residents and the outcome reported back to Council.	<b>Group</b> Public Works	<i>Subject of a report to Ryde Traffic Committee at its meeting to be held on 26 May 2011 - then to Works &amp; Community Committee at a later date. (Updated 03/05/2011).</i>
		<b>Responsible Officer</b> Anthony Ogile	
Meeting Details	Resolution	Due Date of Report	Comments
Council 22/02/2011	<b>Notice of Motion - TRANSFATS</b>	<b>19/07/2011</b>	<i>Report to Committee of the Whole Meeting on 19 July 2011.</i>
	That the General Manager report to Council on measures Council can take to urge commercial food preparation premises in the City of Ryde to avoid use of trans fats and to increase community awareness of trans fats in commercially prepared food.	<b>Anticipated date</b> 19/07/2011	
		<b>Group</b> Environment and Planning	
		<b>Responsible Officer</b> Scott Cox	

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## ITEM 8 (continued)

## ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 8/03/2011	<p><b>RECOGNITION OF BUSINESSES, ORGANISATIONS AND COMPANIES THAT HAVE BEEN IN LONG TERM SERVICE IN THE CITY OF RYDE - COMPLETED</b></p> <p>(a) That when Council is approached by community organisations including not for profit organisations, churches, sporting/leisure groups, for the celebration of either 50, 75 or 100 year anniversaries Council provide a plaque recognising the services provided to the community which includes the groups name, the celebration occasion and the names of the Mayor, 11 Councillors and the General Manager.</p> <p>(b) That community organisations are invited to attend a Council meeting to receive the recognition plaque.</p> <p>(c) That a further report be provided regarding the opportunity for local businesses and clubs to be recognised for their services.</p>	<p>19/04/2011</p> <p><b>Anticipated date</b></p> <p><b>Group</b> Community Life</p> <p><b>Responsible Officer</b> Derek McCarthy</p>	<p>This matter will be reported to COW on 19 April 2011, as part of the report on the 2011 Events.</p> <p><b>COMPLETED</b> (to be removed from listing following Council Meeting on 10 May 2011)</p>

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## ITEM 8 (continued)

## ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 8/03/2011	<b>ESTABLISHMENT OF MARKET IN CHURCH STREET TOP RYDE</b>  (a) That Council include the establishment of a market/fair in Church Street Top Ryde, on a trial basis, for consideration in the 2011/12 Management Plan and that Council staff to begin assisting the Chamber of Commerce in developing a project plan for the logistics to commence conducting the market/fair.  (b) That the Project Plan be reported back to Council.  (c) That the Project Plan be reported to the Economic Development and Advisory Committee for comment prior to the report being provided back to Council.	19/04/2011  <b>Anticipated Date</b> 21/06/2011  <b>Group</b> Community Life  <b>Responsible Officer</b> Derek McCarthy	<i>This matter will be reported to COW on 21 June 2011, as part of the report on the 2011 Events.</i>

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## ITEM 8 (continued)

## ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 8/03/2011	<b>2011 NATIONAL GENERAL ASSEMBLY - 19-22 June - COMPLETED</b>  (a) That the Mayor, Councillor Petch and the General Manager (or his nominee) be authorised to attend the National General Assembly of Local Government to be held in Canberra from Sunday, 19 June to Wednesday, 22 June 2011.  (b) That if the Australian Council of Local Government meeting is scheduled to be held, the Mayor be authorised to attend.  (c) That a further report be prepared for the Council meeting on 12 April 2011, for the consideration of any proposed motions to be included on the National General Assembly business paper.	12/04/2011  <b>Anticipated date</b> 5/04/2011  <b>Group</b> Corporate Services	This report will be provided to Council at the Committee of the Whole Meeting on 5 April 2011 as the meeting of 12 April is dedicated to consideration of the Budget.  <b>COMPLETED</b> (to be removed from listing following Council Meeting on 10 May 2011)
<b>Meeting Details</b>  Council 8/03/2011	<b>Resolution</b>  <b>AFFORDABLE HOUSING - COMPLETED</b>  (a) That the General Manager report to Council on the affordable housing strategy being successfully pursued by Canada Bay Council.  (b) That this report also outline measures to directly involve local community consultation including those groups actively involved in housing and planning issues in the Ryde community, including MARS, CAPO and RAID.	<b>Due Date of Report</b> 19/04/2011  <b>Anticipated date</b> 19/04/2011  <b>Group</b> Environment and Planning  <b>Responsible Officer</b> Meryl Bishop	<b>Comments</b>  This report will include information regarding Affordable Housing for Key Workers - (Resolution from 5 October 2010.)  Report to Committee of the Whole Meeting on 19 April 2011.  <b>COMPLETED</b> - to be removed following Council Meeting 10 May 2011

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## ITEM 8 (continued)

## ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 22/03/2011	<b>PARKING METERS MACQUARIE PARK CORRIDOR - COMPLETED</b> That this matter be deferred to allow a feasibility study which includes a meter by meter allocation of income if practicable, to be undertaken regarding the Macquarie Park Parking Meters	19/04/2011  Anticipated date 19/04/2011  Group Environment and Planning	<i>Report to Committee of the Whole Meeting on 19 April 2011.</i>  <i>COMPLETED - to be removed following Council Meeting 10 May 2011</i>
		Responsible Officer Leon Marskell	

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## ITEM 8 (continued)

## ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Committee of the Whole 5/04/2011	<p><b>REVIEW OF SECTION 2.1 - NOTIFICATION OF DEVELOPMENT APPLICATIONS OF DCP 2010</b></p> <p>(a) That the draft Part 2.1 – Notification of Development Applications of Development Control Plan 2010 dated 4 March 2011 be placed on public exhibition for a period of not less than 28 days, and the public be invited to provide comments on the draft policy subject to:</p> <p>(i) The table on page 108 include a category for multi-dwelling house alterations and additions valued at less than \$50,000 at a notification fee of \$150.</p> <p>(ii) Notification to adjoining land owners be undertaken for single storey dwelling house additions valued less than \$100,000 with a submission period of 14 days.</p> <p>(b) That a further report be presented to Council on the outcomes of the public exhibition of draft Part 2.1 – Notification of Development Applications of the Development Control Plan 2010.</p>	<p>26/07/2011</p> <p>Anticipated date 26/07/2011</p> <p>Group Environment and Planning</p> <p>Responsible Officer Meryl Bishop</p>	Report to Council Meeting on 26 July 2011.

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## ITEM 8 (continued)

## ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Committee of the Whole 5/04/2011	<b>TENDER REPORT FOR THE SUPPLY, INSTALLATION AND COMMISSIONING OF AIR HANDLING UNITS AT THE RYDE AQUATIC LEISURE CENTRE</b>  (a) The tender panel recommends that Council not accept any of the tender submissions for the Supply, Installation and Commissioning of Air Handling Units at the Ryde Aquatic Leisure Centre.  (b) Council tenders for the supply only of the preferred air handling units and project manage the installation of the units internally.  (c) That prior to works commencing, a further report be provided to Council detailing the costs of the works.	<b>Anticipated date</b>  17/05/2011  <b>Group</b>  Community Life  <b>Responsible Officer</b>  Paul Hartman	<i>Further report to council on 17 May 2011.</i>
<b>Meeting Details</b>  Committee of the Whole 5/04/2011	<b>Resolution</b>  <b>MATTER OF URGENCY – WEST RYDE EASTER FAIR</b>  (a) That the City of Ryde redirect the \$5,000 grant provided for the fair from the West Ryde Chamber of Commerce to the West Ryde Easter Fair Organising Committee.  (b) That a report be provided to Council containing details of how the funds have been expended.  (c) That all appropriate insurance policies and event planning documents be provided to the General Manager prior to the event.	<b>Due Date of Report</b>  <b>Anticipated date</b>  7/06/2011  <b>Group</b>  Community Life  <b>Responsible Officer</b>  Derek McCarthy	<i>Report to Works and Community on 7 June 2011.</i>

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## ITEM 8 (continued)

## ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 12/04/2011	<b>DRAFT FOUR YEAR DELIVERY PLAN 2011-2015 including ONE YEAR OPERATIONAL PLAN 2011/2012</b>  (a) That, pursuant to Section 404 & 405 of the Local Government Act 1993, the document titled "Draft Four Year Delivery Plan 2011-2015 including One Year Operational Plan 2011/2012", inclusive of the 2011/2012 Draft Budget, Fees and Charges and Capital Works Program be endorsed as the Draft Four Year Delivery Plan 2011-2015 including One Year Operational Plan 2011/2012 of the City of Ryde.  (b) That the Draft Four Year Delivery Plan 2011-2015 including One Year Operational Plan 2011/2012 be publicly exhibited for a period of not less than 28 days from 20 April 2011 to 30 May 2011.  (c) That following the public exhibition period detailed in part (b), Council consider all public submissions at its meeting to be held on Tuesday 14 June 2011 prior to formally adopting its Four Year Delivery Plan 2011-2015 including the One Year Operational Plan 2011/2012.	14/06/2011  <b>Anticipated date</b>  14/06/2011  <b>Group</b> Corporate Services  <b>Responsible Officer</b>	<i>Advertisement organised and exhibition period 20 April - 30 May. Report will go to Council 14 June 2011.</i>

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## ITEM 8 (continued)

## ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 12/04/2011	<b>FOOTPATHS</b>  (a) That the General Manager report to Council on the feasibility of increasing the width of footpaths to 1.5 metres to allow for two way traffic and also on an education plan to encourage residents to keep the footpaths outside their property clear of vegetation, parked cars, garbage bins etc so that walking becomes a more attractive form of transport.  (b) That the General Manager report to Council on 3 May 2011 on the feasibility of joining the Global Corporate Challenge.	<b>Anticipated date</b> 17/05/2011  <b>Group</b> Public Works  <b>Responsible Officer</b>	<i>Refer to Report prepared for Works &amp; Community Committee meeting to be held on 17 May 2011 - PUBLIC ROADS - Pedestrians and Footpaths.</i>
<b>Meeting Details</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments</b>
Council 12/04/2011	<b>20-34 ASHBURN PLACE, GLADESVILLE, LOT 22 DP708012, LOT 1 DP 1098428 &amp; LOT 2 DP10088, Application pursuant to Section 96(1A) of the EP&amp;A Act 1979 to delete condition 108 for Privacy Screens for the Approved Nursing Home, LDA 2003/1222, S96 MOD 2010/0135</b>	21/06/2011  <b>Anticipated date</b>	<i>Report to the Planning and Environment Committee Meeting on 21 June 2011.</i>
	That this application be deferred to allow the Group Manager Environment and Planning to endeavour to mediate a solution between the applicant and the neighbours and that a further report be provided to the Planning and Environment Committee	21/06/2011  <b>Group</b> Environment and Planning  <b>Responsible Officer</b> Dominic Johnson	

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## ITEM 8 (continued)

## ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Committee of the Whole 19/04/2011	<b>TOP RYDER COMMUNITY BUS SERVICE - PROGRESS REPORT</b> (a) That the progress report on the Top Ryder Community Bus Service be noted. (b) A further report be submitted to Council about the 30 June 2011 for decision regarding the extension or cessation of the Top Ryder service beyond 1 July 2011. (c) That a review of the bus routes and frequency of services be undertaken and be included in the report.	30/06/2011 <b>Anticipated date</b> 21/06/2011 <b>Group</b> Environment and Planning <b>Responsible Officer</b> Sam Cappelli	<i>Report to the Committee of the Whole Meeting on 21 June 2011.</i>
<b>Meeting Details</b> Committee of the Whole 19/04/2011	<b>Resolution</b> <b>PARKING METERS – MACQUARIE PARK CORRIDOR</b> (a) That the General Manager be delegated to extend the contract with the service providers of the Macquarie Park parking meters for a one year period commencing on or before 8 May 2011. (b) That a report be prepared for Council's consideration that details the impact of the following changes: -Turning off the parking meter on Alma Road until the St. Hilliers building is tenanted and -Remaining parking meters in Wicks Road be removed and designating the area as all day parking.	<b>Due Date of Report</b> 19/07/2011 <b>Anticipated date</b> 19/07/2011 <b>Group</b> Environment and Planning <b>Responsible Officer</b> Leon Marskell	<i>Report to the Committee of the Whole Meeting on 19 July 2011.</i>

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## ITEM 8 (continued)

## ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Committee of the Whole 19/04/2011	<b>2021 COMMUNITY STRATEGIC PLAN</b>  (a) That the attached draft Community Strategic Plan - Lifestyle and opportunity @ your doorstep, be adopted for six weeks consultation (as outlined in this report) between 20 April 2011 and 26 May 2011, to seek the final views from our community and those who participated in its creation.  (b) That Council adopts the vision: 'The City Of Ryde: - The Place to be for lifestyle and opportunity @ your doorstep' as the Vision for the City of Ryde and engage with our partners to help jointly market the vision (or parts thereof) in their marketing efforts.  (c) That Council notes the attached presentation schedule to various community organisations and Councilors attend as appropriate.  (d) That on receipt of the feedback, a further report (with any recommended alterations) be brought back to Council for final adoption.  (e) That Council collaborates with Macquarie University to establish an evaluation methodology which measures community perception (on a four year basis) of progress against the strategic plan during each term of Council; as a basis of its report back to the community on perceived progress against goals.	28/06/2011  <b>Anticipated date</b> 28/06/2011  <b>Group</b> General Manager  <b>Responsible Officer</b> Beki Boulton	<i>A report will be presented to the Council Meeting on 28 June 2011</i>

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**9 TENDER EVALUATION REPORT FOR COR-RFT-05/11 - SUPPLY OF GAS TO THE RYDE AQUATIC LEISURE CENTRE**

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**Report prepared by:** Centre Manager**Report dated:** 3/05/2011**File No.:** GRP/11/4/3 - BP11/333

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**Report Summary**

This report advises of the outcome following the tender process for the supply of gas to the Ryde Aquatic Leisure Centre.

**RECOMMENDATION:**

That Council declines to accept the offer submitted by TRUenergy Pty Ltd and delegates authority to Council's General Manager to enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender.

**ATTACHMENTS**

- 1 Tender Evaluation Report - CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL

Report Prepared By:

**Paul Hartmann**  
**Centre Manager**

Report Approved By:

**Simone Schwarz**  
**Group Manager - Community Life**

**ITEM 9 (continued)****Background**

The current agreement for the supply of gas to the Ryde Aquatic Leisure Centre expires on 30 June, 2011. Council has gone to the market to seek submissions from suitably qualified, experienced and reputable organisations to supply gas to meet the Ryde Aquatic Leisure Centre's requirements for up to three (3) years.

**Report**

Council has gone to the market to seek submissions for the supply of gas at the Ryde Aquatic Leisure Centre. The tender was advertised in the Sydney Morning Herald on Tuesday 29 March, Wednesday 30 March, and Saturday 2 April 2011. It was also advertised via Council's website and the Tenderlink website.

The advertised closing date for the tender was 19 April 2011 and was opened in accordance with the Council protocol.

One (1) submission was received from TRUenergy Pty Ltd.

Upon evaluation, the submission was found to be non-conforming. It has been acknowledged by TRUenergy that the submission is non conforming to the requirements of the tender. No conforming tender was submitted.

A detailed Tender Evaluation Report is provided **UNDER SEPARATE COVER – CONFIDENTIAL**. Pursuant to Section 10A(2)(d)(i) of the Local Government Act 1993, these documents are listed as confidential as they concern the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the persons who supplied it.

**Consultation**

Internal Council business units consulted included:-

- Risk and Audit

Internal Workshops held:-

- Not applicable

City of Ryde Advisory Committees consulted included:-

- Not Applicable

External public consultation included:-

- Not applicable

**Critical Dates**

The following deadlines are required to be met:

- 1 June 2011 – to ensure the continuity of the supply of gas can be maintained, a decision is required to be reached no later than 1 June 2011.

**Financial Impact**

This is provided for in the Ryde Aquatic Leisure Centre's base budget.

**ITEM 9 (continued)****Policy Implications**

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

**Conclusion**

As only one non conforming submission was received, the recommendation is that Council rejects the tender and delegates authority to the General Manager to enter into negotiations with suitable suppliers to ensure best value for Council and the continuity of supply of gas to the Ryde Aquatic Leisure Centre.

**NOTICES OF MOTION****1 NATIONAL WALK TO SCHOOL DAY - 20 MAY 2011 - Councillor Roy Maggio****File Number:** CLM/11/1/5/6 - BP11/300**Motion:**

- (a) That Council, in partnership with the Pedestrian Council of Australia and the Ryde Hornsby Health Promotion Unit, encourage local schools, P&C and local business to participate in walk to school safely programs. That Council also approach the Ryde school principal's liaison committee to seek their endorsement for promoting the National Walk to School Day, at our local primary schools. This will further build on Council's current support for Go Active to School Initiatives in which 6 Ryde based primary schools participate.
- (b) That to support this initiative the Council seeks the school principal's agreement to host a healthy breakfast (utilising their P&C's and local sponsors) at each participating school at their expense for National Walk to School Day on the 20<sup>th</sup> of May 2011.
- (c) That Council promotes the benefits of walking to school and healthy eating in our media outlets such as the Mayor's column and the City View as part of our on going commitment to becoming a city of wellbeing.

**2 SPEED CAMERAS IN THE CITY OF RYDE - Councillor Roy Maggio****File Number:** CLM/11/1/5/6 - BP11/297**Motion:**

That Council write to the NSW Premier Barry O'Farrell MP in relation to the revenue raising agenda put forward by the former State Government with the installations of speed and safety cameras in the City of Ryde expressing the communities view that these cameras have a place in the LGA to provide road safety benefits not **their sole purpose is to become cash cows and:**

- That the Auditor General publishes the contents of the brief from the Premier in its entirety.
- That the Auditor General's un-edited findings be made public.
- That the Auditor General provides evidence supporting the use of speed and safety cameras to improve road safety; before and after analysis of crashes at fixed speed and safety camera locations.
- That the Auditor General provides information how speed and safety camera operations could be refined to improve road safety.



**3 CHARGES FOR FACILITY HIRE FOR "NOT FOR PROFIT" COMMUNITY GROUPS - Councillor Jeff Salvestro-Martin**

**File Number:** CLM/11/1/5/6 - BP11/319

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**Motion:**

That the General Manager investigate and report the availability of CoR owned facility space for "Not for Profit" Community Groups. That the report review current charges for facility hire and make recommendations in respect of potential for facilitating the availability of space at no charge for Community Groups that can provide acceptable proof of their "Not for Profit" status.

**4 REVIEW OF STATE ENVIRONMENT PLANNING POLICY ON BOARDING HOUSES - Councillor Bill Pickering**

**File Number:** CLM/11/1/5/6 - BP11/342

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**Motion:**

That the City of Ryde Council immediately write to the NSW Premier, Barry O'Farrell, and the NSW Minister for Planning, Brad Hazzard, requesting an urgent review of the State Environment Planning Policy (SEPP) on boarding houses and social housing that has overridden local development controls previously in place in Ryde's low density suburbs.

**5 DEVELOPMENT OF A WEB PAGE TO DISPLAY DETAILS OF PREMISES CONFIRMED TO BE OPERATING AS ILLEGAL BOARDING HOUSES - Councillor Terry Perram**

**File Number:** CLM/11/1/5/6 - BP11/343

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**Motion:**

That the General Manager report to Council regarding the development of a web page to display details of premises that have been confirmed to be operating as illegal boarding houses or have illegal internal modifications consistent with that use. For each property listed the web page is to show, among other things, the address of the property and the name and address of the registered owner and maintain the listing for at least a 12 month period.

**6 CONSIDERATION OF HERITAGE ISSUES - Councillor Ivan Petch**

**File Number:** CLM/11/1/5/6 - BP11/344

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**Motion:**

That the General Manager report to Council on the process/procedures and consideration of heritage issues that the Public Works Group implements when undertaking works such as erection of bollards, constructing kerb/guttering and maintenance of vegetation in Heritage Conservation Areas.

**CONFIDENTIAL ITEMS****10 CREATION OF A CITY OF RYDE PROPERTY TRUST**

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**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 (f) details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property; AND (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:** Group Manager - Public Works

**Report dated:** 2/05/2011

**File No.:** GRP/11/3/6/6 - BP11/329

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**11 GLADESVILLE TOWN CENTRE - Possible Road Closure and Sale**

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**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. Furthermore, it is considered that discussion of this item in open meeting would on balance, be contrary to the public interest as it would unduly affect Council's ability to negotiate the proposed sale.

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:** 29/04/2011

**File No.:** COR2006/721 - BP11/320

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**12 ADVICE ON COURT ACTIONS**

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**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:** 8 April 2011

**File No.:** GRP/11/7/1/6 - BP11/304

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