

**Council Meeting****AGENDA NO. 20/11**

**Meeting Date:** Tuesday 22 November 2011  
**Location:** Council Chambers, Level 6  
**Time:** 7.30pm

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

**NOTICE OF BUSINESS**

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**NOTICE OF BUSINESS (continued)**

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**15/11 CUDAL RESERVE PUTNEY AND SMALLS ROAD RYDE - The Mayor, Councillor Artin Etmekdjian**

**File Number:** GRP/09/7/1/7 - BP11/855

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Further to Council and community concerns relating to the future of Cudal Reserve at Putney and the former school site in Smalls Road Ryde, I am suggesting that the Mayor and General Manager pursue meetings with the relevant state government ministers with the purpose of:

- (1) ensuring that both sites remain in public ownership
- (2) ensuring that the zoning of both sites reflects public ownership
- (3) obtaining the dedication of Cudal Reserve as a park under the care, control and management of the City of Ryde in perpetuity at no cost to Council.

**RECOMMENDATION:**

That the Mayor and General Manager pursue meetings with the relevant state government ministers with the purpose of:

- (1) ensuring that both sites remain in public ownership
- (2) ensuring that the zoning of both sites reflects public ownership
- (3) obtaining the dedication of Cudal Reserve as a park under the care, control and management of the City of Ryde in perpetuity at no cost to Council.

**ATTACHMENTS**

There are no attachments for this report.

**Councillor Artin Etmekdjian**  
**The Mayor**

**1 CONFIRMATION OF MINUTES - Council Meeting held on 8 November 2011**

**File No.:** GRP/11/5/4/6 - BP11/152

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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 19/11, held on Tuesday 8 November 2011, be confirmed.

**ATTACHMENTS**

- 1 Minutes - Ordinary Council Meeting - 8 November 2011



**ITEM 1 (continued)**

**ATTACHMENT 1**



City of Ryde

**Council Meeting**

**MINUTES OF MEETING NO. 19/11**

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

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

Councillor Li arrived at the meeting at 8.02pm and was not present for Suspension of Standing Orders.

**Apologies:** Nil.

**Staff Present:** General Manager, Acting Group Manager – Community Life, Group Manager - Corporate Services, Group Manager – Environment & Planning, Group Manager - Public Works, General Counsel, Manager – Strategy and Organisation Development, Manager – Risk and Audit, Manager – Assessment, Manager – Environment, Manager – Customer Service, Acting Chief Financial Officer, Community Engagement & Social Media Manager, Team Leader – Major Developments, Team Leader – Assessment, Media & Community Relations Officer and Acting Manager – Governance.

**PRAYER**

Pastor Steve Cooper of the Eastwood Baptist Church was present and offered prayer prior to the commencement of the meeting.

**DISCLOSURES OF INTEREST**

Councillor Salvestro-Martin disclosed a less than significant non-pecuniary interest in Notice of Motion 4 – Rotary Health Hat Day of the Council's Report No. 19/11, for the reason that he is a member of Rotary.

Councillor Tagg disclosed a less than significant non-pecuniary interest in Notice of Motion 4 – Rotary Health Hat Day of the Council's Report No. 19/11, for the reason that he is a member of Rotary.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**SUSPENSION OF STANDING ORDERS**

Note: Councillor Li was not present for this Item.

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

That Standing Orders be suspended to allow consideration of the Notices of Motion at the conclusion of the Public Participation on Items Listed on the Agenda, the time being 7.35pm.

**Record of Voting:**

For the Motion: Unanimous

**PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA**

Councillor Li arrived at 8.02pm, during Public Participation.

The following persons addressed the Council:-

<b>Topic</b>	<b>Name</b>
<b>NOTICE OF MOTION 1 – SKATEBOARD CLINICS FOR ALL AGES AND ABILITIES IN THE CITY OF RYDE</b>	Mr Brad Shaw Mr Hayden Evans (representing the Ryde Youth Advisory Council) Mr Nathan Hope Mr Nathan Taylor
<b>NOTICE OF MOTION 2 – COMMEMORATIVE PLAQUE AT THE RYDE AQUATIC LEISURE CENTRE</b>	Mr Terry Wilson (representing Ryde-Carlile Swimming Club)
<b>NOTICE OF MOTION 3 – PARKING IN THE AREA SURROUNDING DICKSON AVENUE, WEST RYDE</b>	Mr Joseph Fodera (representing the residents of Dickson Avenue, West Ryde)
<b>NOTICE OF MOTION 6 – TERMS OF REFERENCE OF THE RYDE CIVIC PRECINCT COMMITTEE</b>	Ms Denise Pendleton Ms Sheryl Barton Mr Noel Plumb (representing the Ryde Environment Group)

**NOTICES OF MOTION**

**1 SKATEBOARD CLINICS FOR ALL AGES AND ABILITIES IN THE CITY OF RYDE - Councillor Roy Maggio**

Note: Mr Brad Shaw, Mr Hayden Evans (representing the Ryde Youth Advisory Council), Mr Nathan Hope and Mr Nathan Taylor addressed the meeting in relation to this Item.

**ITEM 1 (continued)**

**ATTACHMENT 1**

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

- (a) That Council prepare a report within a month that identifies a suitable venue for a skateboard clinic to be conducted during the school holiday period. This report should also include estimated costs to Council, identify any insurance risks or liabilities and the process that would be required to engage interested parties to organise and promote skateboard clinics for all ages and abilities in the City of Ryde.
- (b) That Council endorse the establishment of a "Wheeled Sports Advisory Committee" whose specific purpose will be to work with the Ryde Youth Council to investigate potential options for developing a skate park and any other wheeled sports facilities in the City of Ryde, with all terms of references consistent with Council Policy.

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

- (a) That Council prepare a report that identifies a suitable venue for a skateboard clinic to be conducted during the school holiday period. This report should also include estimated costs to Council, identify any insurance risks or liabilities and the process that would be required to engage interested parties to organise and promote skateboard clinics for all ages and abilities in the City of Ryde.
- (b) That Council endorse participation of the skateboard community into either the Ryde Youth Council or the Ryde Sports and Recreation Committee.

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

That the Amendment be dealt with in Seriatim.

**Record of Voting:**

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

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

The Amendment was then dealt with in Seriatim.

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

- (a) That Council prepare a report that identifies a suitable venue for a skateboard clinic to be conducted during the school holiday period. This report should also include estimated costs to Council, identify any insurance risks or liabilities and the process that would be required to engage interested parties to organise and promote skateboard clinics for all ages and abilities in the City of Ryde.

**ITEM 1 (continued)**

**ATTACHMENT 1**

Part (a) of the Amendment was put and **CARRIED** thereby becoming the Motion.

**Record of Voting:**

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

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

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

- (b) That Council endorse participation of the skateboard community into either the Ryde Youth Council or the Ryde Sports and Recreation Committee.

Part (b) of the Amendment was put and **CARRIED** thereby becoming the Motion.

**Record of Voting:**

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

Against the Amendment: Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

**RECOMMITTAL OF NOTICE OF MOTION 1 – Amendment Part (a)**

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

That Part (a) of the Amendment in relation to Notice of Motion 1 – Skateboard Clinics for All Ages and Abilities in the City of Ryde be recommitted.

**Record of Voting:**

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

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

Part (a) of the Amendment was then recommitted.

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

- (a) That Council prepare a report that identifies a suitable venue for a skateboard clinic to be conducted during the school holiday period. This report should also include estimated costs to Council, identify any insurance risks or liabilities and the process that would be required to

**ITEM 1 (continued)**

**ATTACHMENT 1**

engage interested parties to organise and promote skateboard clinics for all ages and abilities in the City of Ryde.

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

**Record of Voting:**

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

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

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

That Council endorse participation of the skateboard community into either the Ryde Youth Council or the Ryde Sports and Recreation Committee.

**AMENDMENT:** (Moved by Councillors Petch and Butterworth)

- (a) That Council approach Hunters Hill Council with a view to conducting a skateboard clinic over the coming Christmas holiday period.
- (b) That Council prepare a report that identifies a suitable venue for a skateboard clinic to be conducted during the school holiday period. This report should also include estimated costs to Council, identify any insurance risks or liabilities and the process that would be required to engage interested parties to organise and promote skateboard clinics for all ages and abilities in the City of Ryde.
- (c) That Council endorse participation of the skateboard community into either the Ryde Youth Council or the Ryde Sports and Recreation Committee.

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

That the Amendment be dealt with in Seriatim.

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

**Record of Voting:**

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

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

**ITEM 1 (continued)**

**ATTACHMENT 1**

**AMENDMENT:** (Moved by Councillors Petch and Butterworth)

- (a) That Council approach Hunters Hill Council with a view to conducting a skateboard clinic over the coming Christmas holiday period.
- (b) That Council prepare a report that identifies a suitable venue for a skateboard clinic to be conducted during the school holiday period. This report should also include estimated costs to Council, identify any insurance risks or liabilities and the process that would be required to engage interested parties to organise and promote skateboard clinics for all ages and abilities in the City of Ryde.
- (c) That Council endorse participation of the skateboard community into either the Ryde Youth Council or the Ryde Sports and Recreation Committee.

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

**Record of Voting:**

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

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

**AMENDMENT:** (Moved by Councillors Pickering and Maggio)

- (a) That Council prepare a report within a month that identifies a suitable venue for a skateboard clinic to be conducted during the school holiday period. This report should also include estimated costs to Council, identify any insurance risks or liabilities and the process that would be required to engage interested parties to organise and promote skateboard clinics for all ages and abilities in the City of Ryde.
- (b) That Council endorse the establishment of a "Wheeled Sports Advisory Committee" whose specific purpose will be to work with the Ryde Youth Council to investigate potential options for developing a skate park and any other wheeled sports facilities in the City of Ryde, with all terms of references consistent with Council Policy.

On being put to the Meeting, the voting on the Amendment was six (6) all. The Mayor used his casting vote For the Amendment. The Amendment was **CARRIED** thereby becoming the Motion.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**Record of Voting:**

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

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

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

- (a) That Council prepare a report within a month that identifies a suitable venue for a skateboard clinic to be conducted during the school holiday period. This report should also include estimated costs to Council, identify any insurance risks or liabilities and the process that would be required to engage interested parties to organise and promote skateboard clinics for all ages and abilities in the City of Ryde.
- (b) That Council endorse the establishment of a "Wheeled Sports Advisory Committee" whose specific purpose will be to work with the Ryde Youth Council to investigate potential options for developing a skate park and any other wheeled sports facilities in the City of Ryde, with all terms of references consistent with Council Policy.

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

**Record of Voting:**

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

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

**2 COMMEMORATIVE PLAQUE AT THE RYDE AQUATIC LEISURE CENTRE - Councillor Roy Maggio**

Note: Mr Terry Wilson (representing the Ryde-Carlile Swimming Club) addressed the meeting in relation to this Item.

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

That Council endorses the concept of a Commemorative Plaque to be displayed at the Ryde Aquatic Leisure Centre incorporating an engraved photograph as well as written information honouring the dedication of Forbes and Ursula Carlile have given to the sport of swimming in Ryde and embarking on the 50<sup>th</sup> Year Anniversary of the Ryde Carlile Swimming Club.



**ITEM 1 (continued)**

**ATTACHMENT 1**

**AMENDMENT:** (Moved by Councillors Tagg and Butterworth)

That Council endorses the concept of a Commemorative Plaque to be displayed at the Ryde Aquatic Leisure Centre incorporating an engraved photograph as well as written information honouring the dedication of Forbes and Ursula Carlile have given to the sport of swimming in Ryde and embarking on the 50<sup>th</sup> Year Anniversary of the Ryde Carlile Swimming Club. The Plaque is also to contain the names of Shane Gould, Karen Moras and Jenny Turrell.

On being put to the Meeting, the Amendment was **LOST** there being two (2) votes For and ten (10) votes Against. The Motion was then put.

**Record of Voting:**

For the Amendment: Councillors Butterworth and Li

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

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

That Council endorses the concept of a Commemorative Plaque to be displayed at the Ryde Aquatic Leisure Centre incorporating an engraved photograph as well as written information honouring the dedication of Forbes and Ursula Carlile have given to the sport of swimming in Ryde and embarking on the 50<sup>th</sup> Year Anniversary of the Ryde Carlile Swimming Club.

**Record of Voting:**

For the Motion: Unanimous

**3 PARKING IN THE AREA SURROUNDING DICKSON AVENUE, WEST RYDE  
- Councillor Roy Maggio**

Note: Mr Joseph Fodera (representing the residents of Dickson Avenue, West Ryde) addressed the meeting in relation to this Item.

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

Noting the concerns regarding traffic in and around Dickson Avenue, West Ryde that following conclusion of the Resident Survey on traffic calming devices (due to conclude on 11 November) that this matter be referred to the Ryde Traffic Committee for consideration of the residents views and identification of traffic management options.

**Record of Voting:**

For the Motion: Unanimous



**ITEM 1 (continued)**

**ATTACHMENT 1**

**4 ROTARY HEALTH HAT DAY - Councillor Victor Tagg**

Note: Councillor Salvestro-Martin disclosed a less than significant non-pecuniary interest in this Item for the reason that he is a member of Rotary.

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

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

- (a) That Ryde Council investigate ways to support the Rotary Health Hat Day next year and promote through the Mayor's Column, Council's website and Ryde City View.
- (b) That this matter be referred to the Status of Women's Advisory Committee for inclusion in their schedule of Health Seminars and advice back to Council on options for supporting this event.

**Record of Voting:**

For the Motion: Unanimous

**5 MEN'S SHED - Councillor Gabrielle O'Donnell**

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

That the General Manager, in consultation with local community organisations, investigate the feasibility of setting up a Men's Shed and report back to Council.

**Record of Voting:**

For the Motion: Unanimous

**6 TERMS OF REFERENCE OF THE RYDE CIVIC PRECINCT COMMITTEE - Councillor Michael Butterworth**

Note: Ms Denise Pendleton, Ms Sheryl Barton and Mr Noel Plumb (representing the Ryde Environment Group) addressed the meeting in relation to this Item.

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

In the interests of transparency and accountability, Council amend the Terms of Reference of the Ryde Civic Precinct Committee so that:

- 1. The Committee meets as required and no less than every two months.
- 2. Meetings of the Committee are advertised on Council's website and in the Mayor's column.

**ITEM 1 (continued)**

**ATTACHMENT 1**

3. The Agenda of the Committee be available on Council's website prior to the meetings being held.
4. Full Minutes of the meetings be published on Council's website.

**Record of Voting:**

For the Motion: Unanimous

**ORDER OF BUSINESS - SUSPENSION OF STANDING ORDERS**

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

That Standing Orders remain suspended to allow consideration of Item 8 – 2010-2011 Financial Statements and Item 9 – Investment Report – September 2011, the time being 10.04pm.

**Record of Voting:**

For the Motion: Unanimous

**8 2010-2011 FINANCIAL STATEMENTS**

Note: The Acting Chief Financial Officer provided a powerpoint presentation on the 2010-2011 Financial Statements.

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

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

**Record of Voting:**

For the Motion: Unanimous

**ITEM 1 (continued)**

**ATTACHMENT 1**

**9 INVESTMENT REPORT - September 2011**

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

- (a) That the report of the Chief Financial Officer, dated 11 October 2011 on INVESTMENT REPORT – September 2011, be endorsed.
- (b) That Council notes the Global Protected Property Note V11, that matured in September 2011 returned the principal of \$1 million, however no interest was paid on maturity.

**Record of Voting:**

For the Motion: Unanimous

**RESUMPTION OF STANDING ORDERS**

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

That Council resume Standing Orders, the time being 10.45pm.

**Record of Voting:**

For the Motion: Unanimous

**COUNCIL REPORTS**

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

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

That the Minutes of the Council Meeting 16/11, held on Tuesday 11 October 2011, be confirmed noting that Councillors Tagg and Butterworth left the meeting as the extension of time had elapsed.

**Record of Voting:**

For the Motion: Unanimous

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

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

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

**ITEM 1 (continued)**

**ATTACHMENT 1**

**Record of Voting:**

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

Against the Motion: Councillor Tagg

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

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

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

**Record of Voting:**

For the Motion: Unanimous

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

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

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

**Record of Voting:**

For the Motion: Unanimous

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

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

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

**Record of Voting:**

For the Motion: Unanimous

**ITEM 1 (continued)**

**ATTACHMENT 1**

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

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

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

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

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

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

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

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

**Record of Voting:**

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

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

**ITEM 1 (continued)**

**ATTACHMENT 1**

**COMPLETION OF BUSINESS**

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

That the meeting time be extended to deal with Items 6, 7, 11, 13, 16 and 17, the time being 11.02pm.

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

**Record of Voting:**

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

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

**3 29 TRAMWAY STREET, WEST RYDE. LOT 9 DP 8283. Local Development Application for Demolition, multi dwelling housing (attached) consisting of 4 units & strata subdivision. LDA 2011/0167.**

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

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

**Record of Voting:**

For the Motion: Unanimous

At this stage of the meeting, Councillors Butterworth, Li, Perram, Petch, Salvestro-Martin and Tagg left the meeting at 11.06pm. Due to a lack of a quorum, the meeting was adjourned.

**ADJOURNMENT**

In accordance with Clause 2.5.1 of the Code of Meeting Practice, The Mayor, Councillor Etmekdjian (Chairperson) adjourned the Council Meeting as a quorum was not present, the time being 11.06pm. The Council Meeting was adjourned to:

**ITEM 1 (continued)**

**ATTACHMENT 1**

Tuesday, 15 November 2011 at 7.30pm in the Council Chambers, Level 6 of the Civic Centre, 1 Devlin Street, Ryde.

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

The following Councillors had left the meeting: Councillors Butterworth, Li, Perram, Petch, Salvestro-Martin and Tagg.

**MEETING RECONVENED**

The Meeting reconvened at 7.30pm on Tuesday, 15 November 2011 in the Council Chambers, Level 6 of the Civic Centre, 1 Devlin Street, Ryde.

The following Councillors were present:

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

**Apologies:** Councillor Butterworth.

**Chair:** The Mayor, Councillor Etmekdjian assumed the Chair.

**Staff Present:** General Manager, Group Manager – Community Life, Acting Group Manager – Corporate Services, Group Manager – Environment and Planning, Acting Group Manager – Public Works, General Counsel, Manager – Assessment, Community Engagement & Social Media Manager, Media and Community Relations Officer, Acting Manager – Governance and Councillor Support Coordinator.

**DISCLOSURES OF INTEREST**

Councillor Petch disclosed a significant non-pecuniary interest in Item 18 – Deferred Report: Potential Development Partnership Arrangement for Coulter Street Car Park of the Council's Report No. 19/11, and verbally provided the reason that he is a life member of the client.

**MAYORAL MINUTES**

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

**RESOLUTION:** (Moved by The Mayor, Councillor Etmekdjian and Councillor Salvestro-Martin)

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

**Record of Voting:**

For the Motion: Unanimous

**ITEM 1 (continued)**

**ATTACHMENT 1**

**SUSPENSION OF STANDING ORDERS**

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

That Standing Orders be suspended to allow consideration of Item 18 being deferred and re-listed in open forum at the next Council meeting to be held on 22 November 2011, the time being 7.40pm.

**Record of Voting:**

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

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

**RESUMPTION OF STANDING ORDERS**

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

That Council resume Standing Orders, the time being 7.45pm.

**Record of Voting:**

For the Motion: Unanimous

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

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

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

**Record of Voting:**

For the Motion: Unanimous

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

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

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

**Record of Voting:**

For the Motion: Unanimous



**ITEM 1 (continued)**

**ATTACHMENT 1**

**8 2010-2011 FINANCIAL STATEMENTS**

Note: This Item was considered earlier in the Meeting as detailed in these Minutes.

**9 INVESTMENT REPORT – September 2011**

Note: This Item was considered earlier in the Meeting as detailed in these Minutes.

**10 TOP RYDER COMMUNITY BUS SERVICE, CONTINUATION OF SERVICE**

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

- (a) That Council approve an extension of the Top Ryder Community Bus Service to 30 June 2013.
- (b) That an adjustment be made to the December review of the 2011/12 budget for the sum of \$55,000 to cover Council costs during the operation of the service for the remainder of this year.
- (c) That a report be prepared to investigate the merits of Council expanding the Top Ryder bus service to include operating hours on Sundays and for the bus routes to include Marsfield and Macquarie University.

**Record of Voting:**

For the Motion: Unanimous

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

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

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

**Record of Voting:**

For the Motion: Unanimous

**12 FEE/CHARGE ESTABLISHMENT FOR LIBRARY PUBLICATION**

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

- (a) That the fee/charge of \$10.40 for the purchase of *Sweet and Savoury Family Recipes* be publicly exhibited for a period of not less than 28 days from 9 November to 6 December 2011.

**ITEM 1 (continued)**

**ATTACHMENT 1**

- (b) That a further report be presented to Council for consideration after the exhibition period, should any submissions be made.
- (c) If no submissions are made it is recommended that the price be confirmed by Council and the sale of the book proceed without the requirement of a further report to Council.
- (d) That this publication be advertised in the Mayor's Column, Ryde City View and on Council's Website.

**Record of Voting:**

For the Motion: Unanimous

**13 MEMORANDUM OF UNDERSTANDING BETWEEN CITY OF RYDE AND MACQUARIE UNIVERSITY**

**RESOLUTION:** (Moved by Councillors Yedelian OAM and Salvestro-Martin)

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

**Record of Voting:**

For the Motion: Unanimous

**14 SUPPORT FOR ABORIGINAL STUDENTS IN NSROC AREA**

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

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

**ITEM 1 (continued)**

**ATTACHMENT 1**

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

**AMENDMENT:** (Moved by Councillors Campbell and Yedelian OAM)

- (a) That the City of Ryde continues to work with Marsden High School to explore project partnership options with Aboriginal students.
- (b) That Council provide relevant funding and grant information to high schools regarding Aboriginal education initiatives.
- (c) That Council write to the Minister for Aboriginal Affairs and member for Ryde, the Hon. Victor Dominello M.P. to put the issue of ongoing funding for an Aboriginal Education Worker at Marsden High School before the Minister for Education, the Hon. Adrian Piccoli M.P.
- (d) That Council grant a one off financial assistance of \$800 towards the program (Marsden High School Aboriginal Education Initiatives) subject to public notice being given and no objections being received.

The Amendment was put and **LOST** there being five (5) votes For and six (6) votes Against. The Motion was then put and **CARRIED**.

**Record of Voting:**

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

Against the Amendment: Councillors Li, O'Donnell, Perram, Petch, Salvestro-Martin and Tagg

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

- (a) That the City of Ryde continues to work with Marsden High School to explore project partnership options with Aboriginal students.
- (b) That Council provide relevant funding and grant information to high schools regarding Aboriginal education initiatives.
- (c) That Council write to the Minister for Aboriginal Affairs and member for Ryde, the Hon. Victor Dominello M.P. to put the issue of ongoing funding for an Aboriginal Education Worker at Marsden High School before the Minister for Education, the Hon. Adrian Piccoli M.P.

**Record of Voting:**

For the Motion: Unanimous

**ITEM 1 (continued)**

**ATTACHMENT 1**

**15 GENERAL MANAGER'S PERFORMANCE OBJECTIVES 2011/12**

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

- (a) That the attached objectives (see Attachment 1) and associated degree of difficulty scores be adopted as the basis for the General Manager's performance agreement and that the Mayor sign the agreed performance criteria on behalf of Council.
- (b) That the General Manager develop a performance agreement action plan which specifically identifies milestones to be achieved for the agreed objectives within 2 months of this report being adopted and in accordance with Clause 7.4 of the General Managers contract.
- (c) That the General Manager's 2011/12 performance review be conducted in August 2012 in accordance with the methodology utilised for the 2010/11 review.
- (d) That an additional objective (number 13) be included to the General Manager's performance objectives namely that the General Manager demonstrate and maintain a higher level of transparency for the public relating to Councillor information and Council reports.

**Record of Voting:**

For the Motion: Unanimous

**PRECIS OF CORRESPONDENCE FOR CONSIDERATION**

There were no Precis of Correspondence for Consideration.

**NOTICES OF MOTION**

**1 SKATEBOARD CLINICS FOR ALL AGES AND ABILITIES IN THE CITY OF RYDE - Councillor Roy Maggio**

Note: This Notice of Motion was considered earlier in the Meeting as detailed in these Minutes.

**2 COMMEMORATIVE PLAQUE AT THE RYDE AQUATICE LEISURE CENTRE – Councillor Roy Maggio**

Note: This Notice of Motion was considered earlier in the Meeting as detailed in these Minutes.

**3 PARKING IN THE AREA SURROUNDING DICKSON AVENUE, WEST RYDE – Councillor Roy Maggio**

Note: This Notice of Motion was considered earlier in the Meeting as detailed in these Minutes.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**4 ROTARY HEALTH HAT DAY – Councillor Victor Tagg**

Note: This Notice of Motion was considered earlier in the Meeting as detailed in these Minutes.

**5 MEN’S SHED – Councillor Gabrielle O’Donnell**

Note: This Notice of Motion was considered earlier in the Meeting as detailed in these Minutes.

**6 TERMS OF REFERENCE OF THE RYDE CIVIC PRECINCT COMMITTEE – Councillor Michael Butterworth**

Note: This Notice of Motion was considered earlier in the Meeting as detailed in these Minutes.

**NOTICES OF RESCISSION**

There were no Notices of Rescission.

**QUESTIONS BY COUNCILLORS AS PER POLICY**

**1 QUESTIONS WITH NOTICE - Councillor Michael Butterworth**

Note: Councillor Campbell left the meeting at 9.02pm and was not present for consideration and voting on this Item.

**RESOLUTION:** (Moved by Councillors Salvestro-Martin and Pickering)

That the following Questions with Notice and Answers be received and noted.

**Record of Voting:**

For the Motion: Unanimous

Question 1: **How many staff do we employ?**

Answer 1: Council employs a total of 686 employees, inclusive of part time and casual staff which equates to a FTE of 468.31 noting that this is under Council’s approved establishment limit of 490.

Question 2: **Can a break up be provided for the number of staff employed at the three main centres (ie. the Civic Centre, the Argyle Centre and the Meadowbank Works Depot)?**

Answer 2: The approved budgeted full time equivalent positions that are employed at Council’s three main locations are:-

**ITEM 1 (continued)**

**ATTACHMENT 1**

Civic Centre:	160
Argyle Centre:	37
Operations Centre:	202

Question 3: **What is the space of the Civic Centre?**

Answer 3: 3,400m<sup>2</sup> gross floor area (GFA). Also the Argyle Centre has a GFA of 575m<sup>2</sup> and the Operations Centre (for approx. 62 staff), 970m<sup>2</sup> GFA. This totals a current GFA of approx. 4,945m<sup>2</sup>.

Question 4: **What is the size of the West Ryde space?**

Answer 4: 707m<sup>2</sup> on Level 2, including foyer and amenities.

The total available commercial space above the library and at the West Ryde Community Centre is 1,947m<sup>2</sup> (1,240m<sup>2</sup> (Level 1A, Library) plus 707m<sup>2</sup> = 1,947m<sup>2</sup>). The total space to house Council staff in one location is approx. 5,000m<sup>2</sup> GFA.

Question 5: **How long have both of these spaces been advertised for?**

Answer 5: West Ryde, Level 2 – from May 2011  
City of Ryde Centre, Level 1A – from April 2011

Council is currently in negotiations with tenants for both of the above locations.

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

No addresses were made to Council.

**CLOSED SESSION**

**ITEM 16 - NSROC TENDER 11/11 - Road Surfacing, Patching and Associated Works**

**Confidential**

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

**ITEM 1 (continued)**

**ATTACHMENT 1**

**ITEM 17 - DEFERRED REPORT: TENDER FOR CARTAGE & DISPOSAL OF FILL MATERIAL - COR-RFT-11/11**

**Confidential**

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

**ITEM 18 - DEFERRED REPORT: POTENTIAL DEVELOPMENT PARTNERSHIP ARRANGEMENT FOR COULTER STREET CAR PARK**

**Confidential**

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

**ITEM 19 - DEFERRED REPORT: ADVICE ON COURT ACTIONS**

**Confidential**

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

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

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

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

**ITEM 20 - ADVICE ON COURT ACTIONS**

**Confidential**

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



**ITEM 1 (continued)**

**ATTACHMENT 1**

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.

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

**Confidential**

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

Note: Councillor Campbell was not present for consideration and voting on this Item.

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

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

**Record of Voting:**

For the Motion: Unanimous

Note: Councillor Campbell returned to the meeting at 9.04pm.

Note: The Council closed the meeting at 9.04pm. The public and media left the chamber.

**16 NSROC TENDER 11/11 - Road Surfacing, Patching and Associated Works**

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

- (a) That Council accepts the tenders from the Companies in the following categories:

Category 1: For Supply, Delivery and Laying of Asphaltic Concrete, and Profiling of Road Pavement works:

- Downer EDI Works Pty Ltd as the preferred contractor
- Boral Asphalt as the alternative contractor

Category 2: For Heavy Patching works:

- AJ Paving Pty Ltd and
- OzPave Pty Ltd as the preferred contractors.
- Downer EDI Works Pty Ltd as the alternative contractor



**ITEM 1 (continued)**

**ATTACHMENT 1**

Category 3: For Crack Sealing:

- SRS Roads as the preferred contractor
- D & M Excavations and Asphaltting Pty Ltd as the alternative contractor

Category 4: For the Supply Only of Asphaltic Concrete Products including Cold Mix:

- Boral Asphalt as the preferred contractor
- Downer EDI Works Pty Ltd as the alternative contractor

Category 5: For Supply and Delivery of Asphaltic Concrete Products including Cold Mix:

- Boral Asphalt as the preferred contractor.
- Downer EDI Works Pty Ltd as the alternative contractor.

(b) That the unsuccessful tenderers be advised accordingly.

**Record of Voting:**

For the Motion: Unanimous

**17 DEFERRED REPORT: TENDER FOR CARTAGE & DISPOSAL OF FILL MATERIAL - COR-RFT-11/11**

**RECOMMENDATION:** (Moved by Councillors Yedelian OAM and Salvestro-Martin)

- (a) That Benedict Recycling P/L, Earth Exchange P/L and Hi Quality Recycling Services P/L are commissioned for the cartage and disposal of fill.
- (b) That the services of Benedict Recycling P/L, Earth Exchange P/L and Hi Quality Recycling Services P/L be concurrently drawn upon in a way that will result in best outcome and best value to Council.

**Record of Voting:**

For the Motion: Unanimous

**18 DEFERRED REPORT: POTENTIAL DEVELOPMENT PARTNERSHIP ARRANGEMENT FOR COULTER STREET CAR PARK**

Note: Councillor Petch disclosed a significant non-pecuniary interest in this Item and verbally provided the reason that he is a life member of the client.

Note: This Item was deferred for re-listing in open forum at the next Council Meeting to be held on 22 November 2011.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**ORDER OF BUSINESS**

**RESOLUTION:** (Moved by Councillors Pickering and Salvestro-Martin)

That Council consider Items 19 and 20 in conjunction, the time being 9.24pm.

**Record of Voting:**

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

Against the Motion: Councillor Yedelian OAM

**19 DEFERRED REPORT: ADVICE ON COURT ACTIONS**

**20 ADVICE ON COURT ACTIONS**

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

That the reports of the General Counsel be received.

**Record of Voting:**

For the Motion: Unanimous

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

**MOTION:** (Moved by The Mayor, Councillor Etmekdjian and Councillor Yedelian OAM)

That the General Manager receive a 2.5% discretionary increase in addition to the 2.5% SOORT increase, on the basis that the General Manager's performance has been assessed as better than satisfactory.

**AMENDMENT:** (Moved by Councillors Tagg and Perram)

That the General Manager receive the 2.5% SOORT increase.

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

**Record of Voting:**

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

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

**ITEM 1 (continued)**

**ATTACHMENT 1**

**FURTHER AMENDMENT:** (Moved by Councillors Pickering and Yedelian OAM)

That the General Manager receive a 1.5% discretionary increase in addition to the 2.5% SOORT increase, on the basis that the General Manager's performance has been assessed as better than satisfactory.

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

**Record of Voting:**

For the Amendment: Councillors Pickering, Salvestro-Martin and Tagg

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

**RECOMMENDATION:** (Moved by The Mayor, Councillor Etmekdjian and Councillor Yedelian OAM)

That the General Manager receive a 2.5% discretionary increase in addition to the 2.5% SOORT increase, on the basis that the General Manager's performance has been assessed as better than satisfactory.

**Record of Voting:**

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

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

**OPEN SESSION**

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

That Council resolve itself into open Council.

**Record of Voting:**

For the Motion: Unanimous

Note: Open Council resumed at 9.50pm.

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

That the recommendations of Items considered in Closed Session be received and adopted as resolutions of Council without any alteration or amendment thereto.

**Record of Voting:**

For the Motion: Unanimous

**ITEM 1 (continued)**

**ATTACHMENT 1**

**NATIONAL ANTHEM**

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

The meeting closed at 9.55pm.

CONFIRMED THIS 22ND DAY OF NOVEMBER 2011

Chairperson

## **2 REPORT OF PLANNING AND ENVIRONMENT COMMITTEE MEETING 15/11 held on 15 November 2011**

**File No. GRP/11/5/4/6 – BP11/772**

### **Report Summary**

Attached are the Minutes of the Planning and Environment Committee Meeting 15/11 held on 15 November 2011. The Minutes will be listed for confirmation at the next Planning and Environment Committee Meeting.

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

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

### **2 252 QUARRY ROAD, RYDE. LOT 2 DP 701738. Local Development Application for demolition and erection of an attached dual occupancy. LDA 2010/439.**

Report: The Committee inspected the property at 252 Quarry Road, Ryde.

Note: A letter from Zhi Gang Lun and Xiao Feng Chen (owners) dated 14 November 2011 was considered in relation to this Item and a copy is **ON FILE**.

Note: An email from Mr Gregory Hancox (on behalf of 12 objectors) dated 10 November 2011 was considered in relation to this Item and a copy is **ON FILE**.

Note: Mr Gregory Hancox (objector), Ms Glenda Pont (objector), Mr James Fu and Mr Garry Huang (on behalf of the applicant) addressed the Committee in relation to this Item.

**MOTION:** (Moved by Councillors Pickering and Salvestro-Martin)

- (a) That Local Development Application No. 2010/439 for demolition and the erection of a two (2) storey dual occupancy at 252 Quarry Road Ryde, being LOT 2 in DP 701738, be approved subject to the **ATTACHED** conditions (Attachment 1).
- (b) That the persons who made submissions be advised of Council's decision.

The Motion was put and **LOST**. The matter was then **AT LARGE**.

### **Record of Voting:**

Against the Motion: Unanimous

## ITEM 2 (continued)

### **RECOMMENDATION:** (Moved by Councillors Salvestro-Martin and Pickering)

- (a) That Local Development Application No. 2010/439 for demolition and the erection of a two (2) storey dual occupancy at 252 Quarry Road Ryde, being LOT 2 in DP 701738, be refused for the following reasons:-
1. The proposal causes excessive overshadowing onto the windows and private open space of the adjoining property at 250 Quarry Road.
  2. The proposal causes unacceptable amenity impacts on the residents of the adjoining property at 250 Quarry Road.
  3. The proposal has the following unacceptable non compliances with Part 3.3 of DCP 2010:-
    - (i) The garages are not set back 1m from the façade of the dwellings as required in clauses 2.8.1 and 2.10.1.
    - (ii) The width of the garage doors exceeds the 6m width required in clause 2.10.1.
    - (iii) The height of the return fencing exceeds the height as required in clause 2.15.1.
- (b) That the persons who made submissions be advised of Council's decision.

### **Record of Voting:**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **22 NOVEMBER 2011** as substantive changes were made to the published recommendation

### **3 18 FIFTH AVENUE, DENISTONE. LOT 85 DP 12367. Local Development Application for a new deck at rear of dwelling. LDA2011/0327.**

Report: The Committee inspected the property at 18 Fifth Avenue, Denistone.

Note: Mr Alagaratnam Chandrahasan (applicant) addressed the Committee in relation to this Item.

### **RECOMMENDATION:** (Moved by Councillors Yedelian OAM and Pickering)

- (a) That Local Development Application No. 2011/0327 at No. 18 Fifth Avenue, Denistone being LOT 5 DP 12367 be approved as a deferred commencement to limit that size of the deck to a maximum of 68m<sup>2</sup> with the applicant to submit amended plans to Council to the satisfaction of the Group Manager – Environment and Planning and the adjoining neighbour who objected to the proposal and subject to the general conditions as listed below:-

## ITEM 2 (continued)

### GENERAL

1. The approved deck is to be erected in accordance with the following stamped approved plans:

Drawing Reference	Drawing No.	Date
Site Analysis Plan	11.14-DA01	June 2011
Ground Floor Plan	11.14-DA02	June 2011
Deck Floor Plan	11.14-DA03	June 2011
Section and Rear Elevation	11.14-DA04	June 2011
Side Elevations	11.14-DA05	June 2011

2. The brushwood privacy screen is not approved. An alternative privacy screen must be provided similar to timber lattice screening with 50% transparency. Details of the alternative screen are to be provided **prior to the issue of a Construction Certificate**.
3. The proposed 'cut outs' are to be left in the deck to allow for the affected trees to protrude through the deck without obstruction.
4. The applicant must provide some additional privacy planting in the form of 5 Blueberry Ash (*Elaeocarpus Reticulatus*) planted at a distance of 2.5m from the base of the trees to supplement the screening of the existing Camellia at the eastern common boundary. Details are to be provided **prior to the issue of a Construction Certificate**.
5. All new building works are required to be carried out in accordance with the provisions of the Building Code of Australia.
6. Compliance with the Building Code of Australia
  - a) All building work must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date of the application for the relevant construction certificate or complying development certificate was made)
  - b) This clause does not apply to the extent to which an exemption is in force under clause 187 or 188, in the Environmental Planning and Assessment Regulations 2000, subject to any terms of any condition or requirement referred to in Clause 187(6) or 188(4).
7. **Design and Construction Standards.** All engineering plans and work shall be carried out in accordance with the requirements as outlined within Council's publication *Environmental Standards Development Criteria 1999 and City of Ryde Development Control Plan 2010 Section 8* except as amended by other conditions.
8. **Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.

## ITEM 2 (continued)

9. **Restoration.** Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities will be carried out by Council following submission of a permit application and payment of appropriate fees. Repairs of damage to any public stormwater drainage facility will be carried out by Council following receipt of payment. Restoration of any disused gutter crossings will be carried out by Council following receipt of the relevant payment.
10. **Site cover.** To prevent the risk of increasing soil instability downslope of the building from the concentration of collected stormwater no roof shall be constructed over the deck without the consent of Council.
11. Certification of the existing part constructed deck framing and footings is to be provided by a Structural Engineer Details of the alternative screen are to be provided prior to the issue of a Construction Certificate.

### PRIOR TO CONSTRUCTION CERTIFICATE

12. Prior to commencing any construction works, the following provisions of the Environmental Planning and Assessment Amendment Act, 1997 are to be complied with:
  - a) A Construction Certificate is to be obtained in accordance with Section 81A (2)(a) of the Act.
  - b) A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A (2)(b) of the Act and Form 7 of Schedule 1 to the Regulations.
  - c) Council is to be notified at least two (2) days prior to the intention to commence building works, in accordance with Section 81A (2)(c) of the Act and Form 7 of Schedule 1 to the Regulations.
13. The applicant may apply to the Council or an accredited certifier for the issuing of a Construction Certificate and to Council or an accredited certifier to monitor compliance with the approval and issue any relevant documentary evidence or certificate/s. Council Officers can provide these services and further information can be obtained from Council by telephoning 9952 8222 (Customer Service).
14. A security deposit (*category: other building with no delivery of bricks or concrete or machine excavation*) is to be paid to Council (Public Works and Services Group) as well as the Infrastructure Restoration and Administration Fee. Please refer to Council's Management Plan for the current fee amounts.
15. An **Enforcement levy** is to be paid to Council on lodgement of the **Construction Certificate** application in accordance with the requirements of Council's Management Plan (scheduled fees).



## ITEM 2 (continued)

16. Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be received prior to the issuing of the **Construction Certificate**.
17. Documentary evidence of compliance with Conditions 14 to 16 to the satisfaction of Council or an accredited certifier is to be submitted to the Council prior to the issuing of the **Construction Certificate**.
18. The applicant is advised that the **Construction Certificate** plans and specifications must comply with the provisions of the Building Code of Australia.

### PRIOR TO OCCUPATION CERTIFICATE

19. An **Occupation Certificate** must be obtained from the Principal Certifying Authority (PCA) and a copy furnished to Council in accordance with Clause 151 of the Environmental Planning and Assessment Regulation 2000 prior to commencement of occupation or use of the whole or any part of a new building, an altered portion of, or an extension to an existing building.

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

### Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **22 NOVEMBER 2011** as substantive changes were made to the published recommendation

## ATTACHMENTS

- 1 Minutes - Planning and Environment Committee - 15 November 2011

**ITEM 2 (continued)**

**ATTACHMENT 1**

City of Ryde

**Planning and Environment Committee**

**MINUTES OF MEETING NO. 15/11**

**Meeting Date:** Tuesday 15 November 2011

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

**Time:** 4.05pm

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

Councillor Salvestro-Martin arrived at 4.50pm and was not present for consideration of Item 1 or inspections.

**Apologies:** Councillor Butterworth.

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

**DISCLOSURES OF INTEREST**

There were no disclosures of interest.

**1 CONFIRMATION OF MINUTES - Meeting held on 1 November 2011**

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

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

That the Minutes of the Planning and Environment Committee 14/11, held on Tuesday 1 November 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**

**2 252 QUARRY ROAD, RYDE. LOT 2 DP 701738. Local Development Application for demolition and erection of an attached dual occupancy. LDA 2010/439.**

Report: The Committee inspected the property at 252 Quarry Road, Ryde.

Note: A letter from Zhi Gang Lun and Xiao Feng Chen (owners) dated 14 November 2011 was considered in relation to this Item and a copy is **ON FILE**.

Note: An email from Mr Gregory Hancox (on behalf of 12 objectors) dated 10 November 2011 was considered in relation to this Item and a copy is **ON FILE**.

Note: Mr Gregory Hancox (objector), Ms Glenda Pont (objector), Mr James Fu and Mr Garry Huang (on behalf of the applicant) addressed the Committee in relation to this Item.

**MOTION:** (Moved by Councillors Pickering and Salvestro-Martin)

- (a) That Local Development Application No. 2010/439 for demolition and the erection of a two (2) storey dual occupancy at 252 Quarry Road Ryde, being LOT 2 in DP 701738, be approved subject to the **ATTACHED** conditions (Attachment 1).
- (b) That the persons who made submissions be advised of Council's decision.

The Motion was put and **LOST**. The matter was then **AT LARGE**.

**Record of Voting:**

Against the Motion: Unanimous

**RECOMMENDATION:** (Moved by Councillors Salvestro-Martin and Pickering)

- (a) That Local Development Application No. 2010/439 for demolition and the erection of a two (2) storey dual occupancy at 252 Quarry Road Ryde, being LOT 2 in DP 701738, be refused for the following reasons:-
  - 1. The proposal causes excessive overshadowing onto the windows and private open space of the adjoining property at 250 Quarry Road.
  - 2. The proposal causes unacceptable amenity impacts on the residents of the adjoining property at 250 Quarry Road.
  - 3. The proposal has the following unacceptable non compliances with Part 3.3 of DCP 2010:-
    - (i) The garages are not set back 1m from the façade of the dwellings as required in clauses 2.8.1 and 2.10.1.
    - (ii) The width of the garage doors exceeds the 6m width required in clause 2.10.1.

**ITEM 2 (continued)**

**ATTACHMENT 1**

- (iii) The height of the return fencing exceeds the height as required in clause 2.15.1.

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

**Record of Voting:**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **22 NOVEMBER 2011** as substantive changes were made to the published recommendation

**3 18 FIFTH AVENUE, DENISTONE. LOT 85 DP 12367. Local Development Application for a new deck at rear of dwelling. LDA2011/0327.**

Report: The Committee inspected the property at 18 Fifth Avenue, Denistone.

Note: Mr Alagaratnam Chandrahasan (applicant) addressed the Committee in relation to this Item.

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

- (a) That Local Development Application No. 2011/0327 at No. 18 Fifth Avenue, Denistone being LOT 5 DP 12367 be approved as a deferred commencement to limit that size of the deck to a maximum of 68m<sup>2</sup> with the applicant to submit amended plans to Council to the satisfaction of the Group Manager – Environment and Planning and the adjoining neighbour who objected to the proposal and subject to the general conditions as listed below:-

**GENERAL**

1. The approved deck is to be erected in accordance with the following stamped approved plans:

Drawing Reference	Drawing No.	Date
Site Analysis Plan	11.14-DA01	June 2011
Ground Floor Plan	11.14-DA02	June 2011
Deck Floor Plan	11.14-DA03	June 2011
Section and Rear Elevation	11.14-DA04	June 2011
Side Elevations	11.14-DA05	June 2011

2. The brushwood privacy screen is not approved. An alternative privacy screen must be provided similar to timber lattice screening with 50% transparency. Details of the alternative screen are to be provided **prior to the issue of a Construction Certificate**.
3. The proposed 'cut outs' are to be left in the deck to allow for the affected trees to protrude through the deck without obstruction.

**ITEM 2 (continued)**

**ATTACHMENT 1**

4. The applicant must provide some additional privacy planting in the form of 5 Blueberry Ash (*Elaeocarpus Reticulatus*) planted at a distance of 2.5m from the base of the trees to supplement the screening of the existing Camellia at the eastern common boundary. Details are to be provided **prior to the issue of a Construction Certificate**.
5. All new building works are required to be carried out in accordance with the provisions of the Building Code of Australia.
6. Compliance with the Building Code of Australia
  - a) All building work must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date of the application for the relevant construction certificate or complying development certificate was made)
  - b) This clause does not apply to the extent to which an exemption is in force under clause 187 or 188, in the Environmental Planning and Assessment Regulations 2000, subject to any terms of any condition or requirement referred to in Clause 187(6) or 188(4).
7. **Design and Construction Standards.** All engineering plans and work shall be carried out in accordance with the requirements as outlined within Council's publication *Environmental Standards Development Criteria 1999 and City of Ryde Development Control Plan 2010 Section 8* except as amended by other conditions.
8. **Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.
9. **Restoration.** Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities will be carried out by Council following submission of a permit application and payment of appropriate fees. Repairs of damage to any public stormwater drainage facility will be carried out by Council following receipt of payment. Restoration of any disused gutter crossings will be carried out by Council following receipt of the relevant payment.
10. **Site cover.** To prevent the risk of increasing soil instability downslope of the building from the concentration of collected stormwater no roof shall be constructed over the deck without the consent of Council.
11. Certification of the existing part constructed deck framing and footings is to be provided by a Structural Engineer Details of the alternative screen are to be provided prior to the issue of a Construction Certificate.

**PRIOR TO CONSTRUCTION CERTIFICATE**

12. Prior to commencing any construction works, the following provisions of the Environmental Planning and Assessment Amendment Act, 1997 are to

**ITEM 2 (continued)**

**ATTACHMENT 1**

be complied with:

- a) A Construction Certificate is to be obtained in accordance with Section 81A (2)(a) of the Act.
  - b) A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A (2)(b) of the Act and Form 7 of Schedule 1 to the Regulations.
  - c) Council is to be notified at least two (2) days prior to the intention to commence building works, in accordance with Section 81A (2)(c) of the Act and Form 7 of Schedule 1 to the Regulations.
13. The applicant may apply to the Council or an accredited certifier for the issuing of a Construction Certificate and to Council or an accredited certifier to monitor compliance with the approval and issue any relevant documentary evidence or certificate/s. Council Officers can provide these services and further information can be obtained from Council by telephoning 9952 8222 (Customer Service).
14. A security deposit (*category: other building with no delivery of bricks or concrete or machine excavation*) is to be paid to Council (Public Works and Services Group) as well as the Infrastructure Restoration and Administration Fee. Please refer to Council's Management Plan for the current fee amounts.
15. An **Enforcement levy** is to be paid to Council on lodgement of the **Construction Certificate** application in accordance with the requirements of Council's Management Plan (scheduled fees).
16. Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be received prior to the issuing of the **Construction Certificate**.
17. Documentary evidence of compliance with Conditions 14 to 16 to the satisfaction of Council or an accredited certifier is to be submitted to the Council prior to the issuing of the **Construction Certificate**.
18. The applicant is advised that the **Construction Certificate** plans and specifications must comply with the provisions of the Building Code of Australia.

**PRIOR TO OCCUPATION CERTIFICATE**

19. An **Occupation Certificate** must be obtained from the Principal Certifying Authority (PCA) and a copy furnished to Council in accordance with Clause 151 of the Environmental Planning and Assessment Regulation 2000 prior to commencement of occupation or use of the whole or any part of a new building, an altered portion of, or an extension to an existing building.
- (b) That the persons who made submissions be advised of Council's decision.

**ITEM 2 (continued)**

**ATTACHMENT 1**

**Record of Voting:**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **22 NOVEMBER 2011** as substantive changes were made to the published recommendation

**4 4-6 LINTON AVENUE, WEST RYDE. LOT X & Y DP 404139. Local Development Application for re-subdivision (boundary adjustment) involving 2 lots. LDA2011/176.**

Report: The Committee inspected the property at 4-6 Linton Avenue, West Ryde.

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

(a) That LDA No. LDA2011/176 for the boundary adjustment between Nos. 4 and 6 Linton Avenue, West Ryde, be approved subject to the following conditions:

1. The subdivision is to be carried out in accordance with amended plans received by Council on 15 May 2011, prepared by The Traditional Stonemasonry Company, and endorsed with Council's stamp and supporting information submitted to Council.
2. **Creation of a Drainage Easement.** A drainage easement 1.0m wide in favour of No.4 Linton Ave over No. 6 Linton Avenue shall be created and located adjacent to the south-western boundary of No. 6 Linton Avenue. Details shall be submitted with the Subdivision Certificate and Plan/s.
3. **Existing Easements and Restrictions.** The applicant must acknowledge all existing easements and restrictions of the use of land on the final plan of subdivision and any easements, rights or carriageway, right of footway are to be created as required.
4. **Film Plan of Subdivision.** The submission of a Film Plan of Subdivision plus five copies suitable for endorsement by authorised officer of City of Ryde pursuant to Section 109J of the Environmental Planning and Assessment Act 1979.
5. **88B Instrument.** The submission of an instrument under Section 88B of the Conveyancing Act 1919 plus 2 copies, creating any Easements, Positive Covenants and restrictions on use, the Ryde City being the authority empowered to release vary or modify the same.
6. **Sydney Water**

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.



**ITEM 2 (continued)**

**ATTACHMENT 1**

Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building, Development and Plumbing section of the website at [www.sydneywater.com.au](http://www.sydneywater.com.au) then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Coordinator, as it may take some time to build water/sewer pipes and this may impact on other services and building, driveway or landscape design.

A copy of Sydney Water's Notice of Requirements must be submitted to the Principal Certifying Authority prior to the Construction Certificate being issued.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to release of the plan of subdivision.

**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 6.00pm.

CONFIRMED THIS 6TH DAY OF DECEMBER 2011.

Chairperson



### **3 REPORT OF WORKS AND COMMUNITY COMMITTEE MEETING 17/11 held on 15 November 2011**

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

#### **Report Summary**

Attached are the Minutes of the Works and Community Committee Meeting 19/11 held on 15 November 2011. The Minutes will be listed for confirmation at the next Works and Community Committee Meeting.

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

The following Committee recommendations for 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 PUBLIC TOILET BLOCK FEASIBILITY AT FIVE WAYS AND REVIEW OF SIGNAGE REQUIREMENTS**

Note: Councillor Campbell arrived at the meeting 4.43pm during consideration of this item.

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

- (a) That signage based on the international symbol to improve access to toilet facilities in the town and neighbourhood centres be approved at the following locations:
  - Trim Place, Gladesville – two signs.
  - Cox's Road North Ryde, adjacent to the North Ryde library – two signs.
  - Rowe Street (east), Eastwood – one sign.
  - Meadowbank at Memorial Park and near the entry statement to Shepherd's Bay - two signs.
- (b) That a new toilet unit and appropriate signage at Rotary Park, Eastwood be considered for inclusion in the 4 Year Delivery Program under Toilet Block Renewal (excluding sports fields).
- (c) That existing toilet signs that do not include international symbols be replaced in a rolling program with a priority for shopping centres.

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

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **22 NOVEMBER 2011** as substantive changes were made to the published recommendation.

**ITEM 3 (continued)**

**5 DEEBLE STREET - Negotiations on Leasing Landscaped Area**

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

- (a) That Council proceed with the statutory public notification of the proposed lease to the residents of Tennyson Point as required by the Roads Act for lease of public road.
- (b) That the matter be referred back to Council on receipt of submissions.

**Record of Voting:**

For the Motion: Councillors Perram, Petch and Tagg

Against the Motion: Councillor Campbell

Note: This matter will be dealt with at the Council Meeting to be held on **22 NOVEMBER 2011** as dissenting votes were recorded

**ATTACHMENTS**

- 1 Minutes - Works and Community Committee - 15 November 2011

**ITEM 3 (continued)**

**ATTACHMENT 1**

City of Ryde

**Works and Community Committee**

**MINUTES OF MEETING NO. 17/11**

**Meeting Date:** Tuesday 15 November 2011

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

**Time:** 4.32pm

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

Councillor Campbell arrived at the meeting at 4.43pm and was not present for Item 1.

**Apologies:** Councillor Maggio and Li.

**Staff Present:** Group Manager – Community Life, Acting Group Manager – Public Works, Manager – Urban Planning, Team Leader – Strategic Planning, and Councillor Support Coordinator.

**DISCLOSURES OF INTEREST**

There were no disclosures of interest.

**1 CONFIRMATION OF MINUTES - Meeting held on 1 November 2011**

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

That the Minutes of the Works and Community Committee 16/11, held on Tuesday 1 November 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 PUBLIC TOILET BLOCK FEASIBILITY AT FIVE WAYS AND REVIEW OF SIGNAGE REQUIREMENTS**

Note: Councillor Campbell arrived at the meeting 4.43pm during consideration of this item.

**ITEM 3 (continued)**

**ATTACHMENT 1**

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

- (a) That signage based on the international symbol to improve access to toilet facilities in the town and neighbourhood centres be approved at the following locations:
- Trim Place, Gladesville – two signs.
  - Cox's Road North Ryde, adjacent to the North Ryde library – two signs.
  - Rowe Street (east), Eastwood – one sign.
  - Meadowbank at Memorial Park and near the entry statement to Shepherd's Bay - two signs.
- (b) That a new toilet unit and appropriate signage at Rotary Park, Eastwood be considered for inclusion in the 4 Year Delivery Program under Toilet Block Renewal (excluding sports fields).
- (c) That existing toilet signs that do not include international symbols be replaced in a rolling program with a priority for shopping centres.

**Record of Voting:**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **22 NOVEMBER 2011** as substantive changes were made to the published recommendation.

**3 ABORIGINAL HERITAGE OFFICE PARTNERSHIP STATUS REPORT**

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

- (a) That Council adopt the Aboriginal Site Management Report 2011.
- (b) That Council write to the Office of Environment and Heritage providing the City of Ryde Aboriginal Sites Management report in order to update the NSW Aboriginal Heritage Information Management System database.

**Record of Voting:**

For the Motion: Unanimous

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

**4 HERITAGE ISSUES - Public Works**

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

That Council endorse the updated procedures relating to how Heritage issues will be flagged by Public Works, which include referrals to the Heritage Officer for comment.

**ITEM 3 (continued)**

**ATTACHMENT 1**

**Record of Voting:**

For the Motion: Unanimous

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

**CLOSED SESSION**

**ITEM 5 - DEEBLE STREET - Negotiations on Leasing Landscaped Area**

**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.

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

That the Committee resolve into Closed Session to consider the above matter.

**Record of Voting:**

For the Motion: Unanimous

Note: The Committee closed the meeting at 4.47pm. The public and media left the Committee Room.

**5 DEEBLE STREET - Negotiations on Leasing Landscaped Area**

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

- (a) That Council proceed with the statutory public notification of the proposed lease to the residents of Tennyson Point as required by the Roads Act for lease of public road.
- (b) That the matter be referred back to Council on receipt of submissions.

**Record of Voting:**

For the Motion: Councillors Perram, Petch and Tagg

Against the Motion: Councillor Campbell

Note: This matter will be dealt with at the Council Meeting to be held on **22 NOVEMBER 2011** as dissenting votes were recorded

**ITEM 3 (continued)**

**ATTACHMENT 1**

**OPEN SESSION**

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

That the Committee resolve itself into Open Session.

**Record of Voting:**

For the Motion: Unanimous

Note: Open Session resumed at 4.50pm.

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

That the recommendation of the Item considered in Closed Session be received.

**Record of Voting:**

For the Motion: Unanimous

The meeting closed at 4.51pm.

CONFIRMED THIS 6TH DAY OF DECEMBER 2011.

Chairperson

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#### **4 SEPTEMBER 2011 QUARTERLY REVIEW REPORT - 2011/2015 DELIVERY PLAN AND 2011/2012 OPERATIONAL PLAN**

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**Report prepared by:** Chief Financial Officer

**Report dated:** 2/11/2011

**File No.:** FIM/07/6/2/1 - BP11/791

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##### **Report Summary**

Council's 4 Year Delivery Plan 2011/2015 and 1 Year Operational Plan 2011/2012 sets out the strategic and financial objectives for the year. These documents set out the goals and various performance measures for Council's seven key outcome areas and details the services and projects that Council plans to deliver in 2011/2012.

The Quarterly Report includes details for each of the seven Outcome areas and the twenty one Program areas detailing the targets adopted by Council and how we have performed in achieving these targets to 30 September 2011. Also shown is a financial performance summary for each key outcome area and a status report on all Capital and Non-Capital Projects by Program Area that are to be undertaken in 2011/2012 with information on how each Project is progressing.

Following this review, Council's Working Capital surplus is projected to increase by \$0.125 million. With this improved position, Council's Working Capital position as at 30 June 2011 is projected to be \$4.02 million.

The main reason for this movement is Council's increase in its Revenue Sharing grant to that allowed in the original budget.

This Review also brings to account a number of additional grants that Council has been successful in securing plus projects that have been the subject of Council resolutions.

##### **RECOMMENDATION:**

- (a) That the report of the Chief Financial Officer, dated 2 November 2011 on SEPTEMBER 2011 QUARTERLY REVIEW REPORT - 2011/2015 DELIVERY PLAN AND 2011/2012 OPERATIONAL PLAN be received and endorsed.
- (b) That the proposed budget adjustments included in this report totalling \$0.13 million be endorsed and included in the 2011/2012 Budget.
- (c) That the proposed transfers to and from Reserves as detailed in the report, and included as budget adjustments, totalling a net decrease in Reserves of \$1.971 million be endorsed.
- (d) That the Certificate of the Responsible Accounting Officer attached to the report of the Chief Financial Officer dated 2 November 2011 be endorsed.

**ITEM 4 (continued)**

**ATTACHMENTS**

- 1** Responsible Accounting Officer's Certificate 30 September 2011
- 2** Quarterly Report - Quarter One - CIRCULATED UNDER SEPARATE COVER

Report Prepared By:

**John Todd**  
**Chief Financial Officer**

Report Approved By:

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



## ITEM 4 (continued)

### Background

As required under section 407 of the Local Government Act, 1993 the quarterly review of the 1 Year Operational Plan 2011/2012 as at 30 September 2011 is presented to Council.

This Quarterly Review reports on the performance of Council in undertaking its Principal Activities in terms of its stated objectives and financial position. The following sections are included in the document, *Quarterly Review Report 4 Year Delivery Plan 2011/2015 and 1 Year Operational Plan 2011/2012, Quarter One* that has been **CIRCULATED UNDER SEPARATE COVER – ATTACHMENT 2;**

- General Manager's Overview, Financial Management and Corporate Performance Overview - provides a 'snapshot' of Council's performance in the quarter relative to several high profile activities.
- Outcome Area Reports – including overview, operational indicators, financial outcome and graphical representation of performance measures.
- Capital and Non Capital Projects Quarterly Status Report – provides comments regarding the status of all of Council's Capital and Non Capital Expenditure projects.
- Base Budget Quarterly Status Report.
- Reserves Listing Report – outlines the opening balance, approved budgeted transfers to/from reserves and proposed additional transfers to/from reserves, with a projected balance as at 30 June 2011. **Appendix A**
- Quarterly Changes Report – provides comments and details of those budget items that are proposed to be increased or decreased in the 2011/2012 budget. **Appendix B**
- Consolidated Income and Expenditure Estimates 2011/2012 – summary of the budget in one page, showing original budget and quarterly changes. **Appendix C**

### Report

The September 2011 Quarterly Review has been completed and is submitted to Council for endorsement.

The key points to note that are included in this Review are:-

- The main reason the \$0.125 million improvement in Council's Working Capital, is Council bringing to account the increase in its Revenue Sharing Grant for 2011/2012.

#### **ITEM 4 (continued)**

- This review brings to account a number of projects that have been successful in obtaining grants.

#### Working Capital Summary

In the adopted 4 Year Delivery Plan 2011/2015 and 1 Year Operational Plan 2011/2012 Council's forecasted the available Working Capital position to be \$3.09 million as at 30 June 2012. This was on the basis of utilising \$0.31million from Working Capital in the 2011/2012 Operational Plan.

Following completion of the Financial Statements for 2010/2011, the final Working Capital figure was determined at \$4.21 million.

In the September Quarterly Review, the proposed budget adjustments will result in an increase of \$0.125 million to Council's Working Capital as at 30 June 2012 to \$4.022 million.

A reconciliation of Working Capital is provided below.

<b>Opening Working Capital</b>	<b>4,205</b>
Operational Plan	(308)
September Review	125
<b>Closing Working Capital</b>	<b>4,022</b>

#### Overview of September Review

As detailed above, Council's available Working Capital surplus is projected to increase to \$0.125 million to \$4.022 million, as a result of the review. The following are the major changes to be made, with a complete listing provided in the circulated document, that also includes detailed explanations relevant to each Outcome area.

#### Pensioner Subsidy at the Ryde Aquatic Leisure Centre (RALC)

Council has requested a report on the take up levels and the estimated reduction in income as a result Council's decision to provide discounted entry for Pensioners at the Ryde Aquatic Leisure Centre.

The financial impact to the RALC with the implementation of Council's resolution has been at a cost of \$8,300 lost revenue as a result of 1,597 visits in the first quarter. It is worth noting that indications are that this number will increase over the summer months. It is therefore projected that there will be a reduction in income of approximately \$40,000 in 2011/2012 at the RALC as a result of this initiative.

Therefore, in this review an amount of \$40,000 has been provided in the Governance Budget to ensure the RALC's operations are not impacted by this decision.

## ITEM 4 (continued)

### Operating Budget

It is projected to increase operating income over budget by \$0.31 million (0.28%) with the main areas being as follows:

- \$0.36 million in additional grants from the RTA
- \$0.59 million less income due to prepayment of funding in Financial Assistance Grants in June (offset by increase in transfer from reserve)
- \$0.35 million in Sec 94 contributions received to date, transferred to reserve
- \$0.25 million in additional grants for Floodplain studies
- \$0.15 million additional funding in Home Modification and Aged Care
- \$0.11 million less for Vacation Care
- \$0.05 million in additional grants for Water Reuse in Meadowbank

It is projected to increase operating expenses over budget by \$0.74 million (0.78%) with the main areas being as follows:

- \$0.15 million for additional works from additional funding for Home Modification and Aged Care
- \$0.10 million less for Vacation Care
- \$0.07 million for Conduits Maintenance
- \$0.07 million for Customer Survey Services
- 0.07 million for Business Sustainability Program, offset by Unexpected Grants
- \$0.03 million for Aboriginal Heritage Office partnership
- \$0.02 million for Workforce Resources Plan, brought forward from 2012/2013
- \$0.02 million for Urban Design Review Panel
- \$0.04 million for Council's contribution to the RALC Pensioner rebate program
- \$0.07 million for additional costs of insurance claim settlement, funded by reserve
- \$0.29 million additional funding to reflect the increase to projected costs for waste disposal service, funded from Reserve

From the above adjustments, this will result in a projected decrease in Council's Operating Result of \$0.43 million. This is mainly due to a decrease in the Financial Assistance Grant, which was paid in advance in June 2011.

### Capital Budget

It is projected to increase capital expenses over budget by \$1.65 million (3.82%), funded from additional grants (\$0.63 million) and \$1.02 million from transfers from reserves. The main areas are as follows:

Neighbourhood Centre Renewal (original budget \$0.60 million).  
The following projects are to be undertaken;

- Boronia Park Centre
  - Planning & Consultation \$0.12million
  - Design and Construction \$0.4 million
  - Public Art \$0.06 million

#### ITEM 4 (continued)

- Agincourt Road Centre - Planning & Consultation \$0.02 million

Town Centre Upgrade Implementation (original budget \$0.3 million).

The following projects are to be undertaken;

- \$0.15 million for Church Street, detailed design.
- \$0.15 million for Rowe Street, detailed design.

Macquarie Park – Public Domain (original budget \$1M, funded by Macquarie Park Special Rate Reserve)

The amended works to be undertaken from this allocation are the following, noting the balance of funds are held in the Reserve;

- Waterloo Road/Byfield Road – Public Domain upgrade \$0.18 million.
- Waterloo/Khartoum Road – Traffic Signals Construction \$0.45 million.
- Tree planting in Macquarie Park \$0.02 million.

#### Other Capital Projects

- \$0.5 million Waterloo Road Granite paving – (Coolinga-Khartoum) south side. Project deferred in 2010/2011 to be funded from Macquarie Park Special Levy, as project scope dependant on yet to be confirmed TCA part funding.
- \$0.29 million reduction for Civic Centre Redevelopment to adjust the amount carried over to amount available following completion of financial statements, reducing the amount to be completed in 2011/2012.
- \$0.05 million for minor works/alterations to the old Ryde Library following the Ryde Library relocation and provision being made for breast feeding/first aid facility, funded by the Assets Replacement Reserve.
- \$0.2 million for Addington House upgrades as per Council resolution (funded by Asset Replacement Reserve).
- \$0.05 million for Business Case Bid Process development to be incorporated into Council's Budget software, funded by Assets Replacement Reserve.
- \$0.45 million for fitout of West Ryde Community Centre as per Council resolution, funded from Stockland Creche Contribution reserve.
- \$0.05 million for minor works/alterations to the Customer Service counter and work area to meet OH&S/access issues, funded from Information Systems (\$20k) and Assets Replacement Reserve.
- \$0.10 million Parramatta River Floodplain and Risk Management Study, funded by additional grant.

#### **ITEM 4 (continued)**

- \$0.18 million North Ryde to Macquarie University SUP (Stage 2), funded by new RTA grant.
- \$0.08 million Buffalo Creek and Kitty's Creek Flood Study, funded by additional grant from Environment NSW.
- \$0.05 million Detention Basin Feasibility Study, funded by additional grant from Environment NSW.
- \$0.05 million Vimiera Road Traffic Facilities Renewal, funded by additional RTA grant.
- \$0.07 million increasing funding of Quarry Road Resurfacing program, funded by additional RTA grant.
- \$0.05 million Constitution Road medium island pedestrian refuge, funded by additional RTA grant.
- \$0.05 million Water Reuse in Meadowbank Park, funded by additional grant from Sydney Water.

#### **Reserve Movements**

- It is projected to increase transfers from reserves over budget by \$2.662 million (7.86%), the main areas being as follows:
  - \$0.74 million from the prepayment of the Financial Assistance Grant in June.
  - \$0.81 million from Stockland Crèche Reserve for fitout of West Ryde Community Centre as per Council resolution.
  - \$0.15 million for balancing Domestic Waste Reserve, following adjustments after the reorganisation of Public Works and bringing to account the updated costs for waste disposal.
  - \$0.29 million returned to Civic Precinct Redevelopment Reserve for Civic Centre Redevelopment to adjust the amount carried over to amount available following completion of financial statements.
  - \$0.20 million from Asset Replacement Reserve for Addington House upgrade as per Council resolution.
  - \$0.50 million for balancing the Plant Reserve, following adjustments after the reorganisation of Public Works.
  - \$0.12 million for Non-capital projects as adjustments of works carried over.

#### **ITEM 4 (continued)**

- \$0.04 million from Asset Replacement Reserve for minor works alterations at Customer Service Helpdesk at Civic Centre for access/OHS issues.
- \$0.05 million from Asset Replacement Reserve for minor works alterations for old library area at Civic Centre.
- It is projected to increase its transfers to reserves over budget by \$0.69 million (3.01%), the main areas being as follows:
  - \$0.35 million for Section 94 contributions received, transferred to reserve.
  - \$0.30 million for balancing the Plant Reserve, following adjustments after the reorganisation of Public Works.

The complete details are contained within the document circulated separately.

#### **Consultation**

Internal Council business units consulted included:-

- All Service Units in relation to budget changes.
- Executive Team.

Internal Workshops held:-

- Not Applicable.

City of Ryde Advisory Committees consulted included:-

- Not Applicable.

External public consultation included:-

- Not Applicable.

#### **Comments**

Service Unit Managers have reviewed their Unit's budget at the end of the September 2011 quarter to declare any variations to budget that will impact on the Council's financial position.

#### **Critical Dates**

The following deadlines are required to be met:

- In accordance with Section 407 of the Local Government Act 1993, the General Manager must report to the Council within 2 months after the end of each quarter as to the extent to which the performance targets set by the Council's current Management Plan have been achieved during that quarter.

#### **ITEM 4 (continued)**

- The Chief Financial Officer as Council's Responsible Accounting Officer, in accordance with the Part 2 Clause 7 of the Local Government (Financial Management) Regulation 1999 is required to certify whether the Council's financial position is satisfactory having regard to the original estimates of income and expenditure.

#### **Financial Impact**

Council's available Working Capital is projected to increase by \$0.125 million to \$4.02 million as at 30 June 2012.

Council's Operating Result before depreciation is projected to decrease by \$0.43 million to \$37.84 million, which is mainly attributable to the decrease in Financial Assistance Grants, which were paid in advance in June 2011.

Council's Capital Works Program is projected to increase by \$1.42 million as a result of new grant funding projects and the carryover of projects from the 2010/2011 financial year.

#### **Policy Implications**

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

#### **Other Options**

Council could decide not to approve some or all of the September 2012 Quarter Budget Revisions or to revote the funds to other projects. This would impact the projected Working Capital as at 30 June 2012, the Capital Works program for future years and Council's general operations.

#### **Conclusion**

The adoption of the recommended adjustments to Council's 2011/2012 budget as detailed within this report will result in a projected Available Working Capital as at 30 June 2012 of \$4.02 million.

While this is a sound position, the City of Ryde has an accumulated outstanding liability of \$85 million, in bringing its infrastructure up to a satisfactory standard. In the formulation of the 2011/2015 Delivery Plan, Council constrained its operating expenditure whilst seeking to increase its revenue base in maximising the funds available to allocate to the asset renewal of the City's existing infrastructure. However, despite these actions, Council has a continuing challenge to increase its revenue from sources other than rates and to address the outstanding liability of \$85 million, in bringing its infrastructure up to a satisfactory standard.



**ITEM 4 (continued)**

**ATTACHMENT 1**

**Certificate**

In accordance with the Local Government (Financial Management) Regulation 1999, Part 2, Clause 7, I report that the financial position of the Council was satisfactory as at 30 September 2011, having regard to the original estimates of income and expenditure. Variations in total income, operating and capital expenditure as at 30 September 2011 are of a quantum and nature that overall end of year financial targets will be achieved.



John Todd  
Chief Financial Officer  
Responsible Accounting Officer

2 November 2011



## **5 INVESTMENT REPORT - October 2011**

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**Report prepared by:** Chief Financial Officer

**Report dated:** 3/11/2011

**File No.:** GRP/09/3/2/7 - BP11/796

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### **Report Summary**

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

Council's financial year to date return is 5.95%, 0.94% above benchmark. Income from interest on investments and proceeds from sale of investments totals \$1.46M, which is \$464K above budget projections.

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

Council continues to invest in term deposits to take advantage of the Federal Government's guarantee. The guarantee was recently varied to lower the cap to \$250K as of 1 February 2012. However, as reported previously to Council, investments have been made in senior debt 'Floating Rate Notes with the four (4) major Australian Banks for up to 5 years. This will provide Council with a more balanced portfolio in respect of maturity terms and to ensure Council's long term investment returns are above benchmarks.

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

### **RECOMMENDATION:**

That the report of the Chief Financial Officer, dated 3 November 2011 on INVESTMENT REPORT – October 2011, be endorsed.

### **ATTACHMENTS**

There are no attachments to this report

Report Prepared By:

**John Todd**  
**Chief Financial Officer**

Report Approved By:

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

## ITEM 5 (continued)

### Report

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

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

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

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

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

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

- Council's remaining CDOs (Alpha and Oasis) are still performing and paying interest as it becomes due. These amounts are transferred to the Financial Security Reserve as and when they are received.
- Recent information through newspaper articles on 25 October 2011 has indicated that PMI, a subordinate of the Oasis CDO, may cause a default on the Oasis CDO which would see a loss of principal of over 30%, Council is yet to receive formal notification of this matter. This CDO has been fully written down by Council and if this default does take place it is anticipated that there would only be one more default before there is a complete loss of principal.

A default event by PMI would also cause a full loss of capital on Scarborough and a partial capital loss on Torquay, both of which are part of the Grange/Lehman IMP. Both these CDOs apart of the Grange/Lehman IMP and have been fully written down.

## ITEM 5 (continued)

### Investment Performance Commentary

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

	<b>Oct 2011</b>	<b>12 Mth</b>	<b>Fin YTD</b>
<b>Council Return</b>	5.88	5.87	5.95
<b>Benchmark</b>	5.06	5.02	5.01
<b>Variance</b>	0.82	0.85	0.94

Council's year to date return has outperformed the benchmark and at 5.95% is 0.94% above benchmark.

Council's investment portfolio as at the end of October was as follows:

Cash/Term Deposits	\$56.7M	63.9%
Floating Rate Notes	\$15.9M	18.0%
Other Financial Products	\$1.0M	1.1%
Total Cash Investments	\$73.6M	
Property	\$15.1M	17.0%
Total Investment Portfolio	\$88.7M	

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

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

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

### Financial Security Reserve (FSR)

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

## ITEM 5 (continued)

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

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

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

### Economic Commentary

In the US, non-farm payrolls were better than expected with the unemployment rate sitting at 9.1% however the underutilisation rate rose again and now sits at 16.5%. Whilst headline growth was higher the US economy is still under extreme pressure. President Obama described the weakening economy as “an emergency”, and proposed spending \$447B to reduce joblessness. Given the divided nature of both Congress and the Senate on the issue, it's hard to see this being passed.

Fitch downgraded its credit ratings on both Italy and Spain, and changed its outlook on both countries to negative. Bondholders of Greek debt were convinced to take a “voluntary” loss of 50%, which somewhat relieves the debt burden on Greece to a still growth-retarding 120% of GDP. Further plans to bail out Greece were seemingly settled, then changed by the Greek Prime Minister, demanding a referendum on the matter (and a subsequent exit from the Euro) to be held within the next few months. However, this plan has since been cancelled.

Locally, the RBA cut interest rates in their November meeting, the first movement in a year, citing a moderation in the pace of global economic growth, concerns about the European situation and the slowing of the Chinese economy. An increasing number of economic pundits are predicting a hard landing for the Chinese economy, which is a worry at this point with the non-mining sectors of the domestic economy so weak. Fortunately, the RBA has the luxury that so many other central banks around the world do not have, which is the ability to use conventional monetary policy (raising and lowering the cash rate) to stimulate growth.

### Legal Issues

As previously reported to Council, the LGFS Rembrandt CDO Investment and the Grange (Lehman Brothers) IMP Investment are currently before the Courts. The following update is provided in respect of Council's legal action in these matters due to recent developments. The details are as follows:-

#### Lehman / Grange IMP

As Council is aware, legal action in respect of this matter have been on going for some time with the matter to be determined by the Federal Court in the near future. The following points in respect of these actions are highlighted:-

## **ITEM 5 (continued)**

- Two CDOs investments as part of the IMP ie the Global Bank Note and the Merimbula, as previously reported to Council have been secured by the Trustee. The UK High Court has ruled that these funds should be returned to noteholders, however, this has not taken effect due to Lehman Brothers (US) taking legal actions to claim these funds. Recently, in legal action before the US courts, Council as part of the group of Councils taking this action and on the recommendation from Piper Alderman endorsed voting against the agreement of settlement proposed by Lehman Brothers. The reason for this action was that Lehman Brothers had included the two CDO investments as detailed above. It should be noted that if the agreement as proposed by Lehman Brothers is successful then Council will be classified as a “convenience claim” which will result in a minimal return.
- Also, Justice Rares who is determining the legal matter in the Federal Court on the application from the liquidator of Lehman Australia, has determined that pending the outcome of this matter, he will make a separate determination on how funds will be distributed.
- On a recent request from IMF, Council's funder in this legal action, the City of Ryde has confirmed that it supports the collective action to ensure the maximum collective return for group members, in this matter.

### **LGFS – Rembrandt**

Council is advised that hearings are progressing in the Federal Court in determining this matter. Both the Group Manager Corporate Services and Council's previous Chief Financial Officer, have provided evidence in these proceedings.

As developments occur in these matters, further updates will be reported to Council.

### **Council's Property Investment Portfolio**

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

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

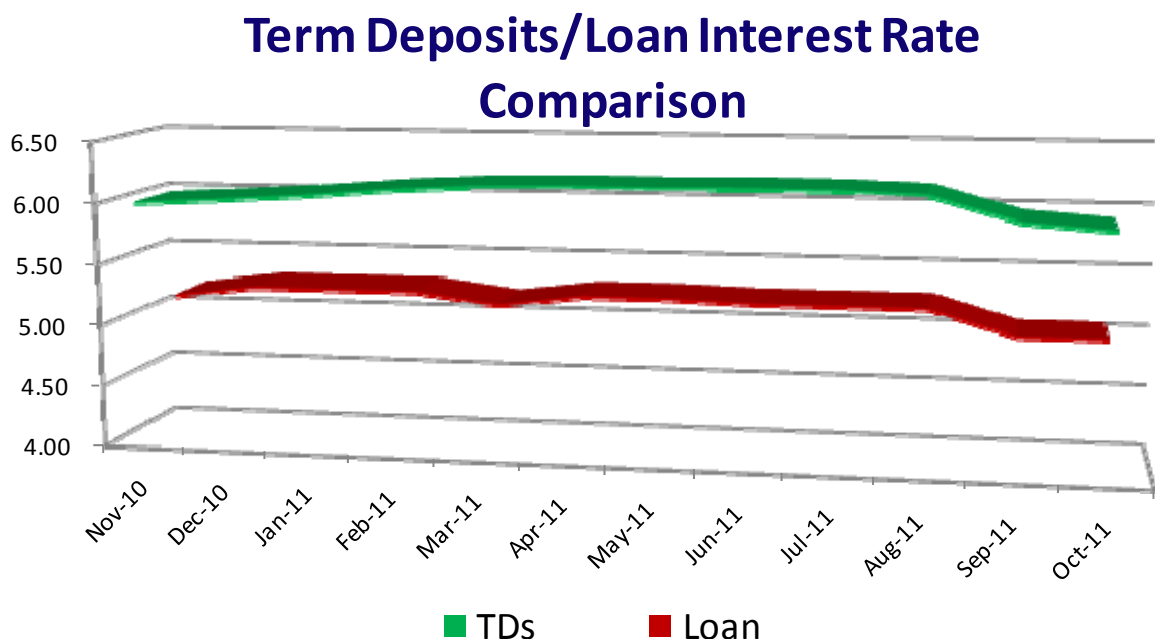
The properties within this portfolio are to be reviewed as part of the updating of the Asset Management Plans to ensure that Council clearly identifies those properties that are held as an investment, which may also include commercial properties and other operational assets that may be earmarked for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

## ITEM 5 (continued)

### Loan Liability

Council's loan liability as at 31 October 2011 was \$4.2 million which represents the balance of one (1) loan taken out in 2004 for the Civic Centre Redevelopment and refinancing the West Ryde Tunnel. This loan was for 15 years and was negotiated at a very attractive rate for Council at 90 Day BBSW + 20 basis points and is reset every quarter.

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



#### Comparative Financial Data

##### Council Loan Current interest rate

Current interest rate 5.00%

##### Term Deposit

Current average interest rate 5.96%

##### Debt Service Ratio

Category 3 Councils	2008/09	3.03%
City of Ryde	2009/10	0.80%

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



## ITEM 5 (continued)

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

### Types of Investments:

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

A **Floating Rate Note (FRN)** is a debt security issued by a financial institution with a variable interest rate. This can either be issued as Certificates of Deposit (CD) or as Medium Term Notes (MTN). The interest rate can be either fixed or floating, where the adjustments to the interest rate are usually made quarterly and are tied to a certain money market index such as the Bank Bill Swap Rate.

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

### Credit Rating Information

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

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

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

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

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

**ITEM 5 (continued)**

Issuer	Investment Name	Investment Rating	Invested at 31-Oct-11 \$000's	Annualised Period Return (%)	12 Month Average Return on Current Investments	Return since 01 July 2011	% of Total Invested	Indicative Market Value ** \$000's	% Market Value
Alpha Financial Products	1. Alpha	B-	0	0.96	0.97	0.97	0.00	0	0.00%
Helix Capital	2. OASIS	CC	0	6.68	6.84	6.81	0.00	0	0.00%
Westpac	3. Focus	AA	500	0.00	0.00	0.00	0.68	482	96.32%
Westpac	4. Camelotfund	AA	500	0.00	0.00	0.00	0.68	496	99.19%
Grange	5. Grange IMP	Unrated	0	0.00	12.95	10.00	0.00	0	100.00%
Westpac	6. Westpac At Call	AA	4,748	4.69	4.92	4.85	6.45	4,748	100.00%
CBA	7. CBA TCD 5 Yr (Floating)	AAA	1,000	6.08	6.22	6.23	1.36	1,023	102.29%
Bank of Queensland	8. Bank of Queensland TD	AAA	1,000	6.41	6.48	6.41	1.36	1,000	100.00%
Bankwest	9. Bankwest Term Deposit	AA	1,000	6.13	6.10	6.12	1.36	1,000	100.00%
ANZ	10. ANZ Term Deposit	AAA	1,000	5.91	5.62	5.91	1.36	1,000	100.00%
ANZ	11. ANZ Term Deposit	AAA	1,000	5.88	5.88	5.88	1.36	1,000	100.00%
ANZ	12. ANZ Term Deposit	AAA	1,000	5.98	5.86	5.98	1.36	1,000	100.00%
NAB	13. NAB Term Deposit	AA	1,000	6.60	6.60	6.60	1.36	1,000	100.00%
MyState CU	14. MyState CU TD	AAA	1,000	5.75	6.12	6.13	1.36	1,000	100.00%
Police & Nurses Credit Union	15. Police & Nurses Credit Union	AAA	1,000	5.63	6.12	6.08	1.36	1,000	100.00%
Bankwest	16. Bankwest Term Deposit	AA	1,000	5.94	6.04	6.04	1.36	1,000	100.00%
Bankwest	17. Bankwest TD	AA	1,000	6.09	6.08	6.09	1.36	1,000	100.00%
Bankwest	18. Bankwest Term Deposit	AA	1,000	6.19	6.13	6.19	1.36	1,000	100.00%
NAB	19. NAB Term Deposit	AA	1,000	5.99	6.18	6.06	1.36	1,000	100.00%
DefCredit	20. Defence Credit Union TD	AAA	500	6.09	6.09	6.27	0.68	500	100.00%
Railways CU	21. Railways CU	AAA	1,000	6.30	6.15	6.30	1.36	1,000	100.00%
Community CPS	22. Community CPS TD	AAA	1,000	5.82	6.04	5.76	1.36	1,000	100.00%
Bendigo and Adelaide Bank CUA	23. Bendigo Bank TD	AAA	1,000	5.76	6.04	5.95	1.36	1,000	100.00%
	24. Credit Union Australia TD	AAA	1,000	6.28	6.28	6.28	1.36	1,000	100.00%
Peoples Choice CU	25. Peoples Choice CU	AAA	1,000	5.97	6.28	6.12	1.36	1,000	100.00%
Bank of Cyprus (Aust)	26. Bank of Cyprus (Aust) TD	AAA	1,000	6.17	6.96	6.65	1.36	1,000	100.00%
Australian Defence Credit Union	27. Australian Defence CU TD	AAA	1,000	6.36	6.29	6.36	1.36	1,000	100.00%
Banana Coast CU	28. Banana Coast CU TD	AAA	1,000	5.88	6.34	6.39	1.36	1,000	100.00%
Southern Cross CU	29. Southern Cross CU TD	AAA	1,000	6.24	6.32	6.24	1.36	1,000	100.00%
SGE CU	30. SGE Credit Union TD	AAA	1,000	5.70	6.01	5.96	1.36	1,000	100.00%
B&E Ltd	31. B & E Building Soc TD	AAA	1,000	5.81	6.14	6.03	1.36	1,000	100.00%
Victoria Teachers CU	32. Victoria Teachers CU	AAA	500	6.21	6.22	6.23	0.68	500	100.00%
Me Bank	33. ME Bank TD	AAA	1,000	5.98	6.23	6.19	1.36	1,000	100.00%
Bankwest	34. Bankwest Term Deposit	AA	1,000	7.00	6.75	7.00	1.36	1,000	100.00%
IMB	35. IMB TD	AAA	1,000	6.19	6.14	6.16	1.36	1,000	100.00%
Northern Beaches CU	36. Northern Beaches CU TD	AAA	500	6.45	6.50	6.50	0.68	500	100.00%
Queenslanders CU	37. Queenslanders CU TD	AAA	1,000	5.97	6.20	6.09	1.36	1,000	100.00%
Maitland Mutual	38. Maitland Mutual Bldg Soc TD	AAA	1,000	6.08	5.62	5.79	1.36	1,000	100.00%
AMP	39. AMP eASYSaver	AAA	994	5.68	5.82	5.72	1.35	994	100.00%
South West CU	40. South West CU TD	AAA	1,000	5.82	6.13	6.03	1.36	1,000	100.00%
Big Sky CU	41. Big Sky CU TD	AAA	1,000	5.87	6.08	6.07	1.36	1,000	100.00%
Gateway CU	42. Gateway CU TD	AAA	1,000	6.35	6.40	6.35	1.36	1,000	100.00%
Suncorp-Metway	43. Suncorp-Metway TD	AAA	1,000	5.80	6.19	6.01	1.36	1,000	100.00%
Newcastle Perm Bldg Soc	44. Newcastle Perm Bldg Soc	AAA	1,000	5.83	6.12	6.10	1.36	1,000	100.00%
QT Mutual Bank	45. QT Mutual Bank	AAA	1,000	5.86	6.30	5.86	1.36	1,000	100.00%
ING	46. ING TD	AAA	1,000	6.62	6.58	6.62	1.36	1,000	100.00%
Greater Bldg Soc	47. Greater Bldg Soc TD	AAA	1,000	6.07	6.25	6.19	1.36	1,000	100.00%
Police CU (SA)	48. Police CU - SA	AAA	1,000	5.96	6.29	6.26	1.36	1,000	100.00%
Bank of Queensland	49. BoQ TCD	BBB+	2,000	6.38	6.50	6.44	2.72	2,000	100.00%



## ITEM 5 (continued)

Issuer	Investment Name	Investment Rating	Invested at 31-Oct-11 \$000's	Annualised Period Return (%)	12 Month Average Return on Current Investments	Return since 01 July 2011	% of Total Invested	Indicative Market Value ** \$000's	% Market Value
Suncorp-Metway	50. Suncorp Metway FRN	A+	1,001	5.93	6.15	6.10	1.36	1,001	100.00%
Intech CU	51. Intech CU TD	AAA	1,000	5.72	5.95	5.80	1.36	1,000	100.00%
Laiki Bank (Aust)	52. Laiki Bank TD	AAA	1,000	6.07	6.24	6.19	1.36	1,000	100.00%
AMP	53. AMP TD	A	1,000	7.14	7.14	7.14	1.36	1,000	100.00%
Rabobank	54. Rabobank TD	AAA	1,000	5.99	6.38	6.26	1.36	1,000	100.00%
Bendigo and Adelaide Bank	55. Adelaide Bank	BBB+	1,000	6.42	6.52	6.52	1.36	989	98.90%
WaW CU	56. WAW CU Coop	AAA	1,000	5.98	6.17	6.12	1.36	1,000	100.00%
CBA	57. CBA TD	AAA	1,000	5.84	5.85	5.84	1.36	1,000	100.00%
HBS	58. Heritage Bldg Soc	AAA	1,000	5.82	6.27	6.22	1.36	1,000	100.00%
CBA	59. CBA TD	AAA	1,000	5.85	5.85	5.85	1.36	1,000	100.00%
Rabobank	60. Rabodirect At-call	AAA	973	5.22	5.60	5.56	1.32	973	100.00%
Me Bank	61. ME Bank At Call Account	BBB	973	5.75	5.75	5.75	1.32	973	100.00%
NAB	62. NAB FRN	AA	1,001	6.03	6.20	6.20	1.36	992	99.07%
NAB	63. NAB FRN	AA	997	6.15	6.26	6.26	1.35	988	99.07%
CBA	64. CBA FRN	AA	999	6.38	6.37	6.37	1.36	984	98.50%
Westpac	65. Westpac FRN	AA	996	6.44	6.44	6.44	1.35	985	98.95%
CBA	66. CBA FRN	AA	997	6.44	6.43	6.43	1.35	982	98.50%
CBA	67. CBA FRN	AA	998	6.04	6.10	6.10	1.36	993	99.50%
NAB	68. NAB FRN	AA	990	6.35	6.44	6.44	1.34	981	99.07%
Westpac	69. Westpac FRN	AA	997	6.09	6.08	6.08	1.35	991	99.43%
NAB	70. NAB FRN	AA	991	6.33	6.32	6.32	1.35	982	99.07%
CBA	71. CBA FRN	AA	991	6.61	6.60	6.60	1.35	976	98.50%
NAB	72. NAB Flexi Deposit	AA	1,000	6.14	6.14	6.14	1.36	1,000	100.00%
ING	73. ING TD	A+	1,000	6.15	6.15	6.15	1.36	1,000	100.00%
ANZ	74. ANZ FRN	AA	988	6.30	6.30	6.30	1.34	977	98.86%
Northern Beaches CU	75. Northern Beaches CU TD	AAA	500	6.30	6.30	6.30	0.68	500	100.00%
			<b>73,634</b>	<b>5.87</b>	<b>6.04</b>	<b>5.98</b>	<b>100</b>	<b>72,532</b>	

\*Monthly returns when annualised can appear to exaggerate performance

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

### Return including Matured/Traded Investments

#### Weighted Average Return

**5.88      5.87      5.95**

#### Benchmark Return: UBSA 1 Year Bank Bill Index (%)

**5.06      5.02      5.01**

#### Variance From Benchmark (%)

**0.82      0.85      0.94**

### Investment Income

**\$000's**

This Period

377

Financial Year To Date

1,468

Budget Profile

1,000

Variance from Budget - \$

**468**

### Certificate of the Chief Finance Officer

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

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



John Todd

Date: 03/11/2011

## ITEM 5 (continued)

### Council's Investment Powers

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

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

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

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

### Overview of Investments

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

1. **FRN Alpha (Originally AA now B-):** This is a CDO that pays 250 bps above 180 day BBSW. This investment was purchased on 11 April 2006. The investment is for 6 years and matures on 20 March 2012. The CDO containing 2 separate portfolios, a capital portfolio and an income portfolio. The 2 portfolios are managed to maintain ratings stability. The CDO was previously downgraded to A- on 25 September 2008 and has now been downgraded to BBB watch negative on 31 October 2008, downgraded to B+ on 5 February 2009, to CCC in August 2009, and subsequently to CCC- in March 2010, and subsequently to CCC in October 2010. This investment has now been regraded to B-. No fees are payable by Council on this investment. Council impaired this investment to a nominal value at its meeting of 25 May 2010 with such being funded from the Financial Security Reserve.
2. **OASIS (Originally AA now CC):** This is a CDO that pays 140 bps above 90 day BBSW. This investment was purchased on 4 September 2006. The investment is for 8 years and matures on 4 September 2014. This is a CDO that is actively managed by Société Générale. The CDO was downgraded to BBB- on 29 September 2008 with advice being received in early April 2009 that this

**ITEM 5 (continued)**

investment has been further downgraded to CCC-. No fees are payable by Council on this investment. Council impaired this investment to a nominal value at its meeting of 25 May 2010 with such being funded from the Financial Security Reserve.

3. **FOCUS Note (AAp):** This investment was purchased on 20 December 2006. This is a medium to long term investment (3-7 years) and matures on 20 December 2012. The capital of the investment is guaranteed by Westpac on maturity. This investment consists of a dynamically managed portfolio comprising investments in the BT Focus Australian Share Fund, and aims to outperform the S&P/ASX 300 Accumulation Index by 5% over a 3 to 5 year horizon. Westpac receive a principal protection fee of 0.90 p.a., an upfront structuring and distribution fee of 2.50%. BT Financial Group receives a management fee of 0.60% p.a., and a performance fee of 15%. The performance fee is only paid if the performance of the fund before fees exceeds the S&P/ASX Accumulation index plus the management fee. On 28 October 2008 advice was received that the recent volatility in the global financial markets had triggered the capital protection mechanism in this investment with 100% of the portfolio now invested in a zero coupon bond. Council will not receive any further coupon payments between now and the December 2012 maturity date but will receive the full face value of the investment at maturity.
4. **Camelotfund (AAp):** This investment was purchased on 1 March 2007. The investment is for 5 years and matures 25 January 2012. This investment is in a fund that provides opportunity to diversify into a foreign exchange strategy with low correlation to other products and asset classes. Short term (i.e. monthly) returns on this note will be volatile. The SPV set up by Westpac receives a distribution fee of 2% of the note value, and the manager receives a management fee of 1% p.a., and a performance fee of 15% above 6M BBSW. Westpac receives a capital protection fee of 1% p.a. times NAV. This investment is capital protected by Westpac.
5. **Grange (Lehman Brothers) IMP:** This is a portfolio of FRNs, CDOs and Bank issued securities managed by Grange Securities on Council's behalf. Lehman Brothers have cancelled the management agreement, and this portfolio is currently static. The IMP comprises the following investments:

<i>Investment</i>	<i>Maturing</i>
Torquay CDO *	20/06/2013
Merimbula CDO	20/06/2013
Scarborough CDO *	23/06/2014
AAA (Berryl) Global Bank Note CDO	20/09/2014
HSBC FRN *	22/09/2016

\* If not called an additional margin paid

6. **Westpac at Call Account (AA):** This investment is an at call account, paying the short term money market rate. These funds are used for operational purposes.

**ITEM 5 (continued)**

- 7. CBA TCD 5 Yr (Floating) (AAA):** This is a floating rate note issued at a margin of 120 points above 90 day BBSW, maturing 17 December 2013. Council took up the optional government guarantee on this investment at a fee of 70 basis points.
- 8. Bank of Queensland Term Deposit (AAA):** This investment is a 181 day term deposit paying 6.25% (6.41% annualised) and matures on 24 February 2012.
- 9. Bankwest Term Deposit (AA):** This investment is a 97 day term deposit, paying 6.00% (6.13% annualised), and matures on 5 Jan 2012.
- 10. ANZ Term Deposit (AA):** This investment is a 90 day term deposit, paying 5.78% (5.91% annualised), and matures on 6 Dec 2011.
- 11. ANZ Term Deposit (AA):** This investment is a 90 day term deposit, paying 5.75% (5.88% annualised), and matures on 1 Dec 2011.
- 12. ANZ Term Deposit (AA):** This investment is a 91 day term deposit, paying 5.85% (5.98 annualised), and matures on 12 Dec 2011.
- 13. NAB Term Deposit (AA):** This investment is a 3 year term deposit, paying 6.60% p.a., and matures 4 April 2014.
- 14. MyState Credit Union Term Deposit (AAA):** This investment is a 89 day term deposit, paying 5.85% (5.98% annualised) and matures on 31 January 2012.
- 15. Police & Nurses Credit Union (AAA):** This investment is a 153 day term deposit, paying 6.10% (6.21% annualised) and matures on 3 Oct 2011.
- 16. Bankwest Term Deposit (AA):** This investment is a 183 day term deposit paying 5.85% (5.94% annualised) and matures on 11 April 2012.
- 17. Bankwest Term Deposit (AA):** This investment is a 180 day term deposit paying 6.00% (6.09% annualised) and matures on 6 Mar 2012.
- 18. Bankwest Term Deposit (AA):** This investment is a 180 day term deposit paying 6.10% (6.19% annualised) and matures on 6 Dec 2011.
- 19. NAB Term Deposit (AA):** This investment is a 91 day term deposit paying 5.86% (5.99% annualised) and matures on 14 Nov 2011.
- 20. Defence Force CU Term Deposit (AA):** This investment is a 180 day term deposit paying 6.00% (6.09% annualised) and matures on 11 April 2012.
- 21. Railways CU (AAA):** This investment is a 182 day term deposit paying 6.20% (6.30% annualised) and matures on 5 December 2011.

**ITEM 5 (continued)**

- 22. Community CPS Term Deposit (AAA):** This investment is a 92 day term deposit paying 5.70% (5.82% annualised) and matures on 4 January 2012.
- 23. Bendigo Bank Term Deposit (AAA):** This investment is a 120 day term deposit paying 5.65% (5.76% annualised) and matures on 11 January 2012.
- 24. Credit Union Australia Term Deposit (AAA):** This investment is a 179 day term deposit paying 6.18% (6.28% annualised) and matures on 23 January 2011.
- 25. Peoples Choice Credit Union Term Deposit (AAA):** This investment is a 120 day term deposit paying 5.85% (5.97% annualised) and matures on 25 January 2012.
- 26. Bank of Cyprus (Aust) Term Deposit (AAA):** This investment is a 95 day term deposit paying 6.00% (6.17% annualised) and matures on 3 January 2012.
- 27. Australian Defence Force CU Term Deposit (AAA):** This investment is a 182 day term deposit paying 6.26% (6.36% annualised) and matures on 5 Dec 2011.
- 28. Bananacoast CU Term Deposit (AAA):** This investment is a 91 day term deposit paying 5.75% (5.88% annualised) and matures on 30 January 2012.
- 29. Southern Cross CU Term Deposit (AAA):** This investment is a 183 day term deposit paying 6.15% (6.24% annualised) and matures on 14 December 2011.
- 30. SGE Credit Union Term Deposit (AAA):** This investment is a 90 day term deposit paying 5.58% (5.70% annualised) and matures on 16 January 2012.
- 31. B & E Ltd Building Society Term Deposit (AAA):** This investment is a 120 day term deposit paying 5.70% (5.81% annualised) and matures on 11 January 2012.
- 32. Victoria Teachers CU Term Deposit (AAA):** This investment is a 150 day term deposit paying 6.10% (6.21% annualised) and matures on 16 February 2012.
- 33. Members Equity Bank Term Deposit (AAA):** This investment is a 91 day term deposit paying 5.85% (5.98% annualised) and matures on 30 Jan 2012.
- 34. Bankwest TD (AA):** This investment is a 4 year term deposit paying 7.00% (7.00% annualised) and matures on 13 February 2015.
- 35. IMB Building Society Term Deposit (AAA):** This investment is a 182 day term deposit paying 6.10% (6.19% annualised) and matures on 31 January 2012.
- 36. Northern Beaches Credit Union Term Deposit (AAA):** This investment is a 177 day term deposit paying 6.30% (6.45% annualised) and matures on 10 January 2012.

**ITEM 5 (continued)**

- 37. Queenslanders Credit Union Term Deposit (AAA):** This investment is a 152 day term deposit paying 5.85% (5.97% annualised) and matures on 25 January 2012.
- 38. Maitland Mutual Building Society (AAA):** This investment is a 92 day term deposit paying 5.95% (6.08% annualised) and matures on 4 January 2012.
- 39. AMP eASYsaver at call account (AAA):** This investment is an at-call account earning 5.60%. No fees are payable by Council on this investment.
- 40. South West Credit Union Term Deposit (AAA):** This investment is a 122 day term deposit paying 5.71% (5.82% annualised) and matures on 20 January 2012.
- 41. Big Sky Credit Union Term Deposit (AAA):** This investment is a 92 day term deposit paying 5.75% (5.87% annualised) and matures on 4 January 2011.
- 42. Gateway Credit Union Term Deposit (AAA):** This investment is a 182 day term deposit paying 6.25% (6.35% annualised) and matures on 16 December 2011.
- 43. Suncorp-Metway Term Deposit (AAA):** This investment is a 150 day term deposit paying 5.70% (5.80% annualised) and matures on 23 February 2012.
- 44. Newcastle Permanent Building Society (AAA):** This investment is a 91 day term deposit paying 5.71% (5.83% annualised) and matures on 30 January 2012.
- 45. Queensland Teachers Credit Union (AAA):** This investment is a 120 day term deposit paying 5.75% (5.86% annualised) and matures on 17 January 2012.
- 46. ING Term Deposit (AAA):** This investment is a 2 year term deposit paying 6.84% (6.62% annualised) and matures on 18 Feb 2013.
- 47. Greater Building Society (AAA):** This investment is a 120 day term deposit paying 5.95% (6.07% annualised) and matures on 10 January 2012.
- 48. Police Credit Union – SA Term Deposit (AAA):** This investment is a 61 day term deposit paying 5.82% (5.96% annualised) and matures on 12 December 2011.
- 49. Bank of Queensland FRNBB+):** This is a certificate of deposit issued at a margin of 140 points above 90 day BBSW, maturing 11 November 2013.
- 50. Suncorp Metway FRN (A+):** This is a floating rate note purchased at a margin of 106 points above 90 day BBSW, maturing 18 June 2013.
- 51. Intech CU Term Deposit (AAA):** This investment is a 90 day term deposit paying 5.60% (5.72% annualised) and matures on 10 January 2012.



**ITEM 5 (continued)**

- 52. Laiki Bank Term Deposit (Aust) (AAA):** This investment is a 120 day term deposit paying 5.95% (6.07% annualised) and matures on 17 January 2012.
- 53. AMP Term Deposit (A):** This investment is a 4 year term deposit paying 7.14% (7.14% annualised) and matures on 16 February 2015.
- 54. Rabobank Term Deposit (AAA):** This investment is a 180 day term deposit paying 5.90% (5.99% annualised) and matures on 5 March 2012.
- 55. Adelaide Bank FRN (BBB+):** This is a floating rate note issued at a margin of 140 points above 90 day BBSW, maturing 17 March 2014.
- 56. WAW CU Coop Term Deposit (AAA):** This investment is a 95 day term deposit paying 5.85% (5.98% annualised), and matures on 3 January 2012.
- 57. CBA Term Deposit (AA):** This investment is a 60 day term deposit paying 5.71% (5.85% annualised) and matures on 1 November 2011.
- 58. Heritage Building Society Term Deposit (AAA):** This investment is a 91 day term deposit paying 5.70% (5.82% annualised), and matures on 9 January 2012.
- 59. CBA Term Deposit (AA):** This investment is a 60 day term deposit paying 5.70% (5.84% annualised) and matures on 4 November 2011.
- 60. Rabodirect At-Call (AAA):** This investment is an at call account, paying the short term money market rate. These funds are used for operational purposes.
- 61. Members Equity Bank At-Call Account (BBB):** This investment is an at call account, paying the short term money market rate. These funds are used for operational purposes.
- 62. National Australia Bank Floating Rate Note (AA):** This investment is a senior, unsecured floating rate note paying 115 above BBSW. This investment matures 21 June 2016.
- 63. National Australia Bank Floating Rate Note (AA):** This investment is a senior, unsecured floating rate note paying 125 above BBSW. This investment matures 21 June 2016.
- 64. CBA FRN (AA):** This investment is a senior, unsecured floating rate note purchased at a yield of 120 above BBSW. This investment matures 2 Aug 2016.
- 65. Westpac Floating Rate Note (AA):** This investment is a senior, unsecured floating rate note purchased at a yield of 123 above BBSW. This investment matures 9 May 2016.
- 66. CBA FRN (AA):** This investment is a senior, unsecured floating rate note purchased at a yield of 125 above BBSW. This investment matures 2 Aug 2016.

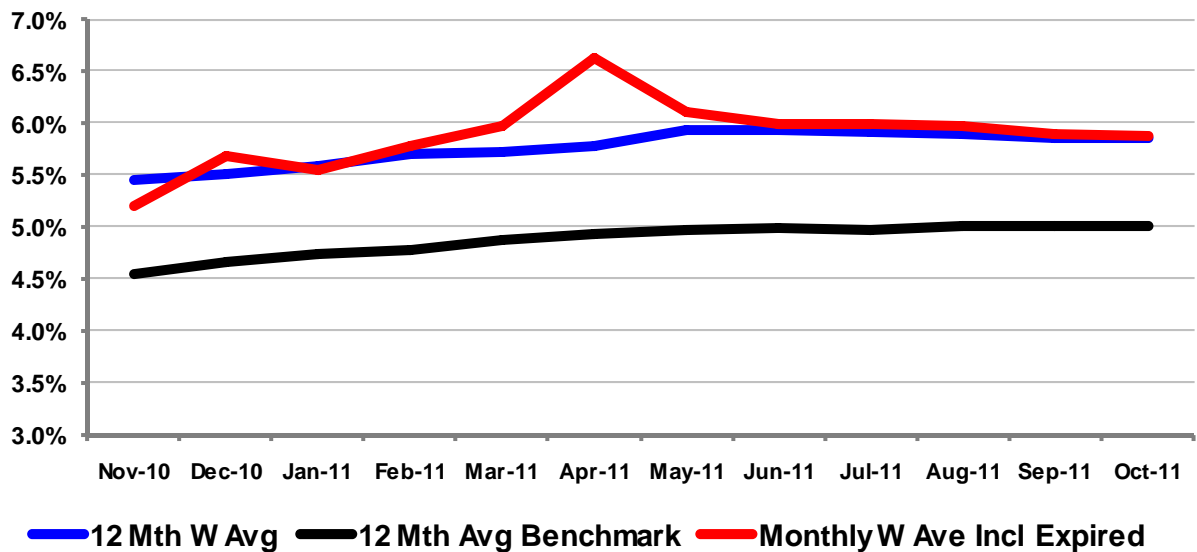
**ITEM 5 (continued)**

- 67. CBA FRN (AA):** This investment is a senior, unsecured floating rate note purchased at a yield of 110 above BBSW. This investment matures 21 July 2015.
- 68. National Australia Bank Floating Rate Note (AA):** This investment is a senior, unsecured floating rate note purchased at a yield of 142 above BBSW. This investment matures 21 June 2016.
- 69. Westpac Floating Rate Note (AA):** This investment is a senior, unsecured floating rate note purchased at a yield of 117 above BBSW. This investment matures 9 November 2015.
- 70. National Australia Bank Floating Rate Note (AA):** This investment is a senior, unsecured floating rate note purchased at a yield of 140 above BBSW. This investment matures 21 June 2016.
- 71. CBA FRN (AA):** This investment is a senior, unsecured floating rate note purchased at a yield of 140 above BBSW. This investment matures 2 Aug 2016.
- 72. NAB Flexi Deposit (AA):** This is a 1 year Term deposit, paying 6.00% for the first quarter, then paying 125bps above BBSW every quarter after that.
- 73. ING Term Deposit (A+):** This investment is a 122 day term deposit paying 6.03% (6.15% annualised), and matures on 30 January 2012.
- 74. ANZ FRN (AA):** This investment is a senior, unsecured floating rate note purchased at a yield of 142 above BBSW. This investment matures 9 May 2016.
- 75. Northern Beaches Credit Union Term Deposit (AAA):** This investment is a 180 day term deposit paying 6.20% (6.30% annualised) and matures on 9 April 2012.

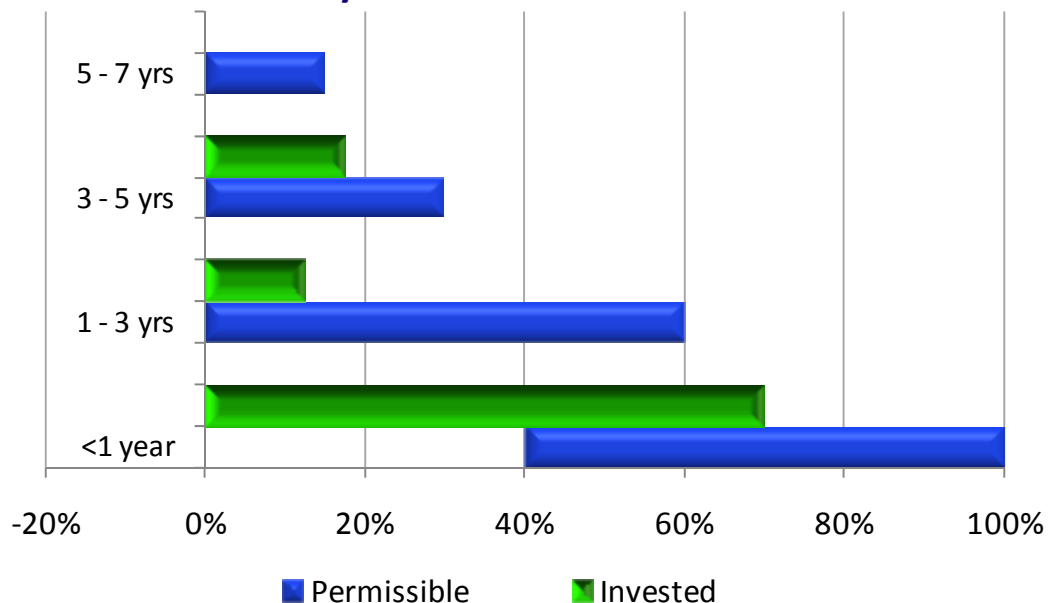


**ITEM 5 (continued)**

**Performance - All Investments**

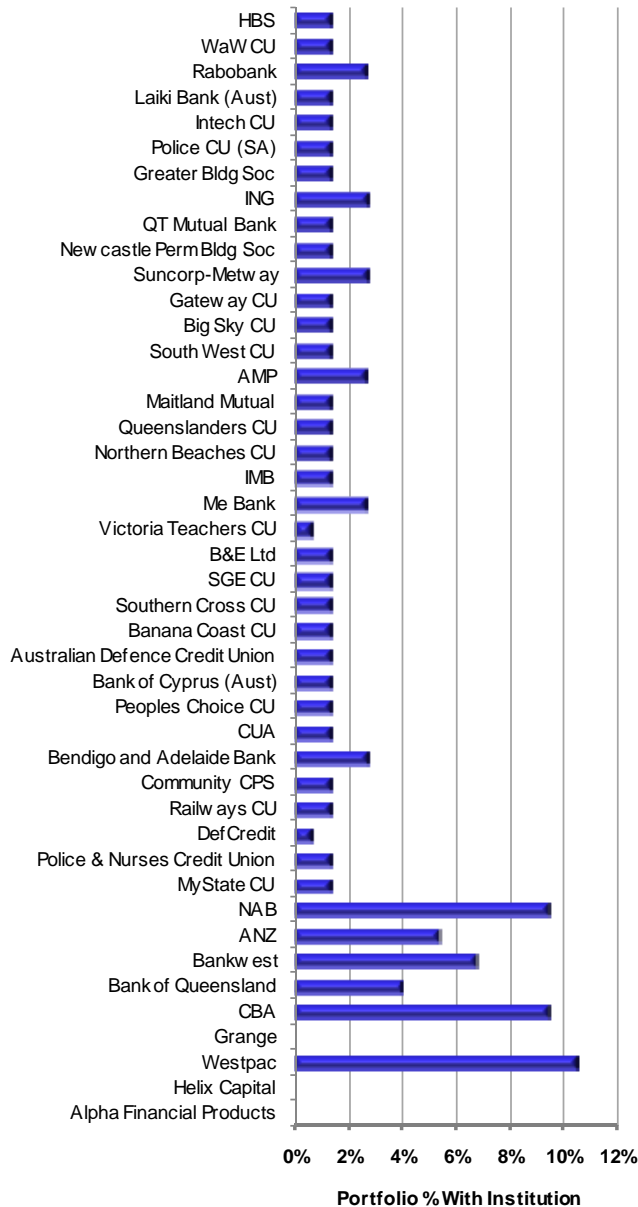


**Policy Limits on Maturities**

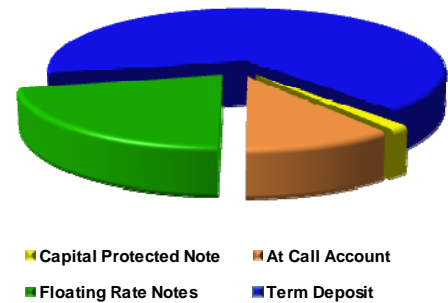


## ITEM 5 (continued)

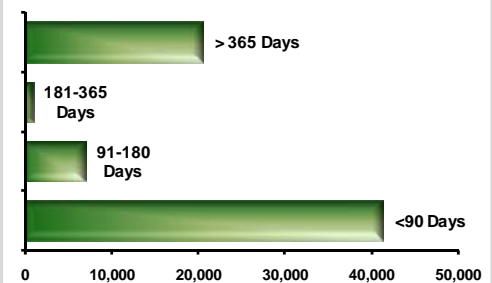
### Active Investment by Institution



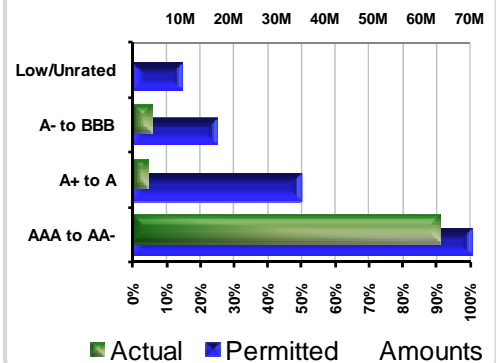
### Summary by Investment Type



### Summary by Duration



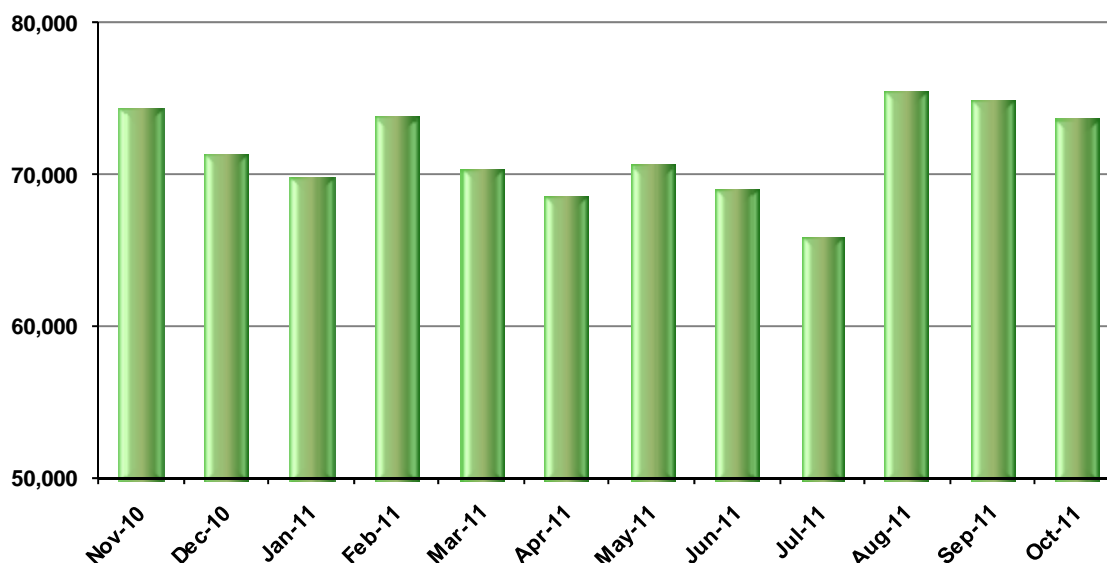
### Investment Summary by Rating



	>365 days	<365 days
Cash/TDs	\$7.0M	\$49.7M
Medium Term Notes	\$15.9M	\$0.0M
Mgd Funds	\$0.0M	\$0.0M
Other	\$0.5M	\$0.5M
CDO's	\$0.0M	\$0.0M
	<b>\$23.4M</b>	<b>\$50.2M</b>

**ITEM 5 (continued)**

## Total Funds Invested



### Consultation

Council business units consulted included:-

- Finance Unit.

Internal Workshops held:-

- Nil.

External public consultation included:-

- Nil.

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

### Critical Dates

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

### Financial Impact

Income from interest on investments and proceeds from sales of investments totals \$1.46M, being \$464K above budget projections as per the Delivery and Operational Plan.

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

## **ITEM 5 (continued)**

### **Policy Implications**

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

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

### **Other Options**

Not applicable.

### **Conclusion**

Council's year to date return to October 2011 is 5.95%, which is 0.94% above the benchmark.

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

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

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

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## **6 RESULTS OF COMMUNITY CONSULTATION REGARDING PARKING DEVELOPMENT CONTROL PLAN (DCP)**

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**Report prepared by:** Team Leader - Strategic Planning

**Report dated:** 31/10/2011

**File No.:** GRP/11/6/3/3 - BP11/761

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### **Report Summary**

On 19 July Council resolved to prepare and exhibit Draft Development Control Plan Part 9.3 – Parking (Draft Parking DCP).

The Draft Parking DCP includes revised parking controls that aim to enhance clarity, certainty and ease-of-use for developers and staff and was exhibited from 14 September to 14 October 2011 in accordance with Council's resolutions and the Environmental Planning and Assessment Act.

The issues raised in the three submissions received have resulted in recommendations to amend the exhibited Draft Parking DCP. An amended DCP and a summary of the submissions is **ATTACHED**.

This report recommends that Ryde Development Control Plan Part 9.3 - Parking as amended in response to issues raised in submissions is adopted by Council and brought into effect within 28 days in accordance with the provisions of the Environmental Planning and Assessment Act.

### **RECOMMENDATION:**

That Council adopt the Ryde Development Control Plan Part 9.3 Parking as amended in accordance with submissions received during the public exhibition and an advertisement be placed in the local press to bring the plan into effect.

### **ATTACHMENTS**

- 1** Ryde Development Control Plan - Part 9.3 Parking
- 2** Summary of Submissions to Draft Ryde Development Control Plan - Part 9.3 Parking

Report Prepared By:

**Lexie Macdonald**  
**Team Leader - Strategic Planning**

Report Approved By:

**Meryl Bishop**  
**Manager - Urban Planning**

**Dominic Johnson**  
**Group Manager - Environment & Planning**

## ITEM 6 (continued)

### Background

The following is an excerpt of the report to Council on 19 July 2011.

*The existing City of Ryde Parking DCP was brought into effect in January 2003. It now forms Part 9.3 Parking Controls of Ryde DCP 2010.*

*DCP Part 9.3 Car Parking Controls contains Council's required parking rates, guidelines on loading facilities, and some general controls. It requires some revision to address:*

- *Inconsistencies within Ryde DCP: Sections of Ryde DCP were prepared independently over many years and there are now inconsistencies in the parking controls between different parts of the DCP. For example parts of the DCP dealing with some urban centres... (and) ... some development typologies ... specify a different parking rate from Part 9.3 Car Parking Controls.*
- *Inconsistencies between the RTA parking rates and DCP Part 9.3 Parking Controls: The RTA has different parking requirements for some development types ... Closer alignment between the RTA and Council parking rates will therefore assist Council's Traffic Committee, development professionals and others prepare and assess development applications.*
- *Inconsistencies between Ryde LEP definitions and terms used in DCP Part 9.3 Parking Controls: ... The floor area and land use definitions in the DCP are standardised and brought into alignment with Draft LEP 2011.*
- *Local Study: adopted by Council in December 2010, recommends review of DCP Part 9.3 to establish a consistent set of off-street parking rates in centres and to update bicycle and parking provision.*
- *The local context: The DCP requires some revision to allow council the flexibility to permit additional or less parking to reflect local conditions. The DCP will provide guidelines for departures from the required parking rate.*

*In considering revisions to the parking controls the following were also taken into account:*

- *Relationship of Ryde Parking DCP to the Ryde s94 Development Contributions Plan  
Ryde's existing parking DCP provides for development contributions in lieu of required parking where parking cannot be provided on site or where Council considers that parking would be better provided in a consolidated form ... Some revision of the DCP control is proposed to enhance its practicability and flexibility to allow; for example:*
  - *Development in proximity to public transport to provide s94 contributions in lieu of parking.*
  - *Constrained and restricted sites to provide s94 in lieu of parking.*

## ITEM 6 (continued)

*Council's current s94 Development Contributions Plan sets specific rates for contributions in lieu of parking to be applied to all retail and commercial development in the following centres:*

- *Eastwood*
- *West Ryde*
- *Ryde*
- *Gladesville*
- *Putney*

*The s94 Plan indicates that the funds currently collected for parking are to be spent on transport and accessibility activities such as ... traffic signal modifications and the footpath paving program. The funds have been allocated to these activities ... to address the traffic generated by new development in a way that does not reinforce dependence on private vehicles for trips. The draft DCP permits s94 contributions in lieu of parking in all centres.*

- *Approaches to setting parking rates*  
*Ryde Council has historically interpreted its DCP parking requirement as a minimum and where possible required neither more nor less parking. This inflexibility has been raised by applicants ...*

### *Council resolution 28 June 2011*

*Council resolved that ... where bicycle parking is required, consideration be given to the following:*

- (a) ... requiring the bicycle parking area to be highly visible and easily accessible, preferably at ground level adjacent to a pedestrian access and under cover;*
- (b) for workplace locations ... requiring that bicycle parking be secure;*
- (c) for any premises, ... bicycle access be separate to vehicle access*
- (d) for any premises fronting a main road or busy road ... provide safe rideable approach to the bicycle parking area.*

The revised draft DCP (taking into account the above matters) was presented to Council on 19 July and Council resolved;

- (a) That Draft Development Control Plan 2011 Part 9.3 Parking Controls be prepared to address the issues raised in this report including the correct parking rates for boarding houses consistent with the Affordable Housing SEPP.*
- (b) That Draft Development Control Plan 2011 Part 9.3 Parking Controls be placed on public exhibition for a period of 28 days in accordance with the Environmental Planning and Assessment Act.*
- (c) That a further report regarding community comments be provided to Council as soon as practicable after completion of the public exhibition.*

## ITEM 6 (continued)

The amendment to parking rates for Boarding Houses was made in accordance with the resolution prior to the Draft DCP being placed on public exhibition.

### Report

The Draft Parking DCP was placed on public exhibition from 14 September until 14 October 2011 for a period of 31 days - exceeding the requirements of the NSW *Environmental Planning and Assessment Act*.

The Draft DCP was made available at:

- Council's website.
- City of Ryde Customer Service Centre at 1 Devlin Street, Ryde, 8.30 – 4.30 Monday to Friday.
- Ryde Planning and Business Centre at Top Ryde City Shopping Centre, 9.00am – 5.00pm Monday to Friday.
- West Ryde Library during library hours.

### Consultation

Internal Council business units consulted included:-

- Traffic and Governance
- Asset Systems
- Assessment

The above-mentioned consultation with council business units occurred in workshop environments.

City of Ryde Advisory Committees consultation.

- Not Applicable

### Comments

One submission was received from the public. Two submissions were received from Council staff.

All submissions took the opportunity to make detailed comment on technical and interpretation matters. These submissions are outlined in the Table **ATTACHED** and have resulted in the following amendments to the DCP that was exhibited:

- Introduce controls to guide provision of stacked parking.
- Introduce controls that permit Council to consider the various land use components in a mixed use development when assessing proposed parking.
- Amend the controls to provide more guidance on bicycle parking in mixed-use development.
- Introduce a floor space requirement of 600m<sup>2</sup> GFA for developments and the provision of end of trip facilities.



## ITEM 6 (continued)

- Require Traffic and Parking Study in relation to new schools or additional floor space.
- Amend the controls to define “centres” in accordance with Draft Ryde LEP 2011 centres map and small centres map.
- Amend the controls to indicate that developers who wish to take advantage of providing s94 contributions in lieu of parking must provide information together with the DA that demonstrates delivery of the objectives of the DCP.
- Amend the controls so that it applies to all change-of-use DAs (not just those with additional floor space or generating additional parking).
- Amend the controls so that secure bicycle parking is not required in single dwellings.
- Add more descriptors to land uses in section 2.1 of the DCP and re-order the non-residential land uses alphabetically.
- Minor amendments that do not affect intent but improve clarity will be included in the DCP. This includes relocating bicycle controls within DCP, adding GFA after any reference to m<sup>2</sup> and replacing “major” with the word “large” as this is already defined in the DCP.

The bicycle parking provisions have been amended to require that in every new building (except dwelling houses and multi unit housing) where the floor area exceeds 600m<sup>2</sup> GFA - bicycle parking is to be provided equivalent to 10% of the required car spaces or part thereof. For example is a new office premise of 1000 m<sup>2</sup> a total three (3) bicycle parking spaces would be required to be provided.

The DCP presented to Council for adoption and **ATTACHED** to this report includes the abovementioned changes.

### Critical Dates

There are no critical dates or deadlines to be met.

### Financial Impact

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

### Policy Implications

The proposed Parking DCP is consistent with Council’s policies and is aimed at introducing consistency, clarity and some flexibility to the design and assessment of parking.

## **ITEM 6 (continued)**

### **Other Options**

The options available to Council are:

1. Do not proceed with this review and amendment to the existing Car Parking DCP.
2. Adopt the amending Parking DCP as exhibited.
3. Adopt the DCP ATTACHED to this report.

Option 1 is not preferred as the purpose of the DCP review is to remove inconsistencies within Ryde DCP and bring the parking rates into line with RTA rates as far as practicable. There is no significant change to parking rates and residential rates are generally unchanged.

Option 3 is recommended in preference to Option 2 as the drafting of the DCP has greater clarity and gives more detailed guidance to parking provision. Bicycle parking requirements are introduced and some flexibility is enabled to provide for Council discretion in response to local circumstances.

### **Conclusion**

Council adopted a revised Parking DCP for exhibition in July 2011. The plan was subsequently placed on exhibition for at least 28 days in accordance with the *Environmental Planning and Assessment Act*.

The purpose of the review of the Parking DCP is to eliminate inconsistencies within Ryde DCP, bring the plan into line with RTA parking rates and to introduce some flexibility for Council and developers to respond to local constraints.

Three submissions were received. All were supportive, but requested changes to the exhibited document to improve clarity and enhance its efficacy. The Parking DCP presented to Council for adoption incorporates a number of changes made in response to submissions.

**ITEM 6 (continued)**

**ATTACHMENT 1**

City of Ryde  
Development Control Plan 2011

Part 9.3  
Parking Controls

**ITEM 6 (continued)**

## ATTACHMENT 1

9.3	Part	Chapter
	Car Parking	

Translation				
ENGLISH				
If you do not understand this document please come in Ryde Civic Centre, 1 Devlin Street, Ryde Monday to Friday 8.30am to 4.30pm or telephone the Telephone and Interpreting Service on 131 450 and ask an interpreter to contact the City of Ryde for you on 0852 8222.				
ARABIC				
إذا لم تفهم هذا المستند، يرجى الحضور إلى مركز بلدية ريد، 1 شارع ديفلين، ريد، من الاثنين إلى الجمعة، من الساعة 8.30 صباحاً إلى الساعة 4.30 مساءً، أو الاتصال بالخدمة الهاتفية والتفسيرية على الرقم 131 450، أو يمكنك طلب مترجم فوري للتحدث معك على الهاتف، أو يمكنك الاتصال بالخدمة الهاتفية والتفسيرية على الرقم 0852 8222.				
ARMENIAN				
Եթե չեք հասկանում այս փաստաթուղթը, քննարկե՛ք Իդլ և Դևլին 1 հիմնական կենտրոնում, 1 Տեյվլին փողոց, Դիդ (Ryde Civic Centre, 1 Devlin Street, Ryde) Կիրակի 8.30-ից մինչև Կիրակի 4.30-ը, կամ հեռախոսե՛ք 131 450, կամ կարող եք խոսակցական ծախսերի կենտրոնի հետ կապվել 0852 8222 հեռահամարով:				
CHINESE				
如果你看不懂本文，請在周一至周五上午 8 時 30 分至下午 4 時 30 分前往 Ryde 市政中心詢問 (Ryde Civic Centre, 地址: 1 Devlin Street, Ryde)。你也可以打電話至電話傳譯服務中心，電話號碼是: 131 450。接通後你可以要求一位傳譯員為你打如下單查詢 Ryde 市政廳聯繫，電話是: 0852 8222。				
FARSI				
اگر این سند را نمی فهمید لطفاً از 8.30 صبح تا 4.30 بعد از ظهر در دفتر Ryde Civic Centre, 1 Devlin Street, رید، به مرکز شهر رید، رید، یا به صورت تلفنی با مرکز خدمات ترجمه و تفسیر در 131 450 تماس بگیرید و از یک مترجم بخواهید که از طریق شما با شهرداری رید تماس بگیرد. 0852 8222 تلفن رید.				
ITALIAN				
Se non capite il presente documento, siete pregati di rivolgervi al Ryde Civic Centre al n. 1 di Devlin Street, Ryde, dalle 8.30 alle 16.30, dal lunedì al venerdì; oppure potete chiamare il Telephone Translating and Interpreting Service al 131 450 o chiedere all'interprete di contattare a vostro nome il Municipio di Ryde presso il 0852 8222.				
KOREAN				
이 문서가 무슨 의미인지 모르실 경우에는 1 Devlin Street, Ryde에 있는 Ryde Civic Centre로 오시거나 (월 - 금, 오전 8:30 - 오후 4:30), 전화 131 450 번으로 전화 통역 서비스에 연락하셔서 통역사에게 아래문 대신 Ryde 시청에 전화 0852 8222 번으로 연락을 부탁하십시오.				
Amend. No.	Date approved	Effective date	Subject of amendment	

**ITEM 6 (continued)**

**ATTACHMENT 1**

Part	Chapter	
Car Parking	Contents	9.3

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## ITEM 6 (continued)

## ATTACHMENT 1

### 9.3 Part Car Parking

#### Chapter 1.0 Introduction

## 1.0 INTRODUCTION

### 1.1 Objectives of this Part

#### Objectives

Recognising the varying degrees of availability of public transport within Ryde, the aim of this Part of Ryde DCP is to provide a comprehensive guide for the provision of parking for new development in order:

1. To minimise traffic congestion and ensure adequate traffic safety and management;
2. To ensure an adequate environmental quality of parking areas (including both safety and amenity);
3. To minimise car dependency for commuting and recreational transport use, and to promote alternative means of transport - public transport, bicycling, and walking..
4. To provide adequate car parking for building users and visitors, depending on building use and proximity to public transport.
5. To minimise the visual impact of car parking ~~when viewed from on-streets, the public spaces-domain~~ and adjoining sites.
6. To maximise opportunities for consolidated areas of deep soil planting and landscaping.

### 1.2 General Principles

- a. In the event of a discrepancy between the parking rates specified in this Part of the Ryde DCP and another Part of the DCP, this Part shall prevail
- b. Council will take the following factors into account in determining car parking provision for a particular development:
  - i. The size and type of the development and its traffic generation;
  - ii. The availability and accessibility of ~~other~~ public parking (particularly if within or close to a shopping centre);
  - iii. Traffic volumes on the street network, including expected future traffic volumes relating to the City's road hierarchy; and
  - iv. Hours of operation and any other specific characteristics of the development proposal.
- c. ~~Except where varied by this Part,~~ Council ~~utilises-relies upon~~ the following when considering applications:
  - AS 2890.1 Parking facilities - Off-street car parking
  - AS 2890.2 Parking facilities - Off-street commercial vehicle facilities
  - AS 2890.3 Parking facilities - Bicycle parking facilities
  - AS 2890.6 Parking facilities - Off-street parking for people with disabilities



ITEM 6 (continued)

ATTACHMENT 1

Part	Chapter
Car Parking	9.3

### 1.3 Application

- a. This part of Ryde DCP applies to all land identified under Ryde Local Environmental Plan 2010.
- b. This part of the DCP applies to development that includes one or more of the following:
  - i. New floor space or buildings.
  - ii. Alterations or additions to any existing building, whether or not such additions or alterations involve any change in the purpose for which such buildings are used.
  - iii. A change of use which, under this Part, that would require the provision of a greater number of on-site parking spaces than the previous use.
- b.c. The parking rates specified in this Part of Ryde DCP do not apply to the Macquarie Park Corridor which are specified in the relevant Ryde Local Environmental Plan 2010.

ITEM 6 (continued)

ATTACHMENT 1

9.3 Part  
Car Parking

Chapter  
2.0 Parking Required in  
Respect of Specific Uses

2.0 PARKING REQUIRED IN RESPECT OF SPECIFIC USES

2.1 General

Controls

- a. Where the calculation of the parking required results in a fraction, the parking requirement will be rounded up to the nearest whole number.
- b. Where it is proposed to provide more parking than required, the additional parking floor space will be included in the calculation of floor space for the purposes of Floor Space Ratio calculations.
- c. Where a change of use which, under this Part, would require the provision of a greater number of on-site parking spaces than the previous use, the difference between the amount of parking which would be required for the previous use and the amount of parking required for the proposed use must be provided.
- d. All car parking must be provided on-site.
- e. Tandem or stack parking may be carried out for a development if it is considered appropriate to the proposed development or land use/s. Tandem or stack parking will only be permitted where:
  - i. each tandem or stacked parking arrangement is limited to a maximum of two spaces;
  - ii. in residential buildings and commercial/retail developments, the spaces are attached to the same strata title;
  - iii. in residential buildings and serviced apartments, they are used for resident parking only;
  - iv. in commercial or retail development, they are used for staff parking only;
  - v. they are not used for service vehicle parking; and
  - vi. the manoeuvring of stacked vehicles is able to occur wholly within the premises.
- d.f. The minimum length of a tandem or stacked space is to be 10.8 m.
- g. Up to 10% of the required car spaces may be nominated as "small" car spaces within any development. Small car spaces are generally less than 5.4m long shall comply with AS 2890.1 2004 (at least 2.3m wide and 5.0m long)
- h. A Traffic and Parking Impact Assessment Report will be required by Council, where:
  - i. development is likely to generate significant traffic and / or parking;
  - ii. an activity or land use not included in section 2.0



ITEM 6 (continued)

ATTACHMENT 1

Part	Chapter
Car Parking	2.0 Parking Required in Respect of Specific Uses <b>9.3</b>

**2.2 Residential Land-uses**

**Controls**

- a. Car parking spaces are to be provided on-site in accordance with the following requirements:

**Boarding Houses – accessible area:**

- at least 0.2 parking spaces / dwelling containing 1 bedroom,
- at least 0.5 parking spaces / dwelling containing 2 bedrooms and
- at least 1 parking space / dwelling containing 3 or more bedrooms

**Boarding Houses – not in accessible area:**

- at least 0.5 parking spaces / dwelling containing 1 bedroom,
- at least 1 parking space / dwelling containing 2 bedrooms and
- at least 1.5 parking spaces / dwelling containing 3 or more bedrooms

**Note:** An accessible area is defined in State Environmental Planning Policy (Affordable Rental Housing) 2009 as amended. An accessible area is generally within 800m walking distance of a rail station or ferry wharf serviced by Sydney Ferries or 400m walking distance of a light rail station or bus stop that is serviced by at least one bus / hour Monday to Friday. Reference should be made to the SEPP for definitions of walking distance and the unabridged definition of "accessible area"

**Housing for aged and disabled**

- Must be provided in accordance with As per State Environmental Planning Policy 5 (Housing for Seniors or People with a Disability) 2004 (the Seniors Housing SEPP)

**Note:** The following information is provided as a guide. Please note that SEPP-5the Seniors Housing SEPP may be subject to change and differs from the RTA guidelines.

**Self contained dwellings**

0.5 spaces / bedroom OR  
1 space / 5 dwellings if developed in conjunction with a social housing provider

**Residential Care Facility**

1 visitor space / 10 beds AND  
1 space / 2 employees AND  
1 space / ambulance

**Hostel**

1 space / 5 dwellings AND  
1 space/2 employees AND  
1 space / ambulance

ITEM 6 (continued)

ATTACHMENT 1

9.3 Part  
Car Parking

Chapter  
2.0 Parking Required in  
Respect of Specific Uses

**Residential Development - High Density (Residential Flat Buildings)**

- 0.6 to 1 space / one bedroom dwelling
- 0.9 to 1.2 spaces / two bedroom dwelling
- 1.4 to 1.6 spaces / three bedroom dwelling
- 1 visitor space / 5 dwellings

**Residential Development - Medium Density (Multi Dwelling Housing)**

- 1 space / one bedroom or two dwelling
- 2 spaces / three or more bedroom dwelling
- 1 visitor space / four dwellings

**Residential Development - Low Density**

- Dwelling houses up to 2 spaces / dwelling
- Dual Occupancy 1 space / dwelling

**ITEM 6 (continued)**

**ATTACHMENT 1**

Part	Chapter	
Car Parking	2.0 Parking Required in Respect of Specific Uses	9.3

**2.22.3 Business and Industrial Non-residential Land-uses**

Note: the following controls for parking rates have been placed in a different order. Track changes are only indicated if the control itself has changed.

**Controls**

- a. Car parking spaces are to be provided on-site in accordance with the following requirements:

~~Note: All areas relate to gross floor area.~~

**Child Care Centres**

- 1 space / 8 children and
- 1 space / 2 employees (see Part 3.2 Child Care-Centres in this DCP).

**Drive-in Takeaway Food Shops**

Whichever is the greater of:

- 1 space / 10 m<sup>2</sup> GFA

OR

- 1 space / 5 seats (internal & external)

**Educational Establishment - other than schools**

- 1 space / two employees AND
- 1 space / five students

**Educational Establishment - Primary and Secondary Schools**

- 1 space / two employees AND
- 1 space / ten students over 17 years of age

**Entertainment Facility, Places of Public Worship / Assembly, Funeral Chapel and Funeral Home**

Whichever is the greater of:

- 1 space / 10 seats

OR

- 1 space / 10 m<sup>2</sup> GFA (including ancillary spaces such as kitchens, facilities management offices, foyers and the like)

## ITEM 6 (continued)

## ATTACHMENT 1

9.3	Part <b>Car Parking</b>	Chapter
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### Health Consulting Rooms

- 1 space / doctor or dentist AND
- 1 space / 2 employees AND
- 1 patient's space/doctor or dentist

### Health Services Facility

- 1 space / doctor likely to be on the premises at any one time; AND
- 1 space / two employees likely to be on duty at any one time; AND
- 1 space / four beds; AND
- 1 visitor space / four beds.

### Hotel and Motel Accommodation, and Serviced Apartments

- 1 space / 1.5 units

### Industry and Light Industry

1.3 – 1.5 spaces / 100 m<sup>2</sup> GFA

**Note:** The upper end of the range should be applied to land uses that generate more traffic such as garden supplies and business parks. The parking provision and rate is to be addressed in the Statement of Environmental Effects.

### Office and Business Premises

- 1 space / 40 m<sup>2</sup> GFA

### Pub and Registered Club

- 1 space / 5 m<sup>2</sup> GFA generally and
- 1 space / 10 m<sup>2</sup> GFA auditorium and games rooms
- See also Hotel Accommodation above

### Recreation Facilities (indoor) / Gymnasium

1 – 1.5 spaces / 20 m<sup>2</sup> GFA

**Note:** Squash Courts are calculated at the rate of 3 spaces / court

ITEM 6 (continued)

ATTACHMENT 1

Part	Chapter
Car Parking	9.3
<p><b>Recreation Facilities (outdoor) / Tennis Courts</b></p> <ul style="list-style-type: none"> <li>3 spaces / court</li> </ul>	
<p><b>Research Station</b></p> <ul style="list-style-type: none"> <li>1 space / 25 m<sup>2</sup> <u>GFA</u></li> </ul>	
<p><b>Restaurant / Function Centre</b></p> <ul style="list-style-type: none"> <li>1 space / 5 m<sup>2</sup> <u>GFA</u> OR</li> <li>1 space / 25 m<sup>2</sup> in eCentres <u>(as identified in the Centres and Small Centres Maps LEP 2011)</u></li> </ul> <p><b>Note:</b> Where the property does not have frontage to a Main or County Road and where the hours of operation are restricted to outside normal business hours, this requirement may be reduced at Council's discretion. Council may require a Traffic and Parking Impact Assessment Report</p>	
<p><b>Retail Premises and Industrial Retail Outlet</b></p> <ul style="list-style-type: none"> <li>1 space / 25 m<sup>2</sup> <u>GFA</u></li> </ul>	
<p><b>Service Stations, Vehicle Body Repair Workshop and Vehicle Repair Station</b></p> <ul style="list-style-type: none"> <li>6 spaces / work bay (for vehicle servicing facilities) <u>AND</u></li> <li>1 space / 20 m<sup>2</sup> <u>GFA</u> for convenience store</li> </ul>	
<p><b>Transport Depot</b></p> <p>1 space / two employees 1 space / commercial vehicle</p>	
<p><b>Vehicle sales or hire premises</b></p> <ul style="list-style-type: none"> <li>0.75 spaces / 100 m<sup>2</sup> <u>GFA</u> <u>AND</u></li> <li>6 spaces / work bay (for vehicle servicing facilities)</li> </ul>	
Development Control Plan 2011	ADOPTED DATExxx

ITEM 6 (continued)

ATTACHMENT 1

9.3	Part Car Parking	Chapter
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**Warehouse or Distribution Centre**

1 space / 300m<sup>2</sup>

**Other**

In accordance with the RTA Guide to Traffic Generating Development ~~To~~ establish the parking rate for any development ~~or land use~~ type not specified above comparisons should be drawn with similar development and outlined in a Traffic and Parking Impact Assessment Report submitted together with the Development Application. Such comparisons should include a minimum of ~~three~~two case studies drawn from the Ryde Local Government Area or adjoining Local Government Areas.

**Note:** In preparing Traffic and Parking Impact Assessment Report the proponent is advised to contact Council.



ITEM 6 (continued)

ATTACHMENT 1

Part	Chapter
Car Parking	2.0 Parking Required in Respect of Specific Uses <b>9.3</b>

**2.32.4 Mixed-use Development**

- a. Where a development comprises two or more different land-uses, parking provisions will be assessed as the sum of the requirements in s2.0 for each component of the mixed – use development. Calculations shall include an appropriate proportion of any common or administrative areas.
- b. Where the main usage periods for components of mixed-use development do not coincide, Council may consider a reduction in the required parking. In this case, the parking requirement will be based on whichever of the components generates the greatest parking requirement. The onus will be on the proponent to satisfy Council that the uses will not be operated concurrently.

**2.5 Large Development**

- a. To vary the provisions of this Part (particularly required parking) for large scaled development, comparisons should be drawn with similar development and outlined in Traffic and Parking Impact Assessment Report submitted together with the Development Application. Such comparisons should include a minimum of three-two case studies drawn from the Ryde Local Government Area or adjoining Local Government Areas.

**Note:** Large scaled development will generally be defined as having a parking provision greater than 100 spaces. In considering large scaled development the proponent is advised to contact Council regarding the preparation of a Traffic and Parking Impact Assessment Report.

- b. Where a site is sufficiently large to include a local roads network Council will require the roadways to be designed to allow for two lanes of travel and one parking lane (i.e. the carriageway is to be approximately 9 metres wide). This requirement will be implemented where it is proposed that waste collection services will be carried out on-site and / or to accommodate on site loading and unloading facilities.

**Note:** The local roads network may include an on-site laneway or existing local roads.

- c. All large retail and commercial development shall be required to provide parking facilities and secure storage of electric scooters used by people with disabilities. Facilities should be generally in accordance with AS 2890.6.

**2.52.6 Parking Contributions**

- a. Council may accept or require the payment of a parking contribution in lieu of the provision of off-street parking in centres (identified in Centres and Small Centres Maps Ryde DLEP 2011) subject to the developer demonstrating that the proposal meets the objectives of this Part of Ryde DCP.

ITEM 6 (continued)

ATTACHMENT 1

9.3	Part Car Parking	Chapter
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**2.62.7 Bicycle Parking**

- a. In every new building (except for dwelling houses and multi unit housing) provide, whichever is the greater, at least 3 bicycle parking spaces on-site OR total where the floor space exceeds 600m<sup>2</sup> GFA bicycle parking equivalent to 10% of the required car spaces or part thereof.

**Note:** Cycling is approximately 10% of the journey to work. The control provides for minimum quantum of bicycle parking to cater for anticipated increasing demand and additional space to meet current cycling rates.

- b. Bicycle Parking should be designed in accordance with AS 2890.3 Parking facilities - Bicycle parking facilities.
- c. Bicycle parking and access should ensure that potential conflicts with vehicles are minimised.

**Note:** Minimising conflicts between vehicles and bicycles may include providing separate ramp access for bicycles within car parks and providing safe rideable approaches along road frontages to the bicycle parking area.

- d. Bicycle parking is to be secure and located undercover with easy access from the street and building entries.

- e. Bicycle parking is to be located in accordance with Safer by Design principles.

**Note:** Safety may be addressed by ensuring that Bicycle parking is located to ensure passive surveillance (e.g. highly visible areas such as near building entries) and where adequate lighting is provided.

- f. End of trip facilities accessible to staff (including at least 1 shower and change room) are to be provided in all commercial, industrial and retail developments.

- g. Provide secure bicycle storage in all residential developments except for developments with a minimum of 600m<sup>2</sup>, dwelling houses and multi-unit (villa) housing.



## ITEM 6 (continued)

## ATTACHMENT 1

Part	Chapter	
Car Parking	3.0 Other Requirements	9.3

### 3.0 OTHER REQUIREMENTS

#### 3.1 On- Site Loading and Unloading Facilities

##### Controls

- All developments involving new floor space are required to provide on-site loading and unloading facilities, except:
- Dwelling houses, dual occupancies
- Residential flat buildings and multi dwelling housing with access from the local roads network.
- Residential flat buildings and multi dwelling housing located on Main or County Roads are required to provide on-site loading and unloading facilities to ensure that vehicles do not stand on the road or footway.
- Loading docks shall be located in such a position that vehicles do not stand on any public road, footway, laneway or service road and, that where possible, vehicles entering and leaving the site move in a forward direction.

#### 3.2 Design of Parking Areas

##### Controls

##### General

- All parking areas shall be designed in accordance with Australian Standards AS2890.1, AS2890.2 and AS2890.6
- The appearance of car parking and service vehicle entries and areas is to be improved by
  - locating or screening visually from the street
  - setting back or recessing car park entries from the main façade line
  - avoiding black holes in the façade by providing security doors to car park entries
  - where doors are not provided, it is to be ensured that the visible interior of the car park is incorporated into the façade design and material selection and that building services pipes and ducts are concealed.
- Provide safe, (well lit and free of concealment opportunities) and direct 24 hour access ~~between~~ car parking areas ~~and building entries-for-building-users~~.
- Where practicable car parking and loading access is to avoid areas where active frontage is required (refer Part 4 of this DCP for Active frontage requirements).

**Note:** This is to reduce conflict with pedestrians and promote pedestrian safety.

## ITEM 6 (continued)

## ATTACHMENT 1

### 9.3 Part Car Parking

### Chapter 3.0 Other Requirements

#### Basement parking

- e. Basement parking areas ~~should are to~~ be located directly under building footprints to maximize opportunities for deep soil areas unless the structure can be designed to support mature plants and deep root plants.
- f. Along active frontages, basement parking must be located fully below the level of the footpath. Refer Part 4 for locations of active frontage within Urban Centres.
- g. Basement parking should be contained wholly beneath the ground level along public streets. Where this cannot be achieved due to topography, the parking level must protrude no more than 1.2m above ground level
- h. Ventilation grills or screening devices of car park openings are to be integrated into the overall façade and landscape design of the development.
- ~~i. Basement car parking may be located under roads and hard paved areas to council satisfaction.~~

#### At-grade parking

- ~~j. i.~~ Parking areas must not be located within the front building setbacks including for sites located along Victoria Road, Epping Road and Lane Cove Road. Refer also Part 4 Urban Centres for setbacks.
- ~~k. i.~~ Parking areas are to be screened from view from the street, public domain and communal open space areas, using site planning and appropriate screen planting or structures.
- ~~l. Provide safe and direct access from parking areas to building entry points.~~

#### Construction Standards

- ~~m. k.~~ All parking areas are to be constructed in accordance with Part 8.1 Construction Activities.

**ITEM 6 (continued)**

**ATTACHMENT 1**



Ryde City Council  
Civic Centre  
1 Devlin Street  
Ryde NSW 2112

[www.ryde.nsw.gov.au](http://www.ryde.nsw.gov.au)

**ITEM 6 (continued)**

**ATTACHMENT 2**

**Submission D11/100103 supported the DCP but raised the following issues:**

Issue	Response	Action
All rates should be indicated as minimums	<p>The DCP provides flexibility in terms of allowing more parking than required. However, additional parking is counted towards FSR and this reflects the LEP.</p> <p>The introduction of the control as suggested would enable additional parking to be provided without encroaching on FSR and may lead to overdevelopment and over-scaled buildings.</p>	No action
Introduce controls for stacked parking, key worker housing	<p>The suggestion for stacked parking may result in smaller parking areas and basements at times. This would be a sustainable outcome.</p> <p>Whilst the concept of key worker housing is supported as a socially sustainable outcome Council does not yet have a policy that would guide this type of development. It would therefore be precipitate to set parking rates in a DCP</p>	Introduce controls in the Parking DCP to guide provision of stacked parking
<p>Introduce parameters for when it is not appropriate to seek a reduction in parking</p> <p>The submission suggests that comparisons should be drawn from 2 rather than 3 similar developments</p> <p>Suggests controls that would permit parking to be reduced based on:</p> <ul style="list-style-type: none"> <li>• whether component land-uses within mixed use development operate concurrently or not</li> <li>• parking for small amounts of retail in a mixed use development may rely on on-street parking where available</li> </ul>	<p>The argument in relation to component land-use is supported. However, this is not the only basis on which parking could be reduced and some flexibility is needed to enable this.</p> <p>Overflow parking on streets is not supported. Parking demand is to be met on-site.</p>	Introduce controls that permit Council to consider the operation of component land uses in a mixed use development when assessing proposed parking.

**ITEM 6 (continued)**

**ATTACHMENT 2**

**Submission D11/100103 supported the DCP but raised the following issues:**

Issue	Response	Action
Drafting issues e.g. Introduce glossary, relationship of this plan to others, relocate Bicycle Parking Controls within document, add GFA, suggested changes that do not affect intent but improve clarity	<p>The DCP uses definitions in the LEP and SEPPs and therefore a glossary is not required. Part 1 of the Ryde DCP provides the relationship of the DCP with other planning documents generally.</p> <p>GFA is the measurement that is used throughout COR planning controls (except for Top Ryde Precincts 1 and 2)</p>	Minor amendments that do not affect intent but improve clarity will be included in the DCP. This includes relocating bicycle controls within DCP and adding GFA as suggested

**Submission D11/96168 supported the DCP but raised the following issues:**

Issue	Response	Action
Parking rates for Entertainment Facilities, Places of Worship, Function Centres, Restaurants etc request clarity with regard to the rate to be applied and guidance in relation to mixed use development	<p>In relation to mixed use development parking rates applicable to the component land-uses should be applied.</p> <p>In relation to either / OR parking rates clarification will be provided</p>	Amend DCP to provide more guidance on the application of applicable rates to component land uses in mixed developments
Should shower facilities for staff in retail, commercial and industrial development be required in mixed developments or developments less than 600m <sup>2</sup>	Amendment to the controls to introduce a minimum floor space area for commercial, retail and industrial developments is supported.	Amend the controls to state the requirements for facilities are in developments with a floor space of greater than 600m <sup>2</sup> GFA. Amend DCP to provide more guidance on mixed-use development.
Wants a requirement for drop-off zone in relation to Child Care centres and schools	This is provided for the Child Care Centres DCP. In relation to schools a Traffic and Parking Study should be required. The issue will be dealt with through that process	Amend DCP in relation to schools to require Traffic and Parking Study
Drafting issues – provide definition of “centres”, not clear if s3.1 applies to mixed use development	Noted	Amend DCP to define “centres” as per Draft LEP 2011 map

**ITEM 6 (continued)**

**ATTACHMENT 2**

**Submission D11/96168 supported the DCP but raised the following issues:**

Issue	Response	Action
Large sites that require local roads network – this control should only be in the DCP Parts relating to centres	Noted – however, this control is also intended to give guidance to large scaled residential development outside centres – like Ryde Rehabilitation site. Council's Traffic Engineers and Asset Manager have advised the width of the road network for large sites in the event that a garbage service is desired by the proponents.	No change
Remove all controls relating to design of parking and relocate them to other Parts of the DCP.	Noted – the controls provide a minimum design standard for the LGA	No change
Basement Parking controls should be in other Parts of the DCP relating to centres or development types	Noted – the controls provide a minimum design standard for the LGA. But it is recognised that more clarity could be provided.  It would be preferable as the DCP is progressively updated to provide these controls once only in the Parking DCP and stop repeating them in the various Parts of the DCP relating to centres and Flats	Amend DCP control 3.2.e to give greater clarity
Parking contributions should not be charged for residential development because less parking may result in an overdevelopment of the site and s94 monies in relation to residential development can only be used to improve pedestrian facilities (not additional car parking)	Overdevelopment – less parking will not result in overdevelopment as the reliance on parking to control scale is no longer necessary with the introduction of FSRs. FSRs are a more reliable form of control.  The control applies to centres where public transport is good.  The control indicates that Council may accept s94 in lieu of parking if it can be demonstrated that the objectives of the DCP can be met. The control does not oblige Council to accept s94 contributions in lieu of off street parking.	No change to the intent of the control – amend to indicate that developers who wish to take advantage of the use of S94 contributions in lieu of parking must provide information together with the DA that demonstrates delivery of the objectives of this DCP

**ITEM 6 (continued)**

**ATTACHMENT 2**

**Submission D11/100079 and supplementary submission D11/100091 supported the DCP but raised the following issues:**

Issue	Response	Action
The DCP should apply to "change of use" applications so that bicycle parking and parking generally is given consideration in the assessment process	The submission is supported as it enhances sustainability.	Amend DCP so that it applies to all change of use Das.
Secure bicycle parking should not be required in single dwellings	Agreed.	Amend DCP so that secure bicycle parking is not required in single dwellings.
Drafting issues in s2.1 –use only LEP land- use definitions, Enhance clarity by ordering land-uses alphabetically, define "major" in s2.1.c	It should be noted that the RTA and LEP definitions for land uses differ. The DCP accommodates both in order to assist preparation and assessment of Das.	Add more descriptors to land uses in section 2.1 of the DCP and re-order land uses.
Questions that the Parking DCP should prevail over other Parts of the DCP – specifically those Parts for centres	The intention of this DCP is to provide clarity and consistency across centres within Ryde. The existing parking rates for centres differ marginally from each other and create some confusion as a result.	No change.
Drafting issues general – definition of centres needed in section 2.4, suggests various clarifications to wording	The suggestions are generally acceptable as they do not change the intent	Minor amendments that do not affect intent but improve clarity will be included in the DCP, including definition of "major"



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## **7 2012 LOCAL GOVERNMENT ELECTION**

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**Report prepared by:** Manager - Governance

**Report dated:** 6/07/2011

**File No.:** GRP/11/5/4/6 - BP11/478

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### **Report Summary**

This report advises Council of determinations required in respect of the conduct of the 2012 Local Government Election and seeks Council's resolution in respect to these matters.

Council is required to resolve, before 30 November 2011, if it is going to appoint the NSW Electoral Commission to administer its elections until the conclusion of the 2012 ordinary elections. Otherwise, the General Manager will be responsible for the conduct of the election.

This report recommends the appointment of the NSW Electoral Commission to conduct the City of Ryde's 2012 Local Government Election.

### **RECOMMENDATION:**

- (a) That Council, for the reasons stated in the report, appoint the NSW Electoral Commission at an estimated cost of \$460,000 to administer its elections until the conclusion of the 2012 ordinary elections.
- (b) That the General Manager request the Electoral Commission to provide a fixed quotation for the elections together with a plan that addresses all aspects of the 2012 election by 31 March 2012.
- (c) That Council confirm if it will undertake a Constitutional Referendum in respect of any issue, in conjunction with the 2012 ordinary election.

### **ATTACHMENTS**

- 1 Department of Local Government Circular 11-30
- 2 2012 Local Government Election - Statement against NSW Electoral Commission high level information
- 3 Circular 11-35 from the Division of Local Government, letter from the Hon. Barry O'Farrell MP, Premier of NSW dated 28 October 2011 and letter from Local Government Shires Association dated 4 November 2011

Report Prepared By:

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

Report Approved By:

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

## ITEM 7 (continued)

### Background

The Local Government Amendment (Elections) Act (the Amending Act) was assented to on 27 June 2011.

The Amending Act provides that Council elections (including constitutional referendums and polls) are to be administered by the General Manager of the Council concerned. However, Council may resolve to enter into a contract or make arrangements for the NSW Electoral Commission to administer all elections for Council (with the exception of the election of the Mayor and Deputy Mayor by Councillors) until the conclusion of the following ordinary election for Councillors.

For the purpose of the conduct of the September 2012 ordinary elections, the Act provides that a Council may resolve, before 30 November 2011, to retain the Electoral Commissioner to administer its elections as above until the conclusion of the 2012 ordinary elections.

The Amending Act also provides limited opportunities for Council to make a determination as to whether it proposes to seek Ministerial approval for the abolition of wards and/or a reduction in the number of Councillors without a Constitutional Referendum.

This matter was considered by Council at its meeting held 27 September 2011 where Council resolved not to seek Ministerial approval for changes. Council at this meeting considered various Circulars from the Division of Local Government and resolved as follows:

- a. *That Council take no further action with regards to abolishing wards*
- b. *That Council take no further action with regards to reducing the number of Councillors*
- c. *That four seminars be conducted prior to the 2012 Local Government Elections as set out in this report with one seminar to be conducted in each ward and the first seminar being specifically for women.*

Council also at its meeting on 26 July 2011, submitted a motion to the recent Annual Local Government Association Conference, calling on the Electoral Commissioner to provide greater commitment, co-operation and transparency in respect of fees to Local Government.

In addition to the above, representations have been made by individual Councils and in particular the Local Government and Shires Associations made representations on behalf of NSW Local Government authorities to the Hon. Barry O'Farrell MP, Premier of NSW, in respect of these matters. Further, Council has recently received Circular 11-35 from the Division of Local Government and these documents are attached (**ATTACHMENT 3**) and were also circulated to Councillors in last week's Councillors Information Bulletin.

## ITEM 7 (continued)

### Report

#### 1. **Conduct of Elections by Councils - Amendments to the Local Government Act 1993**

Section 296 of the Local Government Act now provides that Council elections, constitutional referendums and polls are to be administered by the General Manager.

However, a Council may resolve that the Council is to enter into a contract with the Electoral Commission to administer all elections for Council.

Council is also required to resolve, before 30 November 2011, if it will appoint the Electoral Commission to administer its elections (other than the elections of Mayors and Deputy Mayors by Councillors), constitutional referendums and polls until the conclusion of the 2012 ordinary election for Councillors.

The following is an overview / background on how elections have been and are proposed to be undertaken:-

#### Prior to 2008 – Local Government Elections

Prior to 2008, the NSW Electoral Commission provided assistance to Council in the conduct of their ordinary elections.

This included providing support and advice on all matters pertaining to the election, regulations etc, and providing circulars on a regular basis.

The Electoral Commission recruited and appointed a Returning Officer, provided professional liability and indemnity for them as well as training. They provided ballot boxes and voting booths.

In addition, the Electoral Commission finalised the vote counting and publicised the results centrally.

Council staff were responsible for advertising, hiring of polling places, administering the non-residential rolls, recruiting and paying Polling officers. Council also undertook the printing of ballot papers.

Costs relating to Council staff involved in the conduct of elections prior to 2008 were not accounted for; however, considerable hours were spent managing the election processes.

#### 2008 Local Government Election

For the 2008 Local Government election, the NSW Electoral Commission was responsible for all aspects of the election, with the exception of administering the non-residential rolls. The total cost was \$400,700.

## ITEM 7 (continued)

Council staff continued to provide some support to the process; however this was considerably less than in prior elections. Again, costs relating to staff involvement were not accounted for in the overall cost of the election.

### 2012 Local Government Elections – Election to be conducted by the General Manager

Should Council resolve that the conduct of the 2012 election be managed by the General Manager, Section 296A of the Act provides that the responsibilities include appointing a suitably qualified independent returning officer and a substitute returning officer, appointing the polling places and determining the fees payable to the returning officer, substitute returning officer and electoral officers.

The General Manager, on behalf of Council, would be responsible for all aspects of conducting the election including preparing and printing all forms, recruiting and training electoral officials, managing website information to display general updates and candidate information. In addition, the General Manager would be responsible for managing postal votes, recording and reporting results and all aspects of the vote counting. Council would not have access to a computerised vote counting system and therefore, would need to source this by the appointment of an external organisation/third party.

The NSW Electoral Commission has provided to Councils a high level checklist of tasks that would need to be undertaken should Council resolve to conduct its own election.

A copy of this checklist, including staff comments is detailed in **ATTACHMENT 2**.

### 2012 Local Government Elections – Election to be conducted by the NSW Electoral Commission

Council may resolve to engage the NSW Electoral Commission to undertake all aspects of the 2012 Local Government Election.

Such a resolution is required by 30 November 2011.

The Amending Act provides that should Council resolve to engage the NSW Electoral Commission, this engagement would be exempt from the Local Government Act provisions requiring that Council undertake a tender process.

Should Council not resolve to engage the NSW Electoral Commission prior to 30 November 2011, the Electoral Commission has indicated that they will not participate in a tender process.

## **ITEM 7 (continued)**

### 2012 Local Government Elections – Other Options

On 29 August 2011, staff attended a demonstration by a private company, Australian Election Company (AEC) proposing that they have the capacity to undertake the 2012 Local Government election in conjunction with Council.

This would be under a hybrid model and more akin to the structure of elections prior to 2008 with Council providing some staff, services and facilities.

Should Council resolve not to engage the NSW Electoral Commission, a tender process would need to be undertaken in accordance with Council's Procurement Framework.

There are potential savings to be made should Council conduct the 2012 election, however, this is offset by considerable risks. The conduct of elections is a specialist field and the bulk of experience and knowledge is held by the NSW Electoral Commission.

While the time frame and limited choices may make it unpalatable, the engagement of the NSW Electoral Commission may be the most appropriate decision to ensure public confidence in the election process.

Further information regarding consideration of Options and Financial Implications are detailed later in this report.

## **2. Alter ward boundaries**

Council is required to keep ward boundaries under review. If, during a Council's term of office, Council becomes aware that the number of electors in one ward in its area differs by more than 10% from the number of electors in any other ward in its area Council must, as soon as practicable, alter the ward boundaries in a manner that will result in each ward containing a number of electors that does not differ by more than 10% from the number of electors in each other ward in the area.

The City of Ryde's local government area is divided into three wards: West, Central and East. At 18 April 2011, each ward had the following population:

West Ward	22,693
Central Ward	22,525
East Ward	21,861

This does not represent a variance of more than 10% and as a result an alteration of ward boundaries is not required.

## **ITEM 7 (continued)**

### **3. Conduct of constitutional referendums.**

**ATTACHMENT 1** is a Circular to Councils 11-30 from the Division of Local Government. This circular provides information regarding matters that can be put to the electorate through the conduct of a constitutional referendum.

As reported previously to Council, the following matters can be determined through a constitutional referendum:

- Divide a Council area into wards or abolish wards.
- Change the number Councillors
- Change the method of electing the Mayor to direct election by the electors every four years.
- Change the method by which Councillors are elected where the Council's area is divided into wards.

The above matters were considered by Council at its meeting held 27 September 2011 and Council resolved not to seek Ministerial approval to abolish wards or the number of Councillors, without the conduct of a constitutional referendum.

#### **Consultation**

The Chief Financial Officer was consulted with regard to the financial information and estimates provided in this report.

The Manager, Risk and Audit has confirmed that should Council resolve not to engage the NSW Electoral Commission that a tender process would need to commence in accordance with Council's Procurement Framework.

External public consultation included:

#### *NSW Electoral Commission*

On 12 July 2011, staff met with representatives from the NSW Electoral Commission.

At that meeting, the NSW Electoral Commission made it quite clear that if Council chose to run its own election, no assistance would be provided by the NSW Electoral Commission. Council would not have access to advice or casual staff lists and would also have to source manuals, ballot papers and ballot boxes from other suppliers and the NSW Electoral Commission would not provide them even if Council were willing to pay for them.

The Electoral Commission will provide copies of the Electoral roll.

#### *NSROC*

Both Councillors and staff have been part of discussions among NSROC Councils regarding the engagement of the NSW Electoral Commission to conduct the 2012

### **ITEM 7 (continued)**

election. It is understood all NSROC Councils have determined to appoint the Electoral Commission, with the exception of Lane Cove Council.

Concerns regarding the limited timeframe and options to Councils have been raised.

It has been suggested that in future years there may be an opportunity for NSROC Councils to combine resources and tender for services as a block for the conduct of elections after 2012.

### *Local Government and Shires Associations*

The Local Government and Shires Association had requested that Council make no determination in regard to this matter until advice was received following their meeting with the NSW Premier which was held on 19 September 2011.

The Local Government and Shires Associations of NSW have made representations on behalf of Councils to the NSW Premier. On 19 September 2011, the Presidents for both Associations met with the Premier and the Minister for Local Government and raised issues associated with the 2012 Local Government elections.

The Presidents expressed concern about the lack of assistance being offered to Councils by the NSW Electoral Commission should Council resolve to undertake its own election.

Attention was drawn to the fact that the deadline of 30 November 2011 was unreasonable for Councils to make a binding decision. An extension was sought to move the deadline to 31 March 2012 to enable Councils to pursue tenders and to otherwise evaluate their situations. An exemption from the tendering requirements of the Local Government Act was also requested.

This meeting was followed by a letter on 27 September 2011.

On 10 October 2011, the Associations released a media statement voicing disappointment and great concern that no decision had been made on the request to defer the date by which Council must determine whether to engage the NSW Electoral Commission to conduct the 2012 election.

Recent advice both from the Local Government Association and the NSW Premier's response in respect of the above requests and the recent Circular from the DLG are detailed in **ATTACHMENT 3**. As a result, Council is required to determine this matter by 30 November 2011.

### **Critical Dates**

The following deadlines are required to be met:

- Should Council resolve to engage the NSW Electoral Commission to conduct the 2012 Local Government Election; this must occur prior to 30 November 2011.



## ITEM 7 (continued)

- Should Council resolve to seek an alteration of ward boundaries, this must be done so by 31 December 2011. (Council has resolved to take no actions in respect of Ward boundaries.)
- Should Council resolve to conduct a constitutional referendum in conjunction with the 2012 Local Government election, this would need to be advised to the Division of Local Government. No deadline for this has been provided.

### Financial Impact

The costs for the City of Ryde election in 2008 were \$400,700 (excluding GST).

Following a meeting with staff and representatives from the Electoral Commission, details were sought outlining the anticipated costs associated with the conduct of the 2012 Local Government Election.

The Electoral Commission advised that Council should consider four areas for indexing over the 2008 charge:

1. Wage costs increasing in the Public sector of four years by 4% cumulative (that is 17%).
2. Other operational costs increasing by four years CPI (estimated at 12.8% cumulative).
3. Number of electors being serviced.
4. Some economy of scale loss may be inevitable should a reduced number of Councils elect to use the Commissions services for the 2012 Local Government elections.

Based on the above information, the following estimate for 2012 has been made:

Item	2008	Adjustment	2012 Estimate
Program Management: including project management, administration fees, performance reporting	\$ 42,900	12.8%	\$ 48,391
Finance Services: including payroll processing, mail services etc.	\$ 8,290	12.8%	\$ 9,351
Election Services: including information sessions, vote counting, election materials, training, printing	\$ 130,070	12.8%	\$ 146,719
Wages	\$ 162,860	17.0%	\$ 190,546
Election Information Services: including election information campaign and brochure, elector information kit, enquiry centre, website and education services.	\$ 23,400	12.8%	\$ 26,395
Information Technology: including system support, IT setup, rolls and IT personnel.	\$ 33,160	12.8%	\$ 37,404
	<b>\$400,680</b>		<b>\$458,807</b>

## **ITEM 7 (continued)**

As a result of the above estimate, it is suggested that Council estimate a figure of \$460,000 if it supports the NSW Electoral Commission being appointed to undertake Council's election.

Funds have been provided for this purpose in Council's four year delivery plan and budget.

Staff have also contacted a private provider, Australian Election Company, to obtain an indicative quotation in relation to the management and conduct of the 2012 Local Government Elections for Ryde. It should be noted that this quotation has been obtained for comparative purposes only and should Council resolve not to engage the NSW Electoral Commission, it will be necessary to undertake an appropriate tender process.

The indicative price provided was \$406,000 (not including GST).

There is, with a private organisation, an opportunity to partially outsource the conduct of the election and source or fund additional services within Council. These would include postage, rental of premises and advertising costs which would still need to be met by Council and would remain a cost of conducting the election.

### **Policy Implications**

The Amending Act provides that should Council resolve to engage the NSW Electoral Commission, this engagement would be exempt from the Local Government Act provisions requiring that Council undertake a tender process.

### **Options**

Council has three options with regard to the conduct of the 2012 Local Government election:

1. Resolve to engage the NSW Electoral Commission by 30 November 2011; or
2. Resolve to commence a tendering process to engage an appropriate provider.
3. Resolve to undertake the conduct of the 2012 Local Government election within Council and its resources – noting that a Returning Officer and additional support staff would need to be employed.

With regard to Option 1, while engaging the NSW Electoral Commission will mean all the required services will be provided to a level expected and required by our community, the associated cost is significant. Council may be able to achieve savings by exploring other options.

With regard to Option 2, there is concern that the timeframe imposed by the NSW Electoral Commission allows no opportunity for Council to adequately test the market to seek out a suitably experienced and qualified service provider.

## **ITEM 7 (continued)**

Additionally, there is no certainty that using a provider other than the NSW Electoral Commission will result in lower costs to Council. However, anecdotal evidence suggests that there would be savings. The other issue is the risk associated with appointing a provider that even though well qualified, it is understood they have not to date, undertaken any election in NSW.

With regard to Option 3, managing an election requires a great level of experience and support to ensure all legal requirements are met and that voter expectations are achieved with respect to rigour of the process, sound governance practices, communication and timing. As a result, it is not recommended that Council resolve to undertake the conduct of the 2012 Local Government election within Council's own resources.

### **Conclusion**

Councils across NSW have been placed in a very difficult and unusual position in respect of its determination on how it will deliver and undertake the 2012 Local Government election.

The 2008 election was delivered by the NSW Electoral Commission, who was responsible for the majority of the election with only minor support/coordination being undertaken by each Council.

Before and following the 2008 election, Local Government generally complained about the Commission's pricing methodology in adopting a "full cost recovery" approach. Many representations were made on this issue with minimal changes to the pricing being achieved. Apart from the cost, most Councils were generally satisfied with the standard delivered and maintained by the Electoral Commission in conducting the election.

However, with the legislation passed in June 2011, this allows the General Manager to administer the election. The legislation allows Council to appoint the Electoral Commission to undertake all elections for Council without the requirement for tendering. However, on this point the Electoral Commission has given no quotation but only an indicative estimate. On this basis, staff cannot provide a definitive cost of the election.

Council, under this legislation and despite efforts by the LGSA to move this deadline, is required to determine if it will appoint the Electoral Commission by 30 November 2011.

In respect of alternatives, Council staff have attended a presentation of the Australian Election Company (AEC) which was coordinated by the Local Government Association. This provided an insight into the company's capability to support and undertake the 2012 elections. The company has undertaken most of its work to date, in Queensland and clearly demonstrates a capability to support NSW Local Government Authorities in undertaking their elections.

## **ITEM 7 (continued)**

### Pricing – Electoral Commission

As detailed in the report, the Electoral Commission have/will not provide any firm quotation for each Council at this stage. The Commission has advised to allow certain indexes for each component of the Election as detailed in the report. This has resulted based on the 2008 election cost, an estimate of \$460,000.

### Pricing- Other Options

The only other available option Council has to its knowledge is the Australian Electoral Company (AEC). While the Electoral Commission is exempt from the tender process, this would not apply to a third party as the estimated cost is greater than \$150,000. However, due to the limited time available, this has not been possible and was one of the issues taken up by the Presidents of both the Local Government and Shires Associations. The Australian Electoral Company have provided an estimate of \$406,000.

### Conclusion

Therefore, due to all of the constraints that Council has been placed with including the lack of detailed information in respect of the estimated cost, the fact that Council cannot competitively tender this matter prior to 30 November 2011 and the risk of appointing a third party with limited information available, Council has no option but to appoint the Electoral Commission to undertake its election for 2012.

If Council supports this recommendation, it should do so on the basis that the General Manager seek a commitment from the Electoral Commission to gain a firm quotation for the 2012 Election at least six months prior to the election (ie 31 March 2012). This commitment should also include a plan for all other issues and arrangements for the election.

**ITEM 7 (continued)**

**ATTACHMENT 1**



**Circular to Councils**

Circular No. 11-30  
Date 6 October 2011  
Doc ID. A259378

Contact Helen Damaschin  
02 4428 4212  
helen.damaschin@dlg.nsw.gov.au

**CONSTITUTIONAL REFERENDUMS**

Councils will be aware that the *Local Government Act 1993* has been amended by the *Local Government Amendment (Elections) Act 2011* (the Amending Act) to return responsibility for administering elections, constitutional referendums and polls to general purpose councils. If councils prefer, they can engage the services of the New South Wales Electoral Commission to administer the September 2012 elections on their behalf. A resolution to this effect must be made by 30 November 2011.

Further details of the arrangements arising from the legislative amendments made to return the administration of elections, constitutional referendums and polls can be found in Circular to Councils 11-11.

Councils will also be aware that the Amending Act introduced a number of new provisions in relation to councils' constitutional arrangements, including a one-off opportunity to reduce councillor numbers and abolish wards without the need to hold a constitutional referendum. For more information about these amendments, councils are referred to Circular to Councils 11-12.

While councils may decide to improve their governance structures without costly referendums by utilising these new provisions, it is open to councils to decide to hold a constitutional referendum if they consider it is in the best interests of their communities.

If councils choose to hold a constitutional referendum in conjunction with the 2012 elections, councils are reminded that the following matters can be determined through a constitutional referendum:

1. divide a council area into wards or abolish wards (sections 16, 210 and 210A of the Act);
2. change the number of councillors (section 224(2) of the Act);
3. change the method of electing the mayor to either direct election by the electors every 4 years or election by the councillors every year (sections 228 and 229 of the Act);
4. change the method by which councillors are elected where the council's area is divided into wards (sections 279(2), 280 and 281 of the Act).

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**ITEM 7 (continued)**

**ATTACHMENT 1**

2

*Divide an area into wards or abolish wards*

Section 210(5) of the Act requires a council to seek the approval of its electors at a constitutional referendum to either divide an area into wards or to abolish wards. After receiving elector approval, and before dividing its area into wards, a council must undertake the consultation required by section 210A of the Act.

A constitutional referendum held in conjunction with the next ordinary elections in 2012 where approval is given by electors to divide the council area into wards would, after compliance with the consultation required by section 210A of the Act, come into effect for the electoral term commencing in September 2016. Compliance with section 210A is not required in the instance where approval has been given by electors at a referendum to abolish wards.

*Change the number of councillors*

Section 224(2) of the Act requires that not less than 12 months before the next ordinary election the council must determine the number of its councillors for the following term.

Council must then seek and receive the approval of its electors at a constitutional referendum for any change. This approval would have the effect of changing the number of councillors for the electoral term commencing in September 2016.

However, if the approval to reduce the number of councillors was obtained at a constitutional referendum held in conjunction with the 2012 elections, then a casual vacancy in the office of a councillor (but not a mayor elected by the councillors) occurring at any time before the September 2016 elections should not be filled if the number of councillors will remain at or above the number approved at the referendum (section 294B of the Act).

*Alter ward boundaries*

The council of an area that is divided into wards is required by section 211 of the Act to keep ward boundaries under review. If a review is undertaken, the council is required, among other things, to consult the Electoral Commissioner.

The Electoral Commissioner has advised that any council seeking to refer an alteration of ward boundaries must do so by 31 December 2011. For more information about ward name changes and boundary alterations, councils are referred to Circular to Councils 11-26.

*Change the way the mayor is elected*

The Act provides two methods by which a mayor can be elected — by popular vote at an ordinary election or by vote among the councillors. Section 228 of the Act permits a council to change the way the mayor is elected by seeking approval of its electors at a constitutional referendum.

**ITEM 7 (continued)**

**ATTACHMENT 1**

3

Councils with areas that are divided into wards are reminded that section 280(2) of the Act excludes a popularly elected mayor from consideration when determining the number of councillors to be elected for each ward.

In those circumstances councils should be mindful that changing the method of electing the mayor could result in an increase or decrease in the number of councillors to be elected.

If electors at a constitutional referendum conducted in conjunction with the 2012 ordinary council elections approve a change to the way the mayor is elected, that change will come into effect for the electoral term commencing in September 2016.

*Alter the method of electing councillors*

The councillors for an area that is divided into wards are to be elected in accordance with either section 280 or 281 of the Act.

The method of election under section 280 (method 1) is to apply unless a decision made at a constitutional referendum is in force, which requires the method of election to be conducted under section 281 (method 2).

The decision made at a constitutional referendum must also specify the number of councillors to be elected by the ward electorate and the number of councillors (if any) to be elected by the area electorate.

If electors at a constitutional referendum conducted in conjunction with the 2008 ordinary elections approve a change to the method for electing councillors, this change will come into effect for the electoral term commencing in September 2016.

*Conducting a constitutional referendum*

If a council resolves that a constitutional referendum is to be conducted by the Electoral Commissioner, the council should refer to clause 274(3) of the Local Government (General) Regulation 2005 and comply with the notification requirements contained in Schedule 10 of the Regulation.

It is of critical importance that the referendum question or questions are carefully framed to ensure that workable decisions are achieved. All questions put at a referendum should be clear, concise, and capable of being responded to with a 'yes' or 'no' answer.

If more than one referendum question is being asked on a particular subject then extra care needs to be taken to ensure that the possible combinations of 'yes' and 'no' answers do not produce a conflicting decision.

Councils are responsible for the preparation and publicity of the required explanatory material. Councils must ensure this material presents a balanced case both for and against any proposition to be put to a constitutional referendum.



**ITEM 7 (continued)**

**ATTACHMENT 1**

4

This Circular supersedes Circular to Councils 07-30.



**Steve Orr**  
**Acting Chief Executive, Local Government**  
**A Division of the Department of Premier and Cabinet**

**ITEM 7 (continued)**

**ATTACHMENT 2**

	<b>Consideration</b>	<b>Description</b>	<b>Comment by Council</b>
1.	Impartiality and Integrity	<p>Elections must be conducted at arms length from Mayor and Councillors and be seen as such.</p> <p>Council employee appointed as returning officer could be seen as compromising that impartiality.</p>	<p>A Returning Officer with the appropriate level of expertise would need to be recruited to undertake these duties.</p> <p>The difficulty of finding someone with this level of expertise would provide difficult as most would be employed by the NSW Electoral Commission or other service providers.</p>
2.	Electoral Administration and Legal	Ensure there is uniform interpretation of electoral legislation in line with NSW Electoral Commission and other Councils, and maintain uniformity with established electoral practices, especially in relation to alleged offences.	Council has some resources but would require reference to external legal advice.
3.	Election Forms and Manuals	Identify, prepare and print all forms, declaration envelopes, election official manuals.	Council would need to utilise available internal knowledge and research and develop manuals without support from the NSW Electoral Commission.
4.	Resources	Acquire, pack and dispatch all materials for polling places including stationery, ballot boxes, voting screens etc. NSW Electoral Commission may make dyes available for some equipment.	Council would need to arrange design, source and construction of all materials. There would be no opportunity for economy of scale for Council acting alone unless coordinated through NSROC as a group of Councils.
5.	Ballot Papers	Ballot papers must be printed and held in a secure environment.	Council would need to arrange design, source and printing of ballot papers. Council would need to identify appropriate storage facilities. There would be no opportunity for economy of scale for Council acting

**ITEM 7 (continued)**

**ATTACHMENT 2**

	<b>Consideration</b>	<b>Description</b>	<b>Comment by Council</b>
			alone unless coordinated through NSROC or a group of Councils.
6.	Returning Officer	<p>Assuming a Council employee would not be appointed Returning Officer, the officer will need to be recruited, trained to a necessary level of competence and supported for up to ten weeks.</p> <p>Note: NSW Electoral Commission Returning Officers would not be available and Australian Electoral Commission staff do not have local government experience.</p> <p>A returning officer would require professional and/or indemnification by Council.</p>	<p>In addition, to 1 above, Council would need to recruit a Returning Officer for longer than ten weeks to coordinate all the preparatory requirements in the lead up to the election.</p> <p>Currently, staff are not aware of a training program available to ensure a Returning Officer is up to date on all aspects of conducting an ordinary election.</p> <p>Ensuring any Returning Officer is appropriately informed, trained with resources would be fundamental for the conduct of an election.</p>
7.	Returning Office	<p>Provide adequate office accommodation for returning officer for pre-poll voting, secure storage of materials, packing for polling places, vote counting etc.</p> <p>Council would be required to provide computers, printers, copier and phones etc as well as ongoing support throughout the election.</p> <p>Council will not have access to a computerised election management system to</p>	<p>Council may have an appropriate office space and temporary resources available. These facilities would be required for greater than ten weeks as the Returning Officer would be required for more than ten weeks.</p> <p>There is no software available on the market to support the requirements and it would be neither practical not viable, to develop stand alone software to undertake these tasks.</p> <p>There is no current software at the City of Ryde which could be modified to</p>

**ITEM 7 (continued)**

**ATTACHMENT 2**

	<b>Consideration</b>	<b>Description</b>	<b>Comment by Council</b>
		provide polling place vote estimates, recruitment of election officials, nominations, postal and pre-poll voting, and results.	undertake these tasks. However, software is understood to be available through a third party.
8.	Clerical Assistance	Council would be required to provide and/or recruit sufficient clerical assistance for enquiries, pre-poll and postal voting, visiting declared institutions, recruitment of polling place staff etc.	Council does not have resources available to take on these additional duties. Additional staff may be required to be recruited.
9.	Polling Place Staff	Returning Officer would be required to advertise for, and recruit and train polling place staff.  Returning officer would need to develop and implement training program for polling place managers.	As provided in 6. above, staff are not aware of a training program available to ensure polling place staff are up to date on all aspects of conducting an ordinary election.  Ensuring any polling place staff are appropriately informed, trained and resourced would be fundamental for the conduct of an election.
10.	Communication and Information	Provide consistent, relevant and timely information to all stake holders, including Represented Political Parties (RPPs), candidates, voters, media etc  Avoid duplicated effort and cost in advertising elections with NSW Electoral Commission and other Councils.	All parties are used to getting this information from a central location and not from their local Council.
11.	Polling Place Counts	Stakeholders will expect to see election night polling place counts, Sunday check counts, distribution of	Counts may need to be done manually, thereby slowing down the count. No centralised website access would result in additional

**ITEM 7 (continued)**

**ATTACHMENT 2**

	<b>Consideration</b>	<b>Description</b>	<b>Comment by Council</b>
		preferences for optional preferential/proportional representation at least to NSW Electoral Commission level.	staff being required to update and maintain Council's website with polling information.
12.	Polling Places	Council would need to negotiate with schools etc for the use of their facilities.	This has been done by Council staff in the past. However, it should be done by the Returning Officer.
13.	Nominations and Candidates	<p>NSW Electoral Commission would not conduct candidate seminars, however Council run seminars would require Election Funding and Disclosure presentation by Election Funding Authority staff.</p> <p>Returning Officer must be able to verify candidate and proposer enrolment status when nominations are lodged.</p> <p>Returning Officers must deal with nominations in terms of their link to candidates EF&amp;D</p>	<p>Council has already resolved to conduct candidate seminars.</p> <p>The additional aspects may be difficult logistically without the assistance from the NSW Electoral Commission.</p>
14.	Election Material	Registration of candidate election material.	The appointed Returning Officer would be responsible to manage and review.
15.	Electoral Rolls	NSW Electoral Commission will provide Council with scannable rolls to enable the NSW Electoral Commission to identify non-voters. Council will need to advise number of issuing points for each polling place, pre-poll and postal.	The appointed Returning Officer would be responsible to manage.
16.	Proportional Representation	Councillors must be elected according to	The appointed Returning Officer would be responsible

**ITEM 7 (continued)**

**ATTACHMENT 2**

	<b>Consideration</b>	<b>Description</b>	<b>Comment by Council</b>
	Counts	the prescribed counting system. The NSW Electoral Commission vote counting software could be made available to count ballot papers with Group Voting Squares.	for this. However, additional resources would be required for training and testing of the software. If made available by the Commission or obtained through a third party.
17.	Post Election	<p>Council would need to deal with ongoing issues related to payments to election officials, including superannuation payments etc.</p> <p>Election may be subject to appeal to Administrative Decisions Tribunal.</p> <p>Council would need to prepare a Report to Parliament on the conduct of the election.</p> <p>Council would be required to make submissions to, and appearances before Joint Standing Committee and be subject to JSC recommendations.</p> <p>Responsibility for ongoing storage and security of election materials.</p>	<p>Council staff would be capable of managing pay arrangements; however additional resources would be required.</p> <p>Other possible repercussions listed, such as ADT and JSC submissions may stretch staff expertise and resources.</p>



**ITEM 7 (continued)**

**ATTACHMENT 3**



**Premier & Cabinet**  
Division of Local Government

**Circular to Councils**

Circular No. 11-35  
Date 3 November 2011  
Doc ID. A263040

Contact Marie Swain  
02 4428 4186  
marie.swain@dlg.nsw.gov.au

**COUNCIL ADMINISTERED ELECTIONS 2012**

Councils will be aware that pursuant to section 287 of the *Local Government Act 1993* (the Act), ordinary elections of councillors are held on the second Saturday in September every four years. The next ordinary elections will occur on 8 September 2012.

The Act was amended in June this year to return responsibility for administering elections, constitutional referendums and polls to general purpose councils. If councils prefer, they can engage the services of the New South Wales Electoral Commission (NSWEC) to administer the September 2012 elections on their behalf (see Circular to Councils 11-22).

Councils are reminded that if they wish to pursue this option, a resolution to this effect *must be made by 30 November 2011*. There are no provisions in the legislation for an extension to be granted or for councils to approach the NSWEC at a later date.

To enable the NSWEC to provide more detailed costings to the councils that will be its clients, it needs certainty that the advice it receives by 30 November will not change. For this reason, councils that have advised the NSWEC that they will be engaging it to conduct the 2012 elections cannot rescind the resolution at a later date, as it would be contrary to the spirit and intention of the legislation.

While a council's resolution to engage the NSWEC needs to be unconditional as part of these transitional arrangements for the 2012 elections, councils will be able to customise certain aspects (for example, placement of statutory advertising) in consultation with the NSWEC.

All councils that resolve to engage the NSWEC are required by clause 102 of Schedule 8 to the Act to notify the Electoral Commissioner and the Division of Local Government as soon as possible of this resolution.



**Steve Orr**  
**Acting Chief Executive, Local Government**  
**A Division of the Department of Premier and Cabinet**

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ITEM 7 (continued)

ATTACHMENT 3



DPC11/01801 – LB

Cr Keith Rhoades AFSM  
President  
Local Government  
Association of NSW  
GPO Box 7003  
SYDNEY NSW 2001

Local Government Association of NSW	
Shires Association of NSW	
11 NOV 2011	
SGU.....	CORP.....
POLICY.....	
WPLACE.....	NO ACTION.....
FILE No. ....	

2 8 OCT 2011

Dear Cr Rhoades

*Keith*

I refer to your letter dated 7 September 2011 regarding the administration of the 2012 local government elections.

I note that on 9 September 2011, the Division of Local Government issued its *Guidelines for Council Administered Elections 2012* under section 23A of the *Local Government Act 1993* (the Act). The *Local Government (General) Amendment (Elections) Regulation 2011* was also published on 9 September 2011.

As you know, councils have until 30 November 2011 to decide whether their elections will be administered by the general manager or by the Electoral Commissioner on a cost-recovery basis.

I appreciate that councils wishing to conduct their own elections by procuring services from commercial providers may find it difficult to conclude a tender process by 30 November 2011. I am advised, however, that this deadline is necessary to give the NSW Electoral Commission (NSWEC) sufficient time to prepare for the elections that it will be responsible for conducting. The Electoral Commissioner has confirmed this advice in recent discussions with the Director General of the Department of Premier and Cabinet and the Division of Local Government.

The Government acknowledges that cost will be a significant factor for councils when determining whether their elections will be administered internally or by the Electoral Commissioner. I am advised that the NSWEC cannot provide councils with the exact costs of conducting the 2012 elections as costs will vary depending on how many elections the NSWEC conducts. The NSWEC has, however, advised councils that an indicative calculation of the likely 2012 election costs for each local council area may be obtained by using the actual costs of the 2008 election and applying specific mark-ups to reflect wage increases, inflation, increased elector numbers and reduced economies of scale.

**ITEM 7 (continued)**

**ATTACHMENT 3**

I am also advised that the NSWEC has visited all local councils (with the exception of Bogan Shire Council) to discuss the services it will offer to councils that choose to have their elections conducted by the NSWEC. The Electoral Commissioner personally attended many of these visits and has indicated that concerns were not raised during these visits by general managers about compliance with the 30 November deadline.

I understand that the President of the Shires Association also recently sought clarification from the Minister for Local Government, the Hon. Donald Page MP, concerning the provision of advice by the NSWEC on the administration of elections.

I am advised that the NSWEC responds to requests for factual information from councils, parties, candidates and members of the public. It is, however, an independent body created by statute and is therefore not in a position to provide legal or advisory services to the general public or other participants in the electoral process, including local councils. If a council is uncertain about the legal or procedural requirements that apply to the conduct of elections, it may wish to seek its own legal advice.

I note that the Division of Local Government is also available to assist councils with queries in relation to their obligations under the Act or the *Local Government (General) Regulation 2005*. In addition, the Division of Local Government's *Guidelines for Council Administered Elections 2012* contain detailed procedural advice for councils wishing to conduct their own elections. The guidelines note that the Division of Local Government intends to provide further advice to councils on how to meet the applicable statutory requirements, including 'good practice' suggestions, closer to the election date. The Election Funding Authority has also offered to send a representative to any candidate information seminars arranged by a council to provide guidance on funding and disclosure obligations under the *Election Funding, Expenditure and Disclosures Act 1981*.

I understand that you have sent a similar letter to the Minister for Local Government. I have arranged to forward a copy of this letter to the Minister for his information.

Thank you for raising this matter with me.

Yours sincerely



**Barry O'Farrell MP**  
Premier

Cc: Shires Association of NSW



**ITEM 7 (continued)**

**ATTACHMENT 3**

Local Government  
Association of NSW



Shires Association  
of NSW

4 November 2011

The Hon Barry O'Farrell MP  
Premier of NSW  
GPO Box 5341  
Sydney NSW 2001

Dear Premier,

Your election to office in March 2011 was met by the Associations and the Local Government sector with optimism. It was hoped that your election would deliver a new era of cooperation, communication and respect to local Government and the communities they represent.

Your announcement that the choice as to who could manage the 2012 Local Government elections would be returned to Local Government was met with similar anticipation and hope.

Your letter received 4 November 2011 leaves nothing but extreme disappointment and a very bitter taste.

Neither the spirit nor the intent of the amending legislation have been met.

The forced 30 November 2011 deadline, the Guidelines issued by the Department of Local Government, the actions of the New South Wales Electoral Commissioner and your lack of support have all but destroyed any "choice" which Councils may be afforded.

Councils which resolve to manage their own elections will clearly be afforded no support, advice or assistance of any kind from the NSWEC, and will do so under uncertain tendering requirements.

Councils which resolve to use the NSWEC will do so with no clear idea of what their costs will be, an utterly ludicrous situation which at any other time would no doubt have a Council under a Departmental investigation for inappropriate procurement practices.

It is noted that the Minister for Local Government, the Hon Donald Page MP, at the recent LGA Conference in Nowra as part of his speech was bitterly scathing towards the conduct of the NSWEC.

We met with you on the 19 September 2011 and outlined a series of concerns, none of which you have addressed:

- We requested an extension of time to 31 March 2012 for Councils to resolve who would manage their elections to enable councils to properly undertake their

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**ITEM 7 (continued)**

**ATTACHMENT 3**

appropriate tendering obligations. As an alternative it was pointed out that the Government could formally permit Councils to waive these obligations. Given neither option was addressed Councils are not provided with a level playing field.

- We suggested that for the purposes of the Local Government elections that the NSWEC should be functionally "split" so that one part could offer advisory services to all Councils and the other part could delivery services for Councils who elected to have the NSWEC conduct their elections. This would have provided all Councils an impartial, standardised advisory service.
- We discussed the issue of the failure to vote fines. As we pointed out the last elections cost Local Government some \$26 million. The issued failure to vote fines totaled some \$21.9 million. The actual amount collected is unknown but regardless, this amount was paid directly into the NSW Government's Consolidated Fund. This money rightfully should be used to offset Local Government's costs to fund the elections.

Your letter advises that the NSWEC claims that during Council visits concerns about compliance with the 30 November deadline were not raised at meetings. This is false. Councils advise the Associations that at these meetings numerous issues have been raised with the NSWEC and his staff concerning the proposed conduct of the elections, and the aggressive conduct and tone of the NSWEC staff.

We believed that purpose of the amending legislation was to provide Councils with a choice, a return to some semblance of autonomy which Councils and their communities both expect and rightfully deserve. In this matter you and your government have failed the Associations and the sector, as they were under the previous Government remain frustrated and bitterly disappointed.

Yours Sincerely,



Cr Keith Rhoades AFSM  
President



Cr Ray Donald  
President

## **8 FUNDING OPTIONS FOR THE SURF ATTRACTION AT THE RYDE AQUATIC LEISURE CENTRE**

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**Report prepared by:** Centre Manager - Ryde Aquatic Leisure Centre

**Report dated:** 3/11/2011

**File No.:** GRP/11/4/3 - BP11/800

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### **Report Summary**

The purpose of this report is to provide funding options for this initiative and to seek Council's endorsement on the proposed funding for the surf attraction and additional features at the Ryde Aquatic Leisure Centre (RALC) in accordance with Council's resolution on 2 August 2011.

### **RECOMMENDATION:**

- (a) That Council fund the Surf Attraction equipment at the Ryde Aquatic Leisure Centre through a tender for an external loan of \$1.2 million.
- (b) That Council borrows funds of \$2.3 million internally from the Ryde Aquatic Leisure Centre Reserve for the additional works for the area, including the other structures as an internal loan, at 0.5% less than the applicable variable commercial rate for loans of that amount, with the interest being paid to the Ryde Aquatic Leisure Centre Reserve.
- (c) That Council repay both loans concurrently and the repayments be amortised over a seven (7) year period.

### **ATTACHMENTS**

- 1 Surf Attraction Calculations - CIRCULATED UNDER SEPARATE COVER -  
CONFIDENTIAL**

Report Prepared By:

**Paul Hartmann**

**Centre Manager - Ryde Aquatic Leisure Centre**

Report Approved By:

**Baharak Sahebekhtiari**

**Acting Group Manager – Community Life**

## **ITEM 8 (continued)**

### **Background**

At the Council meeting held 2 August, 2011, Council resolved to endorse the installation of a surf attraction feature and additional features at the Ryde Aquatic Leisure Centre. The resolution also requested that the General Manager report back to Council on the options available to source the required funds from either a bank loan or from internal reserves.

### **Report**

Following a presentation to Council outlining the proposed installation of a surf attraction feature at the Ryde Aquatic Leisure Centre, two development options were presented. One a simple installation of the attraction at an estimated budget of \$1.2million and a more expansive option that included additional features thereby creating a sense of place around the attraction that would be iconic and set the Ryde Aquatic Leisure Centre as an even greater landmark attraction within the City Of Ryde. Council resolved in favour of the second option.

Part (b) of the resolution required that the General Manager reports on the options available to sourcing the required funds from either an external bank loan or internally from reserves.

### Funding Options

Council has the following funding options available to fund the Surf Attraction Project:

- External Loan for all or part of the total amount of the Project
- Internal Loan from an Internal Restricted Reserve i.e. RALC Reserve for all or part of the total amount of the Project.
- Working Capital for all or part of the total amount of the Project.
- Use of Reserve Funds, not as a loan, including the RALC reserve.

### Recommended funding option

The RALC reserve has a balance of \$3.35 million as at the 30th June 2011.

The significant cost of the Project (\$3.5 million) and its proposed staging for completion over a period of 12 to 18 months it is recommended that Council adopt the following formula for funding the project:

- That Council fund the Surf Attraction equipment at the Ryde Aquatic Leisure Centre through a tender for an external loan of \$1.2 million.
- That Council borrows funds of \$2.3 million internally from the Ryde Aquatic Leisure Centre Reserve for the additional works for the area, including the other structures as an internal loan, at 0.5% less than the applicable variable commercial rate for loans of that amount, with the interest being paid to the Ryde Aquatic Leisure Centre Reserve.

## **ITEM 8 (continued)**

- That Council repay both loans concurrently and the repayments be amortised over a seven (7) year period.

This has been recommended for the following reasons.

- The main piece of equipment (estimated \$1.2 million), which is the main source of ongoing income is tied to an external funding source, plus the equipment could, if the whole project not succeed, be sold to satisfy the debt.
- By funding the balance (estimated \$2.3 million) from the RALC Reserve, the Reserve is not initially depleted (\$1 million would remain), and the RALC bears the burden of ensuring that the Project is a success. If it is a success then the RALC Reserve will benefit from that success both on repayment of the internal loan and the additional income generated.
- This approach acts as a shield from the rest of Council, should the Project fail and would only affect the RALC's ability to renew assets as they become due. Should that happen, the RALC, being a separate Category 1 Business, would have the capacity to borrow externally for Asset Renewal should the need arise.
- The debts incurred, both internally and externally, have a clearly defined income stream, which can be monitored to ensure that repayments of debts are able to be met.
- There is no subsidisation either to the RALC or from the RALC with General Revenue.

### Approval for Funding Approach

Council no longer requires Ministerial approval to borrow funds, but simply has to report it to the Division of Local Government each year in its borrowing return, and in the case of the Surf Attraction Project, it can submit an amended return to include new proposed external borrowings.

Due to the value of the Project, i.e. \$3.5 million, Council is not required to undertake a Capital Expenditure Review as the threshold is 10% of its Ordinary Rates, (which for City of Ryde is 10% of \$44.68 million or \$4.47 million in one Project) or a Project of \$10 million in total. This Project is under those amounts.

### **Consultation**

Internal Council business units consulted included:-

- Financial Services.

Internal Workshops held:-

- Not Applicable.



## **ITEM 8 (continued)**

City of Ryde Advisory Committees consulted included:-

- Not Applicable.

### **Critical Dates**

There are no critical dates or deadlines to be met.

### **Financial Impact**

It is estimated that the total cost of the proposal is \$3.5 million

This proposal is not provided for in the current 2011/2012 budget and could be funded from the RALC Reserve, and from an external bank loan.

The on-going operational and maintenance costs of this proposal are \$220,000 and can be included and accommodated in future operation budgets.

It is anticipated that the proposal could be partly complete in the 2011/2012 financial year with an estimated \$1.7 million to be expended in the next financial year.

The financial model for the surf attraction and additional features including loan repayments and return is shown in the document **ATTACHED – CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL**.

### **Policy Implications**

There are no policy implications through adoption of the recommendation.

### **Other Options**

Council could opt to source the funds entirely from an external loan, or entirely from the RALC reserve.

### **Conclusion**

It is recommended that Council adopt the following funding of the Project.

- That Council fund the Surf Attraction equipment at the Ryde Aquatic Leisure Centre through a tender for an external loan of \$1.2 million.
- That Council borrows funds of \$2.3 million internally from the Ryde Aquatic Leisure Centre Reserve for the additional works for the area, including the other structures as an internal loan, at 0.5% less than the applicable variable commercial rate for loans of that amount, with the interest being paid to the Ryde Aquatic Leisure Centre Reserve.
- That Council repay both loans concurrently and the repayments be amortised over a seven (7) year period.

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## **9      INSTALLATION OF A COGENERATION PLANT AT THE RYDE AQUATIC LEISURE CENTRE**

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**Report prepared by:** Senior Sustainability Co-ordinator - Transport and Environment; Centre Manager - Ryde Aquatic Leisure Centre  
**Report dated:** 2 November 2011      **File No.:** ENV/08/3/8/9 - BP11/785

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### **Report Summary**

This report proposes the tender for the installation of a 400kW cogeneration plant at the Ryde Aquatic Leisure Centre (RALC) and seeks Council's approval to proceed to tender.

The plant will cost in the vicinity of \$950,000 and will result in estimated annual energy cost savings of \$196,000 and a reduction in Greenhouse gas (GHG) emissions of an estimated 872 t/GHG per annum. The Plant will reduce the site's GHG profile in the most financially responsible manner.

The cogeneration plant is to be substantially funded from a grant; the Waste and Sustainability Improvement Payment (WASIP) up to \$764,000 provided by the Office of Environment and Heritage and up to \$200,000 from the Council internal reserves. The payback on Council's investment from annual energy cost savings is expected to be one year.

A further report on the outcomes of the tender will be reported to Council in early 2012.

### **RECOMMENDATION:**

That Council call for tenders for the supply and installation of a 400kW gas cogeneration plant at the Ryde Aquatic Leisure Centre

### **ATTACHMENTS**

**1** Ryde Aquatic Leisure Centre (RALC) Cogeneration Options Analysis Report

Report Prepared By:

**Craig Heal**

**Senior Sustainability Co-ordinator - Transport and Environment**

**Paul Hartmann**

**Centre Manager - Ryde Aquatic Leisure Centre**

Report Approved By:

**Baharak Sahebekhtiari**

**Acting Group Manager - Community Life**

## ITEM 9 (continued)

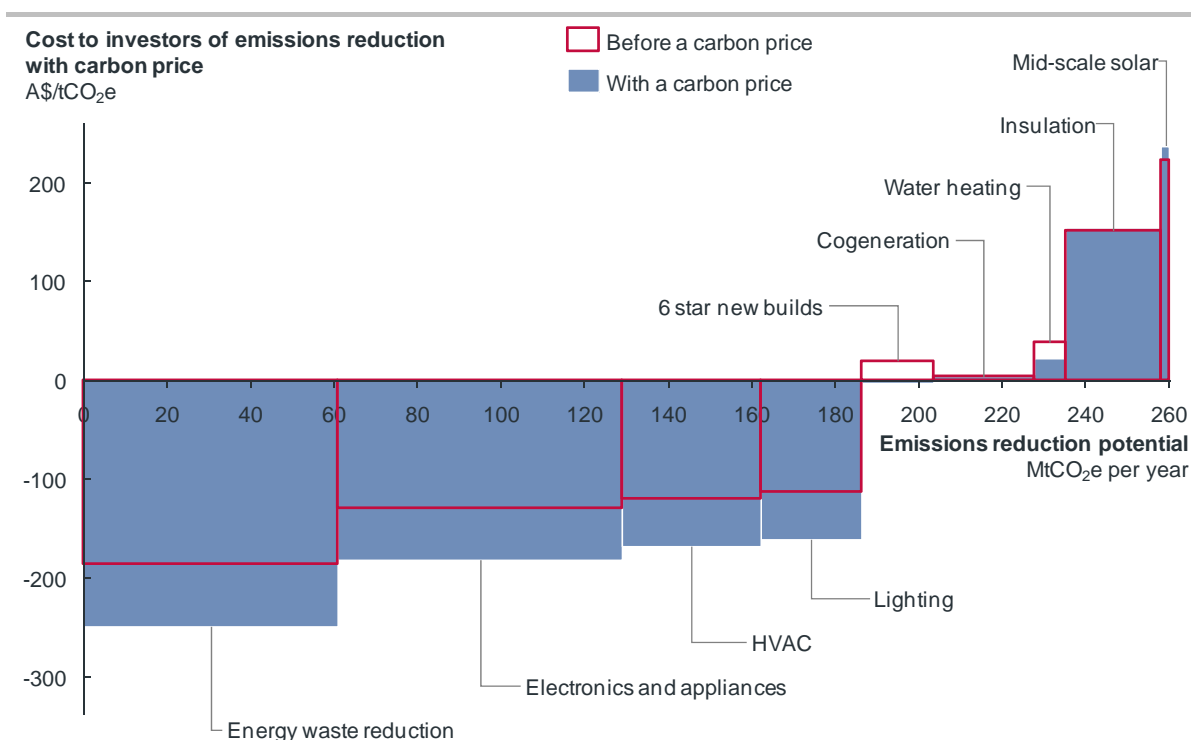
### Background

The Energy Savings Action Plan completed in 2006 found that the RALC has the largest GHG footprint with the highest energy consumption of all buildings owned by Council.

Council has exhaustively investigated the most efficient means of reducing the site's GHG footprint, energy reliance and financial cost whilst improving energy efficiency. The result of this investigation has found the installation of a cogeneration plant to be the most financially responsible solution. Such a Plant would also assist Council to progress towards its emission reduction goal of 30% reduction in greenhouse gas emissions by 2012/13 against the 2003/04 baseline.

Cogeneration is combined generation of electricity and thermal energy (waste heat recovery) from the same energy source (gas in this instance). They are ready built systems that drop into a facility through some small modifications to piping and electrical systems.

Cogeneration is a very cost efficient means to reduce greenhouse gas. Recent scientific analysis for Macquarie Park shows the cost to be \$5t/GHG which compares favourably against other popular greenhouse gas reduction measures such as roofing insulation at \$180t/GHG and solar panels \$260t/GHG as presented in the figure below.



**Figure 1: Cogeneration cost efficiency to reduce GHG emissions against other mitigation measures before and with a carbon price**

## ITEM 9 (continued)

The Office of Environment and Heritage (OEH) has approved the use of WASIP to substantially fund the construction of the plant with the balance of funds available from Council's RALC Reserve.

Figures of similar sized cogeneration systems as that proposed are provided below, together with a typical energy flowchart.



Figure 2: 400kW Cogeneration Plants

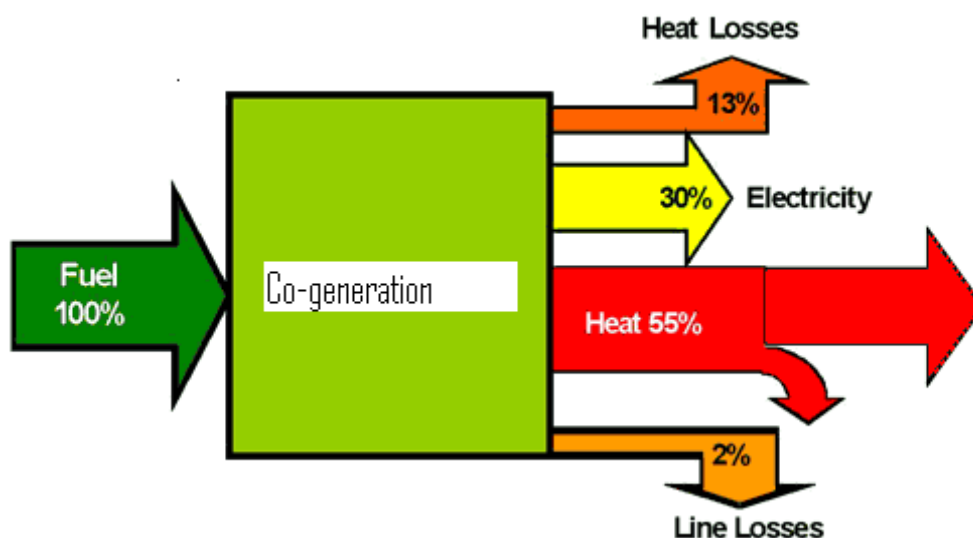


Figure 3: Cogeneration operation

### Report

A Cogeneration Feasibility Study for RALC was conducted and demonstrates the overall benefits and features of installing a Cogeneration or a Trigeneration plant. These are:

- Supplementing the existing electrical supplies to the centre
- Providing heating and cooling energy supplies to the centre
- Exceptional financial returns on investment
- Reduction of the centre's greenhouse gas emissions

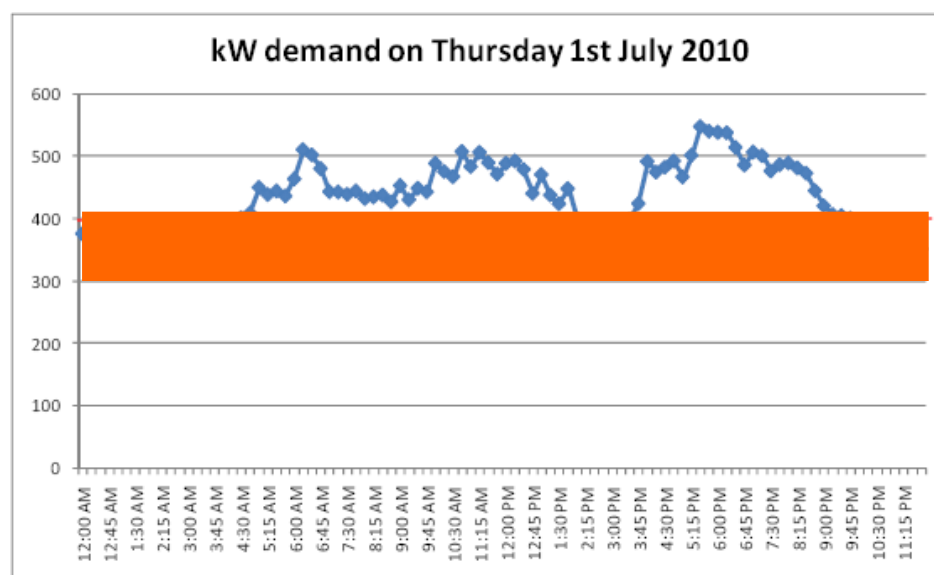
## ITEM 9 (continued)

The electrical and gas demand profile for the RALC for the years 2009/10 was studied to assess the suitability of site for cogeneration. The stable base load energy and heating requirements for RALC throughout the year make a small cogeneration facility a more attractive option.

### Electrical Demand

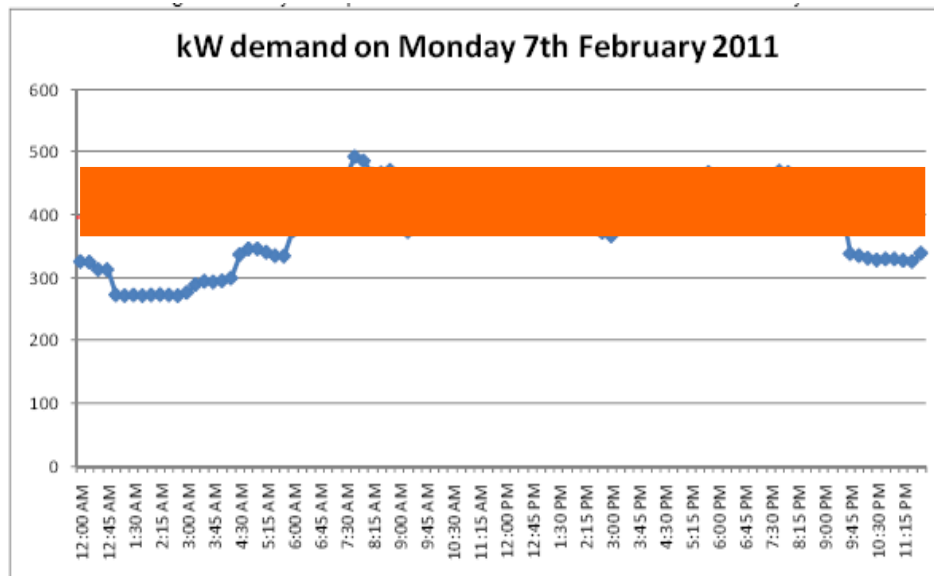
Figures 4 and 5 below present RALC's hourly electricity demand for a nominal summer and winter day and compares it against the energy supplied by the proposed cogeneration system. By having the cogeneration plant designed to run during peak demand only ensures efficiencies are gained by using the NSW grid when it is cheaper to consume from the grid than to run the cogeneration plant. Allowing the plant regular breaks also means less maintenance and a longer time between substantial servicing.

**Figure 4: RALC's hourly electrical demand (blue) in winter versus the Cogeneration Plant's supply capacity (orange)**



## ITEM 9 (continued)

**Figure 5: RALC's hourly electrical demand (blue) in summer versus the Cogeneration Plant's supply capacity (orange)**



Based on these loads, an analysis of the financial and technical viability of cogeneration plants along with thermal heat recovery, absorption chiller and solar was taken. This report covers the following seven combinations after reviewing the centre's energy consumption and thermal loads.

- Option 1: 120 kW Cogeneration Plant
- Option 2: 220 kW Cogeneration Plant
- Option 3: 220 kW Trigeneration Plant
- Option 4: 220 kW Cogeneration Plant with 150 kW Solar
- Option 5: 400 kW Cogeneration Plant
- Option 6: 400 kW Trigeneration Plant
- Option 7: 400 kW Cogeneration Plant with 150 kW Solar

A comprehensive energy savings options analysis of RALC conducted in June 2009 preceded the 2011 feasibility study and helped frame this response and enabled further design development opportunities to be considered at site that would increase building efficiency and reduce in GHG from the facility.



## ITEM 9 (continued)

The following table summaries each option's technical and financial details.

Table 1: Plant options and simple return on Council investment summary

Option <sup>1</sup>	Cost to install <sup>2</sup>	Complete Payback years <sup>3</sup>	Annual energy savings pa at 2012 <sup>4</sup>	Complete return on investment	Payback on Council investment <sup>5</sup>	t GHG savings pa	t GHG savings over lifetime
120kW Cogeneration Plant	\$611,800	15	\$59,000	-\$90,000	-	259	3,885
220 kW Cogeneration Plant	\$764,780	9	\$117,000	\$740,000	-	545	8,175
220kW Trigenation Plant	\$1,135,300	12	\$118,000	\$370,000	-	511	7,665
220kW Cogeneration Plant and Solar	\$826,400	9	\$123,000	\$1,000,000	1.6	613	9,195
<b>400kW Cogeneration Plant<sup>6</sup></b>	<b>\$931,700</b>	<b>7</b>	<b>\$196,000</b>	<b>\$1,960,000</b>	<b>1</b>	<b>872</b>	<b>13,080</b>
400kW Trigenation Plant	\$1,416,600	8	\$202,000	\$1,965,000	-	850	12,750
400kW Cogeneration Plant and Solar	\$986,900	7	\$202,000	\$2,030,000	1	939	14,085

### Notes

- Table 1 calculations based on plant operating for a minimum of 16 hours per day for five (5) days per week. This is the most cost effective option due to price tariffs, operating schedules and maintenance requirements.
- Cost to install is the construct and install costs. Life of cogeneration is 15 years if product is maintained by licensed staff.
- Complete Payback includes the total energy costs saved minus construct and install costs and all ongoing costs including energy cost savings.
- Annual Energy Savings for 2012 are provided for indicative savings. Actual savings will be much higher as IPART has approved an 18% rise in electricity prices over the next four years and a carbon tax of \$23 p/t has been approved.
- Payback calculation on Council investment of \$200,000 from energy savings p/annum.
- The 400kW system is in bold as it is the preferred option.

## **ITEM 9 (continued)**

The total energy savings is the summation of all the savings.

### **Research conducted**

Cogeneration plants are being used at a number of Local Government swimming facilities that are similar to RALC including:

- Willoughby
- Sutherland
- Marrickville
- Noarlunga in SA
- Maribyrnong in central Melbourne

In addition a number of Local Governments are actively considering installing cogeneration plants at Local Government swimming facilities including:

- North Sydney
- Sydney
- Wagga
- Parkes

An exhaustive literature review and reference check has been conducted on all of these Councils and in addition staff have contacted Facility Managers at Blue Mountains Hospital, Parramatta Hospital Linen Service, Sydney University, Macquarie University, and Castle Hill RSL where similar sized cogeneration plants are in operation.

### **Sizing**

The proposed sizing of the cogeneration plant of around 400kW has been selected because it meets a high component of RALC's energy needs for summer and winter without overstepping demand and having to vent heat.

### **Siting and operation**

The generation plant including the cogeneration plant and absorption chiller is proposed to be located outside the pool heating plant room in the place of the existing facility hot water heat pump enclosure, to minimise operational noise impacts and siting problems. All development and environmental requirements are minor and shall be met.

Maintenance would be conducted by a qualified contractor to ensure compliance with operating instructions and warranties.

### **Consultation**

Internal Council business units consulted included:-

- RALC.
- Business Infrastructure.
- Environment.
- Finance.
- Public Works.

## **ITEM 9 (continued)**

Internal Workshops held:-

- Not applicable.

City of Ryde Advisory Committees consulted included:-

- Climate Change and Sustainability Committee.

### Comments

All consulted groups are engaged and in principle supportive of the construction of a 400kW cogeneration system at Council.

### **Critical Dates**

There are no critical dates or deadlines to be met, although the Office of Environment and Heritage (OEH) will expect construction of the Plant to be completed by 30 June 2012.

### **Financial Impact**

It is estimated that the total cost of the project / equipment / proposal is \$950,000 for design, construction and commissioning.

This project has been identified as a demonstration project in the Ryde Community Strategic Plan 2021 and could be funded from:

- (i) OEH –WASIP Grant funding up to \$764,000 which has been approved for this project, that has been received in two (2) instalments on 31 October 2010 and 31 October 2011, and is awaiting transfer from Reserves.
- (ii) \$200,000 from RALC internal reserve, to fund the difference between the overall cost and the WASIP Grant funds that are available for this project. There is sufficient funding in the RALC Reserve for this purpose.

The payback on Council's investment, from annual energy cost savings, is expected to be one year post installation.

The ongoing annual cost of maintaining this project is variable due to the complex maintenance program associated with the infrastructure. The mean annual maintenance cost is \$25,000. All maintenance costs have been factored into the simple pay back calculations and are covered through reduction in energy savings.

It is anticipated that the project will be completed in this financial year 2011/2012.

### **Policy Implications**

There are no policy implications through adoption of the recommendation.

## ITEM 9 (continued)

### Other Options

Alternative	Discussed Viability
Business as usual	No significant reduction in energy consumption or GHG production is possible at RALC.
Other energy efficiency measures at RALC	Lower GHG abatement to cost than other energy generating options.  Do not address other barriers such as OHS, logistics or resourcing.

### Conclusion

A 400kW cogeneration will deliver an asset to the RALC allowing it to operate with greater security of energy supply whilst substantially reducing its cost of energy consumption and its greenhouse gas profile.

A plant around 400kW is the ideal size for RALC operation requirements. A cogeneration plant larger than 400kW will result in larger inefficiencies and more vented heat and maintenance complexities. A smaller system will not generate sufficient energy and has a longer payback period.

An additional contribution from Council of up to \$200,000 from the RALC Reserve in addition to the WASIP funding will allow for the purchase of a 400kW cogeneration system.

**ITEM 9 (continued)**

**ATTACHMENT 1**



# Cogeneration Feasibility Study

## Ryde Aquatic and Leisure Centre

**2<sup>nd</sup> September 2011**

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**ITEM 9 (continued)**

**ATTACHMENT 1**



RALC Cogeneration Study

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Approved by: Name Ali Abbas	Version No.....2.....	Date 2 <sup>nd</sup> Sept 2011
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## ITEM 9 (continued)

## ATTACHMENT 1



RALC Cogeneration Study

### 1. EXECUTIVE SUMMARY

Total Energy Solutions Pty Ltd (TES) is pleased to submit the following report after carrying out a feasibility study of the potential options for the installation of a Cogeneration / Tri generation plant at Ryde Aquatic and Leisure Centre.

TES are able to demonstrate to the City of Ryde the overall benefits and features of installing a Cogeneration or a Tri generation plant which are:

- Supplementing the existing electrical supplies to the centre
- Providing heating and cooling energy supplies to the centre
- Exceptional financial returns on investment
- Reduction of the centre's greenhouse gas emissions

TES have analysed the financial & technical viability of generation plants along with thermal heat recovery, absorption chiller and solar. This study covers the following seven combinations after reviewing the centre's energy consumption and thermal loads.

- Option 1: 120 kW Cogeneration Plant
- Option 2: 220 kW Cogeneration Plant
- Option 3: 220 kW Trigeneneration Plant
- Option 4: 220 kW Cogeneration Plant with 150 kW Solar
- Option 5: 400 kW Cogeneration Plant
- Option 6: 400 kW Trigeneneration Plant
- Option 7: 400 kW Cogeneration Plant with 150 kW Solar

The following observations were made after reviewing these combinations.

- Pool solar heating can add value to the cogeneration plant by installation of 150 kW of heating hot water panels on the roof which is option 4 and option 7.
- Due to the unavailability of central chilled water plant on site the trigeneneration combination is technically challenging and not a financially viable option as this may also involve the installation of new cooling towers and new chilled water coils to air handling units to cater for the absorption chiller. This applies to option 3 and option 6.
- A larger cogeneration plant size does provide good return on investment but the larger plant will have to dump excess waste heat to the atmosphere in the summer months.
- A smaller cogeneration plant of 120 kW may not be feasible due to higher upfront costs associated with the plant and lower energy savings

The table 1.1 shows the outcome of the options stated above by assessing the solar and absorption chiller combination with the cogeneration or trigeneneration plant.



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RALC Cogeneration Study

Table 1.1 Ryde Aquatic and Leisure Centre Generation Plant Options and Summary\*\*

Options	Cost to Implement \$	Total Energy Savings \$	SPB	CO2 savings Tons/year
<b>Option 1 : 120 kW Cogeneration Plant</b> Electrical kWe=122 Thermal kWt=196 Fuel Input kW=348	\$ 611,823.09	58,969.1	10.38	259.52
<b>Option 2 : 220 kW Cogeneration Plant</b> Electrical kWe=220 Thermal kWt=362 Fuel Input kW=637	\$ 764,778.86	116,882.5	6.54	545.00
<b>Option 3: 220 kW Trigeneration Plant</b> Electrical kWe=220 Thermal kWt=362 Fuel Input kW=637	\$ 1,135,278.86	117,568.5	9.66	511.00
<b>Option 4: 220 kW Cogeneration Plant with Solar</b> Electrical kWe=220 Thermal kWt=362 Fuel Input kW=637	\$ 826,364.29	123,312.3	7.09	613.00
<b>Option 5: 400 kW Cogeneration Plant</b> Electrical kWe=400 Thermal kWt=502 Fuel Input kW=1,055	\$ 931,741.57	196,130.9	4.75	872.00
<b>Option 6: 400 kW Trigeneration Plant</b> Electrical kWe=400 Thermal kWt=502 Fuel Input kW=1,055	\$ 1,416,641.57	201,640.3	7.03	850.00
<b>Option 7: 400 kW Cogeneration Plant with Solar</b> Electrical kWe=400 Thermal kWt=502 Fuel Input kW=1,055	\$ 986,905.36	202,560.7	4.87	939.00

\*\*Note – The calculations listed in table 1.1 are based on the cogeneration or trigeneration plant being operational for a minimum of 16 hours per day for 5 days per week.

TES recommends **Option 2** as the most viable option in terms of capital cost involved and **Option 5** in terms of quick return on investment. Detailed life cycle cost analysis for each option is shown in Section 4 of this report.

## ITEM 9 (continued)

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RALC Cogeneration Study

### 2. UTILITY CONSUMPTION RALC

The RALC has a steady demand for electricity and gas which is seasonal based. Both electricity and gas demand peaks are in winter due to pool hall heating and pool water heating requirements.

#### 2.1 Electricity

The electricity consumed by Ryde Aquatic Centre (NMI-NCCC007503) is:

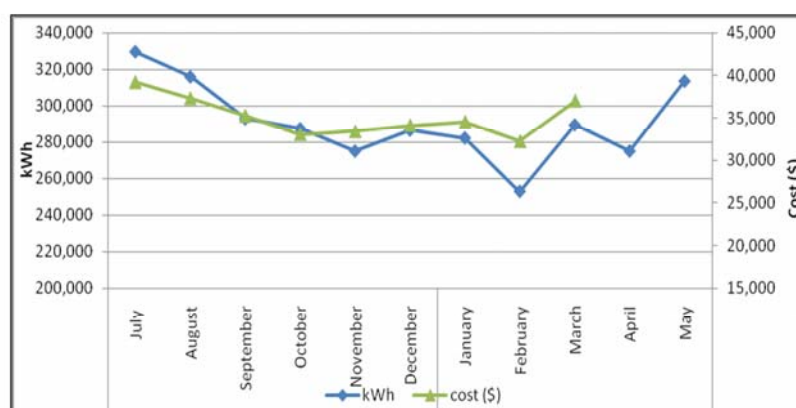


Figure 2.1 Ryde Aquatic Centre electricity kwh consumption

Figure 2.1 Shows monthly electricity consumption in kWh. The monthly consumption profile shows lower consumption in summer months. This is due to the higher ambient temperature which reduces the energy required by heating.

Table 2.2 Ryde Aquatic Centre Electricity Consumption from July 2010 to May 2011

Year	Month	kWh	cost (\$)
2010	July	329,626.32	39,212.88
	August	315,899.55	37,314.44
	September	292,833.21	35,261.94
	October	287,359.60	33,059.93
	November	274,848.33	33,401.41
	December	286,373.68	34,131.37
2011	January	282,053.17	34,539.94
	February	252,757.02	32,228.64
	March	289,387.75	37,013.52
	April	274,877.81	
	May	313,536.46	

## ITEM 9 (continued)

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RALC Cogeneration Study

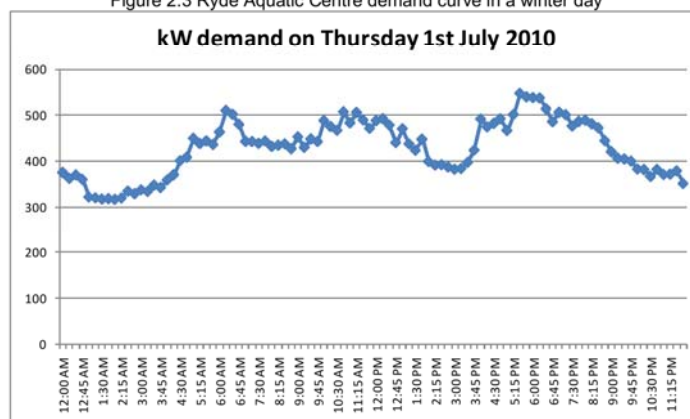
### ELECTRIC DEMAND PROFILE

The daily maximum demand for a typical summer and winter day for Ryde Aquatic Centre are shown in tables 2.2 and 2.3 listed below.

#### NMI: NCCC007503

The electrical demand for a winter day (Thursday 1<sup>st</sup> July 2010)

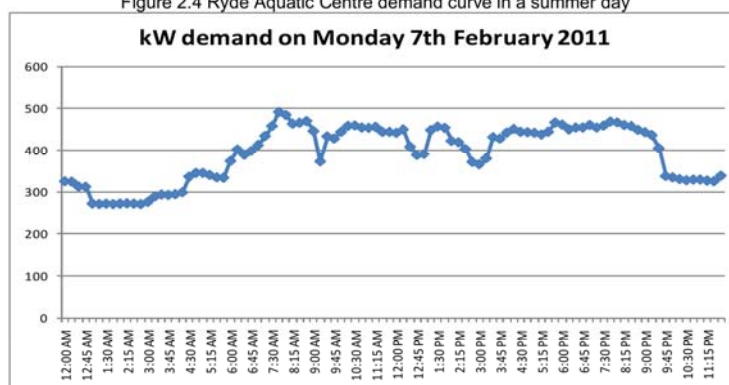
Figure 2.3 Ryde Aquatic Centre demand curve in a winter day



During winter time, the peak kW demand is 546 kW at 5:30pm while the lowest kW demand is 317 kW at 1:30am. Splitting this into peak shoulder and off peak it is evident from the graphs that the maximum demand stays above 400 kW for more than 16 hours during the day.

The electrical demand for summer day (Monday 7<sup>th</sup> February 2011)

Figure 2.4 Ryde Aquatic Centre demand curve in a summer day



During summer time, the highest kW demand is 493 kW at 7:45am while the lowest kW demand is 270 kW at 1:45am. The electricity demand is generally higher during operating hours. Splitting this data into peak shoulder and off peak it is evident from the graphs that the maximum demand stays above 400 kW for around 16 hours during the day. There are a few dips below 400 kW at 9:00am, 11:45am and 3:00pm therefore 2 main options for generators form part of this study which are 230 kWe and a 400 kWe.



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## ITEM 9 (continued)

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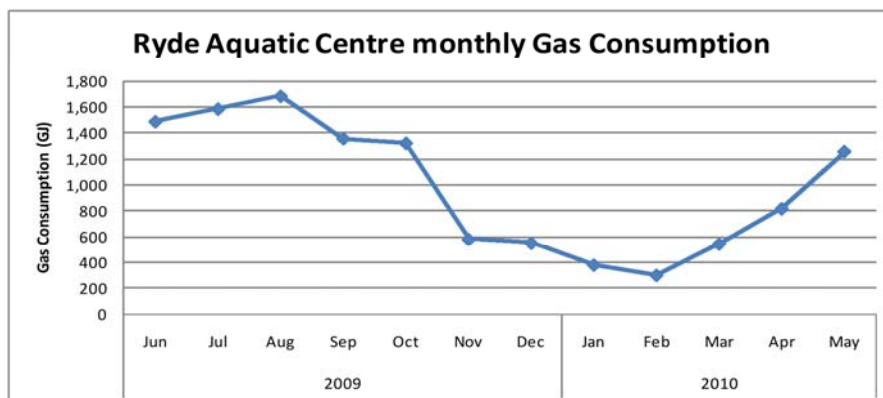


RALC Cogeneration Study

### 2.2 Gas

One year data from June 2009 to May 2010 is provided from Building Management System at Ryde Aquatic Centre. The gas consumption trend in Ryde Aquatic Centre during this period is:

Figure 2.5 Gas consumption and cost in Ryde Aquatic Centre



From figure 2.5, the gas consumption in summer time is much lower than that in winter time. This is due to the boilers heating hot water and consuming the major proportion of gas provided. The heating demand in summer is significantly reduced compared to the demand in winter time. The low heating load in summer suggests the selection of a 200kW cogeneration plant as appropriate due to the heat available from a 200kW plant matches with the heat demand available during the summer months. Utilising both the electricity and heat available from a cogeneration plant ensures the quickest returns made financially on investment.

### 2.3 Utility Meters

The site is provided with the following utility meters:

Provider	Site	Acc No	Type	NMI/Meter number
Energy Australia	Ryde Aquatic Centre	811882625	Electricity	NCCC007503
AGL	Ryde Aquatic Centre	000128101	Gas	099990810001

## ITEM 9 (continued)

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RALC Cogeneration Study

### 2.4 Utility Rates

Updated utility rates have been included in this report. These new utility rates are as follows:

#### Electricity:

NMI: NCCC007503	(rates from latest bill-March 2011)	
Electricity (rates including energy losses)	Peak rate	6.95000¢
	Off peak rate	2.92000¢
	Shoulder rate	6.95000¢
	Network peak rate	7.72880¢
	Network offpeak rate	2.40310¢
	Network shoulder rate	6.62510¢
	Network daily charge	\$3.208158
	Network demand charge	15.86290¢
	LRET	0.27900¢
	Aemo Ancillary charge	0.03450¢
	Aemo Pool fees	0.04050¢
	NGAC Charge	0.24500¢
	NSW ESS Charge	0.05100¢
	SREC	0.59200¢
	Green charge	4.10000¢
	Metering Charge	\$1.849315

Based on the above table the summary of peak, shoulder and off peak tariffs are as per the table below. The average site electricity price is 12c/kWh.

	cents/kWh
Peak rate	15.9208
Shoulder rate	14.8171
Off peak rate	6.5651

#### Gas:

Ryde Aquatic Centre Gas (rates from bill-Feb 2011)		
Gas rates	Commodity activity fee	\$0.04700 per GJ
	Commodity variable component	\$4.81700 per GJ
	Monthly Fixed component	\$3070.18 per month
	Monthly network component	\$1925.13 per month

## ITEM 9 (continued)

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RALC Cogeneration Study

### 3. RECOMMENDATIONS

#### 3.1 GENERATION PLANT OPTIONS

TES is recommending the following options as part of the proposed generation plants:

- **Option 1: 120 kW Cogeneration Plant**

This option will consist of a Schmitt Enertec FMB 155 GSK. 120 kW size is small when we are considering the RALC site electrical demand however this option is included for comparison with larger CHP plant options.

- **Option 2: 220 kW Cogeneration Plant**

This option will consist of a Schmitt Enertec FMB 275 GSMK. 220 kW is the ideal CHP capacity which is able to address the base load for both summer and winter for the RALC.

- **Option 3: 220 kW Trigeneration Plant**

This option will consist of a Schmitt Enertec FMB 275 GSMK and a Voltas HAU 180 SV absorption chiller. The absorption chiller will provide 270 kW<sub>r</sub> to the facility for cooling.

- **Option 4: 220 kW Cogeneration Plant with 150 kW Solar**

This option will consist of a Schmitt Enertec FMB 275 GSMK and a 150 kW solar pool heating system installed on Aquatic Centre roof.

- **Option 5: 400 kW Cogeneration Plant**

This option will consist of a Schmitt Enertec FMB 500 GSMK. The size of 400 kW addresses the summer and winter load curve and is able to run at nearly full capacity at 80% of the time.

- **Option 6: 400 kW Trigeneration Plant**

This option will consist of a Schmitt Enertec FMB 500 GSMK and a Voltas HAU 200 SV absorption chiller. The absorption chiller will provide 368 kW<sub>r</sub> to the facility.

- **Option 7: 400 kW Cogeneration Plant with 150 kW Solar**

This option will consist of a Schmitt Enertec FMB 500 GSMK and a 150 kW solar pool heating system installed on Aquatic Centre roof.

The following table 3.1 shows a summary consisting of technical and financial details for each option. The CHP options are shown separate with details about electricity savings, gas costs and thermal energy savings. There are separate columns for electrical savings associated with the absorption chiller and gas savings associated with the solar panels. The total energy savings is the summation of all the savings quoted in the table.



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RALC Cogeneration Study

Table 3.1 Ryde Aquatic and Leisure Centre Generation Plant Options and Summary

Options	Cost to Implement \$	Annual Electrical Savings kWh	Electrical Savings \$	Annual Gas Consumption GJ	Annual Gas Consumption \$	Annual Thermal Energy Savings GJ	Annual Thermal Energy Savings \$	Annual Chiller Energy Savings kWh	Annual Chiller Energy Savings \$	Annual Solar Energy Savings GJ	Annual Solar Energy Savings \$	Total Energy Savings \$	NPV	CO <sub>2</sub> Savings Tons/Year
Option 1: 120 kW Cogeneration Plant Electrical kW=122 Thermal kW=166 Fuel Inlet kW=548	\$ 611,823.09	456,000.00	72,504.00	4,761	23,136.7	1,575.68	9,601.80					59,969.1	10.38	259.50
Option 2: 220 kW Cogeneration Plant Electrical kW=220 Thermal kW=352 Fuel Inlet kW=537	\$ 764,778.86	874,000.00	138,966.00	8,714	42,350.8	4,170.24	20,267.37					116,882.5	6.54	545.00
Option 3: 220 kW Trigeneration Plant Electrical kW=220 Thermal kW=352 Fuel Inlet kW=537	\$ 1,135,278.86	874,000.00	138,966.00	8,714	42,350.8	2,009.40	12,667.10	52,114.29	8,266			117,598.5	9.86	511.00
Option 4: 220 kW Cogeneration Plant with Solar Electrical kW=220 Thermal kW=352 Fuel Inlet kW=537	\$ 826,364.29	874,000.00	138,966.00	8,714	42,350.8	4,170.24	20,267.37			1,325	6,430	123,312.3	7.06	613.00
Option 5: 400 kW Cogeneration Plant Electrical kW=400 Thermal kW=600 Fuel Inlet kW=1,055	\$ 931,741.57	1,520,000.00	241,680.00	14,432	70,141.5	5,060.16	24,592.38					196,130.6	4.75	872.00
Option 6: 400 kW Trigeneration Plant Electrical kW=400 Thermal kW=600 Fuel Inlet kW=1,055	\$ 1,416,641.57	1,520,000.00	241,680.00	14,432	70,141.5	2,891.52	14,062.79	100,937.14	10,048			201,640.3	7.00	850.00
Option 7: 400 kW Cogeneration Plant with Solar Electrical kW=400 Thermal kW=600 Fuel Inlet kW=1,055	\$ 986,905.36	1,520,000.00	241,680.00	14,432	70,141.5	5,060.16	24,592.38			1,325	6,430	202,560.7	4.87	939.00



## ITEM 9 (continued)

## ATTACHMENT 1



RALC Cogeneration Study

### 3.2 RECOMMENDED MECHANICAL SCOPE OF WORKS

- The generation plant including the CHP plant and absorption chiller shall be located outside the pool heating plant room in the place of the existing facility hot water heat pump enclosure as shown in the photo below. The CHP set and absorption chiller will be fully tested at the factory before shipment.

Photograph 1.1 Ryde Aquatic and Leisure Centre CHP Plant Proposed Location



- Ventilation. Air ventilation equipment will be provided for combustion, radiation and convective heat. Ventilation equipment will need to be fitted with attenuators as required.
- Exhaust. An exhaust system for the generator shall be provided to meet local EPA and council regulations. Exhaust shall be vented to atmosphere at high level.
- Vibration. All the necessary vibration damping equipment with the generator plant shall meet best practice in terms of vibration isolation.
- All equipment and piping shall be isolated to minimise structural borne noise.
- Fire Protection. The plantroom shall utilise the buildings specified fire protection system to meet the fire safety requirements of the generator plant. A separate sub-panel may be required on the central fire control panel for the generator plantroom.
- Floor Loading. The generator plantroom shall be able to sustain the plant loadings to suit the weights of the CHP and or the absorption chiller.
- Condenser Water. Condenser water services shall be provided to the plantroom to remove heat from the absorption chiller and engines. Condenser water circuit will run from the designated heat rejection areas of the site to the generation plantroom.
- Chilled Water. Chilled water services shall be provided from the generation plantroom. Chilled water pipework within the plantroom to be run to new chilled water coils and provide cooling to main air handling units for trigeneration option only.

**ITEM 9 (continued)**

**ATTACHMENT 1**



RALC Cogeneration Study

- Hot Water Services. Hot water services for space heating and domestic hot water shall be provided from the generator plantroom. The hot water from the proposed plant will run in parallel with the existing hot water heating boilers on site. Heat exchangers and piping for each heating service within the plantroom shall form part of this installation.

Photograph 1.2 CHP heat recovery to be piped in series with the existing RALC Boiler plant (shown below)



- Lube oil tank and pumping system with pipe work
- Liaison with BMS, electrical, mechanical contractors.
- The gas supply to the CHP will be tapped from the existing gas supply running to the hot water boilers and the domestic hot water plant.

Photograph 1.3 Gas supply for CHP to be tapped from the RALC Main Gas meter and regulator (shown below)



- Factory Testing, Plant Testing and Integration Testing and commissioning of generator plant.

## ITEM 9 (continued)

## ATTACHMENT 1



RALC Cogeneration Study

### 3.3 RECOMMENDED ELECTRICAL SCOPE OF WORKS

The Cogeneration System will consist of a 415V Electrical Generator.

The Cogeneration system along with supplying power to the facility will provide additional electrical power to the supply of all new equipment including air fans, exhaust air fan, and domestic hot water pump.

During normal day to day working conditions the Cogenerator is programmed to start when the building electrical load is greater than 50% of the Generator capacity. This is monitored via three single phase CTs and a bidirectional transducer installed in the Main Building Switchboard. As the building kW load is increased the Cogenerator begins to synchronize, and when synchronized will close the Cogenerator Synchronization Breaker (Moulded Case Circuit Breaker) electrically connecting to the facility.

The Synchronization Breaker is a 4 pole Circuit Breaker that switches the Active and Neutral conductors of the generator under open and close conditions. The Neutral of the Cogenerator is connected to the Main Earthing Neutral system in the main switchboard and is grounded at this point.

The Cogenerator will ramp up to allow sufficient load to be provided while leaving a minimum (variable depending on transient load conditions) import level (kW) between itself and the grid at all times. This figure will provide a buffer against sudden load changes to which the Cogenerator cannot immediately respond to. Once the Cogenerator kW have ramped down to or below 50% with the minimum import level it will ramp down and disconnect via Synchronization Breaker from the system.

Please note the connection of the Cogenerator to the Grid will require a Connection Agreement Contract with the Electrical Utility Provider for the site. TES is capable of providing assistance in the sign off of this Connection Agreement.

Photograph 1.4 CHP circuit breaker to be installed in RALC Main Switchboard (shown below)



### ELECTRICAL CONNECTION

The main mechanism to connect the Cogenerator to the Electrical Network is via the Synchronization Breaker part of the Cogenerator Electrical Switchboard. From the Cogenerator Electrical Switchboard to the Main Switchboard are 3 phase + Earth cabling.

Within the Main Switch Board certain devices need to be added in reference to monitoring and Electrical Protection. These include:

- Cogenerator Disconnect Breaker (Moulded Case Circuit Breaker)
- Current Transformers



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## ITEM 9 (continued)

## ATTACHMENT 1



RALC Cogeneration Study

- Fuses
- Bidirectional Transducer
- Incoming 3phase + Earth cables from Cogenerator Switch Board

Enough space within the Main Switchboard should be allocated for these components. If not modifications to the Main Switch Board will be required, such as the implementation of an additional Distribution Board.

### COGENERATOR ELECTRICAL SWITCHBOARD

For Electrical Protection and overall operation of the Cogenerator the Electrical Switchboard will have a number of components for these purposes.

These include:

- Engine control system
- PLC based control system to integrate all auxiliary plant
- Grid Synchronization gear for grid connection and fault protection
- Protection and safety relays as per Utilities Provider's requirements
- Interface of Cogenerator and absorption chiller with the BMS

The Schmitt Enertec unit being a packaged CHP potentially reduces site retrofit work and building shutdowns that would occur at a later date.

### Demand Management & Cogeneration Optimal Control System

The Cogeneration unit shall be supplied with a sophisticated SCADA system called VIDAC (Visualisation and Data Acquisition Controller). The VIDAC controller and the Cogeneration PLC are capable of providing the following functions:

- *Monitoring of the site demand* - The VIDAC controller will monitor the site demand parameters including site electrical load and control the engine output accordingly. This information will be made available for monitoring purposes.
- *Tracking the energy usage* - Energy usage information will be available for monitoring purposes via the interface with the VIDAC Controller of the Cogeneration Plant. This will be related to electricity generation, total site electrical load, electrical import.
- *Optimisation of the Cogeneration plant operation with electricity demand requirement* - The plant is capable of running in Power Mode to meet electrical demand requirements of the site. It is also capable of running in Heat Mode where the plant optimises its capacity based on the chiller or hot water demand. This mode is followed to avoid excess heat dump.
- *Staff Timing* - The VIDAC enables a full HMI interface, records all events and fault history and is capable of generating call outs. This minimizes staff involvement in day to day operation of the cogeneration plant. A dedicated phone line is required to establish a link b/w the O&M Sub Contractor, The CHP and the Aquatic Centre.

The CHP/VIDAC control system includes the following functions:

- A Human Machine Interface (HMI) touch screen panel detailing the CHP operating parameters linked to the CHP PLC on each unit
- Monitoring and control of engine operating data and ignition data



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## ITEM 9 (continued)

## ATTACHMENT 1



RALC Cogeneration Study

- Monitoring and control of generator, synchronization and protection with the CHP bus
- Can simply trend different CHP variables like temperature or kW generated
- It has on/off function and time control information
- It holds information regarding engine run hours and is capable of storing information on all maintenance activities carried out. This information can be monitored remotely
- The VIDAC control system will share any necessary information with the PLC and the BMS.
- The Cogeneration plant can be monitored simply via a Web Based interface. Client to provide Web based Static IP Address.

### 3.4 SERVICE AND TRAINING

#### TRAINING

TES provides two stages of training for our client's staff, on the basis that the first level of training will need to be reinforced with a second round.

#### SERVICE

TES is able to support and maintain the Schmitt Enertec range of CHP plants, and the Voltas Absorption Chillers, providing regular scheduled maintenance, breakdown maintenance and major overhauls as required.

TES has spare parts, service vehicles and trained technicians to undertake the service requirements of the equipment supplied by us.

### 3.5 COMPLIANCE WITH AUSTRALIAN STANDARDS AND CODES

- EPA/DECCW requirements
- Explosion proof silencer meeting AS1375 requirements
- Gas train compliant with AG501, 601
- Safety signs at generation installation as per AS1319
- Safe Work Method Statements and Job Safety Analysis
- Compliance with BCA, AS1668 part 1 and 2
- Compliance with AS3000, AS3008 for electrical installation

### 3.6 MAINTENANCE COSTS ALLOWANCES

Following table is a summary of activities which are included as part of the Schmitt Enertec CHP Maintenance Costs in each option for the Cost benefit analysis. All servicing and change of parts to be performed by TES as part of this offer.

Interval	Every 1,000 hours	Every 3,000 hours	Every 6,000 hours	Every 12,000 hours	Every 24,000 hours	Every 48,000 hours
Approx Labour hours 6 inline	3	3	4	15	78	94
Approx Labour hours V8	3,5	3,5	4,5	15	82	98
Approx Labour hours V12	5	5	6	15	88	104
Check engine tightness	x	x	x	x	x	x
Check connections	x	x	x	x	x	x
Change engine oil /Oil analysis	x	x	x	x	x	x
Change oil filter	x	x	x	x	x	x
Adjust valve clearance	x	x	x	x	x	x



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**ITEM 9 (continued)**

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RALC Cogeneration Study

Check ignition timing	x	x	x	x	x	x
Check jacket water circuit/system pressure	x	x	x	x	x	x
Check start sequence	x	x	x	x	x	x
Log data	x	x	x	x	x	x
Check/adjust spark plugs	x	x	x	x	x	x
Change spark plugs		x		x	x	x
Clean or change air filter	x	x	x	x	x	x
change air filter			x	x	x	x
Measure compression pressure			x	x	x	x
Check/Clean speed pick ups			x	x	x	x
Check concentration of jacket water inhibitor			x	x	x	x
Check exhaust back pressure			x	x	x	x
change jacket water				x	x	x
Renew exhaust turbochargers				x	x	x
Renew lambda sensor				x	x	x
renew cylinder liners					x	x
renew piston rings					x	x
renew con rod bearings					x	x
renew cylinder heads					x	x
Renew generator bearings					x	x
renew pistons						x
renew crankshaft main bearings						x
Renew valve train						x
Renew torsional vibration damper						x
Measure crankshaft						x
Renew camshaft						x

**ITEM 9 (continued)**

**ATTACHMENT 1**



RALC Cogeneration Study

**4. COST BENEFIT ANALYSIS**

Following are the detailed cost benefit analysis for each cogeneration plant option which is proposed for the Ryde Aquatic and Leisure Centre which also shows maintenance costs.

**Ryde Council Feasibility Study Cogeneration:  
PROJECT COSTS AND SAVINGS RALC Option 1 - 120 kW Cogeneration Plant**

	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
Project Costs	\$ 611,823															
Major Costs																
M&P	\$ -	\$ 18,369	\$ 18,369	\$ 22,852	\$ 18,369	\$ 18,369	\$ 53,028	\$ 18,369	\$ 18,369	\$ 22,852	\$ 18,369	\$ 18,369	\$ 77,471	\$ 18,369	\$ 18,369	\$ 22,852
CHP Maintenance Costs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Plant Maintenance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other Costs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL COSTS	\$ 611,823	\$ 18,369	\$ 18,369	\$ 22,852	\$ 18,369	\$ 18,369	\$ 53,028	\$ 18,369	\$ 18,369	\$ 22,852	\$ 18,369	\$ 18,369	\$ 77,471	\$ 18,369	\$ 18,369	\$ 22,852
Energy Savings	\$ -	\$ 59,969	\$ 60,738	\$ 62,590	\$ 64,437	\$ 66,370	\$ 68,301	\$ 70,412	\$ 72,525	\$ 74,700	\$ 76,941	\$ 79,250	\$ 81,627	\$ 84,076	\$ 86,568	\$ 89,196
Water Savings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
CHP Savings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
NG&C Incentives	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Deferred Capital Savings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL SAVINGS	\$ -	\$ 59,969	\$ 60,738	\$ 62,590	\$ 64,437	\$ 66,370	\$ 68,301	\$ 70,412	\$ 72,525	\$ 74,700	\$ 76,941	\$ 79,250	\$ 81,627	\$ 84,076	\$ 86,568	\$ 89,196
Total Project Costs and Savings	\$ (611,823)	\$ 42,560	\$ 42,349	\$ 39,678	\$ 46,048	\$ 47,961	\$ 14,733	\$ 52,023	\$ 54,156	\$ 51,818	\$ 58,552	\$ 60,891	\$ 4,156	\$ 65,697	\$ 68,209	\$ 69,314
<b>Net Present Value</b>	<b>\$ (195,002)</b>															
<b>Internal Rate of Return</b>	<b>1.837%</b>															

Notes

- 1 Energy cost inflation rate per annum 3%
- 2 Water cost inflation rate per annum 3%
- 3 CHP cost inflation rate per annum 3%
- 4 O&M Inflation rate per annum 7%
- 5 Project Costs & Savings exclude GST



**ITEM 9 (continued)**

**ATTACHMENT 1**



RALC Cogeneration Study

**Ryde Council Feasibility Study Cogeneration:  
PROJECT COSTS AND SAVINGS RALC Option 2 - 220 kW Cogeneration Plant**

	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
Project Costs	\$ 794,779															
M&V Costs	\$ -	\$ 20,382	\$ 20,382	\$ 31,390	\$ 20,382	\$ 20,382	\$ 69,644	\$ 20,382	\$ 20,382	\$ 31,390	\$ 20,382	\$ 20,382	\$ 112,394	\$ 20,382	\$ 20,382	\$ 31,390
CHP Maintenance Costs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Panel Maintenance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other Costs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>TOTAL COSTS</b>	<b>\$ 794,779</b>	<b>\$ 20,382</b>	<b>\$ 20,382</b>	<b>\$ 31,390</b>	<b>\$ 20,382</b>	<b>\$ 20,382</b>	<b>\$ 69,644</b>	<b>\$ 20,382</b>	<b>\$ 20,382</b>	<b>\$ 31,390</b>	<b>\$ 20,382</b>	<b>\$ 20,382</b>	<b>\$ 112,394</b>	<b>\$ 20,382</b>	<b>\$ 20,382</b>	<b>\$ 31,390</b>
Energy Savings	\$ -	\$ 116,683	\$ 120,349	\$ 124,001	\$ 127,721	\$ 131,552	\$ 135,499	\$ 139,594	\$ 143,751	\$ 148,003	\$ 152,505	\$ 157,000	\$ 161,700	\$ 166,846	\$ 171,646	\$ 176,795
Water Savings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
CHP Savings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
NGAC Incentives	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other Savings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>TOTAL SAVINGS</b>	<b>\$ -</b>	<b>\$ 116,683</b>	<b>\$ 120,349</b>	<b>\$ 124,001</b>	<b>\$ 127,721</b>	<b>\$ 131,552</b>	<b>\$ 135,499</b>	<b>\$ 139,594</b>	<b>\$ 143,751</b>	<b>\$ 148,003</b>	<b>\$ 152,505</b>	<b>\$ 157,000</b>	<b>\$ 161,700</b>	<b>\$ 166,846</b>	<b>\$ 171,646</b>	<b>\$ 176,795</b>
<b>Total Project Costs and Savings</b>	<b>\$ (794,779)</b>	<b>\$ 96,501</b>	<b>\$ 100,007</b>	<b>\$ 92,620</b>	<b>\$ 107,339</b>	<b>\$ 111,171</b>	<b>\$ 55,855</b>	<b>\$ 119,182</b>	<b>\$ 123,369</b>	<b>\$ 116,683</b>	<b>\$ 132,124</b>	<b>\$ 138,699</b>	<b>\$ 49,399</b>	<b>\$ 146,285</b>	<b>\$ 151,294</b>	<b>\$ 145,415</b>
<b>Net Present Value</b>	<b>\$ 228,995</b>															
<b>Internal Rate of Return</b>	<b>11.147%</b>															

Notes  
1 Energy cost inflation rate per annum 3%  
2 Water cost inflation rate per annum 3%  
3 O&M inflation rate per annum 3%  
4 Discount Rate 7%  
5 Project Costs & Savings exclude GST

**ITEM 9 (continued)**

**ATTACHMENT 1**



RALC Cogeneration Study

**Ryde Council Feasibility Study Cogeneration:  
PROJECT COSTS AND SAVINGS Option 3 - 220 kW Trigeneration Plant**

	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
Project Costs	\$ 1,135,279															
M&V Costs	\$ -	\$ 20,382	\$ 20,382	\$ 31,380	\$ 20,382	\$ 20,382	\$ 69,644	\$ 20,382	\$ 20,382	\$ 31,380	\$ 20,382	\$ 20,382	\$ 112,394	\$ 20,382	\$ 20,382	\$ -
Maintenance Costs	\$ -	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000
Chiller maintenance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other Costs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL COSTS	\$ 1,135,279	\$ 25,382	\$ 25,382	\$ 36,380	\$ 25,382	\$ 25,382	\$ 74,644	\$ 25,382	\$ 25,382	\$ 36,380	\$ 25,382	\$ 25,382	\$ 117,394	\$ 25,382	\$ 25,382	\$ 36,380
Energy Savings	\$ -	\$ 117,559	\$ 121,096	\$ 124,728	\$ 128,470	\$ 132,324	\$ 136,294	\$ 140,383	\$ 144,594	\$ 148,932	\$ 153,400	\$ 158,002	\$ 162,742	\$ 167,625	\$ 172,653	\$ 177,833
Water Savings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
O&M Savings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
NG&C Incentives	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Deferred Capital Savings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL SAVINGS	\$ -	\$ 117,559	\$ 121,096	\$ 124,728	\$ 128,470	\$ 132,324	\$ 136,294	\$ 140,383	\$ 144,594	\$ 148,932	\$ 153,400	\$ 158,002	\$ 162,742	\$ 167,625	\$ 172,653	\$ 177,833
Total Project Costs and Savings	\$ (1,135,279)	\$ 92,177	\$ 95,714	\$ 88,348	\$ 103,089	\$ 106,943	\$ 110,851	\$ 114,801	\$ 118,813	\$ 122,884	\$ 127,019	\$ 131,221	\$ 135,484	\$ 139,809	\$ 144,195	\$ 148,633
<b>Net Present Value</b>	<b>\$ (179,579)</b>															
<b>Internal Rate of Return</b>	<b>4.565%</b>															

**Notes**

- 1 Energy cost inflation rate per annum 3%
- 2 Water cost inflation rate per annum 3%
- 3 O&M inflation rate per annum 3%
- 4 Discount Rate 7%
- 5 Project Costs & Savings exclude GST

**ITEM 9 (continued)**

**ATTACHMENT 1**



RALC Cogeneration Study

**Ryde Council Feasibility Study Cogeneration:  
PROJECT COSTS AND SAVINGS Option 4 - 220 kW Cogeneration Plant with Solar**

	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
Project Costs	\$ 826,364	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
M&V Costs	\$ -	\$ 20,362	\$ 20,362	\$ 31,380	\$ 20,362	\$ 20,362	\$ 69,644	\$ 20,362	\$ 20,362	\$ 31,380	\$ 20,362	\$ 20,362	\$ 112,394	\$ 20,362	\$ 20,362	\$ 31,380
Maintenance Costs	\$ -	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500
Panel maintenance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other Costs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL COSTS	\$ 826,364	\$ 22,862	\$ 22,862	\$ 33,880	\$ 22,862	\$ 22,862	\$ 72,144	\$ 22,862	\$ 22,862	\$ 33,880	\$ 22,862	\$ 22,862	\$ 114,894	\$ 22,862	\$ 22,862	\$ 33,880
Energy Savings	\$ -	\$ 123,312	\$ 127,012	\$ 130,822	\$ 134,747	\$ 138,789	\$ 142,953	\$ 147,241	\$ 151,659	\$ 156,208	\$ 160,895	\$ 165,721	\$ 170,693	\$ 175,814	\$ 181,088	\$ 186,521
Water Savings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
O&M Savings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
NG&C Incentives	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Discounted Savings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL SAVINGS	\$ -	\$ 123,312	\$ 127,012	\$ 130,822	\$ 134,747	\$ 138,789	\$ 142,953	\$ 147,241	\$ 151,659	\$ 156,208	\$ 160,895	\$ 165,721	\$ 170,693	\$ 175,814	\$ 181,088	\$ 186,521
Total Project Costs and Savings	\$ (826,364)	\$ 100,431	\$ 104,130	\$ 96,942	\$ 111,885	\$ 115,508	\$ 70,809	\$ 124,360	\$ 128,777	\$ 122,328	\$ 138,013	\$ 142,840	\$ 55,799	\$ 152,932	\$ 158,207	\$ 152,840
<b>Net Present Value</b>	<b>\$ 214,615</b>															
<b>Internal Rate of Return</b>	<b>10.517%</b>															

**Notes**

- 1 Energy cost inflation rate per annum 3%
- 2 Water cost inflation rate per annum 3%
- 3 O&M inflation rate per annum 3%
- 4 Discount Rate 7%
- 5 Project Costs & Savings exclude GST

**ITEM 9 (continued)**

**ATTACHMENT 1**



RALC Cogeneration Study

**Ryde Council Feasibility Study Cogeneration:  
PROJECT COSTS AND SAVINGS Option 5 - 400 kW Cogeneration Plant**

	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
Project Costs	\$ 931,742	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
MAV Costs	\$ -	\$ 22,591	\$ 22,591	\$ 32,995	\$ 22,591	\$ 22,591	\$ 94,698	\$ 22,591	\$ 22,591	\$ 32,995	\$ 22,591	\$ 22,591	\$ 155,149	\$ 22,591	\$ 22,591	\$ 32,995
Maintenance Costs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other Costs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL COSTS	\$ 931,742	\$ 22,591	\$ 22,591	\$ 32,995	\$ 22,591	\$ 22,591	\$ 94,698	\$ 22,591	\$ 22,591	\$ 32,995	\$ 22,591	\$ 22,591	\$ 155,149	\$ 22,591	\$ 22,591	\$ 32,995
Energy Savings	\$ -	\$ 196,131	\$ 202,015	\$ 208,075	\$ 214,318	\$ 220,747	\$ 227,369	\$ 234,191	\$ 241,216	\$ 248,453	\$ 255,006	\$ 263,584	\$ 271,491	\$ 279,636	\$ 288,025	\$ 296,666
Water Savings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
OGM Savings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
NG&C Incentives	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Deferred Capital Savings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL SAVINGS	\$ -	\$ 196,131	\$ 202,015	\$ 208,075	\$ 214,318	\$ 220,747	\$ 227,369	\$ 234,191	\$ 241,216	\$ 248,453	\$ 255,006	\$ 263,584	\$ 271,491	\$ 279,636	\$ 288,025	\$ 296,666
Total Project Costs and Savings	\$ (931,742)	\$ 173,540	\$ 179,424	\$ 175,080	\$ 191,726	\$ 198,166	\$ 132,671	\$ 211,589	\$ 218,625	\$ 215,458	\$ 233,315	\$ 240,992	\$ 116,942	\$ 257,045	\$ 285,434	\$ 293,671
<b>Net Present Value</b>	<b>\$ 872,169</b>															
<b>Internal Rate of Return</b>	<b>18.822%</b>															

Notes  
1 Energy cost inflation rate per annum 3%  
2 Water cost inflation rate per annum 3%  
3 O&M inflation rate per annum 3%  
4 Discount Rate 7%  
5 Project Costs & Savings exclude GST

**ITEM 9 (continued)**

**ATTACHMENT 1**



RALC Cogeneration Study

**Ryde Council Feasibility Study Cogeneration:  
PROJECT COSTS AND SAVINGS Option 6 - 400 kW Trigeneneration Plant**

	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
<b>Project Costs</b>	\$ 1,416,642															
M&V Costs	\$ -	\$ 22,591	\$ 22,591	\$ 32,965	\$ 22,591	\$ 22,591	\$ 94,698	\$ 22,591	\$ 22,591	\$ 32,965	\$ 22,591	\$ 22,591	\$ 155,140	\$ 22,591	\$ 22,591	\$ 32,965
CHP Maintenance Costs	\$ -	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000
Chiller maintenance Costs	\$ -	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000
<b>TOTAL COSTS</b>	\$ 1,416,642	\$ 28,591	\$ 28,591	\$ 38,965	\$ 28,591	\$ 28,591	\$ 100,698	\$ 28,591	\$ 28,591	\$ 38,965	\$ 28,591	\$ 28,591	\$ 181,140	\$ 28,591	\$ 28,591	\$ 38,965
<b>Energy Savings</b>	\$ -	\$ 201,940	\$ 207,690	\$ 213,920	\$ 220,338	\$ 225,948	\$ 233,756	\$ 240,769	\$ 247,592	\$ 255,432	\$ 263,065	\$ 270,988	\$ 279,117	\$ 287,491	\$ 296,116	\$ 304,999
Water Savings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
O&M Savings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
NGAC Incentives	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Deferred Capital Savings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>TOTAL SAVINGS</b>	\$ -	\$ 201,940	\$ 207,690	\$ 213,920	\$ 220,338	\$ 225,948	\$ 233,756	\$ 240,769	\$ 247,592	\$ 255,432	\$ 263,065	\$ 270,988	\$ 279,117	\$ 287,491	\$ 296,116	\$ 304,999
<b>Total Project Costs and Savings</b>	\$ (1,416,642)	\$ 173,349	\$ 179,098	\$ 174,925	\$ 191,747	\$ 195,357	\$ 193,058	\$ 212,176	\$ 219,401	\$ 216,437	\$ 234,564	\$ 242,396	\$ 117,968	\$ 258,900	\$ 257,534	\$ 268,004
<b>Net Present Value</b>	\$ 392,581															
<b>Internal Rate of Return</b>	10.848%															

Notes	
1	Energy cost inflation rate per annum
2	Water cost inflation rate per annum
3	Water cost inflation rate per annum
4	O&M inflation rate per annum
5	Discount Rate
	Project Costs & Savings exclude GST

**ITEM 9 (continued)**

**ATTACHMENT 1**



RALC Cogeneration Study

**Ryde Council Feasibility Study Cogeneration:  
PROJECT COSTS AND SAVINGS Option 7 - 400 kW Cogeneration Plant with Solar**

	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
<b>Project Costs</b>																
MSV Costs	\$ 986,905															
M&P Maintenance Costs		\$ 22,501	\$ 22,501	\$ 22,501	\$ 22,501	\$ 22,501	\$ 22,501	\$ 22,501	\$ 22,501	\$ 22,501	\$ 22,501	\$ 22,501	\$ 22,501	\$ 22,501	\$ 22,501	\$ 22,501
Other Costs		\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500
<b>TOTAL COSTS</b>	\$ 986,905	\$ 25,001	\$ 25,001	\$ 25,001	\$ 25,001	\$ 25,001	\$ 25,001	\$ 25,001	\$ 25,001	\$ 25,001	\$ 25,001	\$ 25,001	\$ 25,001	\$ 25,001	\$ 25,001	\$ 25,001
<b>Energy Savings</b>																
Water Savings		\$ 202,961	\$ 202,961	\$ 202,961	\$ 202,961	\$ 202,961	\$ 202,961	\$ 202,961	\$ 202,961	\$ 202,961	\$ 202,961	\$ 202,961	\$ 202,961	\$ 202,961	\$ 202,961	\$ 202,961
OMI Savings																
NGAC Incentives																
Deferred Capital Savings																
<b>TOTAL SAVINGS</b>		\$ 202,961	\$ 202,961	\$ 202,961	\$ 202,961	\$ 202,961	\$ 202,961	\$ 202,961	\$ 202,961	\$ 202,961	\$ 202,961	\$ 202,961	\$ 202,961	\$ 202,961	\$ 202,961	\$ 202,961
<b>Total Project Costs and Savings</b>	\$ (986,905)	\$ 177,460	\$ 177,460	\$ 177,460	\$ 177,460	\$ 177,460	\$ 177,460	\$ 177,460	\$ 177,460	\$ 177,460	\$ 177,460	\$ 177,460	\$ 177,460	\$ 177,460	\$ 177,460	\$ 177,460
<b>Net Present Value</b>																
<b>Internal Rate of Return</b>																

**Notes**

- 1 Energy cost inflation rate per annum: 3%
- 2 Water cost inflation rate per annum: 3%
- 3 O&M inflation rate per annum: 3%
- 4 Discount Rate: 7%
- 5 Project Costs & Savings exclude GST



## ITEM 9 (continued)

## ATTACHMENT 1



RALC Cogeneration Study

### Appendix: SAVINGS CALCULATIONS

Savings calculations methodology is as follows:

#### Calculation for electrical savings:

Electricity supply to the facility (e) = kW<sub>e</sub> CHP Plant size

\$s for annual peak electrical energy consumption kWh = E<sub>peak</sub>  
\$s for annual shoulder elect. Energy consumption kWh = E<sub>sho</sub>

Annual electricity imported from the grid according to the maximum switchable load.

#### Electrical energy savings generated from CHP

Total electricity supply from the trigeneration plant to the Ryde Aquatic and Leisure Centre;

$$\begin{aligned} E_{\text{peak}} &= (e) \times \text{peak hours} \times \$/\text{kwh peak} \\ E_{\text{shoulder}} &= (e) \times \text{shoulder hours} \times \$/\text{kwh shoulder} \\ E_{\text{Tp}} &= E_{\text{peak}} + E_{\text{shoulder}} \end{aligned}$$

#### Electrical energy savings from absorption chiller (for trigeneration plant options only)

The hot water from CHP plant will drive the absorption chiller

Chiller consumption (C) = kW<sub>e</sub> = (Absorption Chiller capacity / COP=3)

$$\begin{aligned} E_{\text{peak}} &= (C) \times \text{peak hours} \times \$/\text{kwh peak} \\ E_{\text{shoulder}} &= (C) \times \text{shoulder hours} \times \$/\text{kwh shoulder} \\ E_{\text{Tpc}} &= E_{\text{peak}} + E_{\text{shoulder}} \end{aligned}$$

#### Gas consumption.

Gas rate of CHP at full load (g) = GJ/kWh is used for peak and shoulder

\$s for gas rate for peak = G<sub>peak</sub> = (g) x peak hours x \$/ GJ  
\$s for gas rate for shoulder = G<sub>shoulder</sub> = (g) x shoulder hours x \$/ GJ

$$G_{\text{GS}} = G_{\text{peak}} + G_{\text{shoulder}}$$

#### Thermal recovered energy.

$$G_{\text{TH}} = 0.35 \text{ or } 0.4 \times G_{\text{GS}}$$

Generally in co/trigeneration projects the post installation gas consumption on sites are generally higher than the site's current annual gas consumption. The site gas MDQ increases.

#### Total Trigeneration Project savings Ts equation:

$$Ts = E_{\text{Tp}} + G_{\text{TH}} - G_{\text{GS}} + E_{\text{Tpc}}$$

Note; Demand savings and NGAC savings are not included as part of this exercise. These savings have a potential to further improve the business case for the client.



Commercial in Confidence

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## **10 ANNUAL TENDERS - Preferred Contractors for the Provision of Minor Works and Services.**

**Report prepared by:** Tenders & Contracts Manager

**Report dated:** 1/11/2011

**File No.:** GRP/11/3/6/5 - BP11/766

### **Report Summary**

This report is to advise Council on the Tenders received for provisions of minor construction and maintenance works and to recommend acceptance of Tenders to be placed on preferred Tender list.

### **RECOMMENDATION:**

- (a) That the report of the Manager Tenders & Contracts, dated 28 October 2011 on Annual Tenders – Preferred Contractors for the Provision of Minor Works and Services be accepted.
- (b) That the tenders for Provision of Minor Works up until 30 November 2012 from the following tenderers be accepted in an “as required” basis for the indicated Contract item numbers:

#### **Category A: Preferred Contractors (in numerical order)**

<b>Tenderer Ref No.</b>	<b>Tenderer</b>
1	ITS Trenchless
2	Sydney Brick Paving Company
3	Anzelltti Constructions P/L
4	Australian Urban Tree Services
5	Sydney Metro Tree Services
6	Active Tree Services
7	Pro-cut Concrete Pty Ltd
8	MasterCut Concrete Aust Pty Ltd
9	Get Civil Pty LTd
10	SouthWest kerbing
12	Advanced Arbor Service P/L
13	All About Pipes
14	Ally Civil
15	Atlantis Group of Companies Pty Ltd
16	C W Concrete Pty Ltd
17	Citywide
18	CJ Murphy Tree Recycling
19	Complete Concrete Cutting
20	Complete Linemarking Services Pty Ltd
21	Devcon
23	Interflow
26	Kelbon Concrete& Paving

**ITEM 10 (continued)**

27	AJ Paving
28	KK Civil Engineering
30	Mansour Paving Aust Pty Ltd (file corrupted)
31	Workforce Road Services Pty Ltd
32	NRS (National Road Sealing)
33	North Shore Paving Co Pty Ltd
34	Online Concrete Cutting Services Pty Ltd
35	Ozpave
36	Performance Concrete Pty Ltd
37	Plateau Tree Service
38	Saferoads P/L
39	Sam The Paving Man
40	Superharmonious Pty Ltd
42	Sydney Metro Tree Services
43	Synergy Civil and Construction Pty Ltd
44	The Australian Grinding Company Pty Ltd
45	Total Drain Cleaning
46	Veolia Water Network Services
48	All Concrete SLD P/L
49	Durkin Construction P/L

**Category B: Non Competitive of Non-conforming Tenderers**

<b>Tenderer Ref No.</b>	<b>Tenderer</b>
11	Ripa Concrete Cutting
22	GHB Contracting
24	JG Cobblestone Pty Ltd
25	Jet Civil Pty Ltd
29	Kodi Civil
41	SuperSealing
47	Stateline Asphalt

- (c) That the Preferred Contractors be advised that work will be allocated to them on as on “as required” basis, following consideration at the time of the following factors: type of work, price, availability, previous workmanship, relevant expertise, previous service provided to the residents and previous compliance to safety requirements.
- (d) That the Preferred Contractors provide details of the required insurance (i.e. Public Liability and Workers Compensation), and other conforming documents for approval within fourteen (14) days from the date of acceptance of the Tender.
- (e) That the Category A and B Tenderers be advised of the Council’s decision.

**ITEM 10 (continued)**

**ATTACHMENTS**

- 1** Provision of Minor Works - Tender Evaluation Report - 2011/2012 - 30 October 2011 - CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL
- 2** Provision of Minor Works - Tender - Assessment (TABLE A) - Matrix 2011-2012 - CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL

Report Prepared By:

**Jeff Dearden**  
**Tenders & Contracts Manager**

Report Approved By:

**Peter Nguyen**  
**Service Unit Manger - Project Development**

**Terry Dodds**  
**Group Manager - Public Works**

## ITEM 10 (continued)

### Background

In order to complete all of the works on the Capital Works program, Council utilizes its direct control workforce, individual major contracts and minor “as required” contracts. The minor works contractors are invited annually and a number of contractors are placed on the Preferred Contractors List for a twelve (12) month period.

Tenderers provide contract rates for the type of work in which they specialise. A total of fifty six (56) types of works are contained within the tender documents as follows:

Contract Item No.	Description
1	Kerb and Gutter (150mm): new construction by machine
2	Kerb and Gutter (150mm): New construction using boards
3	Kerb and Gutter (150mm): Restoration
4	Median Kerbs or Kerb only: New construction by machines
5	Dish Crossings (Heavy Duty): New construction
6	Dish Crossings (Heavy Duty): Restoration
7a	Kerb Ramps – New construction / To existing kerb
7b	Kerb Ramps for Bicycle and pedestrian Shared Use path
8	Concrete Footpaving / Vehicle Slabs, Steps: New construction
9	Concrete Footpaving / Vehicle Slabs: New construction 25 MPa
10	Concrete Footpaving / Vehicle Slabs: New construction 32 MPa
11	Concrete Footpaving / Vehicle Slabs: New construction 32 MPa
12	Concrete Footpaving / Vehicle Slabs: New construction 40 MPa
13	Concrete Footpaving / Vehicle Slabs: New construction 40 MPa
14	Gutter Blocks
15	Concrete Footpaving / Vehicle Slab: Restoration
16.1	Concrete Bicycle and Pedestrian Shared Use Path / Vehicle Slabs: New construction
16.2	32 MPa concrete with accelerant equivalent to Hanson Sure – Set ‘Gold’
16.3	40 MPa concrete with accelerant equivalent to Hanson Sure – Set ‘Gold’
17	Concrete Steps
18.1	Paving Bricks / Block: Restoration
18.2	Paving Bricks / Blocks on Concrete base: Restoration
19	Standard Gully Pit: New construction
20	Placement of Pit Lintel: New construction
21.1	Gully Pit: Reconstruction
21.2	Gully Pit: Reconstruction
21.3	Reconstruction
21.4	Gully Pit: Restoration
21.5	Gully Pit: Restoration
21.6	Restoration
22.1	Junction Pit
22.2	Junction Pit

**ITEM 10 (continued)**

<b>Contract Item No.</b>	<b>Description</b>
22.3	Junction Pit
24	Pit Lid with Solid Cast iron: Replacement
25	Step Iron: Installation / Replacement
26	Footpath Pit
27	Retaining Walls: Mass concrete
28	Retaining Walls: Reinforced block
29	Traffic Facilities: Pedestrian refuge islands
30	Median Strip
31	Rumble Bar Strip
32	Splitter Islands
33	Round about
34	Road Restorations: Road pavement
35	Road Restorations: Road pavement
36.1	AC Handwork: Road pavement and footpaving
36.2	AC Handwork: Road pavement and footpaving
37.1	AC Handwork: Road pavement and footpaving
37.2	AC Handwork: Road pavement and footpaving
38	Minor Turfing
39	Raise Hydrant Covers
40	Stormwater Outlet, Kerb Only
41	Roadsawing, Handsawing, Core Drilling, Conc and AC works
42	Bricklaying
46	Footpath Grinding
47	Linemarking
48	Guard Rails
49	Stormwater Inspections
50	Tree Removal and Pruning Works
51	Vegetation Plant
52	Stump Grinder
53	Granite Paving
54	Submissions of Traffic Management Planning Documents
55	Traffic Control at Worksites
56	Underground Services Locating

**Report**

The request for Tender was publicly advertised on 13, 14 and 17 September 2011. Forty Nine (49) tenders were received for the fifty six (56) different items of work included in the Schedule of Rates tender. Tender submissions were received from the following respondents (in numerical order):

<b>Tenderer Ref No.</b>	<b>Tenderer</b>
1	ITS Trenchless
2	Sydney Brick Paving Company
3	Anzelltti Constructions P/L
4	Australian Urban Tree Services



**ITEM 10 (continued)**

<b>Tenderer Ref No.</b>	<b>Tenderer</b>
5	Sydney Metro Tree Services
6	Active Tree Services
7	Pro-cut Concrete Pty Ltd
8	MasterCut Concrete Aust Pty Ltd
9	Get Civil Pty LTd
10	SouthWest kerbing
11	Ripa Concrete Cutting
12	Advanced Arbor Service P/L
13	All About Pipes
14	Ally Civil
15	Atlantis Group of Companies Pty Ltd
16	C W Concrete Pty Ltd
17	Citywide
18	CJ Murphy Tree Recycling
19	Complete Concrete Cutting
20	Complete Linemarking Services Pty Ltd
21	Devcon
22	GBH Contracting
23	Interflow
24	JG Cobblestones Pty Ltd
25	Jet Civil Pty Ltd (file corrupted)
26	Kelbon Concrete& Paving
27	AJ Paving
28	KK Civil Engineering
29	Kodi Civil
30	Mansour Paving Aust Pty Ltd (file corrupted)
31	Workforce Road Services Pty Ltd
32	NRS (National Road Sealing)
33	North Shore Paving Co Pty Ltd
34	Online Concrete Cutting Services Pty Ltd
35	Ozpave
36	Performance Concrete Pty Ltd
37	Plateau Tree Service
38	Saferoads P/L
39	Sam The Paving Man
40	Superharmonious Pty Ltd
41	SuperSealing
42	Sydney Metro Tree Services
43	Synergy Civil and Construction Pty Ltd
44	The Australian Grinding Company Pty Ltd
45	SuperSealing
46	Sydney Metro Tree Services
47	Synergy Civil and Construction Pty Ltd
48	The Australian Grinding Company Pty Ltd
48	Total Drain Cleaning

# **ITEM 10 (continued)**

<b>Tenderer Ref No.</b>	<b>Tenderer</b>
49	Veolia Water Network Services

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

<b>Name</b>	<b>Representing</b>	<b>Position</b>
Jeff Dearden	City of Ryde	Manager Tenders & Contracts
Michael Debs	City of Ryde	Procurement Co-ordinator
Paul Yang	City of Ryde	Commissioning Co-ordinator

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

The assessment was based on the following criteria as outlines in the Request for Tender document.

1. Legal Status of the Entity (Mandatory)
2. Conformity to The Documentation (Mandatory)
3. Insurance (Mandatory)
4. Referees (Mandatory)
5. Tender Price (60% Weighting)
6. Proposed Personnel Including Sub-contractors (3% Weighting)
7. OHS&R (10% Weighting)
8. Previous Experience and Conformity to EPA Requirements and Past Records of Non Compliance (21% Weighting)
9. Organizational Structure, technical and financial capability (6% Weighting)

Tender submissions were evaluated by the assessment panel utilising an Assessment matrix (**Table A**) and the summary of tender prices received (**TABLE B**) which have been forwarded to Councillors **UNDER SEPARATE COVER – CONFIDENTIAL**. Pursuant to Section 10A(2)(d) of the Local Government Act 1993, these documents are listed as confidential as they contain commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the persons who supplied it. Furthermore, it is considered that discussions in open meeting would, on balance, be contrary to the public interest as it could affect Council's ability to secure the preferred Tenderers.

## **Categorising:**

The number of preferred tenderers is to ensure sufficient coverage across all work types and unavailability.

## ITEM 10 (continued)

Outcome:

Total number of Tenderers contract **COR-RFT-14/11**: Forty Nine (49)

	Category (Colour)
Lowest Rates	Light Blue
2 <sup>nd</sup> Lowest Rates	Lime Green
3 <sup>rd</sup> Lowest Rates	Yellow

## Preferred Contractors (in numerical order)

Tenderer Ref No.	Tenderer
1	ITS Trenchless
2	Sydney Brick Paving Company
3	Anzelltti Constructions P/L
4	Australian Urban Tree Services
5	Sydney Metro Tree Services
6	Active Tree Services
7	Pro-cut Concrete Pty Ltd
8	MasterCut Concrete Aust Pty Ltd
9	Get Civil Pty LTd
10	SouthWest kerbing
12	Advanced Arbor Service P/L
13	All About Pipes
14	Ally Civil
15	Atlantis Group of Companies Pty Ltd
16	C W Concrete Pty Ltd
17	Citywide
18	CJ Murphy Tree Recycling
19	Complete Concrete Cutting
20	Complete Linemarking Services Pty Ltd
21	Devcon
23	Interflow
26	Kelbon Concrete& Paving
27	AJ Paving
28	KK Civil Engineering
30	Mansour Paving Aust Pty Ltd (file corrupted)
31	Workforce Road Services Pty Ltd
32	NRS (National Road Sealing)
33	North Shore Paving Co Pty Ltd
34	Online Concrete Cutting Services Pty Ltd
35	Ozpave
36	Performance Concrete Pty Ltd
37	Plateau Tree Service
38	Saferoads P/L
39	Sam The Paving Man
40	Superharmonious Pty Ltd

### ITEM 10 (continued)

<b>Tenderer Ref No.</b>	<b>Tenderer</b>
42	Sydney Metro Tree Services
43	Synergy Civil and Construction Pty Ltd
44	The Australian Grinding Company Pty Ltd
45	Total Drain Cleaning
46	Veolia Water Network Services
48	All Concrete SLD P/L
49	Durkin Construction P/L

### Non Competitive of Non-conforming Tenderers

<b>Tenderer Ref No.</b>	<b>Tenderer</b>
11	Ripa Concrete Cutting
22	GHB Contracting
24	JG Cobblestone Pty Ltd
25	Jet Civil Pty Ltd
29	Kodi Civil
41	SuperSealing
47	Stateline Asphalt

Works awarded to Contactors under the contract are carried out on an 'as required' basis, following consideration at the time for the following factors:

Type of work

- Price
- Availability
- Previous expertise
- Previous service provided to residents
- Previous compliance to safety requirements

### Consultation

Internal Council business units consulted included:

- Business Infrastructure.
- Asset Systems.
- Project Development.
- Operations.

Internal Workshops held:

- Not Applicable.

City of Ryde Advisory Committees consulted included:

- Not Applicable.

External public consultation included:-

- Not Applicable.

## **ITEM 10 (continued)**

### **Critical Dates**

There are no critical dates or deadlines to be met.

### **Management Plan Budget / Linkages**

Contractors will be used on a number of Capital Works Projects and Maintenance Programs as identified in the Management Plan 2011-2013.

### **Financial Impact**

Each engagement of a contractor from the Contractor List will be funded from approved Capital Works projects of operational / maintenance programs.

### **Policy Implications**

There are no policy implications through adoption of the recommendation.

### **Other Options**

The current system of inviting annual tenders provides an open and transparent process of engaging contractors for minor works while ensuring competitive rates.

### **Conclusion**

The tendered rates for the Minor Works contractors are considered competitive and that the preferred panel of contractors satisfies Council's selection criteria.

## **11 DEFERRED REPORT: POTENTIAL DEVELOPMENT PARTNERSHIP ARRANGEMENT FOR COULTER STREET CAR PARK**

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**Report prepared by:** General Manager

**Report dated:** 22/09/2011

**File No.:** GRP/11/3/6/6 - BP11/615

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This report is deferred from the Council Meeting held on 11 October 2011 and 8 November 2011.

### **Report Summary**

On 10 May 2011 Council resolved to research potential development options of its operational assets in conjunction with potentially forming a property trust to manage and deliver development and income producing outcomes from its “lazy assets”, (Report: Creation of a City of Ryde Property Trust).

Council is progressing its analysis of its operational assets through a highest and best use study, Coulter street car park is included in that study.

Council will soon be in a position to consider potential development options for this asset. In the meantime Council has been approached by Gladesville RSL (neighbouring property owner and operator) to explore a potential development partnership arrangement involving an exclusivity period.

### **RECOMMENDATION:**

- (a) That Council accept the offer Gladesville RSL have provided as outlined in the ATTACHED letter dated 19 September 2011 and enter into an initial six Month Exclusivity Agreement with Gladesville RSL to jointly explore the highest and best uses of the combined site which meets the objectives set out in the DCP for the benefit of the community and Club’s members.
- (b) On completion of the highest and best use study a full report be brought to Council for its consideration.

### **ATTACHMENTS**

- 1 Letter from Gladesville RSL dated 19 September 2011 regarding Coulter Street Car Park Site

Report Prepared By:

**John Neish**  
**General Manager**



## **ITEM 11 (continued)**

### **Background**

The CEO of Gladesville RSL accompanied by a development manager and consulting team held a meeting with the General Manager, Development Director and the Head of Environmental Assessment & Planning on 15 September 2011. The purpose of the meeting was to discuss potential options for the redevelopment of the RSL's existing club and explore Council's appetite for redeveloping its neighbouring car park site.

The RSL outlined their financial position and the need to form new income generating opportunities (details provided in the **ATTACHED** letter dated 19 September 2011).

At the meeting the planning framework controlling the RSL site and the Council car park was outlined by Dominic Johnson and his staff. The RSL presented a small summary of potential options for their asset and also a high level scheme involving the integration of the existing car park, a new RSL and Youth centre and residential units through the car park and amalgamation of the youth centre adjacent.

### **Report**

#### **Development Partnership**

The main advantages of a development partnership with the RSL include-

- As a sole neighbour the club can contribute its land holdings to optimise the development potential for Coulter Street car park and realise the vision in Council's Development Control Plan for that site.
- Improved carparking can be included in the design so that there is additional car spaces provided to the public.
- The continuation of income for the club whilst a new facility is constructed.
- The opportunity to modernise and provide adequate facilities for the Youth sector of the community.
- Generally meet the club's long term sustainability goals.
- Provide a return to Council.

Whilst the advantages of such a development partnership to the RSL are far reaching Council must consider its own community, financial and sustainability objectives.

#### **Asset Renewal**

Council has been briefed on the requirement to utilise existing assets to form new income streams in an attempt to narrow its expanding financial deficiencies in its asset renewal program: Creation of a Ryde Property Trust considered 10 May 2011.

With the appropriate development framework this asset will assist in delivering Council's long term objectives through a stand alone development. This site offers a unique opportunity to amalgamate with adjoining property owners to enhance the urban design outcome and meet Council's planning objectives.

## **ITEM 11 (continued)**

### **Partnering with Adjoining Owners**

By partnering with this established operator (the RSL) the joint proposal may not only meet Council's financial objectives, but may provide new community facilities that enhance Gladesville's environment. This proposal will also allow the opportunity to explore more sustainable income streams for Council through the provision of residential units. Several options to achieve this will be explored should Council agree to process with a joint highest and best use study.

### **Financially Prudent / Exclusivity**

To be financially prudent, it is essential Council continues its high and best use study for the site as a stand alone option, thus releasing a full developed land value and potential income stream. This exercise can be progressed in conjunction with the potential partnership option arrangement outlined in the **ATTACHED** letter (dated 19 September 2011). The exclusivity period requested holds no downside risk to council as the time frame suggested (six months) will not adversely affect Councils development decisions for this asset.

### **Consultation**

Consultation has taken place with the RSL and our planning section.

### **Critical Dates**

The exclusive period is estimated to run from early November to Early May 2012

### **Financial Impact**

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

### **Policy Implications**

There are no Policy implications through the adoption of this recommendation. The Gladesville RSL are seeking a period for both parties to exclusively explore how this site may be developed by both parties into the future. Once full analysis is made a detailed report outlining any policy issues will be provided to Council.

### **Conclusion**

There is no downside risk to Council in entering into an exclusive period to research development options for the site in question. Council are not being requested to expend budget to research and review options. Once established the potential development options can be assessed against Council highest and best use study allowing a systematic financial assessment to take place.

**ITEM 11 (continued)**

**ATTACHMENT 1**



**GLADESVILLE R.S.L. &  
COMMUNITY CLUB LTD.**

A.B.N. 12000 977 926

President: **C. COADY**

General Manager: **M.P DONOVAN**

P.O. BOX 94  
GLADESVILLE 2111  
TEL: 9816 2999  
FAX: 9816 2945

19 September 2011

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

Dear John,

**CITY OF RYDE AND GLADESVILLE RSL & COMMUNITY CLUB  
COULTER STREET TOWN CENTRE PRECINCT SECTION**

Thank you for the opportunity to meet with you, Dominic Johnson, Mitchell Corn and Adrian Melo (City of Ryde) on Thursday 15 September 2011 and the opportunity for me to introduce two members of my consultant team (Tom Zarimis – Development Manager and Josef Grzelak – Architect) appointed to assist the Gladesville RSL & Community Club (Club) to explore the property development opportunities available based on the City of Ryde Development Control Plan 2010 (DCP) to secure the future of the Club for the benefit of the community and its members.

As discussed, the Board of Directors (Board) has recognised that due to: the increases in gaming taxes; and the introduction of the non-smoking legislation in July 2007, the profitability and the ability for the Club to provide the on-going community services have been greatly affected. Further pressure will be placed on the Club's income should the Federal Government's proposed mandatory pre-commitment legislation be passed.

In order to meet the challenges facing the club industry, clubs are exploring opportunities to create alternative income streams to reduce the reliance on gaming. The Board believe that securing the Club's future for the benefit of the community and its members requires the prudent use of members' funds and property assets.

**CONSULTANT TEAM**

The Board is investing in professional advice to assist the Club to determine the opportunities available to deliver long-term value and income growth from its property holdings.

The consultant team below is experienced in meeting these challenges faced by the club industry and have a track record of assisting large and smaller clubs.

In this initial phase, the consultant team (right) will be expanded as required to minimise the development risk.

CONSULTANT	DISCIPLINE
Philon	Development Manager
Architects Contempo	Master Plan Architect
Urbis	Town Planner
WT Partnership	Cost Planner

Other members of the consultant team to be appointed could include but not limited to: urban planner; traffic consultant; landscape architect; research house; and valuer.

**COULTER STREET TOWN CENTRE PRECINCT**

Based on a "preliminary planning snap-shot" prepared by Urbis, the Board has been advised that this site being the Council car park and Club's Youth Centre site, is identified as a "key



## ITEM 11 (continued)

## ATTACHMENT 1

site" in the DCP. The Board has been advised that the objectives for the built form and public domain on this site are:

- (i) to create and sustain safe pedestrian access;
- (ii) to create a vibrant hub with activities to complement community, education and entertainment facilities within the precinct;
- (iii) to create a well articulated sequence of built forms in Coulter Street, Ross Street and Western Crescent, with residential or commercial uses at the upper levels separated into discrete buildings;
- (iv) create a civic precinct associated with new shopping development, with a good pedestrian environment away from Victoria Road;
- (v) enhance pedestrian links to create a walkable network of public spaces;
- (vi) create network of streets with an intimate scale, forming a pedestrian orientated environment.

In addition to the above, the Board has also been advised that the land uses within this site must complement community, education and entertainment facilities within the precinct and that active uses including retail or commercial must be provided at the first floor and ground level frontage to Coulter Street, Ross Street, Linsley Street and Western Crescent. It also requires that a DA for new floor space that exceeds 500m<sup>2</sup> is to provide a detailed traffic and pedestrian access study that demonstrates safe and convenient access.

The above objectives are consistent with the Club's view for the site.

In terms of planning controls, the Board has been advised that the site has a Floor Space Ratio (FSR) of 4.3:1 and height limit of 33 metres (8 storeys).

### LAND OWNERSHIP

As you are aware, the ownership of the Coulter Street Town Centre Precinct is with City of Ryde (Council Car Park) and Gladesville RSL & Community Club (Youth Centre) as shown right. Also shown is the current location of the Club.

The total area of the Coulter Street Town Centre Precinct is approximately 4,200m<sup>2</sup> (subject to survey). The area of land ownership of each party is:

- (a) City of Ryde 3,000m<sup>2</sup>; and
- (b) Gladesville RSL 1,200m<sup>2</sup>.



### INITIAL SIX-MONTH EXCLUSIVITY AGREEMENT

In order to realise the highest and best use opportunities available for the Coulter Street Town Centre Precinct, the Board believe a **site consolidated solution** is appropriate. Therefore the Board (as part owner of the Coulter Street Town Centre Precinct) has resolved to **seek an initial six-month Exclusivity Agreement** with the City of Ryde to jointly explore the highest and best uses of the combined site which meets the objectives set in the DCP for the benefit of the community and the Club's membership.

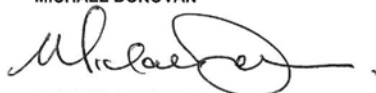
As discussed at our meeting on Thursday 15 September 2011, the Club's consultant team is exploring a mixed-use development with a **strong community focus** incorporating the objective set out in the DCP.

We would welcome the opportunity to address Council should further clarification be required to expedite this request.

I await your response.

Yours sincerely,

MICHAEL DONOVAN

A handwritten signature in black ink, appearing to read 'Michael Donovan', written over a horizontal line.

GENERAL MANAGER

For and on behalf of the Board of Directors, Gladesville RSL and Community Club Ltd

## **12 RYDE PLANNING AND BUSINESS CENTRE**

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**Report prepared by:** Manager - Customer Services

**Report dated:** 11/11/2011

**File No.:** GRP/11/5/4/6 - BP11/835

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### **Report Summary**

The new Ryde Planning and Business Centre opened its doors to the public on 5 May 2011. The Centre is a dedicated space for planning and development services that includes advisory services for building approvals, preliminary assessment and lodgement of applications. The new Centre also focuses on business and economic development initiatives, with the City of Ryde forming a partnership with the Ryde Business Forum and local Chambers of Commerce.

At the Committee of the Whole meeting on 1 February 2011 Council resolved the following:

- (a) *That Council endorse the establishment of the Ryde Planning and Business Centre as detailed in this report.*
- (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.*

As a result, Council engaged Genroe Australia to conduct an independent survey of the new service. The report details the success of the Centre's Operations and positive results from the extensive surveys undertaken for the period 5 May 2011 to 31 October 2011.

In addition, since opening, the Ryde Planning and Business Centre has attracted a high level of interest from other Councils as a result of this new and unique service offering.

### **RECOMMENDATION:**

That Council acknowledges the high levels of customer satisfaction with the operations of the Ryde Planning and Business Centre and continues its operations accordingly.

### **ATTACHMENTS**

- 1 Summary of Survey Results and Compilation of Customer Comments regarding the Ryde Planning and Business Centre

Report Prepared By:

**Angela Jones-Blayney**

**Manager - Customer Services**

Report Approved By:

**Roy Newsome**

**Group Manager - Corporate Services**



## ITEM 12 (continued)

### Background

As Council is aware, the City of Ryde through a Voluntary Planning Agreement, received community space within the major redevelopment of the Top Ryde City Shopping Centre for a new library, additional office space and space provided for the Ryde Planning and Business Centre. This space was handed over to Council in August 2010 and the fit out was finalised for the new facility.

The Ryde Planning and Business Centre provides customers requiring planning and development service with a dedicated, functional and innovative space focused towards their needs and provision of informative, efficient and quality customer services.

The space incorporates a meeting room for formal appointments and pre-lodgement meetings and customers are able to access simple and high demand services through a self service facility to access Council's existing range of on-line services. Multimedia technology is used throughout the Centre to promote the wide range of services provided by the City Of Ryde offering a platform for increased community engagement.

A children's play area was incorporated into the design of the new Centre to keep children occupied throughout the duration of their parents / guardians appointment with Council staff. This has been a very popular inclusion in the Centre's design and is frequently utilised. A paint screen was included into the design which the children enjoy using and we are currently running a competition for the best art work at the Centre.

Customer Service and Planning staff work together to provide planning and development services associated with the Centre. The Centre's operations are supported by the on-line Booking System with this system being designed to meet the existing and future needs of the Planning and Business Centre.

The underlying design of the system was to make it as easy as possible for the customer to make an appointment to meet and discuss their planning enquiries at the most convenient time with the relevant Council staff. Customers are also able to cancel and reschedule their bookings should they wish. With assistance of Genroe Australia, the Council was able to use the data captured during bookings to facilitate a customer survey that has helped to establish and measure the success of the City of Ryde Planning and Business Centre.

The new Centre also featured in the June 2011 edition of *enews* from the NSW Department of Planning and Infrastructure. The article reads as follows:

*Department Supports Council move to making planning accessible*

*"The Department has a close working relationship with local government and is supportive of initiatives which improve public access to planning services. In recognition of this, the Department was represented at the opening of the new Ryde Planning and Business Centre, in Top Ryde City shopping centre, last month. The*



## ITEM 12 (continued)

*centre is an initiative of the City of Ryde Council and provides specialised planning, development and business services for residents, building professionals, business operators and investors."*

In addition to the Ryde Planning and Business Centre having a focus on planning and development matters, it also has developed connectivity with business and economic development initiatives through the partnership with the Ryde Business Forum and local Chambers of Commerce.

## Report

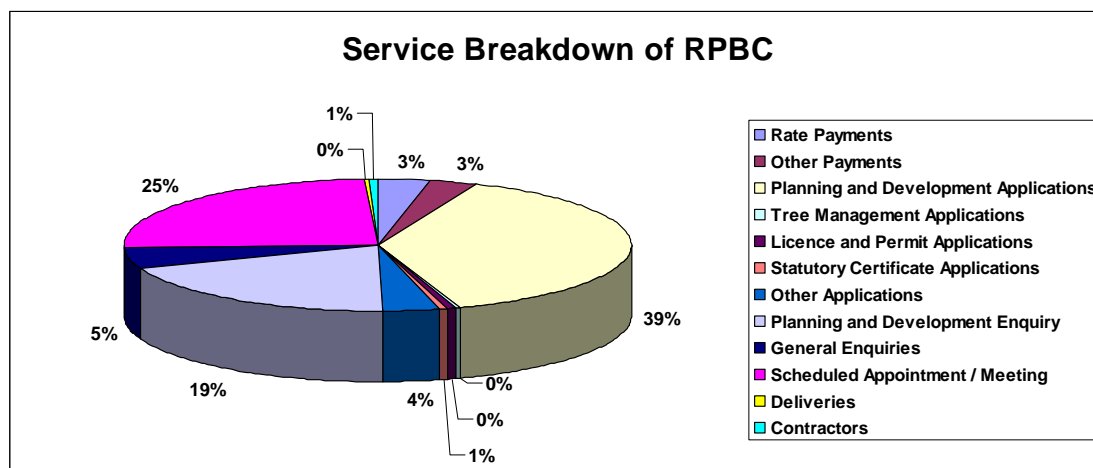
### Operational Statistics

Since the Ryde Planning and Business Centre opened on 5 May 2011, 84% of business conducted at the Centre has related to Planning and Development matters or enquiries, conversely business conducted in relation to planning and development matters at the Civic Centre for the same period was 14% demonstrating a strong statistical trend in the successful operation of a dedicated planning and business service offering for City of Ryde customers. It also demonstrates that the Ryde Planning and Business Centre is being utilised for its purpose.

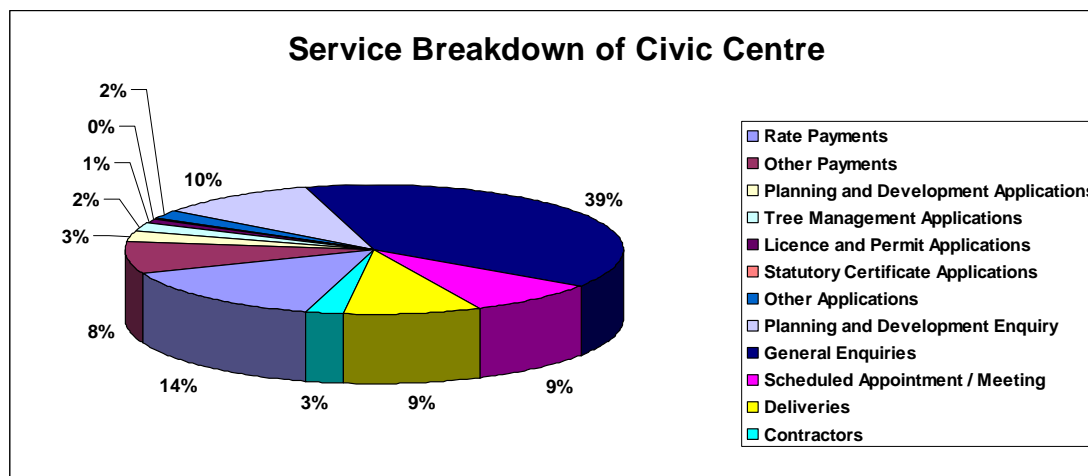
Effort undertaken in marketing and communicating with key customers prior to the opening of the new Centre has proven to be very successful.

Also, this project heavily relied upon staff from across the organisation, communicating and working together effectively to meet the tight deadlines and achieve positive and successful outcomes. The results as detailed in the report for the six months of the Centre's operations clearly demonstrate that this has been achieved.

Service Breakdown of the Ryde Planning and Business Centre and Civic Centre for the period 5 May 2011 to 31 October 2011 is detailed below:



## ITEM 12 (continued)



### ***Average Wait Time and Average Service Time***

“Average Wait Time” at the Centre is approximately eight (8) minutes, which is calculated through Council’s QFlow transactional ticketing system. As a result of the introduction of an on-line booking system, customers now have a dedicated timeslot to discuss their planning and development matters. Prior to this, customers were sometimes waiting up to or in excess of an hour to see a Planning Officer, however with this new model of business it has achieved instant and significant business process improvement for the organisation.

Also calculated through Council’s QFlow transactional ticketing system is “Average Service Time” which was approximately 29 minutes. Customers now have a dedicated time slot allocated through the on-line booking system to discuss their planning and development matters with Council staff, with half an hour being allocated for minor developments and one hour for major developments. Consistent service times have occurred as a direct result of access to the on-line booking system and ability for the Duty Planners to be prepared prior to the arrival of the customer.

### ***On-line Booking System***

The fundamental component to ensure the successful operation of the Ryde Planning and Business has been the requirement to make an appointment either on-line or by telephone in advance of arriving at the Centre, to meet with a Customer Service or Planning Officer. From the total number of customers serviced at the Centre, 40% have made a booking through the Centre’s on-line booking system.

When customers make a booking request through the system, they can select the category of appointment they are requesting. Depending on the category selection, an appropriate allocation of time for the appointment is automatically generated (e.g. minor development 30 minutes / major development 60 minutes). The customer then automatically receives an email confirming their appointment and a reference number.

## ITEM 12 (continued)

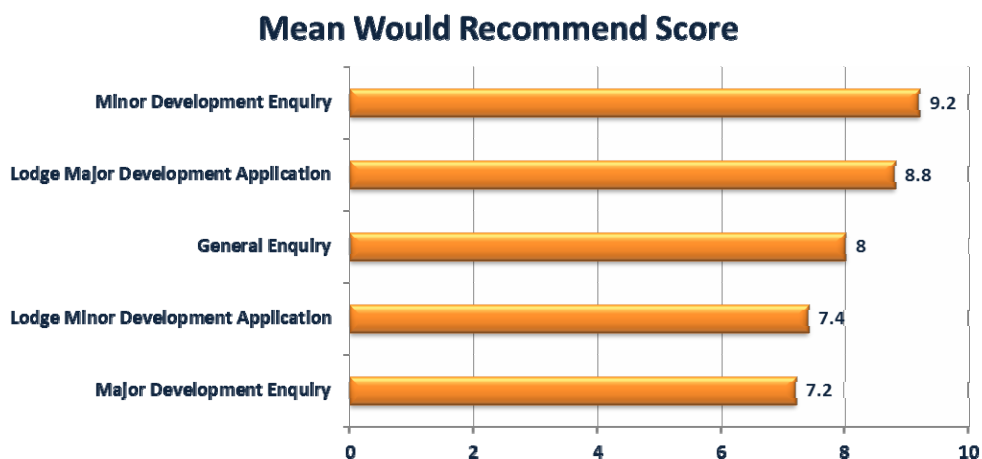
The initiative of making a booking in advance is to enable adequate allocation of time and resources for each customer. The booking system is designed to close at 3.00pm the day preceding a customer's appointment to allow Council staff sufficient time to research the following day's appointments to ensure they have relevant specialists or information available and are fully prepared for the customer's arrival the following day.

Further promotions will be consistently undertaken to promote the availability of the on-line booking system.

### **Customer Survey Results**

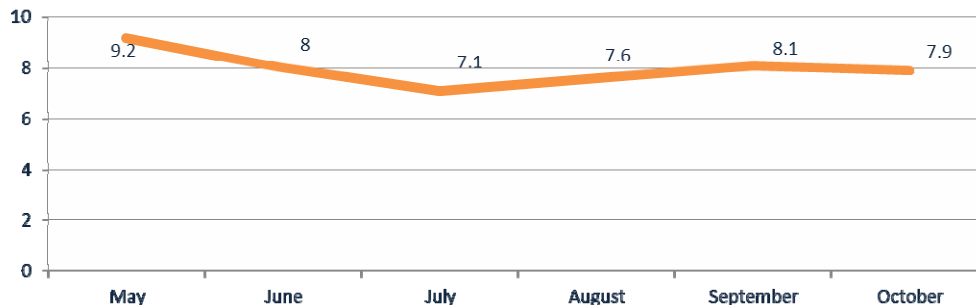
The survey consists of questions to gauge the level of satisfaction with the service offering and is delivered by email to each customer following an interaction at the Centre. We have received a 38% response rate to the survey which is considered as an above average survey response. The survey comprised of questions focusing on customer's willingness to recommend the Centre, overall quality of service and potential improvements (e.g. extended operating hours).

Customers who have completed the survey following their experience at the Centre have rated the service an average score of 8.1 out of 10 on the basis that they would recommend the Ryde Planning and Business Centre to a friend, relative or colleague.



## ITEM 12 (continued)

### Average "Would Recommend" Score for Booking Month



### Question 1

Customers surveyed were asked to respond to the following question:

*"When you visited the Centre were you doing so*

*\* In a professional capacity*

*\* As the owner of a property"*

- At present 41% of respondents indicate that they are visiting the Centre in a professional capacity.
- Owners are statistically more likely to use the Centre for Development enquiries.
- Professionals on the other hand are statistically more likely to use the Centre for Development Application lodgement.

### Question 2

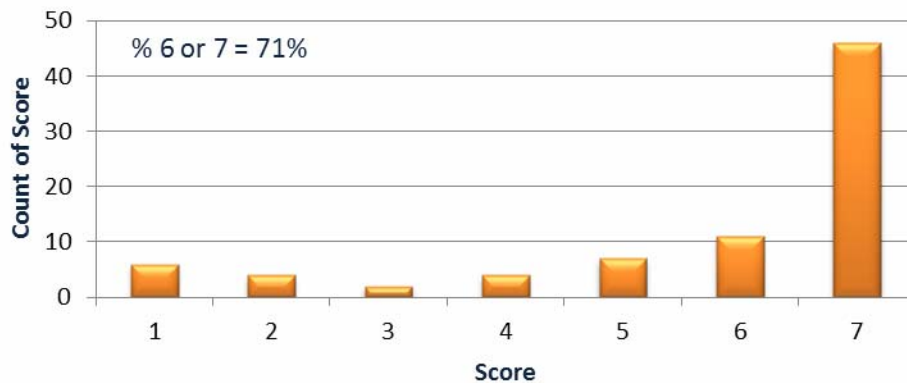
Customers surveyed were asked to respond to the following questions:

*"How easy was it for you to complete the task for which you made your appointment?"*

- As the data for this question begins to build it is clear that the majority of visitors to the Centre find it easy to complete the task they were there to achieve.
- 71% of respondents scored this question 6 or 7 out of 7.
- The average monthly score for this attribute did not change significantly during the survey period.

**ITEM 12 (continued)**

**How easy was it for you to complete  
the task for which you made your  
appointment?**

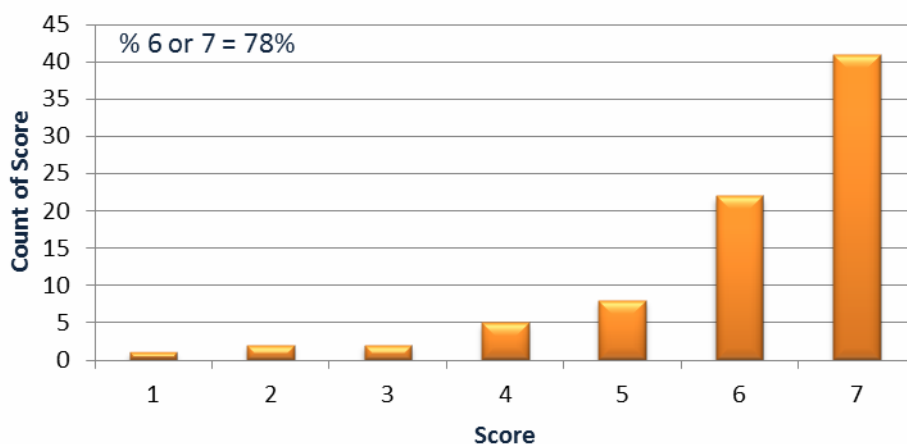


**Question 3**

*“What was the level of knowledge of the person with whom you met?”*

- Similarly to the previous question, as the data builds the response to this question is quite strongly towards the high end of the scale.
- 78% of respondents scored this question 6 or 7 out of 7.
- The average monthly score for this attribute did not change significantly during the survey period.

**What was the level of knowledge of  
the person with whom you met?**



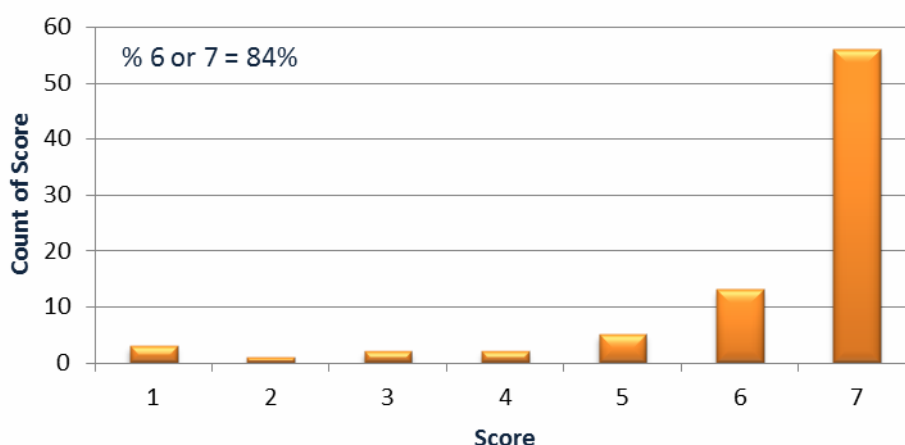
## ITEM 12 (continued)

### Question 4

*“What was the overall approach of the person with whom you met?”*

- Again as the data builds for this attribute it is building towards the high end of the scale.
- 84% of respondents scored this question 6 or 7 out of 7.
- The average monthly score for this attribute did not change significantly during the survey period.

### What was the overall approach of the person with whom you met?



As our Customer Service Officers are multi-skilled in all of Council's products and services, officers are able to assist with all types of customer enquiries at the Ryde Planning and Business Centre. This approach has been adopted to assist customers through their experience at the new facility.

Additional key practices that have been adopted in the Ryde Planning and Business Centre's operations are as follows:

- Provision of a “greeter” role at the Centre, who welcomes customers and assists with their enquiries. This position is fully proficient in all facets of Council's operations and deals with customer requests.
- All customers lodging applications or requiring assistance with a development, planning or business matter are required to make a booking either on-line or by telephone in advance of arriving at the centre, to meet with a Customer Service or Planning Officer. However, where bookings are not made on-line, customers who walk in are accommodated as soon as possible.



## ITEM 12 (continued)

- The Centre provides multi media technology to promote the diverse services provided by Council and customers can also access Council's website and current on-line services. Council has already in place a Development Application (DA) tracking facility on its website and will be implementing further services that will be available on-line throughout the next financial year.
- As at 13 October 2011, the Centre commenced its new opening times whereby the Civic Centre and Ryde Planning and Business Centre do not open to the public until 10am on the 2<sup>nd</sup> Thursday of each month to facilitate staff training and development. This includes a program of regular updates on changes to legislation, planning and development regulations and current civic projects, as well as participating in corporate programs and meetings to discuss current Customer Service issues.
- The Centre provides dedicated space for the Ryde Business Forum and also Council's Economic Development Manager.

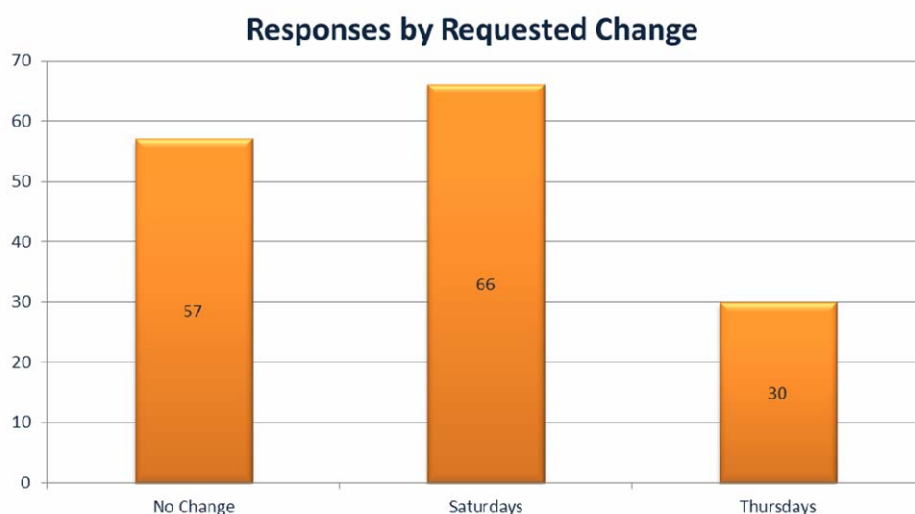
A summary of survey results and a compilation of customer comments regarding the Ryde Planning and Business Centre can be viewed in **ATTACHMENT 1**.

### **Operating Hours**

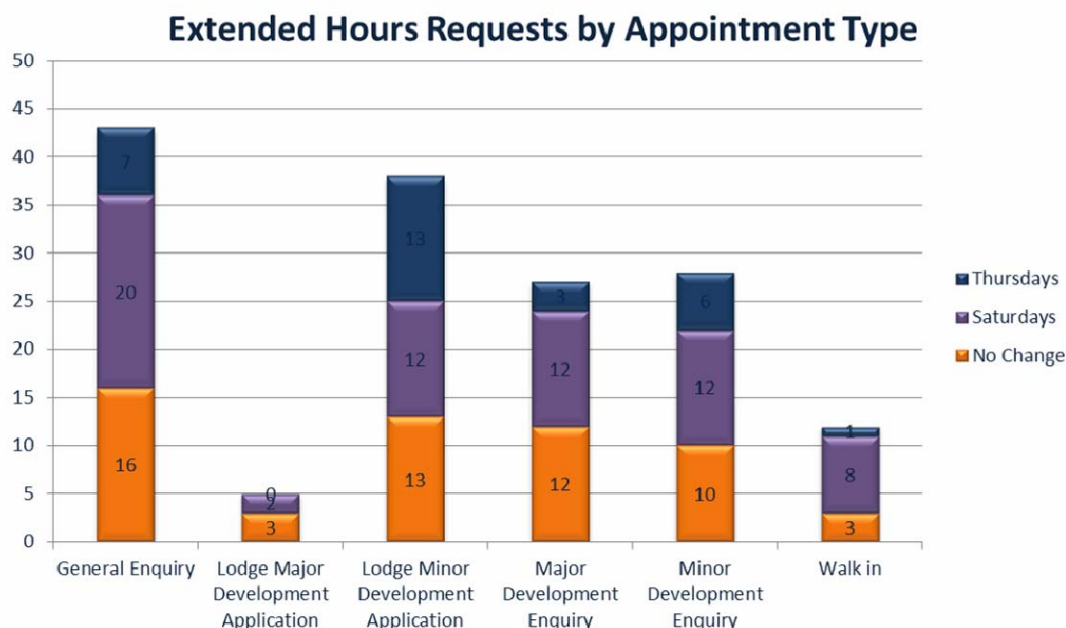
Customers surveyed were asked to respond to the following question:

*"Opening hours: We are considering providing additional opening hours for the centre. Which of the following extended opening hour options would you prefer?"*

As the graphs indicate below, the largest response related to customers preferring a Saturday service offering with the majority of customers preferring to utilise extended operating hours for general enquiries and lodging minor development applications.



## ITEM 12 (continued)



### Extended Trading findings:

- 70% of Owners are interested in extended hours.
- 60% of Owners would like Saturday trading but only 20% would like Thursday trading.
- 50% of Professionals would like extended trading with their preference evenly spread between Saturday and Thursday trading.

In analysing how improvements could be made to the processing of building and development matters through the introduction of the Ryde Planning and Business Centre, a complete review of the Customer Service Centre's operations has also been undertaken.

It is proposed that due to these results, there is a strong indication and desire by customers for Saturday morning operations. This matter will be considered for discussion in the upcoming budget process.

### **Customer Service Update**

The establishment of the Ryde Planning and Business Centre also provided an opportunity to review all customer service operations and processes. This review resulted in the development and implementation of further business improvements to ensure day to day operations were up to date and maintained at a high level.

As a reflection of the benefits of this review and as all Customer Service Officers are multi-skilled in all facets of the business, 85% of calls are resolved at first point of contact through the Customer Service Call Centre.

## **ITEM 12 (continued)**

The new Ryde Planning and Business Centre is providing a superior and pro-active offering to our customers which not only focuses on a specialised dedicated planning and development service, but also creates an essential link to business and economic development initiatives through Council's Economic Development Manager and our partnership with the Ryde Business Forum and local Chambers of Commerce.

### ***Building and Development Advisory Service***

The Building and Development Advisory team provides a service at the new Ryde Planning and Business Centre focusing on enhanced customer service delivery with qualitative, efficient and consistent technical advisory support services in relation to building, development and planning matters.

The role of the Duty Planner is to provide planning and development services that include advisory services for building and development approvals and the preliminary assessment and lodgement of applications. A Client Manager provides a service on a daily basis through the implementation of a buddy system.

Service offerings such as lodgement interviews for more complex DA's / pre-lodgement meeting service / resident advisory service / urban design review panel as an example are also provided from the Centre.

### ***Economic Development Service***

In addition to planning services, customers with enquiries in relation to starting up a new business in the Ryde Local Government Area are directed through to Council's Economic Development Manager via Council's on-line booking system. The Economic Development Manager provides information on the following topics to help businesses make informed decisions, such as:

- A wide range of local economic information including: growth rates, industry sectors, employment, demographic, population growth etc.
- Council regulations (e.g. running a business from home).
- Leasing rates on various locations within the Ryde LGA.
- Chambers of Commerce.
- Networking events.
- Training programs on how to start a business.
- Community events.

Council's Economic Development Manager also provides information about the Ryde economy to attract more businesses to the area, help existing businesses make better decisions and ultimately grow local jobs. For most businesses, the decision of where to locate is critical to its success.

## **ITEM 12 (continued)**

### ***Partnership with Ryde Business Forum***

The City of Ryde has entered into a partnership arrangement with the Ryde Business Forum to offer specialised services to our business community and provide them with opportunities to survive and prosper. A member of staff of the Ryde Business Forum is permanently located at the Ryde Planning and Business Centre to enable customers with enquiries in relation to starting up a new business in the Ryde LGA.

The Ryde Business Forum is a catalyst for business activities throughout Ryde, educating and informing its members on a range of business topics and is actively involved in lobbying issues which affect the City such as traffic, transport and infrastructure.

The Ryde Business Forum holds monthly business after hours events which regularly draw between 70 – 100 members and enable guests to mingle, network and build business relationships. It is a cost effective and enjoyable way for members to build their contact base and reap the benefits of referrals.

The new Ryde Planning and Business Centre provides a model of business that enhances the way in which Local Government organisations can engage with their constituency that has mutual benefit to both the community and the organisation.

This model of business has been shaped on the principles that have been articulated in the Ryde 2021 Community Strategic Plan. This initiative is a unique business concept for local Government and provides the City of Ryde with an opportunity to develop a robust customer relationship and community engagement platform which could be replicated across the Local Government sector.

### **Consultation**

Internal Council business units consulted included:-

- General Manager.
- Executive Team.
- Manager Strategy and Organisation Development.
- Manager Customer Service.

Internal Workshops held:-

- Not applicable.

City of Ryde Advisory Committees consulted included:-

- Not Applicable.

External public consultation included:-

Discussions with:

- Genroe Australia.
- NSW Department of Planning and Infrastructure.

## **ITEM 12 (continued)**

### **Critical Dates**

There are no critical dates or deadlines to be met.

### **Financial Impact**

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

### **Policy Implications**

There are no policy implications through adoption of the recommendations.

### **Other Options**

Not applicable.

### **Conclusion**

Through the development of a dedicated service offering to our customers for planning and business matters and our partnership with the Ryde Business Forum, we have as an organisation developed a platform of connection and engagement with our customers which is being very well received.

This has provided Council with a catalyst for further community capacity building through strengthening partnerships to achieve our strategic aspirations to become a City of Progressive Leadership and our goal to connect to our residents and business community.

Council, through this initiative, has recognised that to be responsive to our customers, customer relationship management and the development of superior, streamlined service offerings is the key. It also recognises the importance of ensuring our customers are satisfied with the way we are connecting, engaging and delivering services to them. This feedback allows the organisation to measure our success and will assist the organisation to achieve maximum business performance in responding to our communities' wants and needs.

To that extent, the new Ryde Planning and Business Centre is viewed as an essential and integral component, in playing a key role in Council achieving its objectives through the implementation of this business model. It has significantly changed the way in which Council connects and understands its customers. Council's decision in entering into a partnership with an external organisation like the Ryde Business Forum also has been integral to its success together with the co-location of Council's Manager of Economic Development. All of these initiatives support Council's aspirations for the City of Ryde to provide a superior service offering to our customers.

Independent survey results confirm that the new Centre has experienced a very positive response and high levels of customer satisfaction from our customers. In addition, Council staff are proud of their new professional working environment and are achieving outstanding results for City of Ryde customers.

## ITEM 12 (continued)

## ATTACHMENT 1

A summary of survey results and a compilation of customer comments regarding the Ryde Planning and Business Centre can be viewed in the following:

### Survey Result Summary (5 May 2011 to 31 October 2011)

Category	Result
Service Breakdown RPBC	84% of business conducted at the RPBC related to Planning and Business matters or enquiries
Service Breakdown Civic Centre	14% of business conducted at the Civic Centre related to Planning and Business matters or enquiries
Average Wait Time	8 minutes
Average Service Time	29 minutes
Appointments made via on-line booking system	40%
Customer satisfaction of service experience at RPBC	8.1 / 10
Ease of completing task at RPBC	71% scored either 6 or 7 out of 7
Level of knowledge of staff member	78% scored either 6 or 7 out of 7
Overall approach of staff member	84% scored either 6 or 7 out of 7
First Call Resolution	85% of calls to Customer Call Centre resolved at first point of contact

### Customer Comments

- Ease to book online. Knowing you had a set appointment time (as opposed to past where the time it took was dependant on the queue). Dedicated desk and person to see meant they weren't being constantly distracted (as in past). Person was informed and had address ready saved time.
- Extremely helpful to be able to talk to someone face to face with no waiting time. Scheduling appointments via website is excellent.
- I have found the staff at the planning centre to be extremely helpful with every question I have taken to them offering helpful advice and assistance and warm and friendly. Looking to submit DA for change of use, staff most helpful.
- The lady at the front desk was of a very helpful nature and did her work very efficiently.
- Booking was very easy, staff very polite and helpful. All went very smoothly and I got the information I needed.



**ITEM 12 (continued)**

**ATTACHMENT 1**

- Obtaining accurate advice. Friendly service.
- Ease with which I was able to make an appointment .The Council officer had on hand relevant information on the property .The Council officer was personable and was very informative and helpful. My wife and I were greeted in a warm and friendly way by the receptionist and the Council officer was ready to meet with us at the appointed time. Both the office and meeting environment were professional and comfortable.
- It is the first experience I have had, where Council has allocated a 30 minute block via an appointment with a planner to discuss a preliminary development enquiry. We had the opportunity to discuss a preliminary design in reasonable detail and received excellent feedback about the next steps, which include a Formal Pre-DA Meeting.
- Extremely knowledgeable with Council guidelines, courteous and professional.
- Everyone we spoke to was very helpful and had the right answers.
- No waiting to see the consultant, all the information I needed was obtained and staff member appeared to be knowledgeable in the development area.
- Easily accessible on all levels. Courteous and friendly staff.
- The responsiveness from the Client Manager was outstanding.
- Good efficient, friendly service.
- Very helpful information regarding my proposed development, easy to arrange an appointment on-line.
- Our interviewer was extremely polite, helpful with advice and answered our queries.
- The young lady behind the front counter in the morning was very helpful. It was quite busy at the time and we were actually supposed to be at the gym next door doing an induction but she helped us out between customers in a very professional and pleasant manner. Please give her a pat on the back for her great work!

**ITEM 12 (continued)**

**ATTACHMENT 1**

- I found it really useful during the enquiry I made and I have filled out the survey already. At this point of time, I am very happy with the service you provided.
- Today I had cause to visit the Customer Service Centre, City of Ryde. Being from out of the area I had never visited Top Ryde City Shopping Centre before. My plan was to park in the centre car park and seek directions to where I needed to go. As luck would have it I parked my car quite close to the Information Desk which was very clearly signposted. The lady who provided me with directions to the Customer Service Centre did so with crystal clarity in a pleasant and efficient manner. Once there my business was handled by a lady and her colleagues in the most professional and helpful way and she provided me with clear instructions on what information I needed to provide and options on how I could submit it. By the time I had left the centre via your excellently signposted car park I was back on Lane Cove Road with all my business concluded in less than 20 minutes. Next time I come I will make a point of visiting some shops. In an age when people can be very quick to complain I think it is important to commend good service when it is encountered. Today it was faultless.
- The lady I saw was very friendly and was able to point me to correct information regarding any changes to my property.
- We talked with a building inspector & he appears to know what he was talking about.
- Current information on Local government restrictions.
- When I enquire about DA, the lady I spoke with really understands that I never know what DA is. She is very patient and explains everything to me in detail.
- Great service and the knowledge of the planner was excellent.
- Excellent customer service.
- Good information very helpful.
- The staff were amazing. Super helpful, efficient and I felt they went above and beyond their duty to assist me. Felt genuinely cared for all my questions were answered. They seemed to really know and love what they were doing.

**ITEM 12 (continued)**

**ATTACHMENT 1**

- As a designer I am likely to refer my clients.
- The whole enquiry and application process went so smooth and there were no delays in the process. The booking service is excellent rather than waiting in a queue.
- Prompt meeting timing and complete information discussed at it.
- Extremely helpful and friendly front desk staff were able to answer all my questions and I received the map I had ordered on the same day. Overall, very well done.
- The gentleman we saw was just informative and wonderful and really wanted to help us. I'd recommend him highly to anyone.
- The process was simple, from making the appointment to meeting with the polite, friendly and professional staff members
- Helpful information provided and good advice.
- Easy accessibility & desired outcome.
- I found the staff to both be extremely polite and friendly. They were very helpful and knowledgeable.
- The staff were very informative and explained everything we needed to know very concisely and clearly.
- Customer service was just great. Answered all our questions, didn't rush us, had a play area for our toddler and were very helpful with advice, documents etc. Duty officer was most obliging and helpful. Love the new building and the set up.
- The appointment system is so much better, the ease of making the appointment on-line, getting to the Planning Centre and seeing someone straight away. Not having to wait for the duty planner to be available to review the application. The service is more personalised and the staff seem really happy in their new environment.
- The set up of the office allowing the client to participate and discuss their application with the planning officer when lodging a DA is a big improvement, contrary to the previous set up in the old building when we

**ITEM 12 (continued)**

**ATTACHMENT 1**

had to wait at the counter sometimes over an hour without knowing the assessment process.

- The staff were friendly, knowledgeable and competent.
- Comfortable, quick service, attentive friendly staff.
- Relaxed, focused environment with proper interaction with duty planner.
- Very good environment and pleasant people.
- Staff very professional, helpful and friendly. Professional office set up.
- Friendly customer services and referral to experts within Council when in-depth information was sought.
- My questions were addressed without me having to wait an indeterminate time.
- The whole set up and outlook on to the Piazza is very lovely. The staff we spoke to were all very friendly and most helpful. You have created a great working environment and all your staff enjoy what they do and do it well. Thank you.
- Relaxed atmosphere, easy to book on-line, knowledgeable staff and prompt in responses back to me.
- Quality service, easy of lodgement of application and very friendly and helpful staff.
- They were very helpful and happy to answer all my questions.
- Easy process to book, and the contact had accurate, clear advice and could explain the next steps in detail."
- The staff behind the council cared about the application and ensured that all the requirements were met at the time of lodgement and they were very professional in their approach.
- Helpful, informative and friendly service in a welcoming environment.
- The service was excellent and the person attending to my needs had all the information. I was served on time.

**ITEM 12 (continued)**

**ATTACHMENT 1**

- Prompt, efficient, very helpful and informative. All our questions were answered.
- It is a great improvement in service compared to previous experiences when they were across the street. I liked that they were quick to review the application, as previously the duty officers would take far too long with what seemed to be an assessment.
- I am involved in the support/customer services industry and do look for high standards....to be honest I was immediately impressed with how I was greeted, and the extra information I was provided that helped me along. The town planner was clear.
- Prompt and precise answers, staff are very helpful...service with a smile. Thank you all that work in the Ryde Planning and Business Centre.
- Positive attitude of the man I spoke to - he went out of his way to tell me things I needed to know but hadn't thought of.
- Was extremely helpful, I couldn't be more satisfied with the discussion we had & our path forward is crystal clear now."
- When we arrived the planner had pre-prepared, had taken the time to print out relevant photos, maps and had even gone back through all council records to give us a complete history of the property and relevant surrounds. It felt like she was an expert on.
- The officer I met is very professional.
- I was greeted very nicely and was taken through the paperwork with care as when I arrived I had no idea what I had to do and left with a much better understanding.

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## **13 PERSONAL MOBILITY DEVICES - Transportation Solution**

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**Report prepared by:** Group Manager - Public Works

**Report dated:** 4/11/2011

**File No.:** GRP/11/3/6/6 - BP11/807

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### **Report Summary**

The purpose of this report is to seek Council's endorsement of the promotion and to advocate the use of personal mobility devices (PMDs) as a viable transportation solution within the City of Ryde and urban areas.

### **RECOMMENDATION:**

- (a) That Council endorse the promotion of personal mobility devices (PMDs), as a viable transportation solution within the City of Ryde and urban areas within Australia.
- (b) That Council seek changes to Federal and State laws by petitioning all Governments and other parties.

### **ATTACHMENTS**

- 1 City of Connections - Personal Mobility Devices - Transportation Solution
- 2 Personal Mobility Devices (PMDs) - major key to improvement - November 2011 - CIRCULATED UNDER SEPARATE COVER

Report Prepared By:

**Terry Dodds**  
**Group Manager - Public Works**

Report Approved By:

**John Neish**  
**General Manager**



## ITEM 13 (continued)

### Background

In order to understand what our community expected of Council and to comply with the Local Government Amendment (Planning and Reporting) Act 2009, Council consulted the community asking them what their expectations were. The (extensive) research enabled Council to formulate the Ryde 2021 Community Strategic Plan (*Lifestyle and Opportunity @ your doorstep*) (**ATTACHED**). The information was used in the development of seven 'Outcomes' which are encapsulated in the *Four Year Delivery Plan*.

One of the (seven) 'Outcomes' our community mandated for us to deliver was to provide them with the ability to *connect* – described in the 'City of Connections'.

In *connecting* we face many of the same conundrums, as most cities do, relating to the dependence of the use of motor vehicles and their associated problems: parking, pollution, infrastructure costs, social exclusion etc. Our ability to provide *connections* to Macquarie Park, Meadowbank, Top Ryde, Eastwood, West Ryde, Cox's Road, schools, business districts, retail centres and a plethora of other areas, is already quite problematic.

As *Outcome Leader* for the *City of Connections* and *City of Environmental Sensitivity*, the Group Manager - Public Works has the responsibility to seek improvements to our current *connectability* whilst maintaining an environmentally sensitive and economically sustainable stance.

During the process of evaluating the current scenarios in the City of Ryde (and all urban centres) it became apparent one 'distance' (referred to as '*The Missing Distance*' - Pages 24, 25, 35, 47 and 49) represented a substantial number of trips which could be off-set using other means of transit very easily. It was then discovered that other countries had already come to similar conclusions, subsequently permitting the use of PMDs (and other solutions).

The challenges related to all urban growth have been (quite deservedly) recognised by the Federal Government. On 18 May 2011, the Minister for Infrastructure and Transport released a document titled *Our Cities, Our Future - A National Urban Policy for a productive, sustainable and liveable future*. This Policy (<http://www.infrastructure.gov.au/infrastructure/mcu/soac/asp>) (also) highlights the importance of the improvement in accessibility and the reduction of dependence on private motor vehicles (Objective #10).

The Federal Government's *Our Cities, Our Future* objectives refer to long-term challenges both the City of Ryde and the other 134 urban areas in Australia ([http://en.wikipedia.org/wiki/Local\\_government\\_in\\_Australia](http://en.wikipedia.org/wiki/Local_government_in_Australia)) all face; population growth; demographic change; climate change; increasing fuel costs, resource limitations, housing affordability, social exclusion, technological change and the accelerating processes of globalisation – the sustainable management of transport being one of them.

### ITEM 13 (continued)

The solution detailed in the Report forwarded **UNDER SEPARATE COVER** (*Mobility Devices (PMDs) – major key to improvement*), not only addresses many of our growing transportation problems (Page 13), but in doing so will also provide much assistance in addressing many other areas of concern as contained in the National Urban Policy (<http://111/infrastructure.gov.au/infrastructure/mcu/urbanpolicy/index.aspx>) Objectives 2 (Page 23), 3 (Page 24), 5 (Pages 50, 51 and 52), 8 (Page 20), 9 (Page 20) and 11 (Page 45) and mentioned above.

The combined benefits in the ability to *connect* shorter distances much more efficiently (*'The Missing Distance'*) by the use of personal mobility devices is already being seen in many other places around the world and well worth promoting as one (of many) solutions - in a country with a climate very well suited for their use.

#### Report

Around 54% of Sydney's population growth over the last 10 years has occurred in its inner city and middle city zones, with only 46% occurring in the outer suburbs (<http://www.propertyobserver.com.au/demographics/sydneysiders-driven-out-by-housing-undersupply-and-congestion-report/2011102152026>). The City of Ryde is classified as a middle city zone. The cause and effect of this growth equates to reduced trip lengths but an increase in the number of trips – as density increases the distance travelled decreases, and density means more people completing these shorter trips.

This phenomenon is then further exacerbated due to the fact that the occupant numbers inhabiting dwellings in these zones are falling, with the number of lone person households doubling approximately every 30 years (<http://www.infrastructure.gov.au/infrastructure/mcu/soac/asp>) and the number of persons over 65 years of age forecast to continue to double every 25 years.

To summarise, the number of shorter trips will continue to increase, but at a much more alarming rate – due to the *Law of Accelerating Returns* being applied.

[As a particular evolutionary process (e.g. computation) because more effective (e.g. cost effective), greater resources are deployed toward the further progress of that process. This results in a second level of exponential growth (i.e. the rate of exponential growth itself grown exponentially)].

Additionally, there hasn't been a continual (Graph - Page 49) and well aimed (Page 42) investment in public transport infrastructure. In Sydney, the difficulty is increased due to the low density of the 'outer-ring', geographic obstacles and multiple city centres dominated by the antiquated 'hub-centric' design of century old public transport networks. The hub-centric designs become problematic and largely ineffective the further from the focal point and more so once satellite areas become cities within cities.

### ITEM 13 (continued)

If an alternative isn't used to assist everyone living in our current environment and predicament, the congestion caused by the 80% of single occupant vehicles driving the 43% of trips less than 10 kilometres doubling in less than 20 years will force a change regardless. To mitigate against this (almost) inevitability there has been much discussion about increases in infrastructure expenditure, congestion tax, further increases in density and many other 'solutions'.

**But it is difficult for a pragmatic person to argue that the easiest way to avoid such measures is to provide an alternative that negates the problem in the first instance.**

Some of the benefits of introducing PMDs in Australia are tabled below in an extract from the report which has been forwarded UNDER SEPARATE COVER:

9. *The Introduction of Personal Mobility Devices Will Dramatically Improve Not Only Transport, But Our Whole Life*

- *facilitate an evolutionary and incremental response to our urban transport problems*
- *provide a simple solution to many dilemmas faced by people travelling short distances in our cities and urban centres (43% of travel Mon-Fri is less than 10km)*
- *reduce the difficulty in connecting between 'legs' in a 'chain' (inter-modal hubs)*
- *introduce a solution that enhances, not detracts, from other users*
- *be more sustainable and adaptable to change*
- *not require a change in physical infrastructure (improve net-rate-of-return of assets)*
- *provide more manageable and palatable solutions to other problems*
- *overcome many hurdles coercing people into car-use because of our fragmented transport networks (affected by features difficult to cross)*
- *decrease congestion within cities and the urban environment and, at the same time, increase capacity for commercial and business transport, especially in peak hours (thus reducing the cost to business)*
- *allow greater and more seamless use of inter-modal hubs; without the parking conundrums currently faced at every railway station and major interchange*

### ITEM 13 (continued)

- *encourage 'single car' or 'occasional car' use households; not through stealth, but because there is no requirement for a second vehicle as PMDs will provide an alternative*
- *reduce the cost of development for medium to high density residential apartments in Sydney by between \$18,000 to \$48,000 each - reducing mortgages up to \$319 / week*
- *improve 'human integration'; the aged, lonely, depressed or less able bodied people would benefit as they would be better catered for with the (extra) transport solution*
- *substantially reduce pollution whilst drastically improving the amenity of the urban landscape by reducing noise and CO<sub>2</sub> emissions*
- *substantially reduce need for most 'end destination' parking*
- *substantially decrease transportation costs to both the community and individuals*
- *decrease asset renewal or replacement expenditure per kilometre travelled*
- *remove many of those short trips that would be taken using a car and replace with a form of transportation that doesn't segregate the community*
- *supply a form of transport that maintains the independence of an aging population without forcing them to remain 'on-the-road' for longer than they'd like due to a lack of choice*
- *reduce risk to cyclists through increased safety due to numbers*
- *provide an avenue to improve pedestrian, cycling and access for the disabled, that actually reduces the frequency of a more difficult and expensive to maintain service of road building*

### Consultation

Internal Council business units consulted included:-

- General Manager.
- Group Manager – Planning.
- Group Manager - Community Life.
- Group Manager - Corporate Services.
- Legal Counsel.
- Manager - The Environment.
- Service Unit Manager – Asset Systems.
- Service Unit Manager – Infrastructure Integration.
- Section Manager – Traffic and Governance.

### **ITEM 13 (continued)**

Internal Workshops held:-

- Not Applicable.

City of Ryde Advisory Committees consulted included:-

- Not Applicable.

External public consultation included:-

- Not Applicable.

#### Comments

Until the objective to deliver a major improvement in our *City of Connections* Outcome by using PMDs is legally possible, consultation has been quite limited. To date, attendees at one (international) planning and two transportation forums have been made privy to the PMD solution, all of whom have been very positive and extremely supportive.

When (or if) the regulatory framework is altered (Australian Design Rules (Page 83) to allow the (legal) use of personal mobility devices the standard protocols, as is the case with any processes, will be enacted.

#### **Critical Dates**

There are no critical dates or deadlines to be met.

#### **Financial Impact**

Adoption of this report by Council will have no financial impact.

The subsequent financial impact if successful in changing the regulation will be very positive, not only for the City of Ryde, but for the other 134 urban areas within Australia which face the same problems *connecting* (refer UNDER SEPARATE COVER report - Mobility Devices (PMDs) – Major key to improvement).

#### **Policy Implications**

- Access and Equity Policy
- Footpath Activity Controls Policy
- Outdoor Dining Policy
- Media Policy

#### **Other Options**

In considering options Council sought advice from the recently retired Chairman of the National Committee on Transport Engineering: Director; Project Inception Branch Property and Construction Division - Department of Finance and Deregulation's, Mr Shukry Sahhar. Mr Sahhar advised to continue with the current course of action.

## **ITEM 13 (continued)**

### **Conclusion**

There is something we can quite easily achieve to move people – by changing the way we view the ‘problem’. It is inexpensive to both government and citizens: it is unobtrusive; it has been proven to work in many countries and will actually add efficiencies to our existing networks, extend asset usefulness and improve urban amenity. More importantly, it won’t cost us our children’s inheritance, reduces carbon emissions thirteen fold (13X) and it isn’t onerous to implement.

The risk is that if we continue to think yesterday’s solutions will solve tomorrow’s problems, we’ll continue to do what we’re doing now and just add to our woes.

Now is the time to promote the truth and facilitate incremental change, not because of any purist or ideological doctrines, not because of populist reactions, lobbying, protests, sponsorship or mandates - perceived or otherwise...but because the longer we procrastinate the harder it will be.



**ITEM 13 (continued)**

**ATTACHMENT 1**



ITEM 13 (continued)

ATTACHMENT 1

Our outcome of a City of Connections will create a city where people feel connected locally and globally, and can easily gain access to their work place, recreation opportunities, facilities and services in both a physical and virtual way.	We will work collaboratively with our partners, to respond to our increasing population and their requirements for connection to our workplace, educational, retail and recreational destinations. We will embrace emerging transport technologies to improve the integration of our transportation systems and connect and develop our cycleways and walkways to encourage more people out of their cars. We will stay abreast of our aging infrastructure, which needs to cope with greater usage, to ensure our assets are appropriately planned and maintained.	Understanding the growing stresses being placed on our transport infrastructure, we will mitigate demand by locating homes closer to educational, employment and retail opportunities to reduce the travel 'footprint' of our residents. We will build relationships with others to plan and implement solutions that are sustainable and offer flexibility of choice.	<p><b>Demonstration Projects</b></p> <ul style="list-style-type: none"> <li>Herring Road Transport Interchange to improve connections and vibrancy in the area</li> <li>To connect our missing links for footpaths and cycleways</li> <li>Collaborate with our partners - transport connections between Top Ryde and Meadowbank</li> <li>Encourage virtual connections in our public spaces</li> </ul>
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Outcome: A City Of Connections

GOAL ONE

Our residents, visitors and workers are able to easily and safely travel on public transport to, from and within the City of Ryde.

STRATEGIES

To improve transport connections between our centres, neighbourhoods and workplaces, that are accessible and safe.

To collaborate with relevant parties to maintain and develop better transport options that are convenient, safe, affordable and sustainable.

To encourage the use of environmentally friendly transport options.

GOAL TWO

Our community has the option to safely and conveniently drive, park, cycle or walk around their city.

STRATEGIES

To improve connectivity between and accessibility to our suburbs, centres, open spaces and places.

To improve car parking options in our busiest centres.

To influence decision makers so they respond to our major road, cycle and pathway needs.

GOAL THREE

Our residents, visitors, workers and businesses are able to communicate locally and globally.

STRATEGIES

To create publicly available spaces that offer access to communication technologies.

To create a WiFi City that offers our community accessible and flexible communication.

To collaborate with others to provide emerging communication technology in our city.

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## **14 FLOOD MODELLING FEES & CHARGES**

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**Report prepared by:** Manager - Infrastructure Integration

**Report dated:** 14/10/2011

**File No.:** GRP/11/3/6/5 - BP11/699

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### **Report Summary**

This report recommends the public exhibition of the proposed fee for the purchase of Council's flood models which if endorsed will reduce expenses to private and public developers/landowners.

### **RECOMMENDATION:**

- (a) That the fee for the purchase of Council's DRAINS model in the amount of \$2,200 be publicly exhibited for a period of not less than 28 days.
- (b) That the fee for the purchase of Council's TUFlow model in the amount of \$4,950 be publicly exhibited for a period of not less than 28 days.
- (c) That a further report be presented to Council for consideration after the advertising period addressing any submissions made.

### **ATTACHMENTS**

There are no attachments for this report.

Report Prepared By:

**Austin Morris**  
**Manager - Infrastructure Integration**

Report Approved By:

**Terry Dodds**  
**Group Manager - Public Works**

## **ITEM 14 (continued)**

### **Background**

When a major development is proposed within Macquarie Park that will have an impact on traffic issues, Council requires the developer to pay for and use its Macquarie Park Growth Model. The developer must amend the model based on their proposal and then return the updated model to Council for future use. The cost for the Growth Model as adopted in Council's annual fees and charges is \$19,400. It is now proposed to introduce a similar fee for Council's flood models.

Currently a property owner must engage a consultant engineer to completely develop a flood model. By offering Council's existing flood models, the consultant engineer would only be required to make amendments to the model rather than develop a completely new model. This should result in cost and time savings to the engineer, and subsequently the property owner.

### **Report**

Council participates in the NSW Office of Environment & Heritage Floodplain Management program. Under this program two Floodplain Risk Management Studies and Plans have been completed over consecutive financial years. Plans for the Eastwood & Terrys Creek and Macquarie Park catchments were completed and adopted by Council. Plans for the remaining catchments are currently underway. The total cost to complete the plans is in the order of \$650,000 (State and Council). Before the plans can be prepared an extensive flood model (hydraulic & hydrologic) is constructed. This is an expensive and time-consuming process.

Currently when a development is proposed within a known flood risk area that increases the building footprint by more than 10%, the applicant is required to undertake a flood study. The cost for the property owner to engage a private consulting engineer to develop a flood model can be in the order of \$30,000. In the Eastwood & Terrys Creek and Macquarie Park catchments Council is now in a position to offer the use of Council's models, similar to the Macquarie Park Growth Model. In this way Council can recover some of the costs associated with developing the models. In addition to the model fees the applicant would only be charged to amend the model rather than develop a new model. This would see potentially very significant savings to the community and also help Council reduce the overall risk to all stakeholders.

In accordance with Section 405 of the Local Government Act and Clause 201 of the Local Government Regulation, any new fee has to be advertised for 28 days. A further report addressing any submissions received in relation to the fee would be presented back to Council.

### **Consultation**

Internal Council business units consulted included:-

- Not Applicable.

Internal Workshops held:-

- Not Applicable.

### **ITEM 14 (continued)**

City of Ryde Advisory Committees consulted included:-

- Not Applicable.

External public consultation included:-

- The proposal will be exhibited for a period of no less than 28 days.

### **Critical Dates**

There are no critical dates or deadlines to be met.

### **Financial Impact**

This project is provided for in the current budget for current flood studies (2010/11 Stormwater Improvement Works).

### **Policy Implications**

There are no policy implications through adoption of the recommendation.

### **Other Options**

Council could continue to retain the intellectual property, in which case the community would be required to engage consulting engineers for flood studies. In this case, Council's flood model is static and resourcing will be required in future to update the model.

### **Conclusion**

Public comment is sought on the proposed addition to Council's Fees and Charges.



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**15     SHAFTSBURY ROAD AND GLEN STREET, EASTWOOD - Proposed Roundabout (Black Spot Remediation Site - UPDATE)**

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**Report prepared by:** Section Manager - Traffic

**Report dated:** 14/11/2011

**File No.:** GRP/11/3/6/6 - BP11/843

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**Report Summary**

This report is to provide Council with details regarding the development of this project from inception to the current proposal which has RMS (formally RTA) support in principle, subject to Technical Approval of the detailed design, via the Ryde Local Traffic Committee. The design has changed significantly after lobbying by Council staff for an alternative solution.

**RECOMMENDATION:**

- (a) That Council supports the current alternative design proposal therefore allowing community consultation (with the three (3) directly affected properties) to proceed.
- (b) That the results of the community consultation be tabled at Council.

**ATTACHMENTS**

- 1 Ryde Local Traffic Committee Report (Item 6) for 16 September 2010 Committee Meeting regarding Shaftsbury Road / Glen Street Roundabout
- 2 Ryde Local Traffic Committee Report (Item 9) for 26 May 2011 Committee Meeting regarding Shaftsbury Road / Glen Street Roundabout
- 3 Correspondence from Roads & Maritime Services (RAMS) confirming support for alternative Proposal
- 4 Alternative Treatment Concept Plan supported in principle by Roads and Maritime Services for the intersection of Shaftsbury Road and Glen Street, Eastwood
- 5 Shaftsbury Road and Glen Street Roundabout - Letter of response to resident of Shaftsbury Road following representations made to the Member for Ryde

Report Prepared By:

**Harry Muker**  
**Section Manager - Traffic**

Report Approved By:

**Terry Dodds**  
**Group Manager - Public Works**



## ITEM 15 (continued)

### Background

At its meeting on the 28 June 2011 Council resolved to adopt the following recommendation in respect of the Council report titled “Shaftsbury Road and Glen Street, Eastwood – Proposed Roundabout (Black Spot Remediation Site – UPDATE)”:-

*That consideration of this matter be deferred for a detailed report back to Council outlining the history of this intersection, why this intersection came before Traffic Committee as a Black Spot Remediation Site, what other solutions are possible and what other locations would be suitable to utilise this funding in the City of Ryde for a roundabout.*

Note: Report was part of an overall Council report titled “Traffic and Parking Matters Presented to Ryde Local Traffic Committee Meeting held on the 26 May 2011”.

### Report

Council submits on an annual basis up to five (maximum) project proposals to the “Nation Building Black Spot” program to seek federal funding for remediation to reduce the potential for future injury type accidents which can be an indirect cost to the local community. The assessment follows a VERY strict procedure which is administered by the Roads and Maritime Services (RAMS) in NSW where ONLY sites/locations with a demonstrated confirmed injury rate of three (3) incidents over a five (5) year accident review period, will be considered for funding (which is 100% (external funding) under the Nation Building Program). The intersection of Shaftsbury Road and Glen Street satisfied this criterion.

The project was predicated on a study that Council had undertaken in 2008 titled “Eastwood Town Centre – Transport Management and Access Plan” prepared by Council’s Traffic Consultant, Cardno Eppell Olsen. The report covered a number of aspects relating to transport and parking management, however it is under the heading of “Recommended Traffic Management Plan” that reference is made to provide a roundabout at the intersection of Shaftsbury Road and Glen Street. The consultants reasoning is that the roundabout improves vehicle priority and will minimise intersection accidents where vehicles fail to ‘Stop’ and/or ‘Give Way’ which has occurred to date.

A report titled “National Black Spot Submission (2010 – 2011) – Proposed Accident Remediation Sites” was tabled at the Ryde Local Traffic Committee meeting on the 6 August 2009 for subsequent Council consideration. Council at its meeting on the 25 August 2009 resolved to adopt the recommendation as documented in the Minutes of the Ryde Local Traffic Committee meeting for the month of August 2009 as follows:

- (a) *That Council notes the information contained within this report.*
- (b) *That Council approves the nominated Blackspot sites as tabled in the body of this report.*

## ITEM 15 (continued)

With Council's in principle support given, the proposal would only be developed upon confirmation by the Nation Building Black Spot program that 100% federal funding would be provided and this was issued to Council on the 1 June 2010 with Council accepting additional project funding on the 16 June 2011.

The initial proposal was canvassed with the directly affected businesses and residents on the 20 August 2010. The initial detail was then revised/adjusted and tabled at the Ryde Local Traffic Committee on the 28 October 2010 (**refer to ATTACHMENT 1**).

Council at its meeting on the 14 December 2010 resolved to adopt the following recommendation in relation to report titled "Shaftsbury Road and Glen Street, Eastwood – Proposed Roundabout (Black Spot Remediation Site)".

- (d) *That this matter be referred to the next meeting of the Traffic Committee for redesign and to consider alternate options.*

However Council at its meeting held on 8 February 2011, under Notices of Rescission – 1: Proposed Roundabout at Shaftsbury Road and Glen Street, Eastwood, it was proposed:

*That Council rescind the previous resolution in relation of ITEM 9(d) – TRAFFIC MATTERS PRESENTED TO RYDE LOCAL TRAFFIC COMMITTEE HELD ON 28 OCTOBER 2010: Proposed roundabout at Shaftsbury Road and Glen Street, Eastwood, passed at the Council meeting on 14 December 2010, namely:*

- (d) *That this matter be referred to the next meeting of the Traffic Committee for redesign and to consider alternate options.*

Council progressed the reworking of the initial design by taking into consideration a number of concerns, namely loss of on-street parking, accessibility and increased noise. A number of initial proposals were considered, including moving the 'whole' roundabout structure further south to minimise its impacts existing residential property amenity (on-street parking et cetera). However, this design variant was found to be extremely costly as the relocation of utilities (Telstra Fibre Optics) would incur an expense for Council in the order of \$200K (plus) and unlikely to be supported as additional funding would need to be supplemented by Council as current funding under the Black Spot program, was fixed.

Another option prepared by Public Works, for consideration, included the adjustment of the kerb line adjacent to the waterway to formulate 'angled' kerbside parking to balance the parking losses associated with the roundabout construction. From a cost and amenity balance this option was deemed as being the most reasonable proposal to hopefully gain acceptance from both the community and the Roads and Maritime Services (RAMS) for its construction.

## ITEM 15 (continued)

Unfortunately, at the Committee meeting on the 26 May 2011 the RTA representative advised “that in principle, they are in full support of the roundabout project as part of the Black Spot program, provided that safety is not compromised. Consequently, the RTA can not support the plan at this stage” (**refer to ATTACHMENT 2**).

Following from the 26 May 2011 meeting Council has been corresponding on a regular basis with the Roads and Maritime Services (RAMS) to progress this project to completion. A complete thorough review of the RAMS accident statistics at this intersection yielded a proposal that was not roundabout centric in its development. Rather, it focussed on encouraging greater pedestrian accessibility across both Shaftsbury Road and Glen Street through the provisions of a Pedestrian Refuge and kerbside Traffic Islands to provide pedestrian protection and further, shorten crossing distances.

RAMS were not initially receptive to the alternative proposal, as it did not specifically target the three (3) injury accidents that occurred at this intersection to date. However following further discussions RAMS agreed to the proposal, subject to amendments forcing traffic to be channelised on approach to the Shaftsbury Road and Glen Street intersection from both directions along Shaftsbury Road (**refer to ATTACHMENT 3 and ATTACHMENT 4**). It is anticipated that subject to Council support, that further community consultation be undertaken with the three (3) directly affected properties to seek their support (or otherwise) for the alternative proposal prior to detailed design.

### Consultation

Internal Council business units consulted included:-

- Operations (within Public Works).
- Asset Systems (formerly Access).

Internal Workshops held:-

- Nil.

City of Ryde Advisory Committees consulted included:-

- Traffic Committee.

External public consultation included:-

- Roads and Maritime Services (RAMS – formerly known as the RTA).
- Directly affected residential properties (**refer to ATTACHMENT 5**).

### Comments

The project to date has unfortunately received opposition from the residents/businesses directly affected by the proposal. Council has injected very significant effort and resources to progress the project via numerous discussions with directly affected residents and tabling the revisions at the Ryde Local Traffic Committee. Quite understandably, as the project is related to road safety, the Roads and Maritime Services (RAMS) maintained a rigorous approach to their review of the proposal and could not support any measures that could be considered as a very

**ITEM 15 (continued)**

minor 'risk' or similar, even though potential resident acceptance of the proposal could be achieved.

The discussion trail in relation to directly affected residents/businesses is detailed below:

- 20 August 2010 – Initial Concept Plan is canvassed with the three (3) directly affected properties.
- 3 September 2010 – Initial Concept Plan review meeting with the resident of Richards Avenue, Eastwood (limited discussion time).
- 14 September 2010 – Follow-up Concept Plan review meeting with the resident of Richards Avenue, Eastwood.
- 23 September 2010 – Follow-up Concept Plan review meeting with the resident of Richards Avenue, Eastwood.
- 30 September 2010 – Initial Concept Plan review meeting with the resident of Shaftsbury Road, Eastwood.
- 9 February 2011 – Correspondence via email to/from resident of 188 Shaftsbury Road.
- 10 February 2011 – Correspondence via email to/from resident of 188 Shaftsbury Road.
- 11 February 2011 – Correspondence via email from resident of 188 Shaftsbury Road.
- 3 March 2011 – Correspondence from Council to the three (3) directly affected properties.
- 8 April 2011 – Letter of response to the Hon Victor Dominello MP, following representations from resident of 188 Shaftsbury Road (**refer to ATTACHMENT 5**).
- 17 May 2011 – Notification letters to the three (3) directly affected properties advising upcoming Ryde Local Traffic Committee meeting on the 26 May 2011.
- 24 May 2011 – Follow-up letter with attached copy of revised roundabout proposal to the three (3) directly affected properties.

**Critical Dates**

The following deadlines are required to be met:

- 30 June 2012

## **ITEM 15 (continued)**

### **Financial Impact**

The project is to be funded from the Nation Building Black Spot Program as the Roads and Maritime Services have supported the carryover of funds into the 2011/12 financial year. Failing Council's endorsement will result in the monies being returned to the RAMS.

### **Policy Implications**

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

### **Other Options**

No other viable option (the project has been extensively reviewed with the current proposal being the alternative that has a 'linkage' to the Nation Building Black Spot requirements).

### **Conclusion**

Council has investigated and subsequently negotiated the best (and only approved) outcome available. Should this last option fail to be supported there are no alternatives left to consider. The ramifications are significant, as the Eastwood Traffic Plan (T-Map), which largely mitigates pedestrian risk, depends upon the traffic flow being maintained or improved in a number of locations – Shaftsbury Road / Glen Street being one of them.

**ITEM 15 (continued)**

**ATTACHMENT 1**

**AGENDA**

City of Ryde

<b>Subject:</b>	RYDE TRAFFIC COMMITTEE MEETING TO BE HELD 16 September 2010	Page 11 of 15
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**SECTION 6**

**ITEM 6**

**SHAFTSBURY ROAD AND GLEN STREET, EASTWOOD**  
**Proposed Roundabout (Black Spot Remediation Site)**  
File No: COR2009/206

**Council's Senior Traffic Engineer – Access reports 28 September 2010**

**Report**

Council's annual Capital Works Program for the period 2010/11 has listed for construction under the category "Traffic Facilities Construction (New)" a roundabout at the intersection of Shaftsbury Road/Glen Street.

A concept design plan has been prepared for the Committee's consideration which has been modified to take into consideration input from affected residents.

**Background**

Council on the 7 June 2010 received written notification from the RTA that the roundabout proposal for the Shaftsbury Road/Glen Street intersection has been successful in receiving 100% Federal Funding under the "Nation Building Program" for its construction.

**Consideration**

The roundabout concept design plan has been refined to improve access to/from residential access driveways affected by the roundabout proposal. Council officers have undertaken a doorknock with all residents who are directly affected by the proposal and modifications have been made to address the issues as far as practicable.

The roundabout is identified in the "Eastwood Town Centre – Transport Management and Access Plan" as an integral component within the "Traffic Management Plan" study report undertaken by Cardno Eppell Olsen in 2008 for the City of Ryde (Section 16.0 Recommended Traffic Management Plan – T5) to improve vehicle priority and minimise intersection accidents.

Following the initial consultation with the three (3) directly affected properties, an amended design (Concept Plan B) was produced, that was again canvassed with affected residents to obtain their view point on the amended design.

The "comments" raised in relation to the amended design, are noted below as follows:

Note: Concept Design Plan (A) and Concept Design (B) are contained in the **ATTACHMENTS report** which is supplemented with drawings, detailing turning path analysis.

- Affected Property No.1: Would support the construction of the roundabout subject to the loss of three (3) unrestricted on-street parking spaces being provided along Glen Street (closest to Shaftsbury Road) in close proximity to the business, to service business patrons.
- Affected Property No.2: "appreciate your efforts to create a modified roundabout design which addresses some of the concerns we have raised. It is unfortunate our remaining

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The Ryde Traffic Committee is a Technical Committee and, as such, does not have any formal power to make decisions on behalf of Council. Therefore, the Recommendations of the Ryde Traffic Committee contained herein will be referred to Council.



**ITEM 15 (continued)**

**ATTACHMENT 1**

**AGENDA**

City of Ryde

<b>Subject:</b>	RYDE TRAFFIC COMMITTEE MEETING TO BE HELD 16 September 2010	Page 12 of 15
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concerns regarding loss of visitor parking and potential for increased noise cannot be addressed, but this appears to be the nature of roundabouts rather than any lack of effort on your part."

- Affected Property No.2: "Our preference would be to maintain the status quo and not have a roundabout of any kind, however, given the seemingly inevitable requirement to address the blackspot we feel considerably more amenable to the new draft plan (Concept Plan (B))."
- Affected Property No.3: Suggestion that Council does not do anything as a first priority (keep as status quo). However, was far more amenable to Concept Plan (B) as access the enclosed garage along Shaftsbury Road was improved.

Following the two (2) stages of consultation, the responses above would suggest that apart from one (1) resident directly affected by the proposal, the two (2) remaining directly affected properties appear to be amenable to the revised or amended proposal (Concept Plan (B)).

Council also received correspondence from three (3) residents in Shaftsbury Road who are not directly affected by the proposal confirming their objection to the initial proposal. The questions raised were identical to those raised by the residents of "Affected Property No.2" who are more amenable to the revised proposal. Council will forward to the residents of the three (3) properties who are not directly affected by the roundabout proposal, the updated design plan for their information (Concept Plan B). The provision of three (3) unrestricted parking spaces to assist "Affected Property No.1" could be accommodated by converting three (3) 2P parking spaces along the southern side of Glen Street (nearest to Shaftsbury Road) to unrestricted parking to meet the needs of their existing customers. Further, information in respect of resident consultation will be made available at the Committee Meeting, in hardcopy.

The roundabout design is able to accommodate the turning paths of buses and Medium Rigid Vehicles (the turning path diagrams are detailed in the **ATTACHMENT report**).

It is recommended that roundabout Concept Plan (B) be approved for detailed design and subsequent construction within the 2010/11 financial year to meet Blackspot requirements.

**RECOMMENDATION:**

- (a) That Concept Plan (B) for the roundabout be approved.
- (b) That Council commences immediately detailed design to facilitate the construction of the roundabout at the intersection of Shaftsbury Road and Glen Street in the period 2010/11 financial year.
- (c) That three (3) 2P time restricted parking spaces along the southern side of Glen Street (nearest to Shaftsbury Road) are converted to unrestricted parking.
- (d) The three (3) residential properties in Shaftsbury Road, who are not directly affected by the roundabout proposal, are sent a copy of the updated design plan (Concept Plan B) for their information.

**Submitted for the consideration of the Committee**

**Anthony Ogle**  
**Manager – Access**

---

The Ryde Traffic Committee is a Technical Committee and, as such, does not have any formal power to make decisions on behalf of Council. Therefore, the Recommendations of the Ryde Traffic Committee contained herein will be referred to Council.

**ITEM 15 (continued)**

**ATTACHMENT 1**

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City of Ryde

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**Harry Muker**  
Senior Traffic Engineer

**Terry Dodds**  
Group Manager – Public Works

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The Ryde Traffic Committee is a Technical Committee and, as such, does not have any formal power to make decisions on behalf of Council. Therefore, the Recommendations of the Ryde Traffic Committee contained herein will be referred to Council.

**ITEM 15 (continued)**

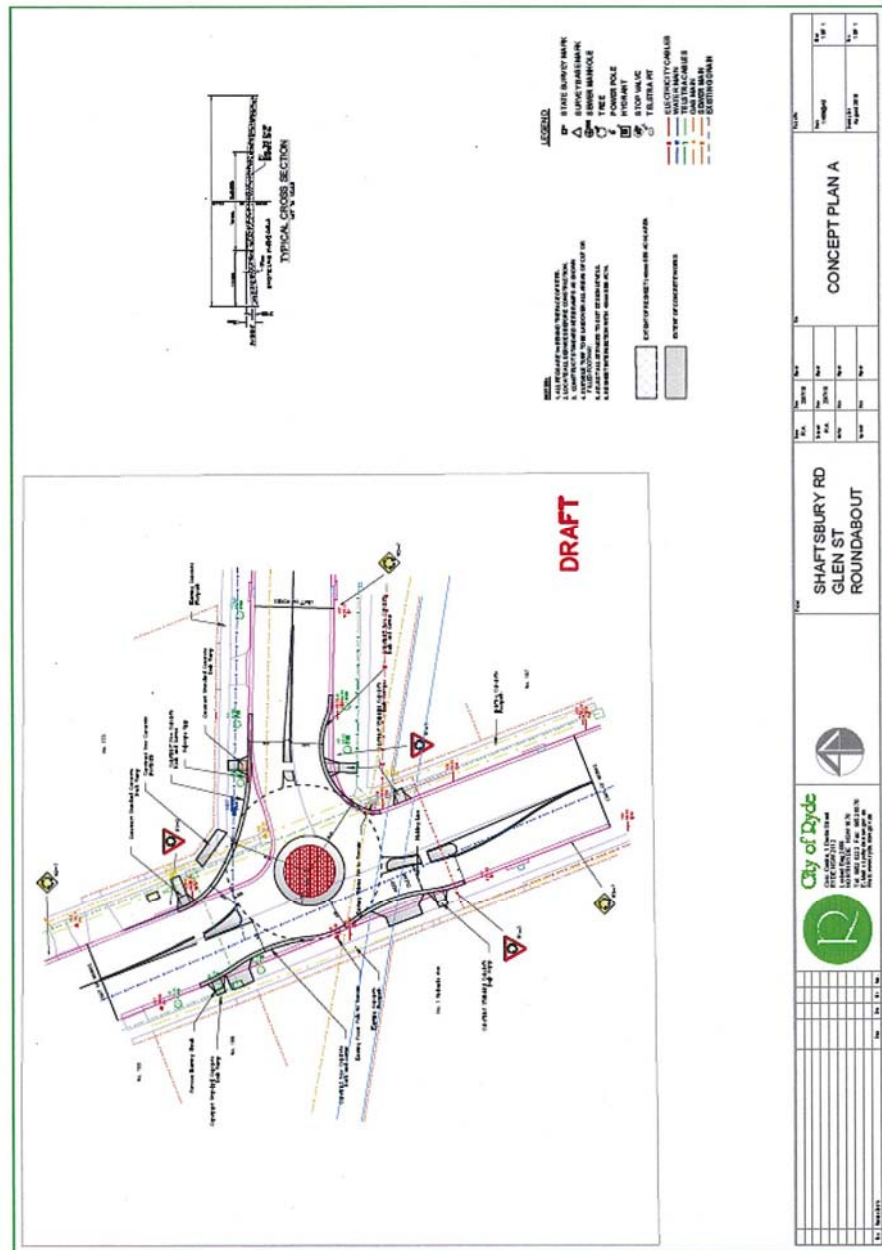
## ATTACHMENT 1

## ATTACHMENT REPORT

City of Ryde

**Subject:** RYDE TRAFFIC COMMITTEE MEETING TO BE HELD 28 October, 2010

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**ITEM 15 (continued)**

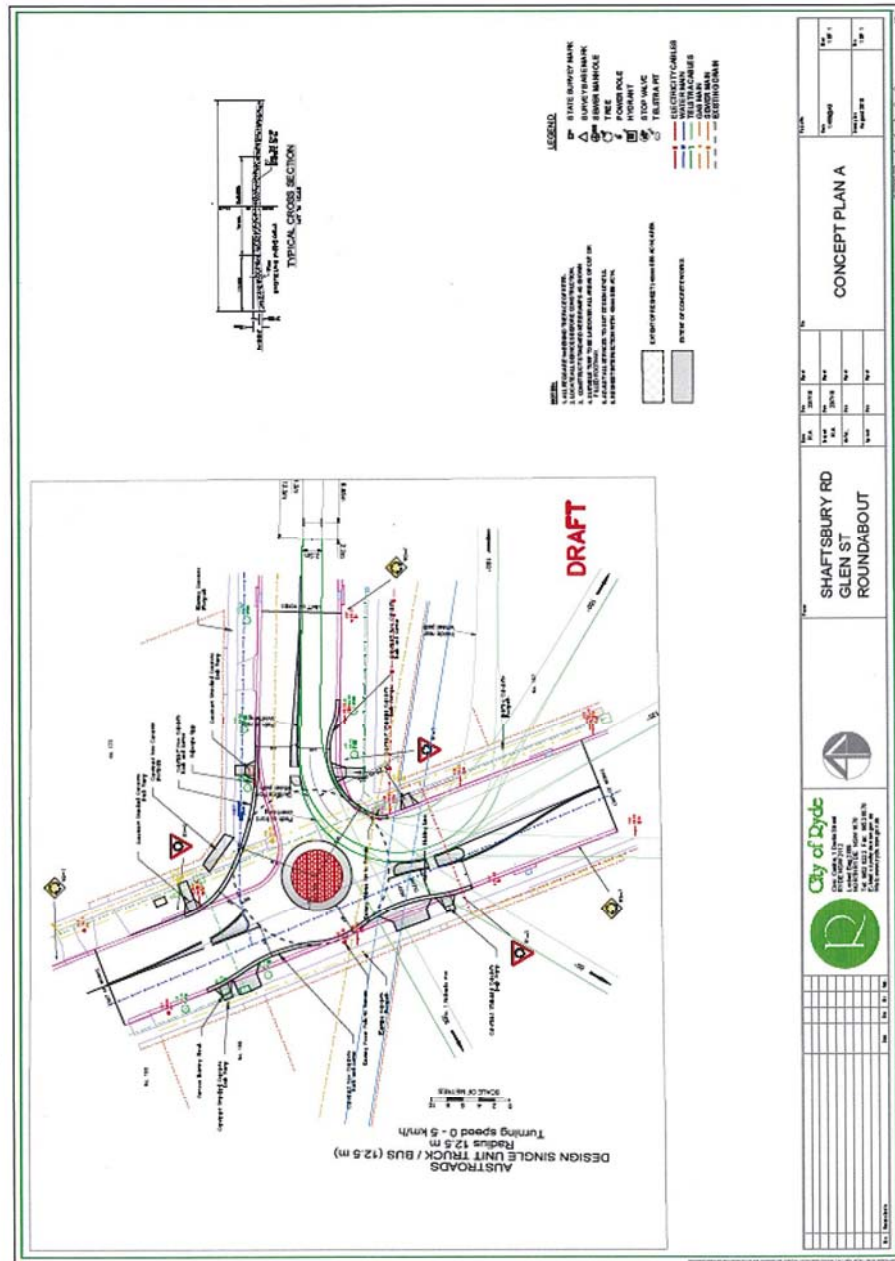
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## ATTACHMENT REPORT

City of Ryde

**Subject:** RYDE TRAFFIC COMMITTEE MEETING TO BE HELD 28 October, 2010

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**ITEM 15 (continued)**

## ATTACHMENT 1

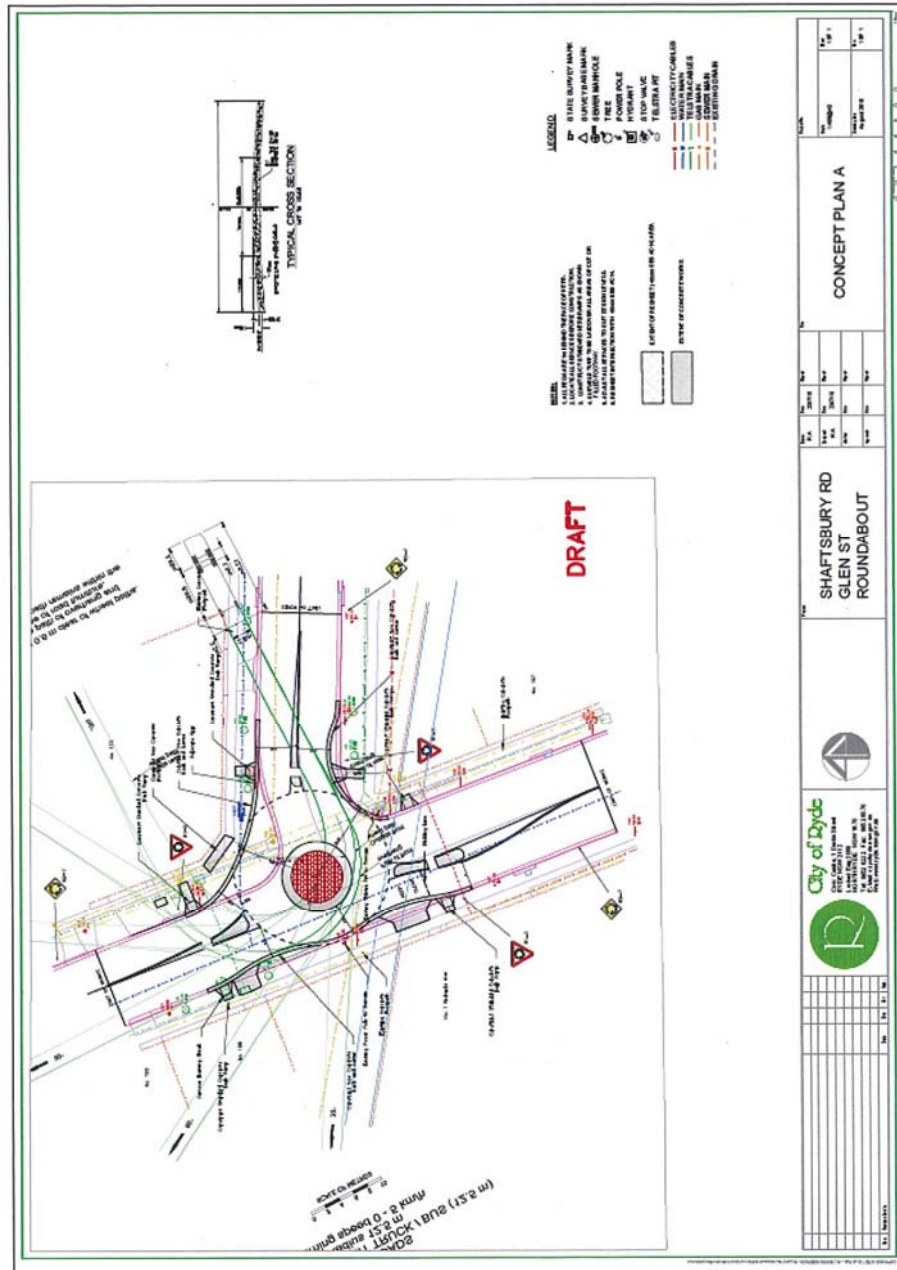
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City of Ryde

**Subject:**

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**ITEM 15 (continued)**

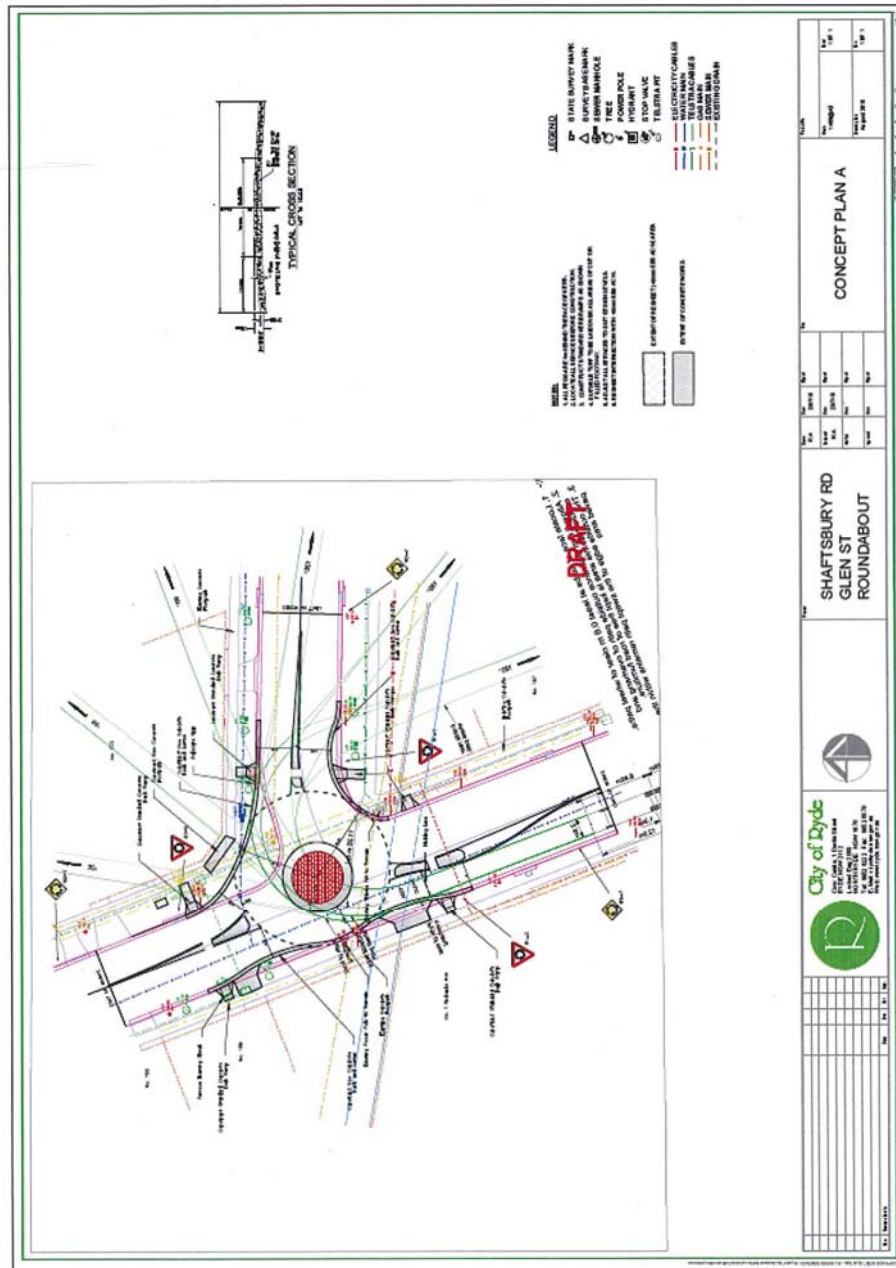
**ATTACHMENT 1**

**ATTACHMENT REPORT**

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Subject: RYDE TRAFFIC COMMITTEE MEETING TO BE HELD 28 October, 2010

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**ITEM 15 (continued)**

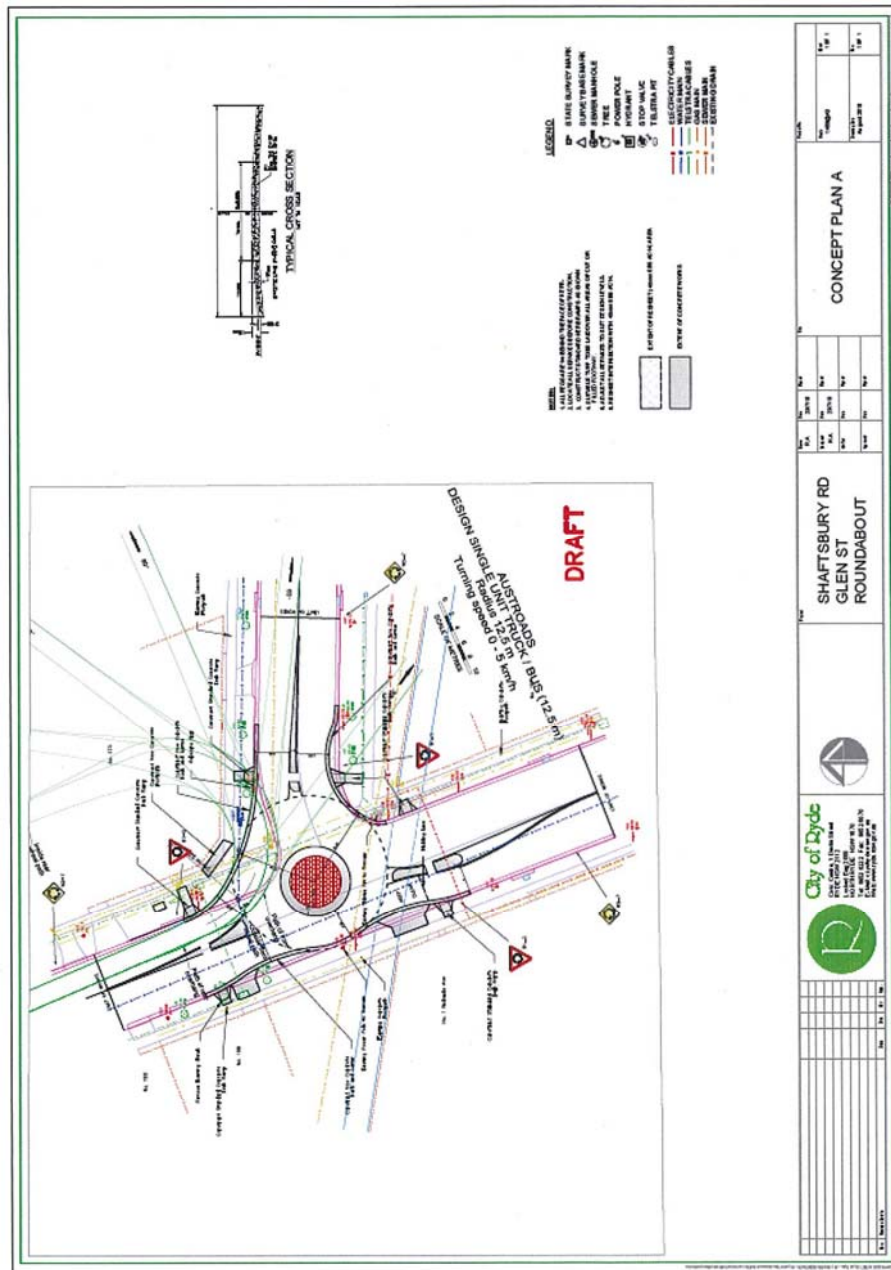
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## ATTACHMENT REPORT

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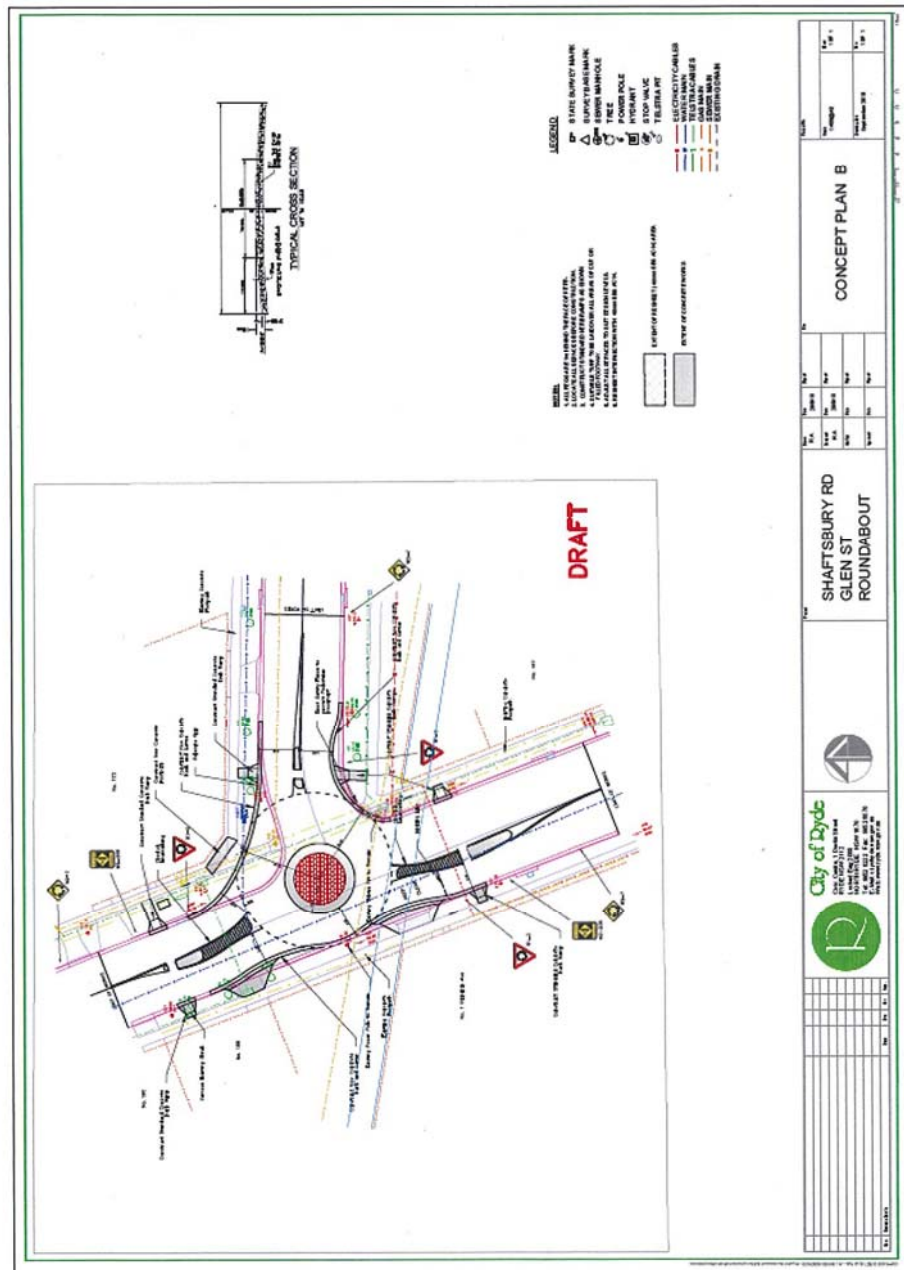
**ITEM 15 (continued)**

**ATTACHMENT 1**

**ATTACHMENT REPORT**

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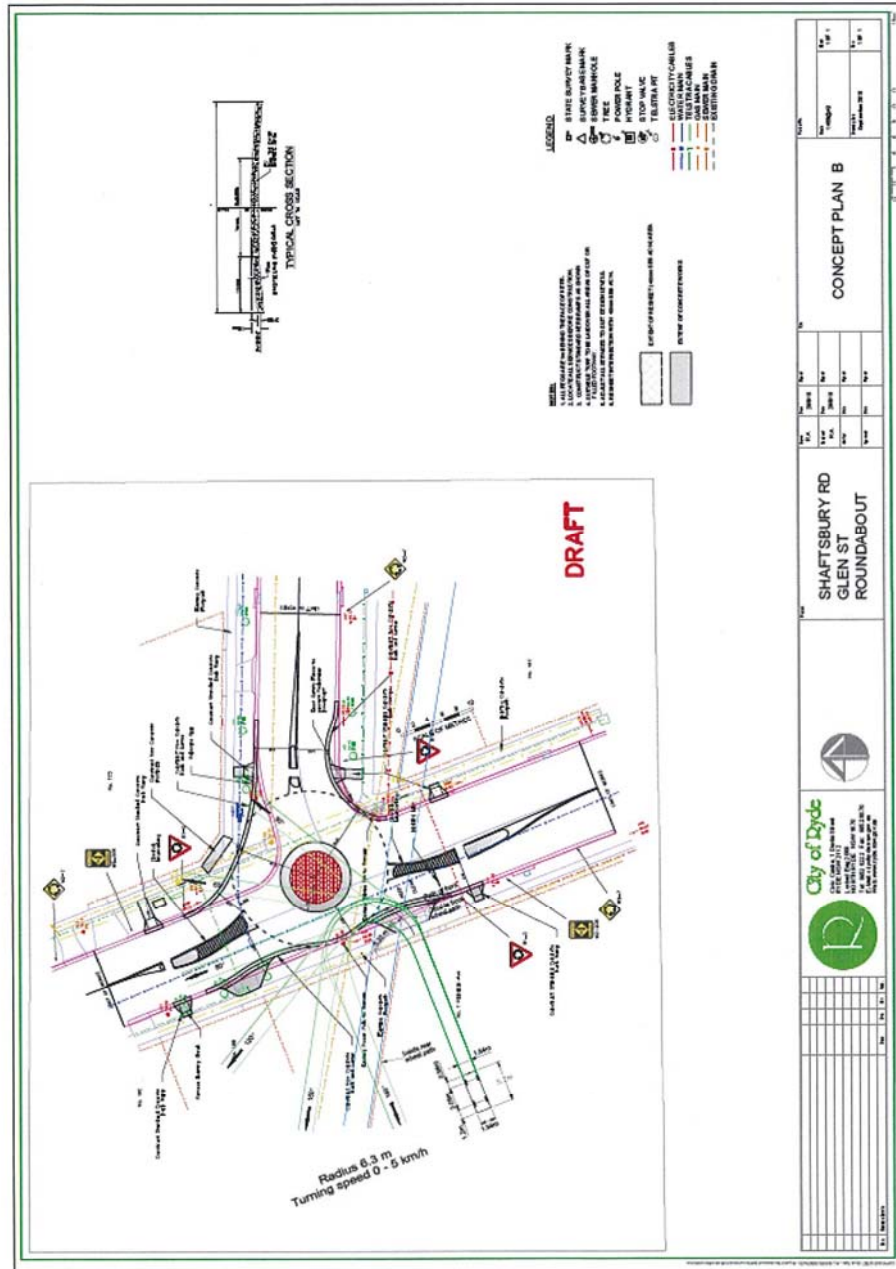
**ITEM 15 (continued)**

**ATTACHMENT 1**

**ATTACHMENT REPORT**

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**ITEM 15 (continued)**

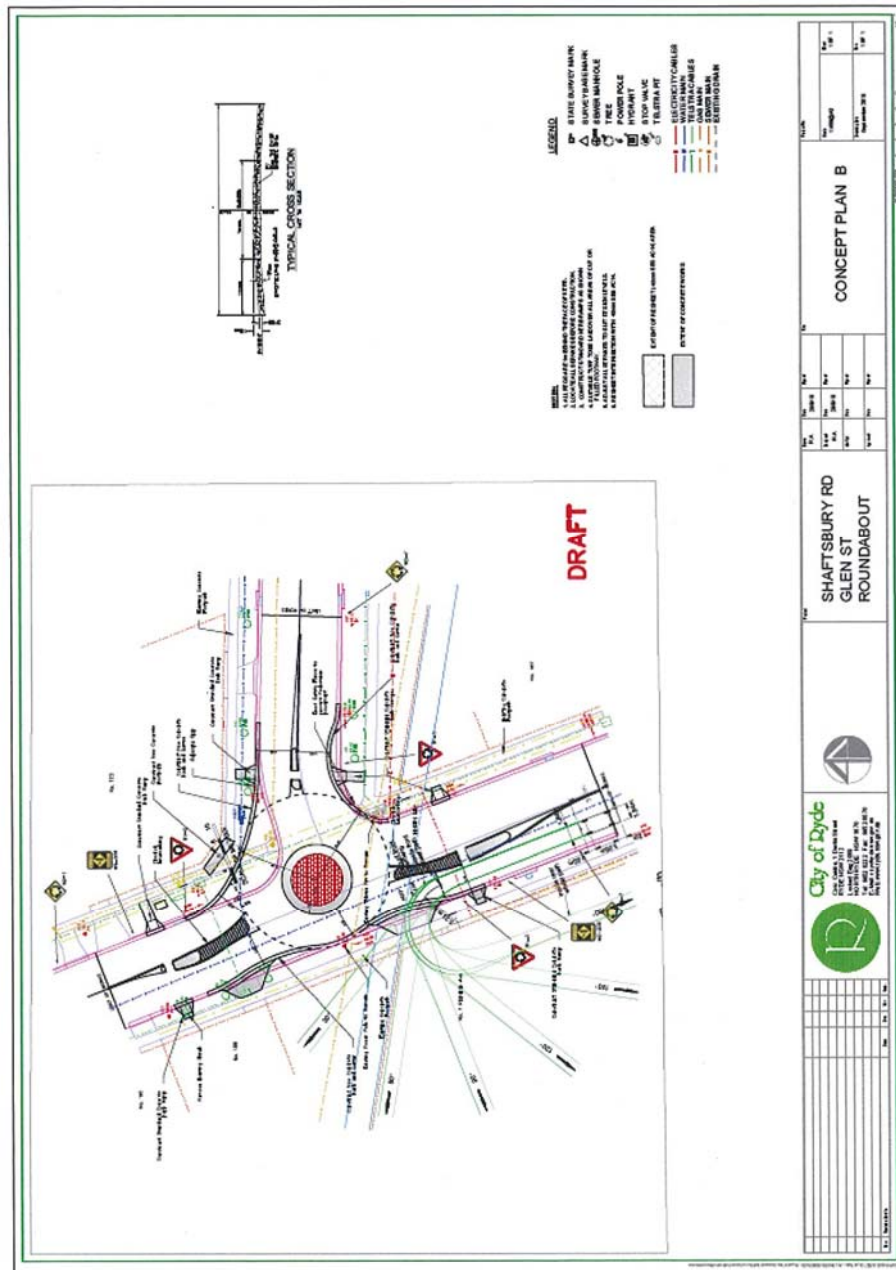
## ATTACHMENT 1

## ATTACHMENT REPORT

City of Ryde

**Subject:** RYDE TRAFFIC COMMITTEE MEETING TO BE HELD 28 October, 2010

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**ITEM 15 (continued)**

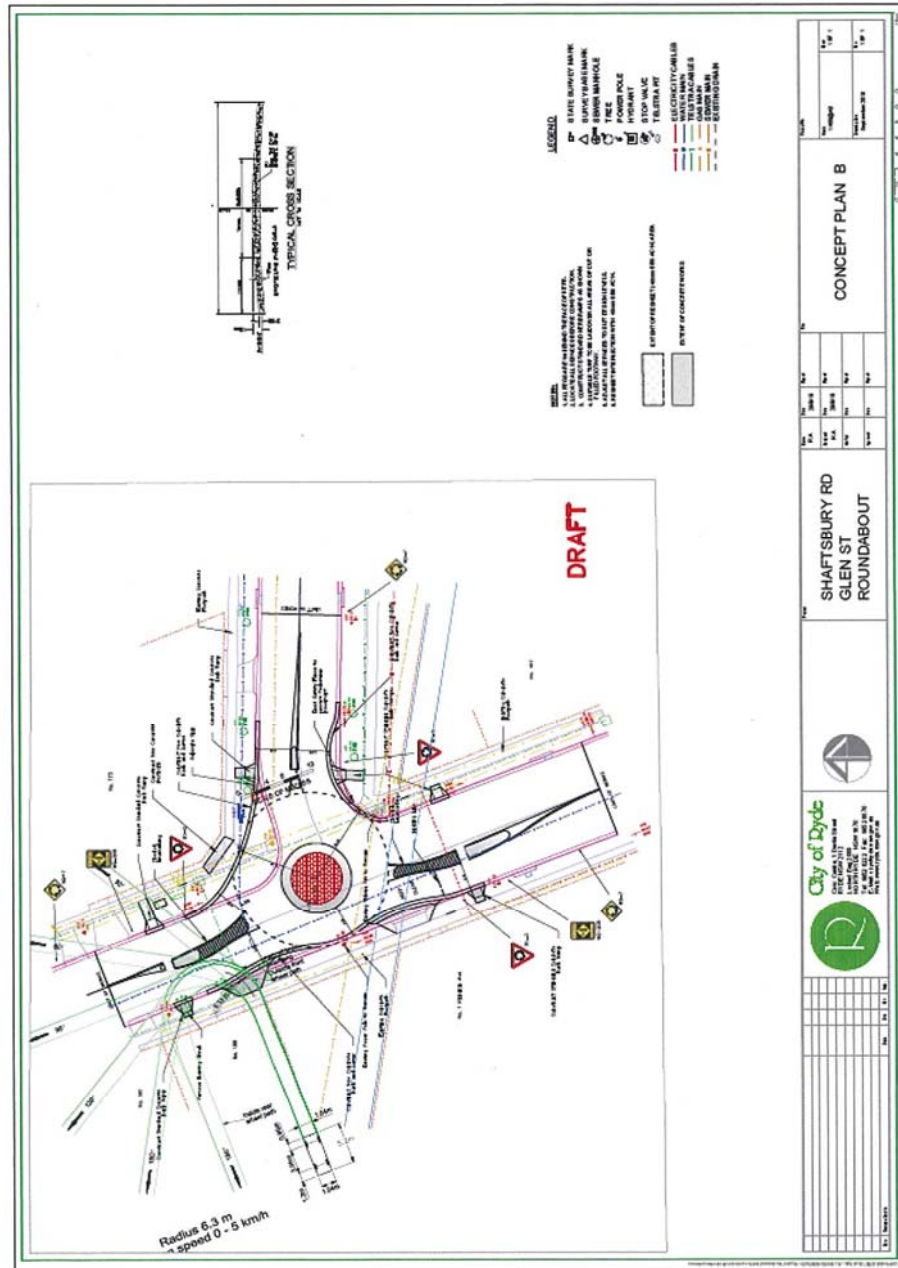
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## ATTACHMENT REPORT

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**ITEM 15 (continued)**

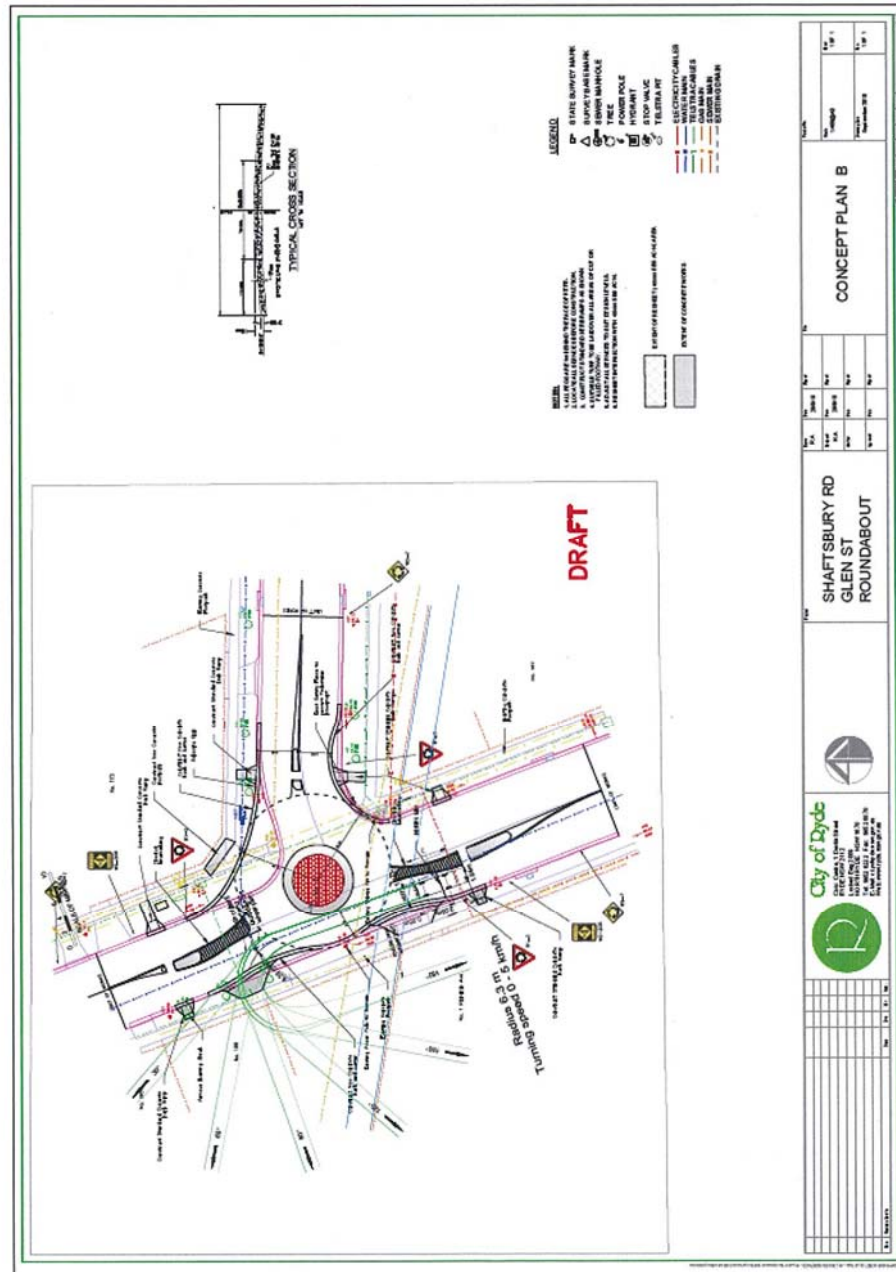
## ATTACHMENT 1

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**ITEM 15 (continued)**

**ATTACHMENT 2**

**AGENDA**

City of Ryde

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**SECTION 6**

**ITEM 9**

**SHAFTSBURY ROAD AND GLEN STREET, EASTWOOD**  
**Proposed Roundabout (Black Spot Remediation Site – UPDATE)**  
File Ref: COR2009/206

**Council's Senior Traffic Engineer – Access reports 17 May 2011**

**Report**

Council officers have prepared a revised intersection layout of the proposed roundabout at the intersection of Shaftsbury Road / Glen Street, Eastwood.

**Background**

Council at its meeting on the 14 December 2010 resolved to adopt the following recommendation in relation to the report titled "Shaftsbury Road and Glen Street, Eastwood – Proposed Roundabout (Black Spot Remediation Site)":

*(d) That Council not proceed with the roundabout at Shaftsbury Road and Glen Street, Eastwood.*

Council, at its meeting held on 8 February 2011, under Notices of Rescission – 1: Proposed Roundabout at Shaftsbury Road and Glen Street, Eastwood (BP11/3), it was proposed:

*That Council rescind the previous resolution of ITEM 9(d) – TRAFFIC MATTERS PRESENTED TO RYDE LOCAL TRAFFIC COMMITTEE HELD ON 28 October 2010: Proposed roundabout at Shaftsbury Road and Glen Street, Eastwood, passed at the Council Meeting held on 14 December 2010, namely:*

*"(d) That this matter be deferred to the next meeting of the Traffic Committee for redesign and to consider alternate options."*

**Consideration**

The updated design plan accommodates the concerns raised by the RTA in relation to the splitter island provided the necessary physical presence to separate opposing traffic movements. The initial concerns relating to the adjustment to an existing main Telstra Junction Pit (circa \$400K) has been addressed by repositioning the annulus of the roundabout further west.

The table on the following page compares the operational intersection performance of roundabout design in relation to a traditional 'T' intersection, which clearly demonstrates that a roundabout will provide a 'superior' level of service in terms of accessibility and operation.

**ITEM 15 (continued)**

**ATTACHMENT 2**

**AGENDA**

City of Ryde

**Subject:** RYDE TRAFFIC COMMITTEE MEETING TO BE HELD 26 May 2011 Page 21 of 27

Intersection No.	Intersection	Intersection Control	2007_Existing AM Peak				2007_Existing PM Peak			
			Degree of Saturation	Delay (s)	Level of Service	Back of Queue (m)	Degree of Saturation	Delay (s)	Level of Service	Back of Queue (m)
1	Shaftsbury / Glen	Give Way (N-S)	0.128	16.0	B	12	0.681	20.0	C	38
1a	Shaftsbury / Glen	Roundabout	0.088	12.0	A	26	0.220	10.2	A	37

The assessment was also undertaken to assess the operational performance of the roundabout under future traffic conditions at 2027. The results of the assessment for the year 2027 is summarised in the table below.

Intersection No.	Intersection	Intersection Control	2027_Base AM Peak				2027_Base PM Peak			
			Degree of Saturation	Delay (s)	Level of Service	Back of Queue (m)	Degree of Saturation	Delay (s)	Level of Service	Back of Queue (m)
1	Shaftsbury / Glen	Give Way (N-S)	0.269	18.7	B	9	>1.000	>120	F	>280
1a	Shaftsbury / Glen	Roundabout	0.134	12.0	A	34	0.448	11.1	A	60

The results of the assessment clearly shows that under future traffic condition the existing intersection would deteriorate to an unacceptable level of performance (Level of Service 'F') with extensive traffic queues in the PM period. The assessment supports the construction of the roundabout at the intersection of Shaftsbury Road / Glen Street, Eastwood.

Consultation (Update)

Council has written to the residents of General Manager of the Cardiac Health Institute, resident of No. 188 Shaftsbury Road, and resident of 1 Richards Avenue, Eastwood on the 17 May 2011 to advise that Council will be re-tabling the report of the proposed roundabout at the intersection of Shaftsbury Road and Glen Street, Eastwood.

**COUNCIL PROPOSAL**

That the updated roundabout design for the intersection of Shaftsbury Road / Glen Street dated 19 May 2011 be approved for construction.

**RECOMMENDATION**

**Submitted for the consideration of the Committee**

Ramesh Desai  
Traffic Engineer

Harry Muker  
Senior Traffic Engineer

Terry Dodds  
Group Manager – Public Works

**ITEM 15 (continued)**

**ATTACHMENT 2**

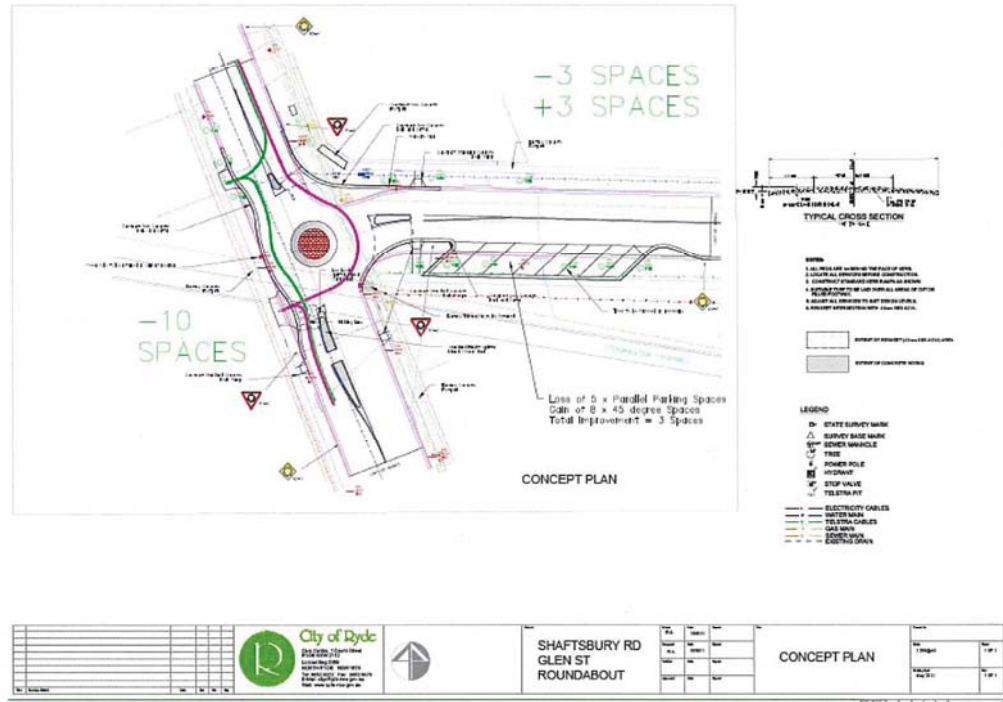
**ATTACHMENT REPORT**

City of Ryde

Subject: RYDE TRAFFIC COMMITTEE MEETING TO BE HELD 26 May 2011

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**Item 9  
Shaftsbury Road and Glen Street, Eastwood (Roundabout)**



**ITEM 15 (continued)**

**ATTACHMENT 3**

Page 1 of 1

**Harry Muker**

---

**From:** [REDACTED]@rta.nsw.gov.au]  
**Sent:** Monday, 7 November 2011 12:48 PM  
**To:** Harry Muker  
**Cc:** [REDACTED]  
**Subject:** FW: Shaftsbury/Glen - Blackspot - RMS Comments  
**Importance:** High  
**Attachments:** Shaftsbury - Glen - Treatment Concept\_COR\_2\_Nov\_2011 - RTA Comments.docx  
Harry

Please find attached our comments / amendments in green and if you agree please send this amended attachment to [REDACTED] asking her to replace previous attachment for Shaftsbury / Glen intersection (as per your e-mail to [REDACTED] dated 3.11.2011).

Regards

[REDACTED]



Before printing, please consider the environment

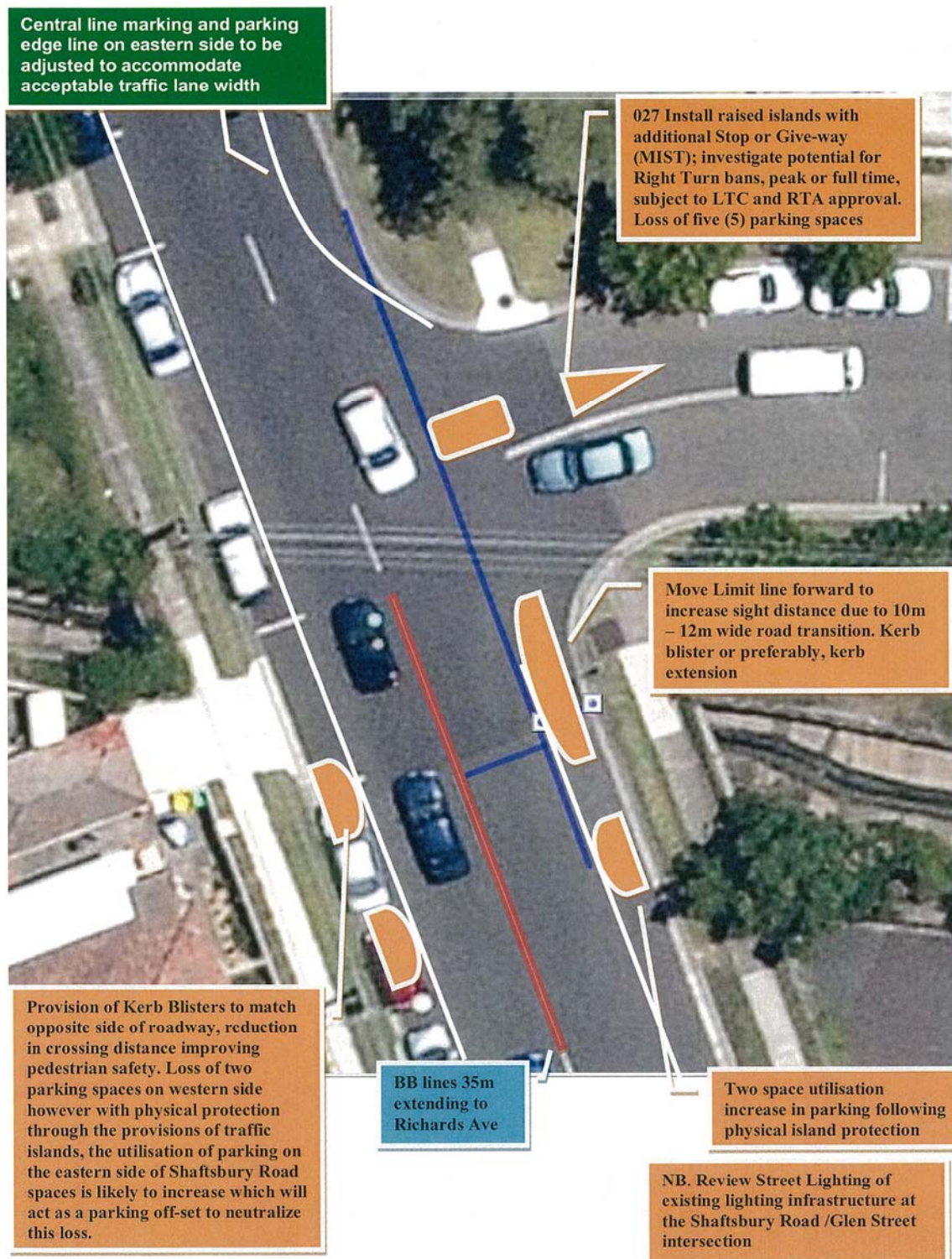
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14/11/2011



**ITEM 15 (continued)**

**ATTACHMENT 4**



ITEM 15 (continued)

ATTACHMENT 5

City of Ryde

ABN 81 621 292 610  
Civic Centre  
1 Devlin Street Ryde  
Locked Bag 2069  
North Ryde NSW 1670  
cityofryde@ryde.nsw.gov.au  
www.ryde.nsw.gov.au  
TTY (02) 9952 8470  
Facsimile (02) 9952 8070  
Telephone (02) 9952 8222

8 April 2011.

[REDACTED]  
[REDACTED] Shaftsbury Road  
EASTWOOD NSW 2122

Ref: COR2009/206  
D11/27494

Dear Sir / Madam

**Proposed Roundabout at the intersection of Shaftsbury Road and Glen Street, Eastwood.**

I refer to your email dated 9 March 2011, addressed to Mr Victor Dominello, MP, and which has been onforwarded to Council, requesting that *"this matter be referred to the Ryde Traffic Committee for its consideration of the safety issues raised by [REDACTED] and [REDACTED]"*

As you will be aware, a report was prepared for the Ryde Traffic Committee at it's meeting which was held on 28 October 2010, with a subsequent report prepared for Council at its meeting held on 14 December 2010 which recommended:

(d) *That Council not proceed with the roundabout at Shaftsbury Road and Glen Street, Eastwood.*

Council, as its meeting held on 8 February 2011, under Notices of Rescission – 1: Proposed Roundabout at Shaftsbury Road and Glen Street, Eastwood (BP11/3), it was proposed:

*That Council rescind the previous resolution in relation of ITEM 9(d) – TRAFFIC MATTERS PRESENTED TO RYDE LOCAL TRAFFIC COMMITTEE HELD ON 28 October 2010: Proposed roundabout at Shaftsbury Road and Glen Street, Eastwood, passed at the Council Meeting held on 14 December 2010, namely:*

*"(d) That this matter be referred to the next meeting of the Traffic Committee for redesign and to consider alternate options."*

Various correspondence, directly related to this matter, has since transpired between yourselves and Council, namely:

- Your email dated 9 February 2011.
- My email dated 9 February 2011, in response.
- Your email dated 10 February 2011.
- My email dated 10 February 2011, in response.
- Your email dated 11 February 2011 advising *"The plan sounds quite reasonable"*.

A letter dated 3 March 2011 was sent from Council addressed to Residents of Shaftsbury Road / Glen Street, Eastwood. Please see copy **ATTACHED**.



**ITEM 15 (continued)**

**ATTACHMENT 5**

City of Ryde

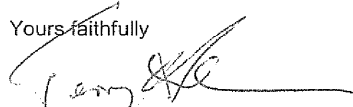
To: [REDACTED] & [REDACTED]  
Heading: Proposed Roundabout at the intersection of Shaftsbury Road and Glen Street, Eastwood.  
Date: 8 April 2011  
Page 3 of 3

*As you will have noted, "Council is currently reviewing the design of this roundabout, to address issues raised by affected residents during the previous consultation process. This review is being delayed due to negotiations with Public Utilities.*

*Council will undertake meetings with residents once the discussions with the Utility providers have determined which suite of options are most suitable."*

Council will again write to the residents of Shaftsbury Road / Glen Street, Eastwood following the above review.

Yours faithfully



**Terry Dodds**  
Group Manager – Public Works  
City of Ryde.

c.c. Mr V Dominello, MP.

Encl:

**ITEM 15 (continued)**

**ATTACHMENT 5**

City of Ryde

ABN 81 621 292 610  
Civic Centre  
1 Devlin Street Ryde  
Locked Bag 2069  
North Ryde NSW 1670  
cityofryde@ryde.nsw.gov.au  
www.ryde.nsw.gov.au  
TTY (02) 9952 8470  
Facsimile (02) 9952 8070  
Telephone (02) 9952 8222

3 March 2011

The Resident  
Shaftsbury Road/Glen Street  
EASTWOOD NSW 2122

Our ref: 2009/206

Dear Resident

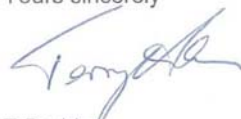
**Shaftsbury Road/Glen Street, Eastwood - Proposed Roundabout**

I refer to previous correspondence in relation to the proposed construction of a roundabout at the intersection of Shaftsbury Road and Glen Street, Eastwood. As previously stated, Council was successful in receiving Federal Blackspot funding for this proposed roundabout in order to reduce the incidents of injury associated with vehicle collisions and improve Eastwood's traffic movement.

Council is currently reviewing the design of this roundabout, to address issues raised by affected residents during the previous consultation process. This review is being delayed due to negotiations with Public Utilities.

Council will undertake meetings with residents once the discussions with the Utility providers have determined which suite of options are most suitable. If you have any enquiries please contact Council's Design Engineer, Mr Roy Ansted on 9952 8128.

Yours sincerely



T Dodds  
Group Manager

ITEM 15 (continued)

ATTACHMENT 5



**Victor Dominello MP**  
State Member for Ryde



29 March 2011

[REDACTED]

[REDACTED]  
Ryde City Council  
1 Devlin Street  
RYDE NSW 2112

By email: [mayor@ryde.nsw.gov.au](mailto:mayor@ryde.nsw.gov.au)

[REDACTED]

**Re: Proposed roundabout at the intersection at Shaftsbury Road & Glen Street**

I write on behalf of my constituents, [REDACTED]  
Shaftsbury Rd, EASTWOOD NSW 2122 in relation to their safety concerns about the  
proposed roundabout at the intersection at Shaftsbury Road and Glen Street.

[REDACTED] are concerned about the danger posed to them and other  
residents by having a roundabout constructed within metres of their driveway.

Attached is a copy of [REDACTED] correspondence which sets out their  
concerns in further detail.

I ask that you please refer this matter to the Ryde Traffic Committee for its  
consideration of the safety issues raised by [REDACTED]. I would appreciate  
if you would please liaise directly with [REDACTED] in relation to the RTC's  
response to this matter and provide copies of any correspondence to my office for  
our records.

Thank you for your assistance with this matter. I look forward to your response.

Yours sincerely

**Victor Dominello MP**  
Member for Ryde

[REDACTED]

[REDACTED]

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## **16 ADVISORY COMMITTEES - Proposed review and timetable**

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**Report prepared by:** Manager - Governance

**Report dated:** 3/11/2011

**File No.:** GRP/09/3/2/7 - BP11/804

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### **Report Summary**

This report presents a structure for a review of Council's Advisory Committees. It is proposed that this review would be undertaken during the first half of 2012 and that the results would be presented for implementation following the 2012 Local Government election.

### **RECOMMENDATION:**

- (a) That Council endorse the proposed structure of the review of Council Advisory Committees.
- (b) That a Councillor Workshop on the structure of Advisory Committees be conducted on 7 February 2012 at 7.30pm.

### **ATTACHMENTS**

There are no attachments for this report.

Report Prepared By:

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

Report Approved By:

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

## **ITEM 16 (continued)**

### **Background**

At its meeting held 13 September 2011, Council resolved that consideration of the Advisory Committee structure be deferred for consultation to be undertaken with all Advisory Committees and a further report be provided to Council. In the interim, the status of Advisory Committees was to remain.

In preparing this consultation, it became clear that there is limited opportunity prior to September 2012 to undertake this consultation, recommend a change to the structure, and have this change implemented for any length of time prior to the comprehensive review due following the conduct of the 2012 Local Government elections.

As a result it was proposed that consultation be undertaken with the current Advisory Committee members during the first half of 2012 and that the results of this consultation form the basis of the comprehensive review to be reported to Council. This would allow staff to attend each Advisory Committee prior to preparing the report to Council.

Feedback from Councillors was sought through the Councillor Information Bulletin distributed on 20 October 2011 regarding this proposed approach. No feedback was received and as a result, this report presents further detail of the recommended review.

### **Report**

In reviewing the structure of Council's Advisory Committees it is proposed that the following consultation be undertaken:

1. Workshop with Councillors.

The aim of this Workshop would be to better understand the strengths, weaknesses and opportunities with regard to the current Advisory Committee structure.

2. Survey of all Advisory Committee members.

A short and simple survey would be conducted of all current Advisory Committee members.

3. Attendance at Advisory Committees.

Staff will attend each Advisory Committee at least once and conduct a workshop session with members to better understand the strengths, weaknesses and opportunities with regard to each Committee and the current Advisory Committee structure.

## **ITEM 16 (continued)**

### **4. Workshop with Advisory Committee Convenors.**

A workshop will be conducted with all Advisory Committee staff convenors to identify issues and potential improvements in the Advisory Committee structure.

In addition to the above consultation, benchmarking will be undertaken of other Councils in NSW to determine best practice with regard to Committees. The consultation will include consideration of aligning meeting dates/times whilst acknowledging Council's current meeting structure.

Staff will continue to collect data relating to the current Advisory Committees and this will also be provided in the report to Council.

Following the consultation as set out above, a further report will be provided to Council setting out the results of the consultation and research. In addition, it is proposed that regular updates be provided to all Councillors through the Councillor Information Bulletin.

### **Critical Dates**

There are no critical dates or deadlines to be met, however, it would be prudent for the results of any review of Advisory Committees to be implemented immediately following the 2012 Local Government election.

### **Financial Impact**

The conduct of the proposed consultation will be resourced from within the current budget and staff provisions for Advisory Committees.

### **Policy Implications**

As a result of this review, it is likely that the standard Terms of Reference for Advisory Committees will be amended. This would be done following a further report to Council setting out the results of the consultation and research.

### **Other Options**

Council may resolve not to undertake a review in the format set out in this report or to alter the scope of the proposed review of Advisory Committees.

Additionally, Council may resolve to undertake further consultation, however, it should be noted that this may have an impact upon available resources and the cost of the consultation.

### **Conclusion**

This report presents a structure for a review of Council's Advisory Committees. It is proposed that this review would be undertaken during the first half of 2012 and that the results would be presented for implementation following the 2012 Local Government election.



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## **17 PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR THE MAYOR AND OTHER COUNCILLORS POLICY**

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**Report prepared by:** Councillor Support Coordinator

**Report dated:** 31/10/2011

**File No.:** CLR/07/8/9/6/1 - BP11/752

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### **Report Summary**

This report is presented to Council for adoption of the draft Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors Policy, following the public exhibition period of 28 days; noting no submissions were received.

This report recommends that Council adopt the draft policy and that a copy of the policy and the public notice be submitted to the Division of Local Government, in accordance with the Local Government Act, 1993.

### **RECOMMENDATION:**

- (a) That Council adopt the Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors Policy, as placed on public exhibition; subject to the removal of “business class air travel” from part 2 of clause 9 – General travel and accommodation arrangements.
- (b) That a copy of the Payment and Expenses and Provision of Facilities for the Mayor and Other Councillors Policy and a copy of the public notice of exhibition be submitted to the Division of Local Government, in accordance with the Local Government Act, 1993.

### **ATTACHMENTS**

- 1 Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors Policy

Report Prepared By:

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

Report Approved By:

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

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

## ITEM 17 (continued)

### Background

The Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors Policy must comply with the Local Government Act 1993 (the Act) and guidelines issued by the Division of Local Government (DLG). It ensures 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.

At its meeting on 27 September 2011, Council resolved to place the draft policy **(ATTACHED)** on public exhibition including the following amendments:

1. Amendment to part 1 of clause 7 – Attendance at seminars, conferences and training courses which reads as follows:

“(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. The report will include the purpose of the seminar, conference and training course, expected total costs, expected benefits for Councillors to attend and the names of Councillors who have indicated an interest to attend.”

This part was amended to delete the requirement for Councillors to submit an application detailing the purpose, costs and expected benefits for any conference, seminar or training they wish to attend.

In its place, an additional sentence was added requiring Council Officers to include these details in the report to Council for their consideration of Councillor attendance at conference, seminars and training courses.

2. Amendment to part 2 of clause 9 – General travel and accommodation arrangements which reads as follows:

“(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). Councillors are not entitled to receive private benefits relating to travel bonuses such as frequent flyer schemes and other loyalty programs.”

This clause was amended to align with the Division’s Guidelines which specifies that “Councillors should not obtain private benefit ... from travel bonuses such as ‘frequent flyer’ schemes or any other loyalty programs while on Council business”.

**ITEM 17 (continued)**

3. Additional part 5 to clause 9 – General travel and accommodation arrangements which reads as follows:

“(5) Council shall provide Councillors with taxi vouchers for travel to a seminar, conference or training course. Councillors must ensure that unused vouchers and the receipts of used vouchers are provided to Council after seven (7) days of the event.”

This addition formally confirms the current practice of issuing taxi vouchers to Councillors for their travel to a seminar, conference or training course and the requirement to return used and unused vouchers back to Council staff.

4. Amendment to part 7 of clause 9 – General travel and accommodation arrangements which reads as follows:

“(7) 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. Where possible, Council will make payment of the accommodation booking prior to the date of arrival.”

An additional sentence was included to this part to confirm that where possible, Council will make payment of accommodation expenses prior to arrival at the conference venue.

5. Amendment to part 1 of clause 16 – Insurance provisions and expenses which reads as follows:

“(1) In accordance with Section 382 of the Local Government Act, Council is insured against public liability and professional indemnity claims. Councillors are included as a named insured on this Policy.”

The values of the public liability insurance and professional indemnity coverage were deleted as these values change from time to time.

6. Additional part 4 to clause 17 – Legal assistance provision and expenses which reads as follows:

“(4) Council must not meet the legal costs of legal proceedings initiated by a councillor under any circumstance.”

This additional part was included to meet the requirement of the Division's Guidelines which states that “A council must not meet the legal costs of legal proceedings initiated *by* a councillor under any circumstance”. This requirement was included in this policy to affirm that Council is not liable for meeting costs of legal proceedings initiated by a Councillor.

## ITEM 17 (continued)

7. Additional Clause 28 – Council Meeting Chamber which reads as follows:

“28 Councillors may use the Council Meeting Chamber to conduct meetings with members of the public. The nature of the meeting must relate to Council business.”

This provision was made to allow Councillors to use and access the Council Chambers for Council related business. This includes but is not limited to conducting meetings with members of the public in the Chamber.

### Report

The draft Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors Policy was placed on public exhibition from 5 October to 2 November 2011. This is in accordance with Section 253 (5) of the Act whereby Council is required to give public notice to amend or adopt a Policy and allow up to 28 days for public submissions. A public notice was placed on Council's website and in the Northern District Times inviting submissions from members of the public. Hard-copies of the draft policy were made available for public inspection at all City of Ryde Libraries, Council's Customer Service Centre and the Ryde Business and Planning Centre. An electronic copy was also available on Council's website.

No submissions were received during the exhibition period.

A related issue to this policy was reported to Council on 11 October 2011, in its consideration of the Expenses Relating to the General Manager and Senior Staff Policy. In particular, the policy referred to business class air travel for the General Manager and Senior Staff to conferences, which relates to part 2 of clause 9 – General travel and accommodation arrangements of this policy. Council at the meeting removed the reference to business class airfare from the Expenses Relating to the General Manager and Senior Staff Policy and it was understood that Council's intention was to remove the same provision from this policy.

Therefore, it is recommended that references to business class travel be removed from part 2 of clause 9 – General travel and accommodation arrangement of this policy.

In accordance with Section 252 (1) of the Act, Council is required to forward the following to the Director-General within 28 days after adopting the draft policy:

- A copy of the policy.
- Details of any submissions received. As there were no submissions received, this requirement will not be applicable.
- A copy of the public notice for the exhibition of the draft policy.

Under Section 252 of the Act, Council is required to adopt this policy annually and the above listed documents submitted to the DLG prior to 30 November of each year.

## **ITEM 17 (continued)**

### **Consultation**

The draft policy was placed on public exhibition from 5 October 2011 to 2 November 2011.

A public notice was placed in the Northern District Times on 5 October 2011 and on Council's website inviting submissions from members of the public. Hard-copies of the draft policy were made available for inspection at all City of Ryde Libraries, Council's Customer Service Centre and the Ryde Business and Planning Centre. An electronic copy was also available on Council's website.

No submissions were received during the exhibition period.

### **Critical Dates**

This policy is required to be reviewed and placed on public exhibition annually and submitted to the DLG prior to 30 November of each year.

### **Financial Impact**

There are no financial or budget implications as a result of the recommendations detailed in this report.

### **Policy Implications**

The **ATTACHED** draft Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors Policy will be effective following adoption by Council.

### **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 submitting the policy to the Director-General.

Council can resolve to make further amendments to the policy. However, if the amendments are considered to be significant, Council would be required to place the policy on public exhibition again for a period of 28 days, before it can be adopted.

### **Conclusion**

In accordance with the Local Government Act 1993, Council is required to annually adopt a Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors Policy. Section 253 (5) of the Act requires Council to place the policy on public exhibition for a period of 28 days. The exhibition of the policy commenced on 5 October 2011 and concluded on 2 November 2011.

The report details the proposed amendments made by Council at its meeting held on 27 September 2011 and recommends that Council adopt the draft policy.

## ITEM 17 (continued)

## ATTACHMENT 1

### 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~~ **[date to be inserted]**.
- (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.

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### 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.

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### 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.

- (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.



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## ITEM 17 (continued)

## ATTACHMENT 1

- (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

## **ITEM 17 (continued)**

## **ATTACHMENT 1**

### **Related Policy**

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

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### **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 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.

## **ITEM 17 (continued)**

## **ATTACHMENT 1**

- (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.

### **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

**ITEM 17 (continued)**

**ATTACHMENT 1**

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.

**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. The report will include the purpose of the seminar, conference and training course, expected total costs, expected benefits for Councillors to attend and the names of Councillors who have indicated an interest to attend.
- (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.

**ITEM 17 (continued)**

**ATTACHMENT 1**

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.

- (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.
- (8) When determining attendance at conferences and seminars consideration will be given to the Councillor Attendance at Conference guidelines.

**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). Councillors are not entitled to receive private benefits relating to travel bonuses such as frequent flyer schemes and other loyalty programs.
  - (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 provide Councillors with taxi vouchers for travel to a seminar, conference or training course. Councillors must ensure that unused vouchers and the receipts of used vouchers are provided to Council after seven (7) days of the event.
  - (6) 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

**ITEM 17 (continued)**

**ATTACHMENT 1**

registration incurred by Councillors whilst using their private vehicles on Council related business.

- (7) 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. Where possible, Council will make payment of the accommodation booking prior to the date of arrival.

**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.



## ITEM 17 (continued)

## ATTACHMENT 1

### 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.

### 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.

## ITEM 17 (continued)

## ATTACHMENT 1

*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. 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.
  - (3) 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.

## **ITEM 17 (continued)**

## **ATTACHMENT 1**

- (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) Council must not meet the legal costs of legal proceedings initiated by a councillor under any circumstance.
- (5) 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**

- 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.

## **ITEM 17 (continued)**

## **ATTACHMENT 1**

### **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 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 in a format agreed by each Councillor;
- 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.

## **ITEM 17 (continued)**

## **ATTACHMENT 1**

- (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 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.

### **Council Meeting Chamber**

- 28** Councillors may use the Council Meeting Chamber to conduct meetings with members of the public. The nature of the meeting must relate to Council business.

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

### **Mayoral Office**

- 29** 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).

## **ITEM 17 (continued)**

## **ATTACHMENT 1**

### **Secretarial Support**

- 30** 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**

- 31** (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**

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

### **Other equipment and facilities**

- 33** (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 in a format agreed by the Mayor,
  - (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 facilities, not otherwise specified in this Policy a report detailing the provision shall be presented to Council.

## **OTHER MATTERS**

### **Disputes**

- 34** 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.



## ITEM 17 (continued)

## ATTACHMENT 1

### 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:*
  - (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).*

**ITEM 17 (continued)**

**ATTACHMENT 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 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,*

**ITEM 17 (continued)**

**ATTACHMENT 1**

- (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.

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."*

**ITEM 17 (continued)**

**ATTACHMENT 1**

- (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”*

## **ITEM 17 (continued)**

## **ATTACHMENT 1**

### **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.

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### **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.
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## **18 FEE ADJUSTMENT - FURTHER REPORT**

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**Report prepared by:** Manager Environmental Health & Building

**Report dated:** 14/11/2011

**File No.:** GRP/11/6/3/3 - BP11/841

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### **Report Summary**

This report recommends the fee for the lodgement of Part 4A Certificates be increased from \$31 to \$36.

### **RECOMMENDATION:**

That the fee for the lodgement of Part 4A Certificates in the amount of \$36 be adopted and included in Council's Fees and Charges for 2011/12.

### **ATTACHMENTS**

There are no attachments for this report.

Report Prepared By:

**Scott Cox**  
**Manager Environmental Health & Building**

Report Approved By:

**Dominic Johnson**  
**Group Manager - Environment & Planning**



## **ITEM 18 (continued)**

### **Report**

At its meeting on 27 September 2011, Council resolved:

- (a) *That the fee for the lodgement of Part 4A Certificates in the amount of \$36 be publicly exhibited for a period of not less than 28 days from 3 October 2011 to 31 October 2011.*
- (b) *That a further report be presented to Council for consideration after the advertising period addressing any submissions made.*

The amended fee was publicly exhibited for a period of 28 days in the Northern District Times and on Council's webpage. No submissions were received during the exhibition of the fee increase.

## 19 CREATION OF A CITY OF RYDE PROPERTY TRUST

**Report prepared by:** Group Manager - Public Works

**Report dated:** 21/10/2011

**File No.:** GRP/11/3/6/6 - BP11/722

### Report Summary

At its meeting held on 10 May 2011, Council subsequently resolved:

- (a) *That Council authorises the General Manager to seek other local government partners to complete investigations into the most appropriate legal model and share costs for the creation of a Property Trust which would be suitable for the City of Ryde's Property Trust.*
- (b) *That Council authorise the General Manager to develop a model for a Property Trust (with costs shared by other participating Councils) with Council's component to be funded by the investment property reserve.*
- (c) *That the General Manager be delegated authority to call on expressions of interest and select a suitably qualified consultant to undertake an assessment of our current suitable operational assets, with the view to estimating the highest and best use and rate of return to Council, utilising funds from the investment property reserve.*
- (d) *That once recommendations (2) and (3) are implemented, a full report with a costed feasibility study for operating a City of Ryde Property Trust, be submitted to Council prior to proceeding to Phase (D) Operations: Running the Model.*

Since Council's meeting of 10 May, 2011, actions have been taken in regard to the resolutions which are reported here to update Councillors of progress in the matter of the creation of a City of Ryde Property Trust.

### RECOMMENDATION:

That Council receive and note this Report.

### ATTACHMENTS

- 1 Property Trust - Legal Advice from Maddocks' advisory regarding establishing a Property Trust for Local Government - CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL
- 2 Letter from The Mayor, Councillor Etmekdjian to The Honourable Don Page, MP following meeting on 24 August 2011 - CIRCULATED UNDER SEPARATE COVER
- 3 Property Trust - Waitakere City Holdings Statement of Intent - CIRCULATED UNDER SEPARATE COVER
- 4 List of Properties undertaking a Highest and Best Use Study - CIRCULATED UNDER SEPARATE COVER

**ITEM 19 (continued)**

Report Prepared By:

**Terry Dodds**  
**Group Manager - Public Works**

Report Approved By:

**John Neish**  
**General Manager**

## **ITEM 19 (continued)**

### **Background**

The establishment of a Property Trust was first brought to Council's attention in the meeting of 22 February 2011 when it was determined to defer any resolution until after the State Government election.

A further report was submitted to Council on 10 May, 2011 in which four stages were identified, in summary these were:

- (A) Legal Ability: Framing and "Instrument" – evaluating the best method of creating a property trust, involving other Councils, reviewing the New Zealand model, and operating within the context of Local Government and Tax legislation.
- (B) Economic Benefits: Highest and Best Use Study – exploring the most advantageous indicative outcomes for the City of Ryde through a study of its operational land holdings.
- (C) Governance: Building the Mechanism – design and build the appropriate legal vehicle and establish the financial modelling.
- (D) Operations: Running the Model – commission the trust within the agreed legal, financial and governance criteria.

The recommendations of the Report to delegate appropriate authorities to the General Manager were found to be acceptable and Council resolved four items (a), (b), (c) and (d) as listed in the Summary of this Report.

### **Report**

Following Council's resolution to investigate potential investment models for a "Property Trust", various hurdles that may arise through corporate structuring and State law in relation to taxes, procurement and governance have begun to be analysed.

- (a) Councils that had indicated an interest in partnering City of Ryde have been written to requesting that they formalise their interest in sharing costs in developing a generic trust model that would allow each Council to manage its own Trust.

The Councils that had expressed initial interest included:

- Sutherland Shire Council
- Lake Macquarie City Council
- Port Stephens Council
- Ku-ring-gai Council

The correspondence requested feedback to City of Ryde by the 28 August 2011. To date, two (2) written responses have been received from Sutherland and Lake Macquarie Councils, declining to participate at this time.

## ITEM 19 (continued)

Port Stephens Council have provided written confirmation that they wish to participate.

City of Ryde is currently awaiting a written response from Ku-ring-gai Council and understood from recent follow up discussions that they are currently considering the matter.

- (b) Legal opinion was sought (**ATTACHMENT 1** – Circulated Under Separate Cover - Confidential) in an attempt to further explore Council's options in regards to various corporate structuring models and subsequent governance issues.

Many of the issues raised through legal advice received (see **ATTACHMENT 1** - Circulated Under Separate Cover – Confidential) related to the way in which the Local Government Act respects the treatment of property transactions internally. In addition, issues relating to various authorities' approval levels (in particular the Minister's approval) highlighted immediate corporate structuring difficulties that may occur through the establishment of a Trust Structure.

The main areas of concern, which may prove to be financially and administratively restrictive to the effective establishment of a Property Trust, are:

- Income Tax
- Capital Gains Tax
- GST
- Stamp Duty
- Land Tax
- Ministers Approval for Land/Asset Transfer
- Procurement Level Restrictions
- Governance Methodology

It was therefore prudent to seek opinion from the Department of Local Government (DLG) and State Treasury in regards to these matters.

A meeting was held on 24 August 2011 with the Minister for Local Government (The Honourable Don Page) and NSW Treasury Policy Advisor (Jenny Sillar); City of Ryde's representatives being The Mayor, General Manager and Development Director. Various matters were discussed, in particular State Government's opinion in regards to the establishment of a Local Government Property Trust and subsequent Governance and tax matters.

The meeting was generally positive in outlook and subsequently State Treasury has requested examples of the type of trust structure that may be established and also a summary of the issues that City of Ryde's legal advisers have discovered.

## ITEM 19 (continued)

The Mayor thanked the Minister for Local Government for the proactive meeting and requested clarity in regards to the timing of changes to the Local Government Act to enable the establishment of such structures to take place. (see **ATTACHMENT 2**).

Council has provided, by way of example, the Statement of Intent of Waitakere City Holdings Limited (see **ATTACHMENT 3**). This company was established by Waitakere Council, New Zealand, in 1999. The company declared the following mission statement –

*“To establish and efficiently direct an outstanding group of Council- controlled business activities which are aligned with Council’s strategic direction”.*

This holding company is directly responsible for the strategic property assets within Waitakere City Council. The company has established strict deliverables and controls to facilitate the development of assets that meet key criteria. The example provided is a very simple but represents the type of company structure that the City of Ryde may establish. It is noted the size of the company referred to above does not represent the size and nature of the City of Ryde’s assets and development opportunities.

Council is currently awaiting feedback from both State Treasury and the Department of Local Government. Once received, further structuring research will take place in line with the direction of the Council, State Treasury and the Department of Local Government.

- (c) In order to approach suitably qualified consultants to make submissions for a highest and best study, it was first necessary to analyse Council’s landholding records and identify potential opportunities to provide the information for consultants to review. This required:
- A review of Council’s Land Register.
  - Amalgamation of the Land Register and Council’s Building Register to provide a portable database of Operational landholdings.
  - Assessment and review of operational landholdings cross-referenced to property plans and aerial photographs to determine, at high level, sites of interest for internal review by senior management.
  - Of the 25 sites so determined, existing initiatives were discounted (e.g. West Ryde Village and the Civic Precinct) and eight (8) sites identified for initial potential development analysis by a consultancy (**ATTACHMENT 4**).

Given the specialist nature of the study required, a small number of organisations capable of handling such work (as researched for consultancies to assist Council with the Civic Precinct Project) was identified and expanded.



## ITEM 19 (continued)

A Request for Quotation for a Highest and Best Use property study (COR-RFQ-38/11) was compiled with the following Scope of Work:

*“The report of each land holding, consisting of feasibility studies and plans, will be governed by the following restrictions/ criteria.*

- 1. Consider the potential use for the land / asset incorporating the purchase of adjoining assets to form development opportunities, (Council will outline such opportunities with the selected Consultant prior to starting the study).*
- 2. Compliance with Ryde DLEP 2011 and Ryde DCP.*
- 3. The most economical use for the land considering the data provided in the attached report “Analysis of Site Potential” Appendix B.*
- 4. The provision of existing facilities already provided on the land / asset repeated with growth. The quantum of growth will be provided by Council, (for example, car park capacity may be required to increase by 20% within the new development envelope).*

*Each land holding report is to be compiled following planning and design master planning research by the Consultant undertaken as a part of this commission. The Consultant must determine for itself the following.*

- 1. Most appropriate development envelope for the site with an appropriate planning summary for each site.*
- 2. The most appropriate and economically attractive use for the land with a 10 year forward projection of use and growth.*
- 3. ALL revenue and cost inputs (data can be used from the economic report “Analysis of Site Potential” - Appendix B). However this data should not be entirely relied upon and the Consultant should carry out its own research to provide appropriate demand and revenue data.*
- 4. ALL inputs involving design, development and project management including, overheads, marketing, general fees, statutory and holding costs. Finance rates will be provided by the Council and debt gearing should be considered as 100%.*
- 5. The feasibility study for each land holding is to allow for a \$0 land value and a one further change to provide a sensitivity analysis (effectively two feasibility studies per holding).*
- 6. A general IRR and a return on cost sensitivity analysis for each site.*

## ITEM 19 (continued)

7. *The cost breakdown between the existing facility within the new development and new stratum lots (for example where a car park is to be replaced with a new car park with residential units in the air rights forming two new stratum lots.*
8. *Land tax and stamp duty provisions will be provided by the Council as Local government have certain exemptions to state taxes."*

Six consultancy organisations have been invited via Tenderlink (the electronic tendering system used by the City of Ryde) to respond to this RFQ, which has a closure date of 30 November.

- (d) It is estimated that following selection of the preferred consultant as a result of COR-RFQ38/11 and the consequent analytical work required, a full report will be submitted to Council no later than April 2012.

### Consultation

Internal Council business units consulted included:-

- Business Infrastructure Unit - Properties Section.
- Civic Precinct Project Team.
- General Manager:
  - Legal Counsel.
- Corporate Services:
  - Group Manager – Corporate Services.
  - Chief Financial Officer.

External public consultation included:-

- The Department of Local Government.
- NSW Treasury Department.
- Sutherland Shire Council.
- Lake Macquarie Council.
- Port Stephens Council.
- Ku-ring-gai Council.

### Comments

Feedback is awaited from both the Department of Local Government and State Treasury following meetings held on 24 August. Sutherland Shire Council, despite an initial expression of interest, has decided not to participate and the other Councils are to be progressed for a response shortly.

### Critical Dates

There are no critical dates but it remains to be seen whether the Department of Local Government or Treasury feedback imposes any program milestones.

## **ITEM 19 (continued)**

### **Financial Impact**

The Highest and Best Use property study, COR-RFQ38/11 is expected to cost between \$100,000 and \$130,000, to be allocated from the investment property reserve, as reported to Council on 10 May, 2011.

Legal fees, also reported on 10 May, have been estimated at \$124,000 but this will be subject to the volume of work required with the Department of Local Government, Treasury, other Councils and other parties to establish the trust policy and structure.

### **Policy Implications**

The establishment of a Property Trust for the City of Ryde is an innovative step, hence discussions with the Minister for Local Government and the State Treasurer's Policy advisor to determine the way in which this may occur within the context of the Local Government Act and Tax legislation. The implementation of the trust structure will have Policy implications for the Department of Local Government, City of Ryde and potentially all LGA's in New South Wales.

### **Other Options**

No options other than a property trust are proposed but there may be options, subject to feedback from the State, concerning the structure of that trust.

### **Conclusion**

The creation of a Property Trust for the City of Ryde has not generated the responses expected from other Councils that originally expressed interest. That matter will be progressed. Legislative and tax questions are receiving cooperative attention from State officials although these matters may prove slow to resolve. The City of Ryde is proceeding with issues under its direct control.

## 20 REPORT ON OUTSTANDING RESOLUTIONS

**Report prepared by:** Meeting Support Coordinator

**Report dated:** 28 October 2011

**File No.:** GRP/11/5/4/6 - BP11/85

### 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 15 November 2011.

Below is a status table showing the number of reports listed, the number completed since the last update, the number added since the last update and the percentage of those reports that were completed within the stated timeframe:

Date	Number of listed reports	Number of reports added	Number COMPLETED in this period (to be removed)	% COMPLETED within stated timeframe
14 February 2011	33		7	85%
15 March 2011	31	5	8	87%
2 May 2011	32	9	9	81%
6 June 2011	31	8	5	80%
19 July 2011	33	7	10	80%
16 August 2011	35	12	8	50%
20 September 2011	36	9	7	57%
15 November 2011	40	11	20	58%

Whilst the percentage of reports completed within the stated timeframe has not increased, it should be noted that in responding to the backlog, the number of reports completed this period is significantly higher than in previous periods with 20 reports completed in October/November, which is double any previous months total.

Of the 40 reports listed in the **ATTACHED – Circulated Under Separate Cover** report, seven reports are overdue against the stated timeframe.

### RECOMMENDATION:

That the report on Outstanding Resolutions be endorsed.

### ATTACHMENTS

- 1 Outstanding Resolutions Report as at 15 November 2011 - CIRCULATED UNDER SEPARATE COVER

**ITEM 20 (continued)**

Report Prepared By:

**Amanda Janvrin**  
**Meeting Support Coordinator**

Report Approved By:

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

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

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## **NOTICES OF MOTION**

### **1 PARTICIPATION OF LOCAL SCOUT AND GUIDES GROUPS AT CITY OF RYDE CITIZENSHIP CEREMONIES - Councillor Roy Maggio**

**File Number:** CLM/11/1/5/6 - BP11/805

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#### **MOTION:**

That the General Manager prepare a report to Council:-

- (a) On how the format for the City of Ryde Citizenship Ceremonies could be changed to incorporate the Local Scout groups and Guides participation in these ceremonies.
- (b) To investigate with the local Primary and High School Principals to develop a concept for school bands to perform with the Ryde City Band at the Citizenship Ceremony.

### **2 SHORTFALL OF OPEN SPACE IN PARTS OF NORTH RYDE - Councillor Roy Maggio**

**File Number:** CLM/11/1/5/6 - BP11/806

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#### **MOTION:**

That in accordance with the draft IOSP which identifies a shortfall of open space in parts of North Ryde, Council facilitate a meeting with the TCA development team to request that as part of the developers contribution through either Section 94 or a VPA, to provide in the identified areas for open space to include sportsgrounds and/or multi use sports facility (including the possibility of synthetic surfaces) to benefit the community of Ryde.



## **CONFIDENTIAL ITEMS**

### **21 REQUEST FOR PROPOSALS - FOR THE LICENSING, INSTALLATION AND MANAGEMENT OF SIGNAGE ADVERTISING SPACE ON SOUTHERN PEDESTRIAN FOOTBRIDGE ACROSS DEVLIN STREET, TOP RYDE NSW - COR- RFP - 01/11**

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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 (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**Report prepared by:** Section Manager - Properties

**Report dated:** 16/10/2011

**File No.:** GRP/11/3/6/6 - BP11/696

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### **22 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, Public Officer

**Report dated:** 11 November 2011

**File No.:** GRP/11/7/1/6 - BP11/836

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