

**Meeting Date:** Tuesday 24 April 2012  
**Location:** Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde  
**Time:** 7.30pm

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

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**1 CONFIRMATION OF MINUTES - Council Meeting held on 10 April 2012**

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**Report prepared by:** Meeting Support Coordinator**Report dated:** 8/03/2012**File No.:** GRP/12/5/5/5 - BP12/248

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**REPORT SUMMARY**

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

**RECOMMENDATION:**

That the Minutes of the Council Meeting 5/12, held on 10 April 2012 be confirmed.

**ATTACHMENTS**

- 1 Minutes - Ordinary Council Meeting - 10 April 2012

**ITEM 1 (continued)**

**ATTACHMENT 1**

**Council Meeting  
MINUTES OF MEETING NO. 5/12**

**Meeting Date:** Tuesday 10 April 2012  
**Location:** Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde  
**Time:** 7.30pm

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

**Apologies:** Councillors Butterworth and Salvestro-Martin.

**Staff Present:** General Manager, Group Manager – Community Life, Group Manager - Corporate Services, Acting Group Manager – Environment & Planning, Group Manager - Public Works, Manager – Open Space, Team Leader Assessments, Media & Community Relations Officer and Service Unit Manager - Governance.

**PRAYER**

Pastor Robyn Peebles of the Church of the Good Shepherd, West Ryde was present and offered prayer prior to the commencement of the meeting.

**LEAVE OF ABSENCE**

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

That a Leave of Absence be granted to Councillor Yedelian OAM for 24 April 2012.

**Record of Voting:**

For the Motion: Unanimous

**PETITIONS**

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

That Council allow Councillor Petch to table a petition seeking '*the installation of a park bench and appropriate seating plus BBQ facilities in the vicinity of the large tree situated at the southern side of Bidgee Park, Bidgee Road, Ryde*', the time being 7.35pm.

**Record of Voting:**

For the Motion: Unanimous

Note: The petition was tabled and a copy is ON FILE.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**DISCLOSURES OF INTEREST**

There were no disclosures of interest.

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

The following persons addressed the Council:-

<b>ITEM</b>	<b>SUBJECT</b>	<b>SPEAKER</b>
Notice of Motion 3	Training Facilities for Women's Netball in the City of Ryde	Janice Elm-Smith On behalf of Putney Public School P&C
Notice of Motion 2	Feasibility Study on Multipurpose Synthetic (Artificial) Fields	Adrian Jones On behalf of NWS Koalas Football
Notice of Motion 5	Ivanhoe Estate, Macquarie Park	Nicholas Laletin On behalf of Ivanhoe Estate Tenant Group
Notice of Motion 2	Feasibility Study on Multipurpose Synthetic (Artificial) Fields	Amanda Durack On behalf of NWS Koalas Football
Notice of Motion 2	Feasibility Study on Multipurpose Synthetic (Artificial) Fields	Geoffrey Yallop On behalf of NWS Koalas Football
Notice of Motion 5	Ivanhoe Estate, Macquarie Park	Denise Pendleton
Notice of Motion 5	Ivanhoe Estate, Macquarie Park	Marie Sillars On behalf of Ivanhoe Estate Tenant Group
Notice of Motion 4	Commemorative Plaque for Northern Districts Cricket Association	John P Crane On behalf of Northern District Cricket Association

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

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

That Council allow those people registered to speak on Items Not Listed on the Agenda to address the meeting, the time being 8.01pm.

**Record of Voting:**

For the Motion: Unanimous

**ITEM 1 (continued)**

**ATTACHMENT 1**

The following persons addressed Council:-

<b>SUBJECT</b>	<b>SPEAKER</b>
Retention of playing fields in Smalls Road	Leslie Toemoe
Ryde Civic Precinct Redevelopment and Council response	Lee Cummings

**ORDER OF BUSINESS**

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

That Council now consider all Notices of Motion, the time being 8.12pm.

**Record of Voting:**

For the Motion: Unanimous

**NOTICES OF MOTION**

**1 REMOVAL OF PLAYGROUND EQUIPMENT FROM PUBLIC PARKS -  
Councillor Terry Perram**

This Motion was **WITHDRAWN** by Councillor Perram.

**2 FEASIBILITY STUDY ON MULTIPURPOSE SYNTHETIC (ARTIFICIAL)  
FIELDS - Councillor Roy Maggio**

Note: Adrian Jones, Amanda Durack and Geoffrey Yallop, on behalf of NWS Koalas Football, addressed the meeting in relation to this Item.

Note: Councillor Pickering left the meeting at 8.26pm and was not present for consideration of this item.

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

1. That the General Manager prepare a feasibility study on multipurpose synthetic (artificial) fields to be installed in the City of Ryde. This study should outline a comprehensive consultation process, projected financial impacts, construction cost estimates and a funding and grants program with all sports facility users and stakeholders in the LGA.
2. A report detailing possible sports funding grants through the State and Federal Governments in the next financial year to assist in this project should also be undertaken.
3. A feasibility study cost be funded through the 2012/13 First Quarter Budget review.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**Record of Voting:**

For the Motion: Unanimous

Note: Councillor Pickering returned to the meeting the time being 8.33pm

**3 TRAINING FACILITIES FOR WOMEN'S NETBALL IN THE CITY OF RYDE -  
Councillor Roy Maggio**

Note: Janice Elm-Smith, on behalf of Putney Public School P&C addressed the meeting in relation to this Item.

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

That the General Manager investigate the feasibility of providing additional training facilities for women's netball in the City of Ryde. This investigation is to include discussions with local clubs (eg: Ravens Netball) and local schools. The resultant report should also include possible funding implications associated with improved and additional facilities.

**Record of Voting:**

For the Motion: Unanimous

**4 COMMEMORATIVE PLAQUE FOR NORTHERN DISTRICTS CRICKET  
ASSOCIATION - Councillor Roy Maggio**

Note: John P Crane, on behalf of Northern District Cricket Association, addressed the meeting in relation to this Item.

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

- (a) That the General Manager endorses a commemorative plaque to be presented to the Northern Districts Cricket Association in recognition of their 100 seasons in the City of Ryde.
- (b) That the plaque be presented to the Northern Districts Cricket Association Committee at the next Sport and Recreation meeting with all Councillors invited.

**Record of Voting:**

For the Motion: Unanimous

**ITEM 1 (continued)**

**ATTACHMENT 1**

**5 IVANHOE ESTATE, MACQUARIE PARK - Councillor Sarkis Yedelian OAM**

Note: Nicholas Laletin, on behalf of Ivanhoe Estate Tenant Group, Denise Pendleton and Marie Sillars, on behalf of Ivanhoe Estate Tenant Group, addressed the meeting in relation to this Item.

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

- (a) That Council writes to our local member, The Honourable Victor Dominello MP and the Ministers for Housing (Honourable Pru Goward) and Finance (Honourable Greg Pearce), in relation to Ivanhoe Estate and request that they provide Council and tenants:
- with timely, honest and comprehensive explanation of their plans.
  - assurances that there will be a transparent consultative planning process.
  - assurances that no residents will be removed from their homes against their wishes as a result of any redevelopment.
- (b) That the redevelopment process (if any) includes tenants as stakeholders and listens to their voices and concerns and takes into account the strong sense of the Community in any decisions taken.
- (c) That Council request that the Ivanhoe Estate Tenant Group be represented on the taskforce.
- (d) That as a major stakeholder, City of Ryde Council be represented by all Central Ward Councillors on the taskforce.
- (e) That any correspondence received regarding this development or any development within Macquarie Park on government owned land be circulated through the Councillor Information Bulletin.

**Record of Voting:**

For the Motion: Unanimous

**6 WATER BOTTLE REFILL STATIONS - Councillor Gabrielle O'Donnell**

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

That Council investigate and report on the installation of water bottle refill stations in our major parks and/or centres.

**Record of Voting:**

For the Motion: Unanimous

**ITEM 1 (continued)**

**ATTACHMENT 1**

**7 BAN ON USE OF JET SKIS - Councillor Gabrielle O'Donnell**

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

That Council write to the Local Members for Ryde and Lane Cove asking them to request that the State Government maintain the current ban on the use of jet skis on Sydney Harbour and its waterways.

**Record of Voting:**

For the Motion: Unanimous

**MAYORAL MINUTES**

There were no Mayoral Minutes.

**COUNCIL REPORTS**

**1 CONFIRMATION OF MINUTES - Council Meeting held on 27 March 2012**

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

That the Minutes of the Council Meeting 4/12, held on 27 March 2012 be confirmed.

**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: Councillor Tagg

**2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 4/12 held on 3 April 2012**

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

That Council determine Items 2, 3 and 4 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 28 GERARD STREET, GLADESVILLE. LOT 40 DP 10598. Local Development Application for the erection of a 2 storey dual occupancy (attached). LDA2011/0328.**

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

- (a) That Local Development Application No. LDA2011/328 at No 28 Gerard Street Gladesville being LOT 40 DP10598 be approved subject to the **ATTACHED** conditions (Attachment 1 to Item 2 – Planning and Environment Committee of 3 April 2012).
- (b) That the persons who made submissions be advised of Council's decision.

**AMENDMENT** (Moved by Councillors Petch and Tagg)

That this development application be deferred to allow the Group Manager – Environment & Planning to undertake mediation between the applicant and the neighbours to address issues of concern regarding overshadowing of the properties at No. 26 and No. 30 Gerard Street.

The Amendment was put and **CARRIED** there being nine (9) votes For and one (1) vote Against. The Amendment then became the Motion.

**Record of Voting:**

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

Against the Amendment: Councillor Campbell

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

That this development application be deferred to allow the Group Manager – Environment & Planning to undertake mediation between the applicant and the neighbours to address issues of concern regarding overshadowing of the properties at No. 26 and No. 30 Gerard Street.

**Record of Voting:**

For the Motion: Unanimous

**3 33 LOVELL ROAD, DENISTONE EAST. LOT 24 DP 6182. Local Development Application for multi dwelling (attached) development containing 3 villa homes (1 x 3 bedroom two storey villa at the front, 2 x 3 bedroom villas at the rear). LDA2011/0505.**

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

That Local Development Application No. 2011/0505 at No. 33 Lovell Road, Denistone East, being LOT 24, DP 6182 be approved, subject to the Conditions of Consent as set out below:-

**ITEM 1 (continued)**

**ATTACHMENT 1**

**GENERAL**

The following conditions of consent included in this Part identify the requirements, terms and limitations imposed on this development.

**Approved Plans**

1. Except where otherwise provided in this consent, the development is to be carried out strictly in accordance with the following plans (stamped approved by Council) and support documents:

Document Description	Date	Plan No/Reference
Architectural Plans prepared by G & A Draffline	14 August 2011	1011/11-1-4 to 1011/11-4-4 (incl)
Stormwater Concept Plans prepared by Storm Civil	2 September 2011	D1 to D4 (Issue A)
Landscaping Plan prepared by Peta Gillard Landscape Design	12 August 2011	L001(A)
Arborist's Report prepared by Vic's Tree Service	18 May 2011	

**Prescribed Conditions**

2. All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
3. Compliance with all commitments listed in BASIX Certificate(s) numbered 394822M, dated 6 September 2011.

**Protection of Adjoining and Public Land**

4. Hours of work  
Building activities (including demolition) may only be carried out between 7.00am and 7.00pm Monday to Friday (other than public holidays) and between 8.00am and 4.00pm on Saturday. No building activities are to be carried out at any time on a Sunday or a public holiday.
5. The development must be constructed wholly within the boundaries of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Gates must be installed so they do not open onto any footpath.

**Stormwater**

6. **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.

**ITEM 1 (continued)**

**ATTACHMENT 1**

7. **Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.
8. **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.
9. **Road Opening Permit.** The applicant shall apply for a road-opening permit where a new pipeline is proposed to be constructed within or across the footpath. Additional road opening permits and fees may be necessary where there are connections to public utility services (e.g. telephone, electricity, sewer, water or gas) are required within the road reserve. No drainage work shall be carried out on the footpath without this permit being paid and a copy kept on the site.

**Imported fill**

10. All imported fill must be Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*.

**PRIOR TO CONSTRUCTION CERTIFICATE**

A Construction Certificate must be obtained from a Principal Certifying Authority to carry out the relevant building works approved under this consent. All conditions in this Section of the consent must be complied with before a Construction Certificate can be issued.

Council Officers can provide these services and further information can be obtained from Council's Customer Service Centre on 9952 8222.

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with the conditions in this Section of the consent.

Details of compliance with the conditions, including plans, supporting documents or other written evidence must be submitted to the Principal Certifying Authority.

11. A monetary contribution for the services in Column A and for the amount in Column B shall be made to Council prior to the issue of any Construction Certificate:

**ITEM 1 (continued)**

**ATTACHMENT 1**

<b>A – Contribution Type</b>	<b>B – Contribution Amount (\$)</b>
Community & Cultural Facilities	5,502.29
Open Space & Recreation Facilities	13,545.48
Civic & Urban Improvements	4,607.20
Roads & Traffic Management Facilities	628.56
Cycleways	392.54
Stormwater Management Facilities	1,248.06
Plan Administration	105.83
<b>The total contribution is</b>	<b>26,029.97</b>

These are contributions 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 amounts are current at the date of this consent, and are subject to **quarterly** adjustment for inflation on the basis of the contribution rates that are applicable at time of payment. Such adjustment for inflation is by reference to the Consumer Price Index published by the Australian Bureau of Statistics (Catalogue No 5206.0) – and may result in contribution amounts that differ from those shown above.

A copy of the Section 94 Development Contributions Plan may be inspected at the Ryde Planning and Business Centre, 1 Pope Street Ryde (corner Pope and Devlin Streets, within Top Ryde City Shopping Centre) or on Council's website <http://www.ryde.nsw.gov.au>.

12. The development is required to be carried out in accordance with all relevant Australian Standards. Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.
13. The Council must be provided with security for the purposes of section 80A(6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan (category: other buildings with delivery of bricks or concrete or machine excavation)
14. The following fees must be paid to Council in accordance with Council's Management Plan:
  - (a) Infrastructure Restoration and Administration Fee
  - (b) Enforcement Levy
15. 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 submitted to the Principal Certifying Authority prior to the issuing of the **Construction Certificate**.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**Road Opening Permit**

16. The Council must be provided with evidence that there has been compliance with all matters that are required by the Road Opening Permit issued by Council as required under section 139 of the Roads Act 1993 to be complied with prior to issue of the **Construction Certificate**.
17. The development must be acoustically designed and constructed to meet the relevant provisions of Australian Standard AS 2107:2000 *Recommended design sound levels and reverberation times for building interiors*. Written endorsement of compliance with these requirements must be obtained from a suitably qualified person.

**Fencing**

18. Fencing is to be in accordance with Council's Development Control Plan and details of compliance are to be provided in the plans for the **Construction Certificate**. The side boundary fence between the subject site and No. 31 Lovell Street shall be a minimum of 1.8m high shall contain an additional 300mm high lattice on top of the fence. Details are to be shown on the Construction Certificate drawings, and shall be at no cost to the adjoining owner.

**Lighting of Common Areas (driveways etc)**

19. Details of lighting for internal driveways, visitor parking areas and the street frontage shall be submitted for approval prior to issue of the **Construction Certificate**. The details to include certification from an appropriately qualified person that there will be no offensive glare onto adjoining residents.
20. The width of the landscape strip along the eastern and southern boundary within each courtyard is to be increased to 1.2m wide. Details are to be submitted on the Construction Certificate plans.
21. **Boundary Levels.** The levels of the street alignment shall be obtained from Council. These levels shall be incorporated into the design of the internal driveway, carparking areas, landscaping and stormwater drainage plans and must be obtained prior to the issue of the construction certificate.
22. **Driveway Grades.** The maximum grade of all internal driveways and vehicular ramps shall be 1 in 4 and in accordance with the relevant section of AS 2890.1. The maximum change of grade permitted is 1 in 8 (12.5%) for summit grade changes and 1 in 6.7 (15%) for sag grade changes. Any transition grades shall have a minimum length of 2.0m. The driveway design is to incorporate Council's issued footpath and gutter crossing levels where they are required as a condition of consent. A driveway plan, longitudinal section from the centreline of the public road to the garage floor, and any necessary cross-sections clearly demonstrating that the driveway complies with the above details, and that vehicles may safely manoeuvre within the site without scraping shall be submitted with the Construction Certificate application.

**ITEM 1 (continued)**

**ATTACHMENT 1**

23. **Manoeuvring Area.** The southern end of the driveway near unit 3 shall be extended by 1.5m to the south to provide additional room for vehicles to manoeuvre and exit in a forward direction. This area shall be paved with grass crete or similar porous paving. The landscaping area adjoining shall be reduced as amended in red on the architectural plan Job No 1010/11>1>4 dated 27 July 2011 prepared by G + A Draftline. Prior to issue of the Construction Certificate, all plans shall be amended to reflect these amendments.
24. **On-Site Stormwater Detention.** Stormwater runoff from all impervious areas shall be collected and piped by gravity flow to a suitable on-site detention system in accordance with City of Ryde, Development Control Plan 2010: - Part 8.2; Stormwater Management.

Accordingly, revised engineering plans prepared by a qualified engineer shall be submitted with the construction certificate application, addressing, but not be limited to the following:

- a. Design the orifice size using the correct head within the detention basin.

The pipes, down pipes and gutters are to be designed to carry the 100 year ARI 5 minute storm flow from roof areas to the detention basin. Runoff which enters the site from upstream properties should not be redirected in a manner which adversely affects adjoining properties.

25. **Water Tank First Flush.** A first flush mechanism is to be designed and constructed with the water tank system. Details of the first flush system are to be submitted with the construction certificate application.
26. **Erosion and Sediment Control Plan.** An *Erosion and Sediment Control Plan (ESCP)* shall be prepared by a suitably qualified consultant in accordance with the guidelines set out in the manual "*Managing Urban Stormwater, Soils and Construction*" prepared by the Landcom. These devices shall be maintained during the construction works and replaced where considered necessary.

The following details are to be included in drawings accompanying the *Erosion and Sediment Control Plan*

- (a) Existing and final contours
- (b) The location of all earthworks, including roads, areas of cut and fill
- (c) Location of all impervious areas
- (d) Location and design criteria of erosion and sediment control structures,
- (e) Location and description of existing vegetation
- (f) Site access point/s and means of limiting material leaving the site
- (g) Location of proposed vegetated buffer strips
- (h) Location of critical areas (drainage lines, water bodies and unstable slopes)
- (i) Location of stockpiles

**ITEM 1 (continued)**

**ATTACHMENT 1**

- (j) Means of diversion of uncontaminated upper catchment around disturbed areas
- (k) Procedures for maintenance of erosion and sediment controls
- (l) Details for any staging of works
- (m) Details and procedures for dust control.

**PRIOR TO COMMENCEMENT OF CONSTRUCTION**

Prior to the commencement of any demolition, excavation, or building work the following conditions in this Part of the Consent must be satisfied, and all relevant requirements complied with at all times during the operation of this consent.

**Prescribed Conditions**

**27. Site Sign**

- (a) A sign must be erected in a prominent position on site:
  - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work,
  - (ii) showing the name of the principal contractor (if any) or the person responsible for the works and a telephone number on which that person may be contacted outside working hours, and
  - (iii) stating that unauthorised entry to the work site is prohibited.
- (b) Any such sign must be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

28. In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

29. Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the PCA has given the Council written notice of the following information:

- (a) in the case of work for which a principal contractor is required to be appointed:
  - (i) the name and licence number of the principal contractor; and
  - (ii) the name of the insurer by which the work is insured under Part 6 of that Act.
- (b) in the case of work to be done by an owner-builder:
  - (i) the name of the owner-builder; and
  - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

**ITEM 1 (continued)**

**ATTACHMENT 1**

If any of the above arrangements are changed while the work is in progress so that the information notified under this condition becomes out of date, further work must not be carried out unless the PCA for the development to which the work relates has given the Council written notice of the updated information (if Council is not the PCA).

**Safety Fencing**

30. The site must be fenced throughout demolition and/or excavation and must comply with WorkCover New South Wales requirements and be a minimum of 1.8m in height.
31. **Sediment and Erosion Control.** The applicant shall install appropriate sediment control devices in accordance with an approved plan **prior** to any earthworks being carried out on the site. These devices shall be maintained during the construction period and replaced where considered necessary. Suitable erosion control management procedures shall be practiced. This condition is imposed in order to protect downstream properties, Council's drainage system and natural watercourses from sediment build-up transferred by stormwater runoff from the site.
32. **Compliance Certificate.** A Compliance Certificate should be obtained confirming that the constructed erosion and sediment control measures comply with the construction plan and City of Ryde, Development Control Plan 2010: - Part 8.1; Construction Activities
33. **Vehicle Footpath Crossings.** Concrete footpath crossings shall be constructed at all locations where vehicles cross the footpath, to protect it from damage resulting from the vehicle traffic. The location, design and construction shall conform to the requirements of Council. Crossings are to be constructed in plain reinforced concrete and finished levels shall conform with property alignment levels issued by Council's Public Works Division. Kerbs shall not be returned to the alignment line. Bridge and pipe crossings will not be permitted.

**DURING CONSTRUCTION**

Unless otherwise specified, the following conditions in this Part of the consent must be complied with at all times during the construction period. Where applicable, the requirements under previous Parts of the consent must be implemented and maintained at all times during the construction period.

**Critical stage inspections**

34. The person having the benefit of this consent is required to notify the Principal Certifying Authority to ensure that the critical stage inspections are undertaken, as required under clause 162A(4) of the *Environmental Planning and Assessment Regulation 2000*.



**ITEM 1 (continued)**

**ATTACHMENT 1**

**Noise and vibration**

35. The construction of the development and preparation of the site, including operation of vehicles, must be conducted so as to avoid unreasonable noise or vibration and not cause interference to adjoining or nearby occupations.
36. The L<sub>10</sub> noise level measured for a period of not less than 15 minutes while demolition and construction work is in progress must not exceed the background noise level by more than 20 dB(A) at the nearest affected residential premises.

**Survey of footings and walls**

37. All footings and walls within 1 metre of a boundary must be set out by a registered surveyor. On commencement of brickwork or wall construction a survey and report must be prepared indicating the position of external walls in relation to the boundaries of the allotment.
38. No sediment, dust, soil or similar material shall leave the site during construction work.
39. Excavated material must not be reused on the property except as follows:
  - (a) Fill is allowed under this consent;
  - (b) The material constitutes Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*;
  - (c) the material is reused only to the extent that fill is allowed by the consent.
40. All materials associated with construction must be retained within the site.

**41. Site Facilities**

The following facilities must be provided on the site:

- (a) toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees, and
- (b) a garbage receptacle for food scraps and papers, with a tight fitting lid.

**42. Site maintenance**

The applicant must ensure that:

- (a) approved sediment and erosion control measures are installed and maintained during the construction period;
  - (b) building materials and equivalent are stored wholly within the work site unless an approval to store them elsewhere is held;
  - (c) the site is clear of waste and debris at the completion of the works.
43. At all times work is being undertaken within a public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site. Traffic control devices shall satisfy the minimum standards outlined in Australian Standard No. AS1742.3-1996 "Traffic Control Devices for Work on Roads".

**ITEM 1 (continued)**

**ATTACHMENT 1**

**Tree Protection**

44. This consent does not authorise the removal of trees unless specifically permitted by a condition of this consent or otherwise necessary as a result of construction works approved by this consent.
45. Trees that are shown on the approved plans as being retained must be protected against damage during construction.
46. Any works approved by this consent to trees must be carried out in accordance with all relevant Australian Standards.
47. A Consultant Arborist must be appointed to oversee all works, including demolition and construction, in relation to the trees identified for retention on the site.
48. Council is to be notified, in writing, of the name, contact details and qualifications of the Consultant Arborist appointed to the site. Should these details change during the course of works, or the appointed Consultant Arborist alter, Council is to be notified, in writing, within seven working days.

**Drop-edge Beams**

49. Perimeters of slabs are not to be visible and are to have face brickwork from the natural ground level.

**PRIOR TO OCCUPATION CERTIFICATE**

An Occupation Certificate must be obtained from a Principal Certifying Authority prior to commencement of occupation of any part of the development, or prior to the commencement of a change of use of a building.

Prior to issue, the Principal Certifying Authority must ensure that all works are completed in compliance with the approved construction certificate plans and all conditions of this Development Consent.

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with conditions in this Part of the consent. Details to demonstrate compliance with all conditions, including plans, documentation, or other written evidence must be submitted to the Principal Certifying Authority.

**Prescribed Condition**

50. The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate(s) numbered 392311, dated 1 September 2011.
51. All landscaping works approved by condition 1 are to be completed.

**ITEM 1 (continued)**

**ATTACHMENT 1**

52. The submission of documentary evidence to Council of compliance with all matters that are required by the Road Opening Permit issued by Council under Section 139 of the *Roads Act 1993* in relation to works approved by this consent.

**Sydney Water**

53. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site [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 Co-ordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any Interim/Final Occupation Certificate.

54. 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.

**Letterboxes and street/house numbering**

55. All letterboxes are to be designed and constructed to be accessible from the public way. Council must be contacted in relation to any specific requirements for street numbering.
56. **Disused Gutter Crossing.** All disused gutter and footpath crossings shall be removed and the kerb and footpath reinstated to the satisfaction of Council.
57. **On-Site Stormwater Detention System - Marker Plate.** Each on-site detention system basin shall be indicated on the site by fixing a marker plate. This plate is to be of minimum size: 100mm x 75mm and is to be made from non-corrosive metal or 4mm thick laminated plastic. It is to be fixed in a prominent position to the nearest concrete or permanent surface or access grate. The wording on the marker plate is described in City of Ryde, Development Control Plan 2010: - Part 8.2; Stormwater Management. An approved plate may be purchased from Council's Customer Service Centre on presentation of a completed City of Ryde OSD certification form.

**ITEM 1 (continued)**

**ATTACHMENT 1**

58. **Work-as-Executed Plan.** A Work-as-Executed plan signed by a Registered Surveyor clearly showing the surveyor's name and the date, the stormwater drainage, including the on-site stormwater detention system if one has been constructed and finished ground levels **is to be submitted to the Principal Certifying Authority (PCA)** and to Ryde City Council if Council is not the nominated PCA.
59. **Drainage Construction.** The stormwater drainage on the site is to be constructed in accordance with plan the Construction Certificate version of Job No 107033 Drawing D1 to D4 dated 18/8/11 Issue A prepared by Storm civil engineering Solutions.
60. **Footpath Paving Construction.** The applicant shall, at no cost to Council, replace any damaged concrete path paving across the frontage of the property.
61. **Compliance Certificates – Engineering.** Compliance Certificates should be obtained for the following (If Council is appointed the Principal Certifying Authority [PCA] then the appropriate inspection fee is to be paid to Council) and **submitted to the PCA**:
- Confirming that the driveway is constructed in accordance with the construction plan requirements and Ryde City Development Control Plan 2010: - Part 8.3; Driveways.
  - Confirming that the site drainage system (including the on-site detention storage system) servicing the development complies with the construction plan requirements and City of Ryde, Development Control Plan 2010: - Part 8.2; Stormwater Management
  - Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including the on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.
  - Confirming that the vehicular crossing has been removed and the kerb and gutter have been constructed in accordance with Council's *Environmental Standards Development Criteria -1999 section 4*
  - Confirming that damaged footpath paving has been reconstructed in accordance with Council's *Environmental Standards Development Criteria -1999 section 4*
62. **Positive Covenant, OSD.** The creation of a Positive Covenant under Section 88 of the Conveyancing Act 1919, burdening the property with the requirement to maintain the stormwater detention system on the property. The terms of the instruments are to be generally in accordance with the Council's draft terms of Section 88E instrument for Maintenance of Stormwater Detention Systems and to the satisfaction of Council.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**POST OCCUPATION CERTIFICATE**

63. Within 2 days of issuing a final Occupation Certificate, the Principal Certifying Authority (PCA) is required to generate a BASIX Completion Receipt in accordance with the provisions of the EP & A Regulation 2000. The PCA is to refer to the BASIX Completion Receipt tool at [www.basix.nsw.gov.au/administration/login.jsp](http://www.basix.nsw.gov.au/administration/login.jsp) in order to generate the BASIX Completion Receipt and a printed copy of the receipt is to be placed on the PCA file.

**Record of Voting:**

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

Against the Motion: Councillor Perram

- 4 35 LOVELL ROAD, DENISTONE EAST. LOT 25 DP 6182. Local Development Application for multi dwelling (attached) development containing 3 villa homes (1 x 3 bedroom two storey villa at the front, 2 x 3 bedroom villas at the rear). LDA2011/0504.**

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

That Local Development Application No. 2011/0504 at No. 35 Lovell Road, Denistone East, being LOT 25, DP 6182 be approved, subject to the Conditions of Consent as set out below:-

**GENERAL**

The following conditions of consent included in this Part identify the requirements, terms and limitations imposed on this development.

**Approved Plans**

1. Except where otherwise provided in this consent, the development is to be carried out strictly in accordance with the following plans (stamped approved by Council) and support documents:

<b>Document Description</b>	<b>Date</b>	<b>Plan No/Reference</b>
Architectural Plans prepared by G & A Draftline	7 August 2011	1010/11-1 to 1010/11-4 (incl)
Stormwater Concept Plans prepared by Storm Civil	18 August 2011	D1 to D4 (Issue A)
Landscaping Plan prepared by Peta Gillard Landscape Design	12 August 2011	L001(A)
Arborist's Report prepared by Vic's Tree Service	7 August 2011	

**ITEM 1 (continued)**

**ATTACHMENT 1**

**Prescribed Conditions**

2. All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
3. Compliance with all commitments listed in BASIX Certificate(s) numbered 392311M, dated 1 September 2011.

**Protection of Adjoining and Public Land**

4. Hours of work  
Building activities (including demolition) may only be carried out between 7.00am and 7.00pm Monday to Friday (other than public holidays) and between 8.00am and 4.00pm on Saturday. No building activities are to be carried out at any time on a Sunday or a public holiday.
5. The development must be constructed wholly within the boundaries of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Gates must be installed so they do not open onto any footpath.

**Stormwater**

6. **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.
7. **Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.
8. **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.
9. **Road Opening Permit.** The applicant shall apply for a road-opening permit where a new pipeline is proposed to be constructed within or across the footpath. Additional road opening permits and fees may be necessary where there are connections to public utility services (e.g. telephone, electricity, sewer, water or gas) are required within the road reserve. No drainage work shall be carried out on the footpath without this permit being paid and a copy kept on the site.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**Imported fill**

10. All imported fill must be Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*.

**PRIOR TO CONSTRUCTION CERTIFICATE**

A Construction Certificate must be obtained from a Principal Certifying Authority to carry out the relevant building works approved under this consent. All conditions in this Section of the consent must be complied with before a Construction Certificate can be issued.

Council Officers can provide these services and further information can be obtained from Council's Customer Service Centre on 9952 8222.

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with the conditions in this Section of the consent.

Details of compliance with the conditions, including plans, supporting documents or other written evidence must be submitted to the Principal Certifying Authority.

11. A monetary contribution for the services in Column A and for the amount in Column B shall be made to Council prior to the issue of any Construction Certificate:

<b>A – Contribution Type</b>	<b>B – Contribution Amount (\$)</b>
Community & Cultural Facilities	5,502.29
Open Space & Recreation Facilities	13,545.48
Civic & Urban Improvements	4,607.20
Roads & Traffic Management Facilities	628.56
Cycleways	392.54
Stormwater Management Facilities	1,248.06
Plan Administration	105.83
<b>The total contribution is</b>	<b>26,029.97</b>

These are contributions 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 amounts are current at the date of this consent, and are subject to **quarterly** adjustment for inflation on the basis of the contribution rates that are applicable at time of payment. Such adjustment for inflation is by reference to the Consumer Price Index published by the Australian Bureau of Statistics (Catalogue No 5206.0) – and may result in contribution amounts that differ from those shown above.

**ITEM 1 (continued)**

**ATTACHMENT 1**

A copy of the Section 94 Development Contributions Plan may be inspected at the Ryde Planning and Business Centre, 1 Pope Street Ryde (corner Pope and Devlin Streets, within Top Ryde City Shopping Centre) or on Council's website <http://www.ryde.nsw.gov.au>.

12. The development is required to be carried out in accordance with all relevant Australian Standards. Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.
13. The Council must be provided with security for the purposes of section 80A(6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan (category: other buildings with delivery of bricks or concrete or machine excavation)
14. The following fees must be paid to Council in accordance with Council's Management Plan:
  - (a) Infrastructure Restoration and Administration Fee
  - (b) Enforcement Levy
15. 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 submitted to the Principal Certifying Authority prior to the issuing of the **Construction Certificate**.

**Road Opening Permit**

16. The Council must be provided with evidence that there has been compliance with all matters that are required by the Road Opening Permit issued by Council as required under section 139 of the Roads Act 1993 to be complied with prior to issue of the **Construction Certificate**.
17. The development must be acoustically designed and constructed to meet the relevant provisions of Australian Standard AS 2107:2000 *Recommended design sound levels and reverberation times for building interiors*. Written endorsement of compliance with these requirements must be obtained from a suitably qualified person.

**Fencing**

18. Fencing is to be in accordance with Council's Development Control Plan and details of compliance are to be provided in the plans for the **Construction Certificate**. The side boundary fence between the subject site and No. 37 Lovell Street shall be a minimum of 1.8m high shall contain an additional 300mm high lattice on top of the fence. Details are to be shown on the Construction Certificate drawings, and shall be at no cost to the adjoining property owner.



**ITEM 1 (continued)**

**ATTACHMENT 1**

**Lighting of Common Areas (driveways etc)**

19. Details of lighting for internal driveways, visitor parking areas and the street frontage shall be submitted for approval prior to issue of the **Construction Certificate**. The details to include certification from an appropriately qualified person that there will be no offensive glare onto adjoining residents.
20. The width of the landscape strip along the eastern and southern boundary within each courtyard is to be increased to 1.2m wide. Details are to be submitted on the Construction Certificate plans.
21. **Boundary Levels.** The levels of the street alignment shall be obtained from Council. These levels shall be incorporated into the design of the internal driveway, carparking areas, landscaping and stormwater drainage plans and must be obtained prior to the issue of the construction certificate.
22. **Driveway Grades.** The maximum grade of all internal driveways and vehicular ramps shall be 1 in 4 and in accordance with the relevant section of AS 2890.1. The maximum change of grade permitted is 1 in 8 (12.5%) for summit grade changes and 1 in 6.7 (15%) for sag grade changes. Any transition grades shall have a minimum length of 2.0m. The driveway design is to incorporate Council's issued footpath and gutter crossing levels where they are required as a condition of consent. A driveway plan, longitudinal section from the centreline of the public road to the garage floor, and any necessary cross-sections clearly demonstrating that the driveway complies with the above details, and that vehicles may safely manoeuvre within the site without scraping shall be submitted with the Construction Certificate application.
23. **Manoeuvring Area.** The southern end of the driveway near unit 3 shall be extended by 1.5m to the south to provide additional room for vehicles to manoeuvre and exit in a forward direction. This area shall be paved with grass crete or similar porous paving. The landscaping area adjoining shall be reduced as amended in red on the architectural plan Job No 1010/11>1>4 dated 27 July 2011 prepared by G + A Draftline. Prior to issue of the Construction Certificate, all plans shall be amended to reflect these amendments.
24. **On-Site Stormwater Detention.** Stormwater runoff from all impervious areas shall be collected and piped by gravity flow to a suitable on-site detention system in accordance with City of Ryde, Development Control Plan 2010: - Part 8.2; Stormwater Management. Runoff which enters the site from upstream properties should not be redirected in a manner which adversely affects adjoining properties. The pipes, down pipes and gutters are to be designed to carry the 100 year ARI 5 minute storm flow from roof areas to the detention basin.

**ITEM 1 (continued)**

**ATTACHMENT 1**

25. **Water Tank First Flush.** A first flush mechanism is to be designed and constructed with the water tank system. Details of the first flush system are to be submitted with the construction certificate application.
26. **Erosion and Sediment Control Plan.** An *Erosion and Sediment Control Plan (ESCP)* shall be prepared by a suitably qualified consultant in accordance with the guidelines set out in the manual "*Managing Urban Stormwater, Soils and Construction*" prepared by the Landcom. These devices shall be maintained during the construction works and replaced where considered necessary.

The following details are to be included in drawings accompanying the *Erosion and Sediment Control Plan*

- (a) Existing and final contours
- (b) The location of all earthworks, including roads, areas of cut and fill
- (c) Location of all impervious areas
- (d) Location and design criteria of erosion and sediment control structures,
- (e) Location and description of existing vegetation
- (f) Site access point/s and means of limiting material leaving the site
- (g) Location of proposed vegetated buffer strips
- (h) Location of critical areas (drainage lines, water bodies and unstable slopes)
- (i) Location of stockpiles
- (j) Means of diversion of uncontaminated upper catchment around disturbed areas
- (k) Procedures for maintenance of erosion and sediment controls
- (l) Details for any staging of works
- (m) Details and procedures for dust control.

**PRIOR TO COMMENCEMENT OF CONSTRUCTION**

Prior to the commencement of any demolition, excavation, or building work the following conditions in this Part of the Consent must be satisfied, and all relevant requirements complied with at all times during the operation of this consent.

**Prescribed Conditions**

27. **Site Sign**
  - (a) A sign must be erected in a prominent position on site:
    - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work,
    - (ii) showing the name of the principal contractor (if any) or the person responsible for the works and a telephone number on which that person may be contacted outside working hours, and
    - (iii) stating that unauthorised entry to the work site is prohibited.

**ITEM 1 (continued)**

**ATTACHMENT 1**

- (b) Any such sign must be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
  
- 28. In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.
  
- 29. Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the PCA has given the Council written notice of the following information:
  - (a) in the case of work for which a principal contractor is required to be appointed:
    - (i) the name and licence number of the principal contractor; and
    - (ii) the name of the insurer by which the work is insured under Part 6 of that Act.
  
  - (b) in the case of work to be done by an owner-builder:
    - (i) the name of the owner-builder; and
    - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If any of the above arrangements are changed while the work is in progress so that the information notified under this condition becomes out of date, further work must not be carried out unless the PCA for the development to which the work relates has given the Council written notice of the updated information (if Council is not the PCA).

**Safety Fencing**

- 30. The site must be fenced throughout demolition and/or excavation and must comply with WorkCover New South Wales requirements and be a minimum of 1.8m in height.
  
- 31. **Sediment and Erosion Control.** The applicant shall install appropriate sediment control devices in accordance with an approved plan **prior** to any earthworks being carried out on the site. These devices shall be maintained during the construction period and replaced where considered necessary. Suitable erosion control management procedures shall be practiced. This condition is imposed in order to protect downstream properties, Council's drainage system and natural watercourses from sediment build-up transferred by stormwater runoff from the site.
  
- 32. **Compliance Certificate.** A Compliance Certificate should be obtained confirming that the constructed erosion and sediment control measures comply with the construction plan and City of Ryde, Development Control Plan 2010: - Part 8.1; Construction Activities

**ITEM 1 (continued)**

**ATTACHMENT 1**

33. **Vehicle Footpath Crossings.** Concrete footpath crossings shall be constructed at all locations where vehicles cross the footpath, to protect it from damage resulting from the vehicle traffic. The location, design and construction shall conform to the requirements of Council. Crossings are to be constructed in plain reinforced concrete and finished levels shall conform with property alignment levels issued by Council's Public Works Division. Kerbs shall not be returned to the alignment line. Bridge and pipe crossings will not be permitted.

**DURING CONSTRUCTION**

Unless otherwise specified, the following conditions in this Part of the consent must be complied with at all times during the construction period. Where applicable, the requirements under previous Parts of the consent must be implemented and maintained at all times during the construction period.

**Critical stage inspections**

34. The person having the benefit of this consent is required to notify the Principal Certifying Authority to ensure that the critical stage inspections are undertaken, as required under clause 162A(4) of the *Environmental Planning and Assessment Regulation 2000*.

**Noise and vibration**

35. The construction of the development and preparation of the site, including operation of vehicles, must be conducted so as to avoid unreasonable noise or vibration and not cause interference to adjoining or nearby occupations.
36. The L<sub>10</sub> noise level measured for a period of not less than 15 minutes while demolition and construction work is in progress must not exceed the background noise level by more than 20 dB(A) at the nearest affected residential premises.

**Survey of footings and walls**

37. All footings and walls within 1 metre of a boundary must be set out by a registered surveyor. On commencement of brickwork or wall construction a survey and report must be prepared indicating the position of external walls in relation to the boundaries of the allotment.
38. No sediment, dust, soil or similar material shall leave the site during construction work.
39. Excavated material must not be reused on the property except as follows:
- (a) Fill is allowed under this consent;
  - (b) The material constitutes Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*;
  - (c) the material is reused only to the extent that fill is allowed by the consent.

**ITEM 1 (continued)**

**ATTACHMENT 1**

40. All materials associated with construction must be retained within the site.

**41. Site Facilities**

The following facilities must be provided on the site:

- (a) toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees, and
- (b) a garbage receptacle for food scraps and papers, with a tight fitting lid.

**42. Site maintenance**

The applicant must ensure that:

- (a) approved sediment and erosion control measures are installed and maintained during the construction period;
- (b) building materials and equivalent are stored wholly within the work site unless an approval to store them elsewhere is held;
- (c) the site is clear of waste and debris at the completion of the works.

43. At all times work is being undertaken within a public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site. Traffic control devices shall satisfy the minimum standards outlined in Australian Standard No. AS1742.3-1996 "Traffic Control Devices for Work on Roads".

**Drop-edge Beams**

44. Perimeters of slabs are not to be visible and are to have face brickwork from the natural ground level.

**PRIOR TO OCCUPATION CERTIFICATE**

An Occupation Certificate must be obtained from a Principal Certifying Authority prior to commencement of occupation of any part of the development, or prior to the commencement of a change of use of a building.

Prior to issue, the Principal Certifying Authority must ensure that all works are completed in compliance with the approved construction certificate plans and all conditions of this Development Consent.

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45. The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate(s) numbered 392311, dated 1 September 2011.

46. All landscaping works approved by condition 1 are to be completed.

**ITEM 1 (continued)**

**ATTACHMENT 1**

47. The submission of documentary evidence to Council of compliance with all matters that are required by the Road Opening Permit issued by Council under Section 139 of the *Roads Act 1993* in relation to works approved by this consent.

**Sydney Water**

48. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site [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.

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**ITEM 1 (continued)**

**ATTACHMENT 1**

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54. **Drainage Construction.** The stormwater drainage on the site is to be constructed in accordance with plan the Construction Certificate version of Job No 107034 Drawing D1 to D4 dated 18/8/11 Issue A prepared by Storm civil engineering Solutions.
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56. **Compliance Certificates – Engineering.** Compliance Certificates should be obtained for the following (If Council is appointed the Principal Certifying Authority [PCA] then the appropriate inspection fee is to be paid to Council) and **submitted to the PCA:**
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  - Confirming that the site drainage system (including the on-site detention storage system) servicing the development complies with the construction plan requirements and City of Ryde, Development Control Plan 2010: - Part 8.2; Stormwater Management
  - Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including the on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.
  - Confirming that the vehicular crossing has been removed and the kerb and gutter have been constructed in accordance with Council's *Environmental Standards Development Criteria -1999 section 4*
  - Confirming that damaged footpath paving has been reconstructed in accordance with Council's *Environmental Standards Development Criteria -1999 section 4*
57. **Positive Covenant, OSD.** The creation of a Positive Covenant under Section 88 of the Conveyancing Act 1919, burdening the property with the requirement to maintain the stormwater detention system on the property. The terms of the instruments are to be generally in accordance with the Council's draft terms of Section 88E instrument for Maintenance of Stormwater Detention Systems and to the satisfaction of Council.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**POST OCCUPATION CERTIFICATE**

58. Within 2 days of issuing a final Occupation Certificate, the Principal Certifying Authority (PCA) is required to generate a BASIX Completion Receipt in accordance with the provisions of the EP & A Regulation 2000. The PCA is to refer to the BASIX Completion Receipt tool at [www.basix.nsw.gov.au/administration/login.jsp](http://www.basix.nsw.gov.au/administration/login.jsp) in order to generate the BASIX Completion Receipt and a printed copy of the receipt is to be placed on the PCA file.

**Record of Voting:**

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

Against the Motion: Councillors Perram and Tagg

**3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 4/12 held on 3 April 2012**

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

1. That Council determine Items 3 and 5 of the Works and Community Committee report, noting that Items 1, 2 and 4 were dealt with by the Committee within its delegated powers.
2. That Council note that the Minutes of the Works and Community Committee are to be amended at the Works and Community Committee Meeting to be held 17 April 2012 as part of Item 1 – Confirmation of Minutes - to reflect that apologies had been received from Councillor Campbell.

**Record of Voting:**

For the Motion: Unanimous

**3 TREE MANAGEMENT REVIEW - 35 ELSTON AVENUE, DENISTONE**

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

- (a) That Council indicate its support for the removal of the two *Eucalyptus saligna* (Sydney Blue Gum) at 35 Elston Avenue, Denistone subject to a copy of a Section 91 Licence being submitted to Council prior to an approval being issued by Council for the removal.
- (b) That the applicant agree to replace the trees with two species that are endemic to the locally Endangered Ecologically Community that attain a minimum height of no less than 15m at maturity.



**ITEM 1 (continued)**

**ATTACHMENT 1**

**Record of Voting:**

For the Motion: Unanimous

**5 PLAYGROUND UPDATE**

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

- (a) That Council endorse the proposed engagement with the community and the Council Committees as part of the development of the Children's Play Implementation Plan.
- (b) That Council defer consideration for the replacement of equipment until the draft Children's Play Implementation Plan is reported to Council.
- (c) That the draft Children's Play Implementation Plan list the locations of playgrounds where equipment has been removed.
- (d) That Council implement the removal of the playground equipment identified as unsafe in the report.
- (e) That Council implement the Media Plan emphasising Council's management of playgrounds.

**Record of Voting:**

For the Motion: Unanimous

**4 MOTIONS FOR CONSIDERATION AT THE NATIONAL GENERAL ASSEMBLY - 17 to 20 June 2012**

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

That Council endorse Motions 1, 2 and 3 as detailed in the report for submission to the National General Assembly of Local Government held in Canberra on 17 to 20 June 2012.

**Record of Voting:**

For the Motion: Unanimous

**Note:** **ITEM 5 – ADVICE ON COURT ACTIONS** was considered following consideration of **ITEM 6 – ARGYLE CENTRE – BUILDING CONDITION AND PROPOSED ACTIONS**

**ITEM 1 (continued)**

**ATTACHMENT 1**

**LATE ITEM**

**6 ARGYLE CENTRE – BUILDING CONDITION AND PROPOSED ACTIONS**

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

1. That Council endorse the relocation of all Community Life staff from the Argyle Centre and cease the usage of the Argyle Hall for the reasons as stated in the report.
2. That Council delegate to the General Manager the authority to determine the most effective option for the staff relocation as detailed in the report.
3. That Council endorse the allocation of \$1.19 million, as the preliminary estimate, to meet the fitout and relocation costs to be funded from the Property Investment Reserve.
4. That once all staff have been relocated, the Argyle Centre (offices and Hall) be permanently closed and secured, pending a further report to Council on the future use of the site.
5. That Council advise the public, community and users the reasons for Council's closure of the Argyle Hall and Centre.

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

1. That Council endorse the relocation of all Community Life staff from the Argyle Centre and cease the usage of the Argyle Hall for the reasons as stated in the report.
2. That the General Manager report to Council on the most effective option for the staff relocation as detailed in the report.
3. That Council endorse the allocation of \$1.19 million, as the preliminary estimate, to meet the fitout and relocation costs to be funded from the Property Investment Reserve.
4. That once all staff have been relocated, the Argyle Centre (offices and Hall) be permanently closed and secured, pending a further report to Council on the future use of the site
5. That Council advise the public, community and users the reasons for Council's closure of the Argyle Hall and Centre.

**Record of Voting**

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

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

**ITEM 1 (continued)**

**ATTACHMENT 1**

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

**FURTHER AMENDMENT:** (Moved by Councillors Petch and Tagg)

1. That Council endorse the relocation of all Community Life staff from the Argyle Centre and cease the usage of the Argyle Hall for the reasons as stated in the report.
2. That Council immediately relocate Community Life staff to the West Ryde facility
3. That Council endorse the allocation of \$1.1 million, as the preliminary estimate, to meet the fitout and relocation costs to be funded from the Property Investment Reserve.
4. That once all staff have been relocated, the Argyle Centre (offices and Hall) be permanently closed and secured, pending a further report to Council on the future use of the site.

**Record of Voting**

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

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

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

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

1. That Council endorse the relocation of all Community Life staff from the Argyle Centre and cease the usage of the Argyle Hall for the reasons as stated in the report.
2. That Council delegate to the General Manager the authority to determine the most effective option for the staff relocation as detailed in the report.
3. That Council endorse the allocation of \$1.19 million, as the preliminary estimate, to meet the fitout and relocation costs to be funded from the Property Investment Reserve.
4. That once all staff have been relocated, the Argyle Centre (offices and Hall) be permanently closed and secured, pending a further report to Council on the future use of the site.
5. That Council advise the public, community and users the reasons for Council's closure of the Argyle Hall and Centre.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**Record of Voting**

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

Against the Motion: Councillors Li, Petch and Tagg

**PRECIS OF CORRESPONDENCE FOR CONSIDERATION**

There were no Precis of Correspondence for Consideration.

**NOTICES OF MOTION**

- 1 REMOVAL OF PLAYGROUND EQUIPMENT FROM PUBLIC PARKS -  
Councillor Terry Perram**  
This Motion was withdrawn by Councillor Perram.
- 2 FEASIBILITY STUDY ON MULTIPURPOSE SYNTHETIC (ARTIFICIAL)  
FIELDS - Councillor Roy Maggio**
- 3 TRAINING FACILITIES FOR WOMEN'S NETBALL IN THE CITY OF RYDE -  
Councillor Roy Maggio**
- 4 COMMEMORATIVE PLAQUE FOR NORTHERN DISTRICTS CRICKET  
ASSOCIATION - Councillor Roy Maggio**
- 5 IVANHOE ESTATE, MACQUARIE PARK - Councillor Sarkis Yedelian OAM**
- 6 WATER BOTTLE REFILL STATIONS - Councillor Gabrielle O'Donnell**
- 7 BAN ON USE OF JET SKIS - Councillor Gabrielle O'Donnell**

All Notices of Motions were considered earlier in the Meeting as set out previously in these Minutes.

**NOTICES OF RESCISSION**

There were no Notices of Rescission.

**QUESTIONS BY COUNCILLORS AS PER POLICY**

There were no Questions by Councillors as per Policy.

**ITEM 1 (continued)**

**ATTACHMENT 1**

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

Leslie Toemoe and Lee Cummings addressed the meeting in relation to Items not Listed on the Agenda earlier in the Meeting as detailed in these Minutes.

**5 ADVICE ON COURT ACTIONS**

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

That the report of the General Counsel be received.

**Record of Voting:**

For the Motion: Unanimous

**VERBAL REPORT BY GENERAL MANAGER – TENDERS RECEIVED**

The General Manager gave a verbal report advising that in relation to RFT2/12 - CIVIC CENTRE REDEVELOPMENT two formal tenders were received from:

- Billbergia; and
- Lendlease

**NATIONAL ANTHEM**

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

The meeting closed at 10.35pm.

CONFIRMED THIS 24TH DAY OF APRIL 2012

Chairperson

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**2 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 5/12  
held on 17 April 2012**

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**Report prepared by:** Meeting Support Coordinator**Report dated:** 8/03/2012**File No.:** GRP/12/5/5/5 - BP12/251

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**REPORT SUMMARY**

Attached are the Minutes of the Works and Community Committee Meeting 5/12 held on 17 April 2012. The Minutes will be listed for confirmation at the next Works and Community Committee Meeting.

All Items (1, 2, 3 and 4) were dealt with by the Committee within its delegated powers.

As a result, no Committee recommendations are submitted to Council for determination in accordance with the delegations set out in the Code of Meeting Practice relating to Charters, functions and powers of Committees.

**RECOMMENDATION:**

That Council note that all items of the Works and Community Committee meeting 5/12 held on 17 April 2012 were dealt with by the Committee within its delegated powers.

**ATTACHMENTS**

- 1 Minutes - Works and Community Committee - 17 April 2012

**ITEM 2 (continued)**

**ATTACHMENT 1**

**Works and Community Committee  
MINUTES OF MEETING NO. 5/12**

**Meeting Date:** Tuesday 17 April 2012

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

**Time:** 4.30pm

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

Councillor Li arrived at 4.42pm during discussion of Item 4 and was not present for consideration of Items 1, 2 and 3.

**Apologies:** Councillors Campbell and Maggio.

**Staff Present:** Group Manager – Public Works, Open Space Planner, Tree Management Officer, Team Leader – Design and Development, City Landscape Architect and Meeting Support Coordinator.

**DISCLOSURES OF INTEREST**

There were no disclosures of interest.

**1 CONFIRMATION OF MINUTES - Meeting held on 3 April 2012**

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

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

That the Minutes of the Works and Community Committee 4/12, held on Tuesday 3 April 2012, be confirmed subject to an amendment to reflect that an apology had been received from Councillor Campbell.

**Record of Voting:**

For the Motion: Unanimous

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

**2 REVIEW TREE MANAGEMENT APPLICATION - 52 DENISTONE ROAD, DENISTONE**

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

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

- (a) That Council approve the removal of twelve (12) *Cupressusocyparis leylandii* (Leyland Cypress) at 52 Denistone Road, Denistone.
- (b) That Council request replacement planting of five (5) suitable species.

**ITEM 2 (continued)**

**ATTACHMENT 1**

- (c) That the replacement planting be maintained until they reach the required size for protection under DCP Part 9.6 – Tree Preservation.

**Record of Voting:**

For the Motion: Unanimous

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

**3 REVIEW TREE MANAGEMENT APPLICATION - 21 EASTVIEW AVENUE, NORTH RYDE**

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

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

- (a) That Council approve the removal one (1) *Cedrus deodara* (Himalayan Cedar) at 21 Eastview Avenue, North Ryde.
- (b) That Council request replacement planting of one (1) suitable species.
- (c) That the replacement planting be maintained until they reach the required size for protection under DCP Part 9.6 – Tree Preservation.

**Record of Voting:**

For the Motion: Unanimous

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

**4 REVISED CONCEPT DESIGN - ROWE STREET EAST UPGRADE**

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

That Council endorse the amended Landscape Concept Plan of Rowe Street (east) that is attached to this report as **ATTACHMENT 2**.

**Record of Voting:**

For the Motion: Unanimous

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

The meeting closed at 4.48pm.

CONFIRMED THIS 1ST DAY OF MAY 2012.

Chairperson



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**3 DRAFT FOUR YEAR DELIVERY PLAN 2012/2016 INCLUDING ONE YEAR OPERATIONAL PLAN 2012/2013**

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**Report prepared by:** Chief Financial Officer**Report dated:** 8/03/2012**File No.:** FIM/07/6/2/2/4 - BP12/241

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**REPORT SUMMARY**

This report presents the Draft Four-Year Delivery Plan 2012/2016 including One-Year Operational Plan 2012/2013 for Council's consideration and endorsement for the Draft Plans to be placed on public exhibition for the period 2 May 2012 to 4 June 2012 to allow community consultation to be undertaken and submissions to be invited from the general community. All submissions received by Monday 4 June 2012 will be referred back to Council for its consideration at its meeting of 12 June 2012.

**RECOMMENDATION:**

- (a) That Council, pursuant to Section 404 & 405 of the Local Government Act 1993, endorse the document titled "Draft Four-Year Delivery Plan 2012/2016 including One-Year Operational Plan 2012/2013", inclusive of the 2012/2013 Draft Budget, Fees and Charges and Capital Works Program, as its Draft Four-Year Delivery Plan 2012/2016 including One-Year Operational Plan 2012/2013 of the City of Ryde, subject to Council's consideration of additional items detailed in part (b).
- (b) That Council consider the following projects, totalling \$220k, for inclusion in the Draft Four-Year Delivery Plan 2012/2016 including One-Year Operational Plan 2012/2013, funded from Council's available Working Capital:
  - i. Table Tennis tables at Eastwood (\$10k)
  - ii. Improving the shop fronts in Eastwood (\$5k)
  - iii. Feasibility study for a community hub in Eastwood (\$80k)
  - iv. Feasibility study for expanding the library service in Eastwood (\$25k)
  - v. Part-time position to work on these projects and the White Ribbon campaign and assist the Status of Womens' Advisory Committee (\$80k)
  - vi. Heritage Grant Scheme (\$20k)
- (c) That the Draft Four-Year Delivery Plan 2012/2016 including One-Year Operational Plan 2012/2013 be publicly exhibited for a period of not less than 28 days from 2 May 2012 to 4 June 2012.
- (d) That following the public exhibition period detailed in part (c), Council consider all public submissions at its meeting to be held on Tuesday 12 June 2012 prior to formally adopting its Four-Year Delivery Plan 2012/2016 including the One-Year Operational Plan 2012/2013.

**ITEM 3 (continued)**

- (e) That pursuant to Section 529 (1) of the Local Government Act, 1993, a new sub-category of the Business Rate be determined for the major retail centre of activity at Top Ryde, known as the Top Ryde City Shopping Centre, as per the map titled “Business - Major Retail Centre – Top Ryde”.
- (f) That the new sub-category of the Business Rate be named “Business - Major Retail Centre – Top Ryde” as per the attached map of the same title, noting that the projected rate will be equivalent to the ordinary Business rate for 2012/2013 and will increase over a four (4) year period to be equivalent to the sub-category Business - Major Retail Centre – Macquarie Park.
- (g) That the existing sub-category of the Business Rate be renamed “Business – Major Retail Centre – Macquarie Park” as per the attached map of the same title.
- (h) That a notice of change of categorisation be sent to all the properties affected by the new sub category Business – Major Retail Centre Top Ryde.

**ATTACHMENTS**

- 1 Business Major Retail Centre - Top Ryde
- 2 Business Major Retail Centre - Macquarie Park
- 3 Fees and Charges 2012/2013 additional fees and charges added since Councillor Workshop
- 4 Fees and Charges 2012/2013 - fees and charges deleted since Councillor Workshop
- 5 Draft Four-Year Delivery Plan 2012/2016 including One-Year Operational Plan 2012/2013 – CIRCULATED UNDER SEPARATE COVER

Report Prepared By:

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

Report Approved By:

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

### ITEM 3 (continued)

#### Discussion

Under Sections 404 and 405 of the Local Government Act, Council is required to prepare a Draft Four-Year Delivery Plan 2012/2016 including One-Year Operational Plan 2012/2013 (“Draft Plans”), which details the delivery program in respect to the Council’s activities for at least the next four (4) year period, including Council’s revenue policy for the 2012/2013 year. Council has prepared its Draft Plans for four years with a projected Capital Works Program and consolidated Income and Expenditure Estimates for the years 2012/2013 to 2015/2016.

The Local Government Act requires that the Draft Plans be exhibited for a period of at least 28 days, during which time the public can make submissions on any aspect of the Draft Plans. These submissions must be considered by Council before the Draft Plans are adopted.

It is proposed for the Draft Plans to be on exhibition from 2 May 2012 to 4 June 2012. All submissions received will be referred to Council for its consideration in adopting the Draft Plans, which is scheduled for Council’s meeting on 12 June 2012.

#### Ryde 2021 Community Strategic Plan

In the formulation of the Draft Plans, consideration has been given to Council’s adopted Ryde 2021 Community Strategic Plan. A summary of the proposed expenditure allocations for each of the Outcomes areas in the Draft Four-Year Delivery Plan 2012/2016, are detailed below:

	<b>Base</b>	<b>Projects</b>	<b>Total</b>
	<b>(\$’000)</b>	<b>(\$’000)</b>	<b>(\$’000)</b>
A City of Connections	56.7	28.0	84.7
A City of Environmental Sensitivity	94.0	9.4	103.4
A City of Harmony & Culture	26.6	2.3	28.9
A City of Liveable Neighbourhoods	39.4	4.1	43.5
A City of Progressive Leadership	123.2	21.0	144.2
A City of Prosperity	0.7	9.5	10.2
A City of Well Being	74.8	10.6	85.4
	<b>415.3</b>	<b>84.9</b>	<b>500.2</b>

The Draft Four-Year Delivery Plan 2012/2016 including One-Year Operational Plan 2012/2013 has been prepared in alignment with the Ryde 2021 Community Strategic Plan and provides details on the projects to be delivered within each Outcome area and Program area.

Council is on target to fully comply with reporting to its Community Strategic Plan with the Workforce Plan, Asset Management Plans and Long Term Financial Plan, which are all part of the Resourcing Strategy, to be completed by 30 June 2012, ensuring that all plans are fully integrated.

### ITEM 3 (continued)

The diagram below shows the relationship between the Community Strategic Plan, the Four-Year Delivery Plan and the Operational Plan:



### Projected Working Capital

As reported to Council in the Quarterly Reviews of the Four-Year Delivery Plan 2011/2015 including One-Year Operational Plan 2011/2012, Council is on track with the 2011/2012 budget and is projecting a Working Capital of \$4.02m, as at 30 June 2012.

In the preparation of the Draft Plans, the 2012/2013 Draft Budget has been formulated by Council keeping increases in its total rates income, fees and charges at reasonable levels. The Draft Budget is proposed to utilise \$1.02m of Working Capital, therefore the Working Capital is projected to be \$3.00m as at 30 June 2012.

The draft Operational Plan for 2012/2013 is projecting a Working Capital surplus of \$3.28m.

### Rating Structure

Council at its workshop on the rates, fees and charges considered the rating structure for the 2012/2013 financial year and endorsed consideration of the creation of an additional Business Sub-Category.

Section 529 (1) of the Local Government Act, 1993 provides that Council may determine a sub-category of the Ordinary Rate and Section 529 (2) provides that the sub-category of the Business Category must be determined according to a Centre of Activity.

**ITEM 3 (continued)**

Council's current rating policy includes a sub-category of the Business Rate named "Business Centre of activity 1 (Macquarie Major retail Centre)" which enables a separate business rate to be made for the properties within that sub-category which may be higher or lower than the ordinary business rate. Council's present policy is for the current sub-category rate to be higher than the ordinary business rate. The properties currently categorised under the existing sub-category include the Macquarie Shopping Centre and an adjoining car park.

For the purposes of equity and to provide Council flexibility in its rating structure, it is proposed that a second sub-category be determined for the major retail centre of activity at Top Ryde. It is also proposed that there will be no increase in 2012/13 in the rate yield from properties which may be categorised under the new sub-category, above Council's normal rate peg increase. It is proposed that this sub-category will over the next four (4) years be equivalent to the existing business sub-category for Macquarie Park.

A map detailing the affected area is attached to this report. The new sub-category is proposed to be called "Business - Major Retail Centre – Top Ryde". **(Attachment 1)**

It is also proposed, for administrative purposes, that the current business sub-category be renamed from "Business Centre of Activity 1 (Macquarie Major Retail Centre)" to Business – Major Retail Centre – Macquarie Park. A map detailing the affected area is attached to this report. **(Attachment 2)**

**Draft Four-Year Delivery Plan 2012/2016 including One-Year Operational Plan 2012/2013**

A copy of the Draft Four-Year Delivery Plan 2012/2016 including One-Year Operational Plan 2012/2013 has been **CIRCULATED UNDER SEPARATE COVER**. These Draft Plans are for Councillors' consideration, any amendments will be proof read and then finalised for exhibition from 2 May 2012.

The Draft Plans provide a comprehensive overview of the City of Ryde and its direction, detailing key projects (Capital and Non-Capital) and initiatives to be undertaken over the next four (4) years with specific focus for the 2012/2013 year. Also included in the document is Council's 2012/2013 Draft Budget and Fees & Charges.

**Rates**

The yield from Ordinary Rates has been pegged at the Minister's approved rate pegging limit of 3.6%, with Council maintaining its rating structure whereby 70% of Council's Ordinary Rates Income is derived from residential properties and 30% from business properties.

There has not been a General Revaluation of properties for the 2012/2013 financial year.

### ITEM 3 (continued)

In summary the Draft Plans provide the following information:

- Overview of the City's directions and priorities
- Outcomes by Program (including 1 year of Projects)
- Projects by Program (for the next 4 years)
- Budget Overview
- Revenue Policy (including Rating Policy)

### Fees and Charges

Draft Fees and Charges are proposed to increase by an average of 3.8%, which equates to the Local Government Cost Index as determined by the Independent Pricing and Regulatory Tribunal (IPART). The proposed fees have been rounded together with some benchmarking of certain fees with other Councils within our region. The Draft Fees & Charges were considered at Council's workshop on 14 February 2012 and are detailed in the Draft Plans as endorsed by Council.

Since that workshop a review of the fees and charges has been done and the following revisions made in the draft for Council's consideration to endorse for public exhibition.

- The fees and Charges for Open Space have been set in the draft at 3.8%, in line with other fees and charges, pending the review that is currently underway.
- Some additional fees and charges have been proposed and these are detailed in **Attachment 3**.
- Some fees and charges have been deleted and these are detailed in **Attachment 4**.
- Some minor alterations to the wording of some of the fees and charges.
- The different fees for Open Space for Non-Ryde have been added as these were not included in the listing for the workshop.

### Carbon Tax (pricing)

As most Councillors would be aware the Federal Government has approved legislation which allows for the commencement of a Carbon Tax (pricing) from 1 July 2012.

A review of the prevailing legislation has been done, along with staff attending a number of seminars and the following are the impacts for Council's budget.

- Inclusion of an additional \$300k for landfill disposal costs, most of which will be absorbed by the Domestic Waste charge.
- Inclusion of an increase in electricity pricing of 10%.
- A reduction in real-terms of the amounts available under the budget, due to increased costs of all goods and services due to the passing on of the impacts of the carbon tax (pricing).

**ITEM 3 (continued)**

As Council is rate-pegged, Council cannot simply expand its budget to allow for this increase, other than the 0.4% increase that IPART allowed in the rate pegging amount. However, this was discounted by 0.2% as a result of the productivity amount imposed by IPART. IPART have calculated the total increase due to the Carbon Tax (pricing) at 0.6% for 2012/2013.

**Additional Projects**

Council at its workshop on projects held on 13 March 2012 and 27 March 2012 considered a number of proposals and sought for the following projects to be further considered at this meeting for inclusion in the draft delivery and operational plans.

- Table Tennis Tables at Eastwood - \$10k
- Improving the shopfronts in Eastwood - \$5k
- Feasibility study for a community hub in Eastwood - \$80k
- Feasibility study for expanding the library service in Eastwood - \$25k
- Part-Time position to work on these projects, the White Ribbon campaign and assist the Status of Womens' Advisory Committee - \$80k
- Heritage Grant Scheme - \$20k

Council needs to consider which, if any, of these projects that it would like to include in the Four-year Delivery Plan and One-Year Operational Plans. Also Council will need to consider the source of funding for these projects totalling \$220k. An option for Council is to fund these projects from Council's available Working Capital, which will result in a projected balance for Working Capital of \$3.06m as at 30 June 2013.

**Summary - Key Initiatives and Key Performance Indicators in the Draft Four-Year Delivery Plan 2012/2016 including One-Year Operational Plan 2012/2013**

Key aspects and financial indicators included in the Draft Plans for the 2012/2013 budget are:

- Total budget (Operating & Capital Expenditure including depreciation) is \$118.44m.
- The Operating Result before Depreciation provides for a surplus of \$11.19m.
- Forecasted Working Capital as at 30 June 2012 is \$4.42m and as at 30 June 2013 is projected to be \$3.28m, subject to Council's consideration of the additional projects detailed in the report.
- The budget provides for 471.3 full time equivalent employees with a total headcount of 694 staff.
- Debt Service Ratio is estimated to be <1% as at 30 June 2012.
- Capital Expenditure in 2012/2013 is budgeted at \$20.65m representing a Council funded program of \$20.31m

**ITEM 3 (continued)**

- City of Ryde will in 2012/2013, continue to provide significant subsidies to various community groups, sporting clubs and government organisations. Subsidies are provided by either reduced rentals on Council facilities, pensioner rate subsidies, reduced hire fees for Council facilities, grants to various organisations or sponsorship of events.
- City of Ryde will make payments/contributions to NSW Government entities totalling \$9.35m in 2012/2013.
- The principal areas of project expenditure in 2012/2013 are:
  - Capital Expenditure - \$20.65m
  - Non-Capital Expenditure - \$ 3.06m
  - Total Projects - \$23.69m

Council funded projects      \$23.69m

<b>Program</b>	<b>Capital Projects \$M</b>	<b>Non-Capital Projects \$M</b>	<b>TOTAL \$M</b>
Catchment	2.07	0.02	2.08
Centres and Neighbourhood	2.57	0.21	2.77
Community and Cultural	0.16	0.28	0.44
Customer and Community Relations		0.25	0.25
Economic Development	0.05	0.22	0.27
Environmental		0.04	0.04
Foreshore			
Governance and Civic		0.02	0.02
Internal Corporate Services	3.29	0.22	3.51
Land Use Planning		0.80	0.80
Library	0.64		0.64
Open Space, Sport & Recreation	2.53	0.11	2.64
Organisational Development		0.13	0.13
Paths and Cycleways	1.67		1.67
Property Portfolio	1.98		1.98
Regulatory	0.37	0.26	0.63
Risk Management		0.08	0.08
Roads	4.14		4.14
Strategic City			
Traffic & Transport	0.57	0.28	0.85
Waste and Recycling	0.62	0.15	0.78
<b>Total</b>	<b>20.65</b>	<b>3.04</b>	<b>23.69</b>



**ITEM 3 (continued)**

Details of both the Macquarie Park Special Rate (which was approved by the Minister for Local Government for 2006/2007 on an ongoing basis) and the Stormwater Management Service Charge are contained in the Revenue Policy within the Draft Plans. All of the funds raised from these sources will be dedicated to the purposes raised and will address priority work relating to the current condition of Council's infrastructure valued at \$1.3billion. These works are detailed in the Projects by Program section of the Draft Plans.

In summary, the Draft Plans, Draft Budget and Draft Fees and Charges for 2012/2013 maintain the current level of services to the community whilst continuing to deliver a substantial Capital Works Program. As forecasted in the Draft Plans, Council's funded Capital Works Program is projected to reduce over the four (4) years to a program of \$18.86m in 2015/2016, unless other sources of funds are found.

Council is continuing to address the condition of the City's infrastructure and in particular the renewal of existing infrastructure. Council's proposed Infrastructure Capital Works Program of \$20.65m for 2012/13 provides for approximately \$11.59m of renewal of existing assets next year.

This represents a shortfall of \$1 - \$2m next year. Council's Long Term Financial Strategy recommends Council spend \$18 - \$20m per year on asset renewal of its existing assets, based on asset management principles. This level of capital expenditure includes the use of \$10.93m from Reserves on hand for 2011/12.

It should be noted that Council's Operating Result Before Capital (including depreciation) is projected to be a loss of \$8.86m, which represents the level of additional funding that is required for annual asset renewal.

This shortfall will need to be addressed and additional funding identified in supplementing our future Capital Works Program otherwise the condition of the City's infrastructure will deteriorate to a level that will not be sustainable in the longer term.

Council is continuing to work to address the challenge of funding this shortfall to ensure that public infrastructure continues to be maintained at a satisfactory standard that is acceptable to the community. A comprehensive review of Infrastructure Assets and their funding is currently being undertaken and will result in new Asset Management Plans being formalised.

**Timetable and Public Consultation**

The following timetable is proposed in respect of Council's consideration of the Draft Four-Year Delivery Plan 2012/2016 including One-Year Operational Plan 2012/2013:

**ITEM 3 (continued)**

<b>Date</b>	<b>Action</b>
24 April 2012	Consideration by Council of Draft Plans for public exhibition
2 May 2012	Commencement of public exhibition of Draft Plans
2 May 2012 – 4 June 2012	Presentation to key community forums, community groups and council advisory committees advised of exhibition period of Draft Plans
4 June 2012	Completion of public exhibition of the Draft Plans and receipt of all public submissions
12 June 2012	Consideration by Council of public submissions on Draft Plans and amendments. Draft Plans adopted and rates, fees and charges established for 2012/2013

As noted above, during the public exhibition of the Draft Plans, additional consultation will be undertaken, with staff providing presentations of the Draft Plans, to key stakeholders at various community forums and meetings.

Council also will be providing information to all Advisory Committees seeking feedback on the exhibition of the Draft Plans.

**Financial Implications**

The Draft Plans maintain Council's sound financial position of a forecasted Available Working Capital surplus of \$3.28 million, whilst delivering a Capital Works Program of \$20.65 million. This is the first year where Council is not aware of any contributed assets that are due to be completed and handed to Council during the next 12 months.

Council's Long Term Financial Plan projects a continuing decline in its \$1.3b infrastructure assets, based on the need to spend approximately \$18 - \$20m per annum on asset renewal. The LTFP will be updated by 30 June 2012 to fully align with Council's integrated Ryde 2021 Community Strategic Plan and will also incorporate the revised Asset Management Plans and the Workforce Plan, which are to be developed by 30 June 2012

**Context**

Council is due to consider its Draft Plans for public exhibition, at this meeting on Tuesday 24 April 2012. Following the exhibition period inviting public comment and submissions, Council will consider the Draft Plans for formal adoption at its Council meeting on 12 June 2012.

**ITEM 3 (continued)****Consultation with relevant external bodies**

Internal Council Service Units consulted included:

- Executive Team
- All Council Service Units

Internal Workshops held:-

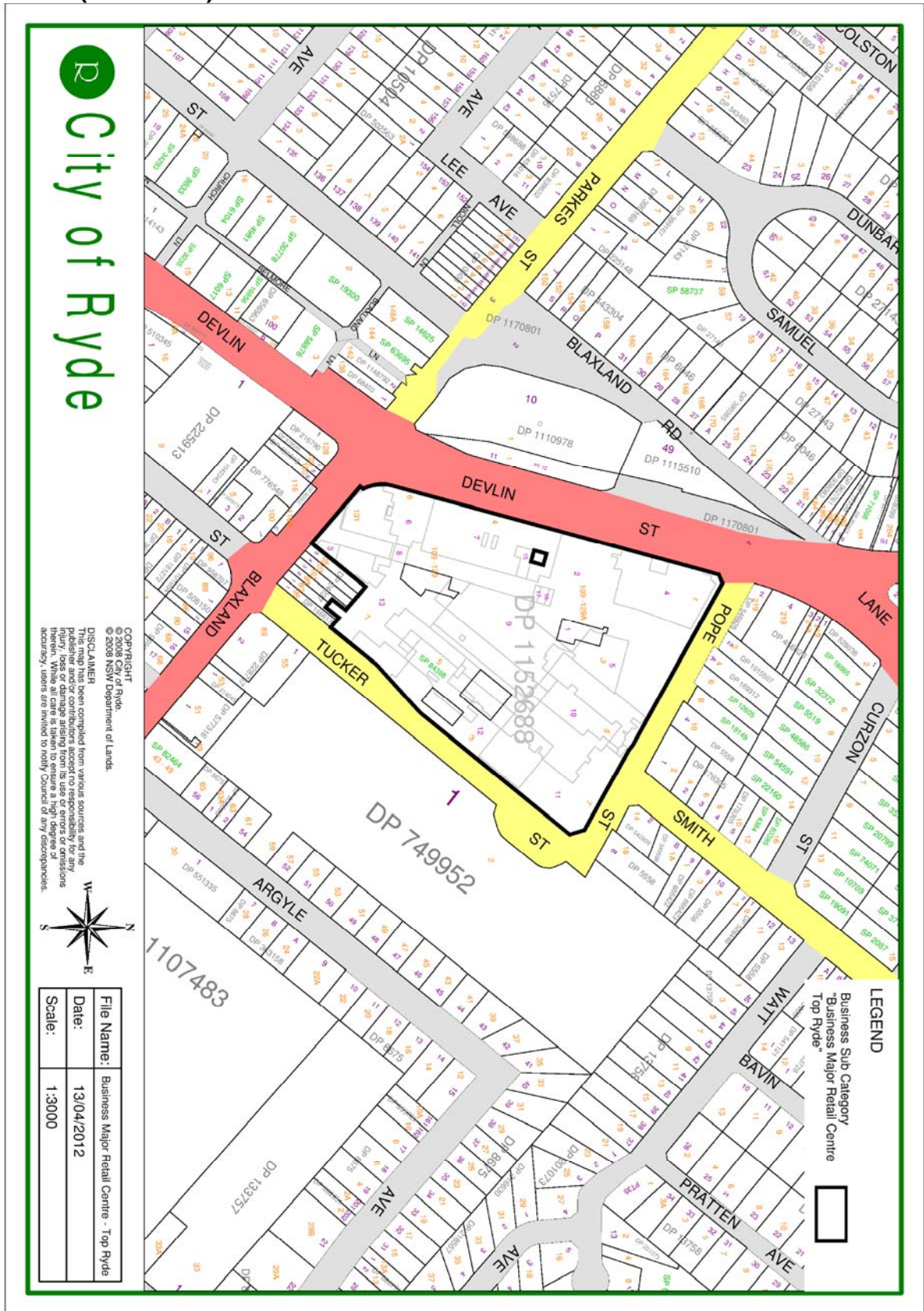
- Councillor workshops - In the preparation of the Draft Plans, workshops have been held with Councillors as follows:
  - Workshop 1            8 Nov 2011            (Overview & Timeframe)
  - Workshop 2            14 Feb 2012           (Rates, Fees & Charges)
  - Workshop 3            28 Feb 2012           (Base Budget)
  - Workshop 4            13 Mar 2012           (Projects)
  - Workshop 5            27 Mar 2012           (Projects)
- Councillors were also requested at the commencement of the budget process to submit their priority projects
- Staff workshops - In the preparation of the Draft Plans, workshops have been held with staff for each Outcome area, under the Community Strategic Plan, to consider Projects that would meet the goals and strategies within the Community Strategic Plan.

External public consultation includes:

- Proposed public exhibition of Draft Plans between 2 May 2012 and 4 June 2012.
- Presentations provided to various community forums and meetings.
- Advice to Community Groups and Council's Advisory Committees.

ITEM 3 (continued)

ATTACHMENT 1







ITEM 3 (continued)

ATTACHMENT 3

Description	2011/2012		2012/2013		% Change	CSO	Additional Information	Fee Category	GST Included
	Fee Commercial	Non CoR/ Calculate d Cost	Fee Commercial	Non CoR/ Calculate d Cost					
- Food stalls for temporary events (including local festivals)			30.00		100.0%			E	Y
\$500,000+									
Referral of fire engineering reports to Fire and Rescue NSW (consultancy services)			2,600.00			Quotation based on cost of service - A price should be provided on the actual cost of the assessment/management of the development consent with private practice Per day. Legislated requirement.	A	N	
a) Tree Permit Applications under DCP Part 9.6 - Tree Preservation Residential dwellings (non strata)	50.00		60.00	0.20		per tree		N	N
b) Tree Permit Applications under DCP Part 9.6 - Tree Preservation Residential dwellings (non strata)	129.00		150.00	0.16		1 - 3 trees per tree		N	N
c) Tree Permit Applications under DCP Part 9.6 - Tree Preservation Residential dwellings (non strata) 50% pensioner discount			30.00			Proof of pensioner status must be provided		N	N
d) Tree Permit Applications under DCP Part 9.6 - Tree Preservation Residential dwellings (non strata) 50% pensioner discount			75.00			1 - 3 trees Proof of pensioner status must be provided		N	N
e) Tree Permit Applications under DCP Part 9.6 - Tree Preservation Commercial and other properties including strata properties.			120.00			per tree		N	N
f) Tree Permit Applications under DCP Part 9.6 - Tree Preservation Commercial and other properties including strata properties.			300.00			1 - 3 trees		N	N
g) Tree Permit Applications under DCP Part 9.6 - Tree Preservation Residential dwellings (non strata) - Urgency Fee			400.00			For permit determination within 3 working days		N	N
h) Request for additional inspection by Tree Management Officer			110.00			per visit		N	N
i) Arboricultural consultation fee			140.00			per hour		N	N
j) Non-refundable charges for Tree Permit Applications under DCP Part 9.6 - Tree Preservation			40.00			per application		N	N
k) Non-refundable charges for Tree Permit Applications under DCP Part 9.6 - Tree Preservation Pensioner discount			20.00			per application		N	N
e) Tree Permit Applications under DCP Part 9.6 - Tree Preservation Commercial and other properties including strata properties.			120.00			per tree		N	N

Additions

City of Ryde - Fees and Charges

Proposed Draft Scheduled Fees 2012/13

ITEM 3 (continued)

ATTACHMENT 3

Description	2011/2012		2012/2013		CSO	Additional Information	Fee Category	GST Included
	Fee Commercial	Non CoR/ Calculate d Cost	Fee Commercial	Non CoR/ Calculate d Cost				
1) Tree Permit Applications under DCP Part 9.6 - Tree Preservation Commercial and other properties including strata properties.		300.00		300.00		For permit determination within 3 working days	N	N
2) Tree Permit Applications under DCP Part 9.6 - Tree Preservation Residential dwellings (non strata) - Urgency Fee		400.00		400.00		per visit	N	N
3) Request for additional inspection by Tree Management Officer		110.00		110.00		per hour	N	N
4) Arboricultural consultation fee		140.00		140.00		per application	N	N
5) Non-refundable charges for Tree Permit Applications under DCP Part 9.6 - Tree Preservation		40.00		40.00		per application	N	N
6) Non-refundable charges for Tree Permit Applications under DCP Part 9.6 - Tree Preservation Pensioner discount		20.00		20.00		per application	N	N
7) Request for review of decision of Tree Permit Applications RECREATIONAL PROGRAMS Skate Boarding Clinics	50.00		60.00	0.20		per session	N	N
8) RALC - Casual Hire - Aquatic		17.00		17.00	NA	Surf Attraction including entry - half hour	G	Y
9) RALC - Casual Hire - Aquatic		12.00		12.00	NA	Groups bookings by negotiation	G	Y
10) RALC - Groups		25.00		25.00	NA	Surf Attraction - half hour - additional fee	G	Y
11) RALC - Groups		33.00		33.00	NA	Groups bookings by negotiation	G	Y
12) RALC - Groups		20.00		20.00	NA	Birthday Party - Supervised per head - NO FOOD	G	Y
13) Urgency Fee (5 working days)	144.00		149.00		3.5%	Sandwich Platter - full	G	Y
14) Engineering Plan Assessment and Works Inspection Fees for works associated with developments						Sandwich Platter - Children's serve in addition to normal processing charges	E	Y
15) a) External to site - footpaths per metre	17.50		18.20		4.0%	(minimum fee \$134.00)	D	N
16) b) Internal to site - footpaths per metre	34.00		35.50		4.4%	(minimum fee \$134.00)	D	N
17) c) Part Road Construction per metre (i.e. Road shoulder/Kerb & gutter)	34.00		35.50		4.4%	(minimum fee \$134.00)	D	N
18) d) Drainage structures (i.e. pits etc) & gutter)	139.00		144.00		3.6%	each	D	N
19) e) New road construction per metre (i.e. Road pavement/ Kerb & gutter)	69.00		71.50		3.6%	(minimum fee \$670.00)	D	N
20) f) Common driveways per metre	16.50		17.10		3.6%	(minimum fee \$134.00)	D	N
21) Sister City/Country Council Partnership Category Land 2						Provision of an interpreter (On a cost recovery basis at the expense of the visiting delegation)		
22) Overseas delegations visits Category 2		3,000.00		3,000.00		per hour		



**ITEM 3 (continued)**

**ATTACHMENT 3**

		City of Ryde - Fees and Charges				Proposed Draft Scheduled Fees 2012/13			
		2011/2012		2012/2013					
Description	Flood Modelling	Fee Commercial	Non CoR/ Calculate d Cost	Fee Commercial	Non CoR/ % Change	CSO	Additional Information	Fee Category	GST Include d
a) Drains Model			2,200.00						
b) TUFLOW Model			4,950.00						

ITEM 3 (continued)

ATTACHMENT 4

Description	2011/2012			2012/2013			Additional Information	Fee Category	GST Included
	Fee	Non CoR/ Commercial	Calculated Cost	Fee	Non CoR/ Commercial	% Change CSO			
A0: Ryde City is divided into approximately 4 (A0) quarters	103.00			107.00		3.9%	each	F	Y
A0: Ryde City is divided into approximately 4 (A0) quarters	631.00			655.00		3.8%	for all 4 quadrants	F	Y
A3: Ryde City is divided into 33 (A3) sheets	31.00			32.00		3.2%	each	F	Y
A3: Ryde City is divided into 33 (A3) sheets	464.00			482.00		3.9%	for all 33 sheets	F	Y
a) Engineering requirements for development projects	49.50			51.50		4.0%	per copy	E	Y
b) Subdivision road requirements - complete	49.50			51.50		4.0%	per copy	E	Y
- Long Inspection (more than 30 minutes duration)	139.00			144.00		3.6%	per inspection	F	Y
- Large Retail and Food Service	144.00			149.00		3.5%	per hour (minimum of 1 hour, followed by 15 minute increments)	F	Y
- Additional Cooling Towers	31.00			32.00		3.2%	each	F	Y
	5.20			5.40		3.8%	per \$1,000 over \$5,000	F	Y
	4.20			4.40		4.8%	per \$1,000 over \$100,000	F	Y
	210.00			218.00		3.8%	per \$1,000 over \$250,000	F	Y
a) Children's Activities	6.00			6.20		3.3%	\$6 maximum fee for children, \$10 maximum fee for adults on each occasion where fee is applicable. Special Activities at cost.	D	Y
b) Internet Courses	15.75			16.30		3.5%	each	G	Y
Concession rate - applicable for pensioner concession card holders	10.50			10.90		3.8%		E	Y
c) HSC Seminars	6.30			6.50		3.2%	confirmation cost	D	Y
c) Administration Fee	0.00			0.00			per service	D	N
d) Daily per Child	36.00			37.50		4.2%		D	N
e) Vacation Care Kids Club	541.00			562.00		3.9%	Overnight (for sales and exhibitions)	E	Y

Deletions

City of Ryde - Fees and Charges

Proposed Draft Scheduled Fees 2012/13

ITEM 3 (continued)

ATTACHMENT 4

Description	2011/2012		2012/2013		% CSO Change	Additional Information	Fee Category	GST Includable
	Fee	Non CoR/ Commercial	Fee	Non CoR/ Commercial				
b) Change of use and land use matters	309,000		321,000		3.9%		D	Y
(i) Minor	515.00		535.00		3.9%		D	Y
(ii) Major	144.00		149.00		3.5%	per hour (minimum of 1 hour, followed by 15 minute increments)	D	Y
d) Check before you sign	72.00		74.50		3.5%		E	Y
- First or only Cooling Tower	6.00		6.20		3.3%	Children's activities \$0 - \$30	Y	Y
a) Children's Activities			10.00	6.20	NA	Special activities at cost	Y	Y
b) Special Children's Activities			10.00	10.00	NA	Youth activities \$0 - \$90.	Y	Y
c) Youth Activities			20.00	20.00	NA	Special activities at cost	Y	Y
d) Special Youth Activities						Adult activities \$0 - \$150 - 50% concession available for designated activities	Y	Y
e) Adult activities								
f) Special Adult Activities						Special activities at cost - 50% concession available for designated activities	Y	Y
g) Workshops and training sessions			10.00	10.00	NA	Charge to conduct session, including key speakers and library staff as tutors, \$0 - \$150, 50% concession available for designated sessions	Y	Y
h) Bookclub membership			1.50	1.50	NA		Y	Y
i) Library bags			1.50	1.50	NA	each	Y	Y
Security deposit is payable upon lodgement of construction certificate or complying development application and provides security for:								
Security deposit is payable upon lodgement of development application or complying development application								
a) Driveways/Footway Crossing (as per standard drawing - no site specific design)	216.00		224.00		3.7%	per driveway	E	Y

City of Ryde - Fees and Charges

Proposed Draft Scheduled Fees 2012/13

Deletions

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**4 INVESTMENT REPORT - March 2012**

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**Report prepared by:** Chief Financial Officer**Report dated:** 10/04/2012**File No.:** GRP/09/3/2/7 - BP12/392

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**REPORT SUMMARY**

This report details Council's performance of its investment portfolio for the month of March 2012 and compares it against key benchmarks. The report includes the estimated market valuation of Council's investment portfolio, loan liabilities, an update on Council's legal action and a commentary on significant events in global financial markets.

Council's financial year to date return is 5.80%, 0.97% above benchmark. Income from interest on investments and proceeds from sale of investments totals \$4.25 million, which is \$627,000 above budget projections. This increased projection of interest on investment and proceeds from the sale of the written down investment, will be adjusted in the March Quarterly Review.

**RECOMMENDATION:**

That Council endorse the report of the Chief Financial Officer dated 10 April 2012 on Investment Report – March 2012.

**ATTACHMENTS**

There are no attachments for this report.

Report Prepared By:

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

Report Approved By:

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

**ITEM 4 (continued)**
**Discussion**

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

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:

<b>Investment</b>	<b>Rating</b>	<b>Maturity</b>
• Grange IMP - Merimbula CDO	N/R	20/06/2013
- Global Bank Note CDO	N/R	20/09/2014
• Oasis CDO *	CC	04/09/2014
• FOCUS Note	AA	20/12/2012

(\* Council at its meeting of 25 May 2010 wrote down/ impaired the Oasis CDO to a nominal value, this being funded from the Financial Security Reserve.)

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

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

- Councils "Alpha" CDO (\$1M) has matured as anticipated on 20 March, with the funds being transferred to the Financial Security Reserve.
- The "Camelotfund" capital protected product (\$500K) matured on 1 March, with Council receiving the funds on this date. This investment had not been written down, but was outside the Minister's Order.

**Investment Performance Commentary**

Council's performance against the benchmark for returns of its investment portfolio for the month of March 2012 and the financial year to date are as follows:

	<b>Mar 2012</b>	<b>12 Mth</b>	<b>Fin YTD</b>
<b>Council Return</b>	5.74	6.21	5.80
<b>Benchmark</b>	4.70	4.89	4.83
<b>Variance</b>	1.04	1.32	0.97

**ITEM 4 (continued)**

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

Cash/Term Deposits	\$52.9M
Floating Rate Notes	\$17.9M
Fixed Rate Bonds	\$2.0M
Other Financial Products	\$0.5M
<b>Total Cash Investments</b>	<b>\$73.4M</b>
Property	\$15.1M
<b>Total Investment Portfolio</b>	<b>\$88.5M</b>

Council continues to utilise the Federal Government's current guarantee (\$250K) investing in Term Deposits with a range of Authorised Deposit Taking Institutions (ADI's) on short to medium term investments (generally 30 days to six months maturity) where more competitive rates are available.

This guarantee is in a transitory period, where term deposits made before 10 September 2011 continue to be covered at the current level from now until 31 December 2012, or until the deposit matures, whichever occurs sooner. Any term deposits made after 10 September 2011 are guaranteed by the Federal Government up to \$250K.

**Financial Security Reserve (FSR)**

The Financial Security Reserve has a balance of \$2.065M as at March 2012 as detailed below:

<b>Financial Security Reserve</b>	<b>(\$'000)</b>
Balance 1 July 2011	1,005
Interest on Written Down CDO's <sup>(1)</sup>	60
Proceeds from Sales & Maturities <sup>(2)</sup> of Written Down CDO's	1,000
<b>Balance of Financial Security Reserve</b>	<b>2,065</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**

The RBA left rates at 4.25% in April, acknowledging that the domestic economy was softer than expected, but will wait for the March quarter inflation figures before any further easing of monetary policy. The fourth quarter of 2011, GDP was disappointing, printing at just 0.4% (2.3% annualised). New homes increased by 3% in February, following a fall of 7.3% in January.

In China, HSBC's Purchasing Managers Index (PMI) showed a 5th straight month of contraction, down to 48.1 (anything less than 50% is a contraction). China's trade balance dropped USD31.5 billion into deficit, with imports outpacing exports leading to the largest deficit in a decade.

**ITEM 4 (continued)**

Standard & Poor's has warned that Greece will likely be forced to restructure its debt again in the future, in a move which could involve bailout partners including European governments. Unemployment in the Eurozone hit an all time high in February, at 10.8%, and increased for the 10th straight month, with some 17.1M people looking for work. Manufacturing activity dropped to a 3 month low, and GDP contracted by 0.2% in the first quarter of 2012.

In the US, the pace of manufacturing picked up last month, although new orders, exports and construction declined. The unemployment rate dropped to 8.3%, its lowest since February 2009, though a portion of this reduction in the unemployment figures can be attributed to a drop in the participation rate.

**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

Legal action in respect of this matter has been on going for some time with the matter to be determined by the Federal Court in the next few months. We have had an update on this matter and there have been no major changes since the last report for January 2012.

LGFS – Rembrandt

Preparation of final submissions continued, with the hearing commencing in late March in the Federal Court. Further developments will be reported following the completion of the hearing.

**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 under review 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 consideration.

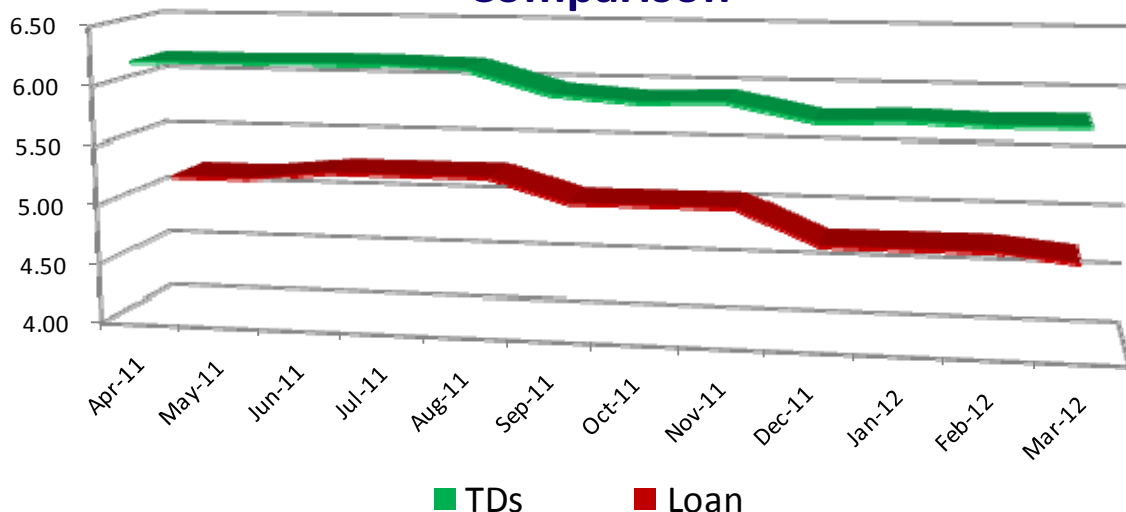
**ITEM 4 (continued)**

**Loan Liability**

Council's loan liability as at 31 March 2012 was \$4 million which represents the balance of one 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.

There is no advantage to Council in changing these arrangements or repaying this loan earlier than planned. Council is receiving a better rate of return on its investments than it is paying on the loan. The following graph shows the average interest rate earned on Council's term deposits compared to the interest rate applying to this loan.

**Term Deposits/Loan Interest Rate Comparison**



**Debt Service Ratio**

It should be noted that whilst Council's debt service ratio is low, all of Council's funds are committed to operational costs and projects of a capital and non-capital nature. This means that Council does not have the capacity to take on any additional debt without a new dedicated revenue stream to fund the loan repayments or by cutting services.

Debt Service Ratio	
Category 3 Councils 2009/10	2.77%
City of Ryde 2010/11	0.83%



**ITEM 4 (continued)****Types of Investments**

The following are the types of investments held by Council:

- **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 company 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 **Fixed Rate Bond** is a debt security issued by a company with a fixed interest rate over the term of the bond.
- 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 4 (continued)**
**INVESTMENT SUMMARY AS AT 31 MARCH 2012**

Issuer	Investment Name	Investment Rating	Invested at 31-Mar-12 \$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
Helix Capital	1. OASIS	CC	0	6.39	6.77	6.72	0.00	0	0.00%
Westpac	2. Focus	AA-	500	0.00	0.00	0.00	0.68	490	97.97%
Grange	3. Grange IMP	Unrated	0	0.00	10.03	10.00	0.00	0	100.00%
Westpac	4. Westpac At Call	AA-	699	4.54	4.67	4.63	0.95	699	100.00%
CBA	5. CBA TCD 5 Yr (Floating)	AAA	1,000	5.72	6.06	6.01	1.36	1,018	101.78%
Bank of Queensland	6. Bank of Queensland TD	BBB	750	6.00	6.43	6.38	1.02	750	100.00%
Bankwest	7. Bankwest Term Deposit	AA-	1,000	6.14	6.11	6.13	1.36	1,000	100.00%
NAB	8. NAB Term Deposit	AA-	1,000	6.02	6.13	6.06	1.36	1,000	100.00%
NAB	9. NAB Term Deposit	AA-	1,000	6.60	6.60	6.60	1.36	1,000	100.00%
AMP	10. AMP TD	A	1,000	6.08	6.08	6.08	1.36	1,000	100.00%
Capricornia CU	11. Capricornia CU TD	AAA	500	5.33	5.28	5.28	0.68	500	100.00%
MyState CU	12. MyState CU TD	BBB	500	5.76	6.10	6.04	0.68	500	100.00%
NAB	13. NAB Term Deposit	AA-	1,000	5.86	6.06	5.90	1.36	1,000	100.00%
Police & Nurses Credit Union	14. Police & Nurses Credit Union	Unrated	500	5.67	5.98	5.88	0.68	500	100.00%
Bankwest	15. Bankwest Term Deposit	AA-	1,000	5.94	6.02	5.98	1.36	1,000	100.00%
Bankwest	16. Bankwest TD	AA-	1,000	6.03	6.03	6.02	1.36	1,000	100.00%
Bankwest	17. Bankwest TD	AA-	1,000	5.93	6.08	6.08	1.36	1,000	100.00%
Bankwest	18. Bankwest Term Deposit	AA-	1,000	5.89	6.05	6.06	1.36	1,000	100.00%
NAB	19. NAB Term Deposit	AA-	3,000	5.76	5.96	5.87	4.09	3,000	100.00%
Defence Bank	20. Defence Bank TD	Unrated	500	6.09	6.20	6.18	0.68	500	100.00%
Railways CU	21. Railways CU	Unrated	500	5.94	6.10	6.08	0.68	500	100.00%
New England Credit Union	22. Community Mutual Group TD	Unrated	500	5.68	6.13	5.99	0.68	500	100.00%
Qld Police CU	23. Qld Police CU TD	Unrated	500	5.72	6.15	5.99	0.68	500	100.00%
Qld Country CU	24. Qld Country Credit Union	Unrated	500	5.88	6.26	6.18	0.68	500	100.00%
Community CPS	25. Community CPS TD	Unrated	500	5.77	5.82	5.78	0.68	500	100.00%
Bendigo and Adelaide Bank	26. Bendigo Bank TD	A-	1,000	5.78	5.92	5.85	1.36	1,000	100.00%
CUA	27. Credit Union Australia TD	BBB+	1,000	5.82	6.16	6.12	1.36	1,000	100.00%
Coastline CU	28. Coastline Credit Union TD	Unrated	500	5.72	6.24	5.72	0.68	500	100.00%
Peoples Choice CU	29. Peoples Choice CU	Unrated	500	5.93	6.11	6.03	0.68	500	100.00%
Bank of Cyprus (Aust)	30. Bank of Cyprus (Aust) TD	Unrated	250	5.97	6.68	6.47	0.34	250	100.00%
Australian Defence Credit Union	31. Australian Defence CU TD	Unrated	500	5.68	6.17	6.11	0.68	500	100.00%
Rural Bank	32. Rural Bank	BBB	1,000	6.48	6.48	6.48	1.36	1,000	100.00%
Banana Coast CU	33. Banana Coast CU TD	Unrated	500	5.85	6.17	6.05	0.68	500	100.00%
Southern Cross CU	34. Southern Cross CU TD	Unrated	500	6.04	6.24	6.19	0.68	500	100.00%
SGE CU	35. SGE Credit Union TD	Unrated	500	5.66	5.88	5.82	0.68	500	100.00%
B&E Ltd	36. B & E Building Soc TD	Unrated	500	5.60	5.98	5.88	0.68	500	100.00%
Victoria Teachers CU	37. Victoria Teachers CU	Unrated	500	5.91	6.19	6.17	0.68	500	100.00%
CBA	38. CBA TD	AA-	2,000	5.76	5.76	5.76	2.73	2,000	100.00%
Me Bank	39. ME Bank TD	BBB	1,000	5.93	6.11	6.06	1.36	1,000	100.00%
Macquarie Bank	40. Macquarie Bank Term Deposit	A	500	5.73	5.73	5.73	0.68	500	100.00%
Bankwest	41. Bankwest Term Deposit	AA-	1,000	7.00	7.00	7.00	1.36	1,000	100.00%
IMB	42. IMB TD	BBB	1,000	5.98	6.09	6.10	1.36	1,000	100.00%
Summerland CU	43. Summerland CU TD	Unrated	500	5.68	5.98	5.94	0.68	500	100.00%
Wide Bay CU	44. Wide Bay CU TD	BBB	500	5.83	6.11	6.04	0.68	500	100.00%
Queenslanders CU	45. Queenslanders CU TD	Unrated	500	5.58	6.01	5.94	0.68	500	100.00%
Warwick CU	46. Warwick CU TD	Unrated	500	5.99	5.99	5.99	0.68	500	100.00%
Maitland Mutual	47. Maitland Mutual Bldg Soc TD	Unrated	500	5.76	5.89	5.89	0.68	500	100.00%
AMP	48. AMP eASYSaver	A	915	5.22	5.59	5.52	1.25	915	100.00%
CBA	49. CBA Term Deposit	AA-	1,000	5.41	5.73	5.41	1.36	1,000	100.00%
Big Sky CU	50. Big Sky CU TD	Unrated	500	5.88	6.03	5.98	0.68	500	100.00%

**ITEM 4 (continued)**

Issuer	Investment Name	Investment Rating	Invested at 31-Mar-12 \$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
Gateway CU	51. Gateway CU TD	Unrated	500	5.83	6.26	6.19	0.68	500	100.00%
Rabobank	52. Rabobank TD	AA	500	6.04	6.09	6.04	0.68	500	100.00%
Newcastle Perm Bldg Soc	53. Newcastle Perm Bldg Soc	BBB+	1,000	5.96	6.04	5.99	1.36	1,000	100.00%
QT Mutual Bank	54. QT Mutual Bank	Unrated	500	5.88	5.99	5.87	0.68	500	100.00%
ING	55. ING TD	A	1,000	6.62	6.62	6.62	1.36	1,000	100.00%
Greater Bldg Soc	56. Greater Bldg Soc TD	Unrated	1,000	5.63	6.06	5.97	1.36	1,000	100.00%
Holidaycoast CU	57. Holidaycoast CU TD	Unrated	500	5.88	6.17	6.03	0.68	500	100.00%
The Rock Bldg Soc	58. The Rock Bldg Soc TD	BBB-	500	5.98	6.06	5.95	0.68	500	100.00%
Police CU (SA)	59. Police CU - SA	Unrated	500	5.45	6.08	5.97	0.68	500	100.00%
Bank of Queensland	60. BoQ TCD	BBB+	2,000	5.91	6.33	6.27	2.73	2,005	100.23%
Suncorp-Metway	61. Suncorp Metway FRN	A+	1,000	5.60	5.93	5.88	1.36	1,002	100.16%
Intech CU	62. Intech CU TD	Unrated	500	5.93	5.85	5.81	0.68	500	100.00%
Beirut Hellenic Bank (Aust)	63. Beirut Hellenic Bank TD	Unrated	250	5.90	6.18	6.12	0.34	250	100.00%
AMP	64. AMP TD	A	1,000	7.14	7.14	7.14	1.36	1,000	100.00%
Rabobank	65. Rabobank TD	AA	500	5.88	6.21	6.10	0.68	500	100.00%
Bendigo and Adelaide Bank	66. Bendigo and Adelaide Bank FRN	A-	1,000	5.99	6.37	6.32	1.36	1,000	100.00%
Community First CU	67. Community First CU TD	Unrated	500	5.67	6.02	5.93	0.68	500	100.00%
CBA	68. CBA TD	AA-	1,000	5.43	5.64	5.64	1.36	1,000	100.00%
Heritage Bank	69. Heritage Bank	BBB-	1,000	5.71	6.05	5.96	1.36	1,000	100.00%
Rabobank	70. Rabodirect At-call	AA	592	4.91	5.30	5.24	0.81	592	100.00%
Me Bank	71. ME Bank At Call Account	BBB	994	5.12	5.48	5.45	1.35	994	100.00%
NAB	72. NAB FRN	AA-	1,001	5.70	5.99	5.98	1.36	993	99.26%
NAB	73. NAB FRN	AA-	997	5.82	6.04	6.04	1.36	993	99.26%
CBA	74. CBA FRN	AA-	999	5.61	6.00	6.00	1.36	991	99.12%
Westpac	75. Westpac FRN	AA-	996	5.74	6.03	6.03	1.36	994	99.38%
CBA	76. CBA FRN	AA-	997	5.67	6.06	6.06	1.36	991	99.12%
CBA	77. CBA FRN	AA-	999	5.93	5.98	5.98	1.36	997	99.70%
NAB	78. NAB FRN	AA-	991	6.02	6.22	6.22	1.35	993	99.26%
Westpac	79. Westpac FRN	AA-	998	5.66	5.94	5.94	1.36	996	99.61%
NAB	80. NAB FRN	AA-	992	5.99	6.14	6.14	1.35	993	99.26%
CBA	81. CBA FRN	AA-	991	5.86	6.15	6.15	1.35	991	99.12%
NAB	82. NAB Flexi Deposit	AA-	1,000	5.83	5.98	5.98	1.36	1,000	100.00%
ANZ	83. ANZ FRN	AA-	990	5.94	6.19	6.19	1.35	994	99.38%
Northern Beaches CU	84. Northern Beaches CU TD	Unrated	500	6.30	6.30	6.30	0.68	500	100.00%
Rabobank	85. Rabobank FRN	AA	987	6.04	6.23	6.23	1.35	979	97.92%
NAB	86. NAB FRN	AA-	1,001	5.82	5.81	5.81	1.36	1,008	100.80%
Investec	87. Investec TD	BBB-	250	6.17	6.17	6.17	0.34	250	100.00%
Territory Insurance Office	88. TIO Term Deposit	AA+	1,000	5.73	5.73	5.73	1.36	1,000	100.00%
NAB	89. NAB Fixed MTN	AA-	992	6.30	6.30	6.30	1.35	1,014	101.42%
Suncorp-Metway	90. Suncorp - Metway TD	A+	1,000	6.04	6.04	6.04	1.36	1,000	100.00%
Bankstown City CU	91. Bankstown City CU TD	Unrated	250	5.83	5.83	5.83	0.34	250	100.00%
Westpac	92. Westpac Fixed MTN	AA-	996	6.18	6.18	6.18	1.36	1,000	99.99%
ING	93. ING Direct	A	1,000	6.22	6.22	6.22	1.36	1,000	100.00%
			<b>73,377</b>	<b>5.79</b>	<b>6.00</b>	<b>5.94</b>	<b>100</b>	<b>73,390</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**

<b>Weighted Average Return</b>	<b>5.74</b>	<b>6.21</b>	<b>5.80</b>
<b>Benchmark Return: UBSA 1 Year Bank Bill Index (%)</b>	<b>4.70</b>	<b>4.89</b>	<b>4.83</b>
<b>Variance From Benchmark (%)</b>	<b>1.04</b>	<b>1.32</b>	<b>0.97</b>

**Investment Income**

	<b>\$000's</b>
This Period	1,369
Financial Year To Date	4,252
Budget Profile	<u>3,625</u>
Variance from Budget - \$	<u><b>627</b></u>

## ITEM 4 (continued)

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
	- Global Bank Note CDO	NR
Oasis CDO		CC
FOCUS Note		AA-



John Todd      Date: 11/04/2012

### 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

An overview of all investments held by the City of Ryde is provided below:

- 1. 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 eight years and matures on 4 September 2014. This is a CDO that is actively managed by Société Générale. The CDO was downgraded to BBB- on 29 September 2008 with advice being received in early April 2009 that this investment has been further downgraded to CCC-. Defaults within the portfolio have resulted in a capital loss of approximately 35%. No fees are payable by

**ITEM 4 (continued)**

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. FOCUS Note (AA-p):** This investment was purchased on 20 December 2006. This is a medium to long term investment (three-seven 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 three to five 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.

- 3. 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>
Merimbula CDO	20/06/2013
AAA (Berryl) Global Bank Note CDO	20/09/2014

- 4. 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.
- 5. 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.
- 6. Bank of Queensland TD (BBB):** This investment is a 153 day term deposit, paying 6.00% (6.13% annualised), and matures on 11 April 2012.
- 7. Bankwest Term Deposit (AA-):** This investment is a 90 day term deposit, paying 5.85% (6.00% annualised), and matures on 2 August 2012.
- 8. NAB Term Deposit (AA-):** This investment is a 120 day term deposit, paying 5.90% p.a. (6.02% annualised), and matures 11 May 2012.

**ITEM 4 (continued)**

9. **NAB Term Deposit (AA-):** This investment is a three year term deposit, paying 6.60% p.a., and matures 4 April 2014.
10. **AMP TD (A):** This investment is a 209 day term deposit, paying 6.00% (6.08% annualised), and matures 6 September 2012.
11. **Capricornia CU Term Deposit (Unrated):** This investment is a 30 day term deposit paying 5.20% (5.33% annualised), and matures 4 April 2012.
12. **MyState CU (BBB):** This investment is a 182 day term deposit paying 5.68% (5.76% annualised) and matures 20 August 2012.
13. **NAB Term Deposit (AA-):** This investment is a 120 day term deposit, paying 5.75% p.a. (5.86% annualised), and matures 3 May 2012.
14. **Police & Nurses Credit Union (Unrated):** This investment is a 182 day term deposit, paying 5.59% (5.67% annualised) and matures on 9 July 2012.
15. **Bankwest Term Deposit (AA-):** This investment is a 183 day term deposit paying 5.85% (5.94% annualised) and matures on 11 April 2012.
16. **Bankwest Term Deposit (AA-):** This investment is a 90 day term deposit paying 5.90% (6.03% annualised) and matures on 23 April 2012.
17. **Bankwest Term Deposit (AA-):** This investment is a 91 day term deposit paying 5.80% (5.93% annualised) and matures on 14 June 2012.
18. **Bankwest Term Deposit (AA-):** This investment is a 120 day term deposit paying 5.78% (5.89% annualised) and matures on 4 April 2012.
19. **NAB Term Deposit (AA-):** This investment is a 122 day term deposit, paying 5.65% p.a. (5.76% annualised), and matures 21 May 2012.
20. **Defence Bank Term Deposit (Unrated):** This investment is a 180 day term deposit paying 6.00% (6.09% annualised) and matures on 11 April 2012.
21. **Railways CU Term Deposit (Unrated):** This investment is a 30 day term deposit paying 5.85% (5.94% annualised) and matures on 7 August 2012.
22. **Community Mutual Group Term Deposit (Unrated):** This investment is a 61 day term deposit paying 5.55% (5.68% annualised), and matures 10 April 2012.
23. **Queensland Police CU (Unrated):** This investment is a 182 day term deposit paying 5.64% (5.72% annualised) and matures on 9 July 2012.

**ITEM 4 (continued)**

- 24. Queensland Country Credit Union Term Deposit (Unrated):** This investment is a 90 day term deposit, paying 5.75% (5.88% annualised), and matures 21 May 2012.
- 25. Community CPS Term Deposit (Unrated):** This investment is a 90 day term deposit paying 5.65% (5.77% annualised) and matures on 3 April 2012.
- 26. Bendigo Bank Term Deposit (A-):** This investment is a 180 day term deposit paying 5.70% (5.78% annualised) and matures on 9 July 2012.
- 27. Credit Union Australia Term Deposit (BBB+):** This investment is a 333 day term deposit paying 5.81% (5.82% annualised) and matures on 21 December 2012.
- 28. Coastline CU Term Deposit (Unrated):** This investment is a 90 day term deposit, paying 5.60% (5.72% annualised), and matures on 11 June 2012.
- 29. Peoples Choice Credit Union Term Deposit (Unrated):** This investment is a 90 day term deposit paying 5.80% (5.93% annualised) and matures on 24 April 2012.
- 30. Bank of Cyprus (Aust) Term Deposit (Unrated):** This investment is a 90 day term deposit, paying 5.81% (5.97% annualised), and matures on 4 June 2012.
- 31. Australian Defence Force CU Term Deposit (Unrated):** This investment is a 150 day term deposit paying 5.59% (5.68% annualised) and matures on 7 Jun 2012.
- 32. Rural Bank Term Deposit (BBB):** This investment is a 5 year term deposit, paying 6.48% p.a., and matures on 21 March 2017.
- 33. Bananacoast CU Term Deposit (Unrated):** This investment is a 150 day term deposit paying 5.75% (5.85% annualised) and matures on 28 June 2012.
- 34. Southern Cross CU Term Deposit (Unrated):** This investment is a 183 day term deposit paying 5.95% (6.04% annualised) and matures on 12 June 2012.
- 35. SGE Credit Union Term Deposit (Unrated):** This investment is a 91 day term deposit paying 5.54% (5.66% annualised) and matures on 16 April 2012.
- 36. B & E Ltd Building Society Term Deposit (Unrated):** This investment is a 120 day term deposit paying 5.50% (5.60% annualised) and matures on 10 May 2012.
- 37. Victoria Teachers CU Term Deposit (Unrated):** This investment is a 120 day term deposit paying 5.80% (5.911% annualised) and matures on 15 June 2012.

**ITEM 4 (continued)**

- 38. CBA Term Deposit (AA-):** This investment is a three year term deposit paying 5.76% p.a. and matures on 8 December 2014.
- 39. Members Equity Bank Term Deposit (BBB):** This investment is a 91 day term deposit paying 5.80% (5.93% annualised) and matures on 30 April 2012.
- 40. Macquarie Bank Term Deposit (A):** This investment is a 183 day term deposit paying 5.65% (5.73% annualised) and matures on 12 June 2012.
- 41. Bankwest TD (AA-):** This investment is a 4 year term deposit paying 7.00% (7.00% annualised) and matures on 13 February 2015.
- 42. IMB Building Society Term Deposit (BBB):** This investment is a 91 day term deposit paying 5.85% (5.98% annualised) and matures on 30 April 2012.
- 43. Summerland Credit Union Term Deposit (Unrated):** This investment is a 91 day term deposit paying 5.60% (5.68% annualised) and matures on 9 July 2012.
- 44. Wide Bay Building Society Term Deposit (BBB):** This investment is a 182 day term deposit paying 5.75% (5.83% annualised) and matures on 9 July 2012.
- 45. Queenslanders Credit Union Term Deposit (Unrated):** This investment is a 182 day term deposit paying 5.50% (5.58% annualised) and matures on 25 July 2012.
- 46. Warwick CU Term Deposit (Unrated):** This investment is a 62 day term deposit paying 5.85% (5.99% annualised), and matures 10 April 2012.
- 47. Maitland Mutual Building Society (Unrated):** This investment is a 120 day term deposit paying 5.65% (5.76% annualised) and matures on 3 May 2012.
- 48. AMP eASYSaver at call account (A):** This investment is an at-call account earning 5.60%. No fees are payable by Council on this investment.
- 49. CBA Term Deposit (AA-):** This investment is a 32 day term deposit, paying 5.28% (5.41% annualised), and matures on 2 April 2012.
- 50. Big Sky Credit Union Term Deposit (Unrated):** This investment is a 90 day term deposit paying 5.75% (5.88% annualised) and matures on 3 April 2012.
- 51. Gateway Credit Union Term Deposit (Unrated):** This investment is a 183 day term deposit paying 5.75% (5.83% annualised) and matures on 16 June 2012.
- 52. Rabodirect Term Deposit (AA):** This investment is a 181 day term deposit, paying 5.95% (6.04% annualised), and matures on 10 September 2012.



**ITEM 4 (continued)**

- 53. Newcastle Permanent Building Society (BBB+):** This investment is a 91 day term deposit paying 5.83% (5.96% annualised) and matures on 30 April 2012.
- 54. QT Mutual Bank (Unrated):** This investment is a 91 day term deposit paying 5.75% (5.88% annualised) and matures on 17 April 2012.
- 55. ING Term Deposit (A):** This investment is a two year term deposit paying 6.84% (6.62% annualised) and matures on 18 February 2013.
- 56. Greater Building Society (Unrated):** This investment is a 182 day term deposit paying 5.55% (5.63% annualised) and matures on 10 July 2012.
- 57. Holidaycoast CU Term Deposit (Unrated):** This investment is a 90 day term deposit, paying 5.75% (5.88% annualised), and matures on 31 May 2012.
- 58. The Rock Building Society (BBB-):** This investment is a 91 day term deposit paying 5.85% (5.98% annualised) and matures on 30 May 2012.
- 59. Police Credit Union – SA Term Deposit (Unrated):** This investment is a 183 day term deposit paying 5.38% (5.45% annualised) and matures on 12 June 2012.
- 60. Bank of Queensland FRN (BBB):** This is a certificate of deposit issued at a margin of 140 points above 90 day BBSW, maturing 11 November 2013.
- 61. 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.
- 62. Intech CU Term Deposit (Unrated):** This investment is a 91 day term deposit paying 5.80% (5.93% annualised) and matures on 10 April 2012.
- 63. Beirut Hellenic Bank Term Deposit (Unrated):** This investment is a 151 day term deposit paying 5.80% (5.90% annualised) and matures 2 July 2012.
- 64. AMP Term Deposit (A):** This investment is a 4 year term deposit paying 7.14% which matures on 16 February 2015.
- 65. Rabobank Term Deposit (AA):** This investment is a 182 day term deposit paying 5.80% (5.88% annualised) and matures on 3 September 2012.
- 66. Adelaide Bank FRN (A-):** This is a floating rate note issued at a margin of 140 points above 90 day BBSW, maturing 17 March 2014.
- 67. Community First CU Term Deposit (Unrated):** This investment is a 92 day term deposit paying 5.55% (5.67% annualised), and matures on 10 April 2012.

**ITEM 4 (continued)**

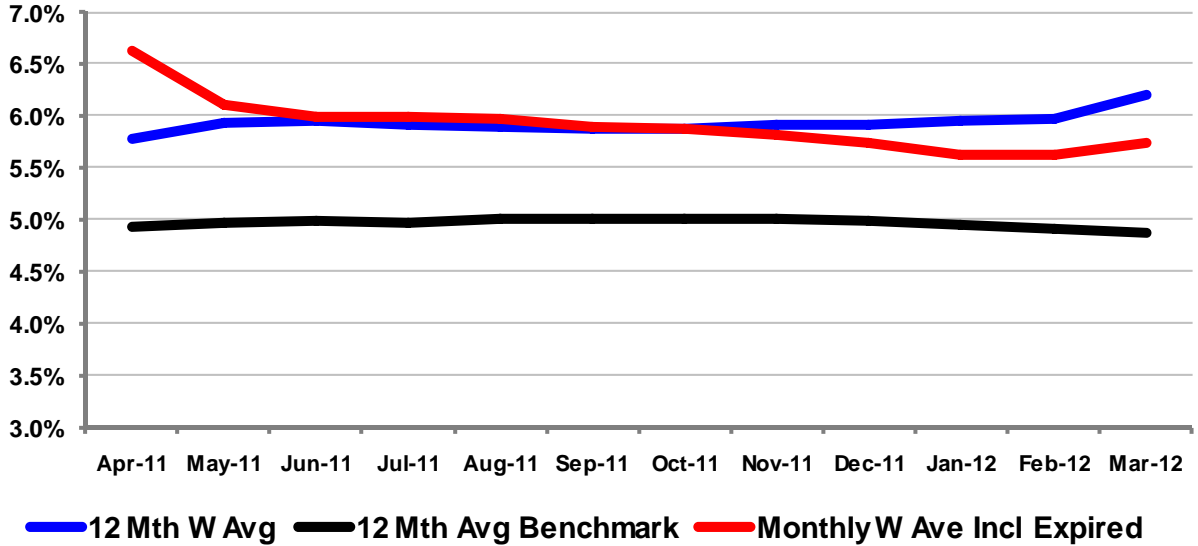
- 68. CBA Term Deposit (AA-):** This investment is a 31 day term deposit, paying 5.30% (5.43% annualised), and matures on 2 April 2012.
- 69. Heritage Bank Term Deposit (BBB-):** This investment is a 120 day term deposit paying 5.60% (5.71% annualised), and matures on 8 May 2012.
- 70. Rabodirect At-Call (AA):** This investment is an at call account, paying the short term money market rate. These funds are used for operational purposes.
- 71. 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.
- 72. 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.
- 73. 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.
- 74. CBA FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 120 above BBSW. This investment matures 2 August 2016.
- 75. 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.
- 76. CBA FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 125 above BBSW. This investment matures 2 August 2016.
- 77. 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.
- 78. National Australia Bank FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 142 above BBSW. This investment matures 21 June 2016.
- 79. 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.
- 80. National Australia Bank FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 140 above BBSW. This investment matures 21 June 2016.

**ITEM 4 (continued)**

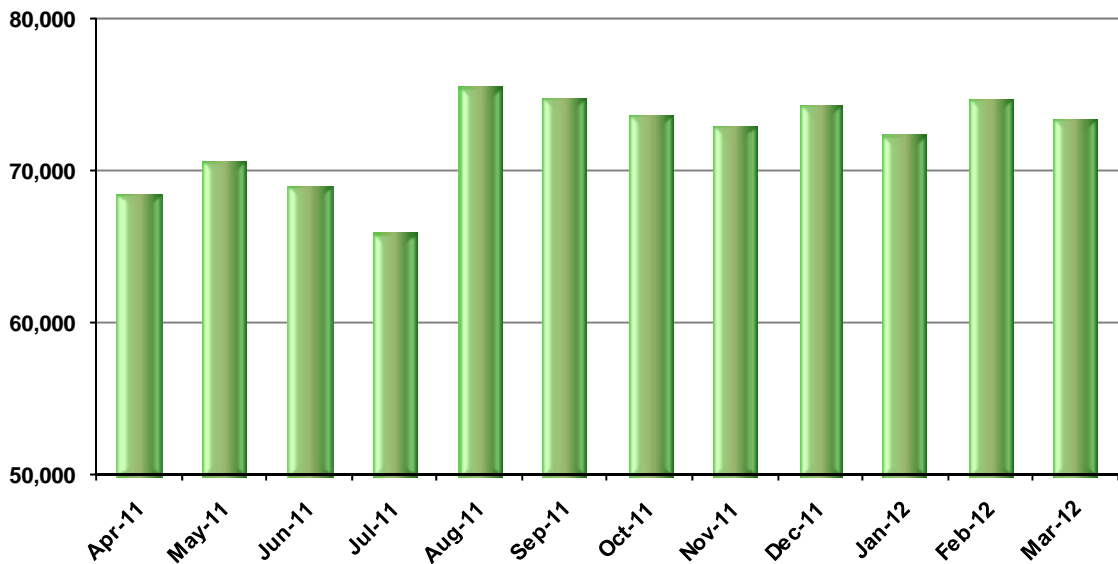
- 81. CBA FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 140 above BBSW. This investment matures 2 August 2016.
- 82. NAB Flexi Deposit (AA-):** This is a one year Term deposit, paying 6.00% for the first quarter, then paying 125bps above BBSW every quarter after that. This investment matures 1 October 2012.
- 83. 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.
- 84. Northern Beaches Credit Union Term Deposit (Unrated):** This investment is a 180 day term deposit paying 6.20% (6.30% annualised) and matures on 9 April 2012.
- 85. Rabobank FRN (AA):** This investment is a senior, unsecured floating rate note purchased at a yield of 151 above BBSW. This investment matures 27 July 2016.
- 86. NAB FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 127 above BBSW. This investment matures 19 December 2014.
- 87. Investec Term Deposit (BBB-):** This investment is a 180 day TD paying 6.08% (6.17% annualised) and matures 10 July 2012.
- 88. TiO Term Deposit (AA+):** This investment is a 152 day TD paying 5.64% (5.73% annualised) and matures 12 June 2012. These funds are not covered by the Federal Government Guarantee, but are guaranteed by the NT State Government.
- 89. NAB Fixed MTN (AA-):** This is a fixed rate bond paying 6.18% (6.30% annualised) and matures 15 February 2017.
- 90. Suncorp Metway Term Deposit (A+):** This investment is a 180 day term deposit paying 5.95% (6.04% annualised) and matures 15 August 2012.
- 91. Bankstown City CU Term Deposit (Unrated):** This investment is a 182 day term deposit paying 5.75% (5.83% annualised) and matures 20 August 2012.
- 92. Westpac Fixed MTN (AA-):** This is a fixed rate bond paying 6.00% (6.14% annualised) and matures 20 February 2017.
- 93. ING Direct Term Deposit (A):** This is a 210 day term deposit paying 6.14% (6.22% annualised) and matures 22 October 2012.

**ITEM 4 (continued)**

**Performance - All Investments**

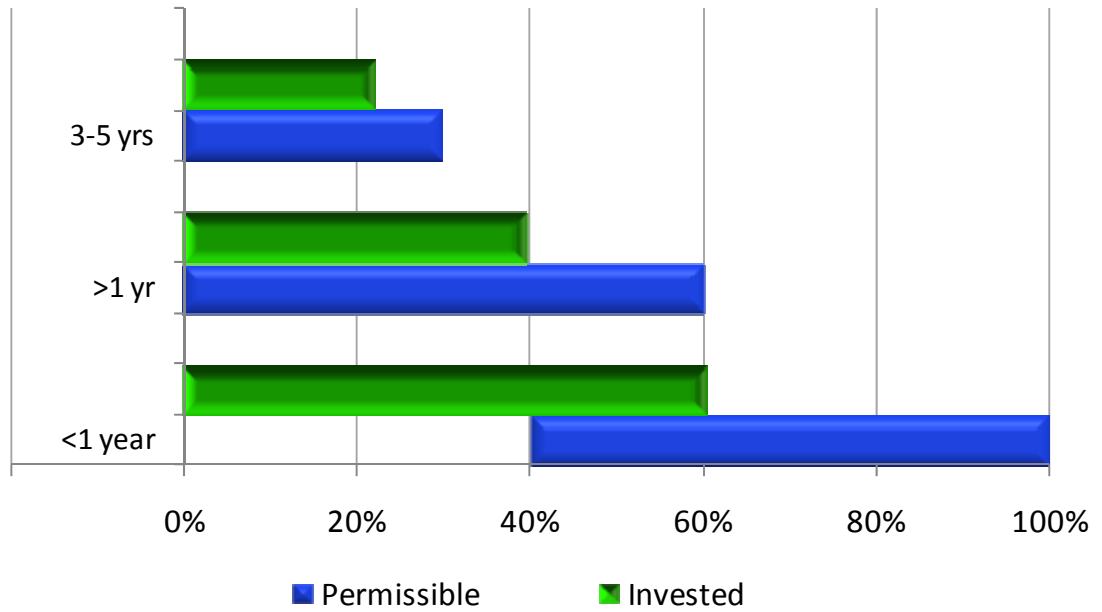


**Total Funds Invested**

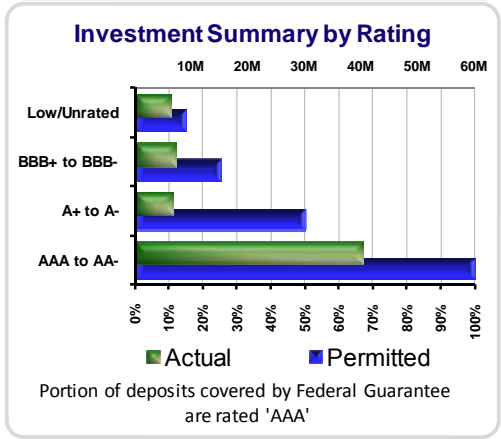
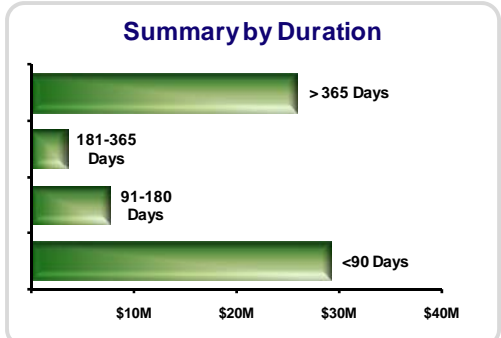
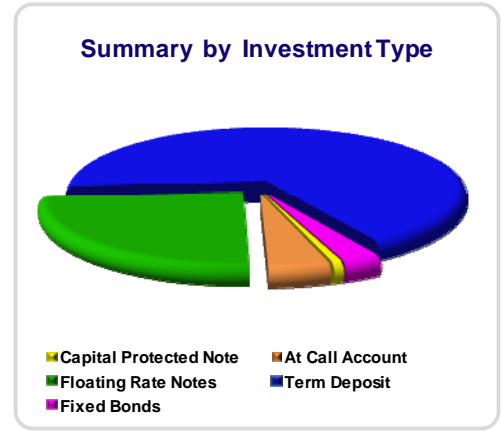
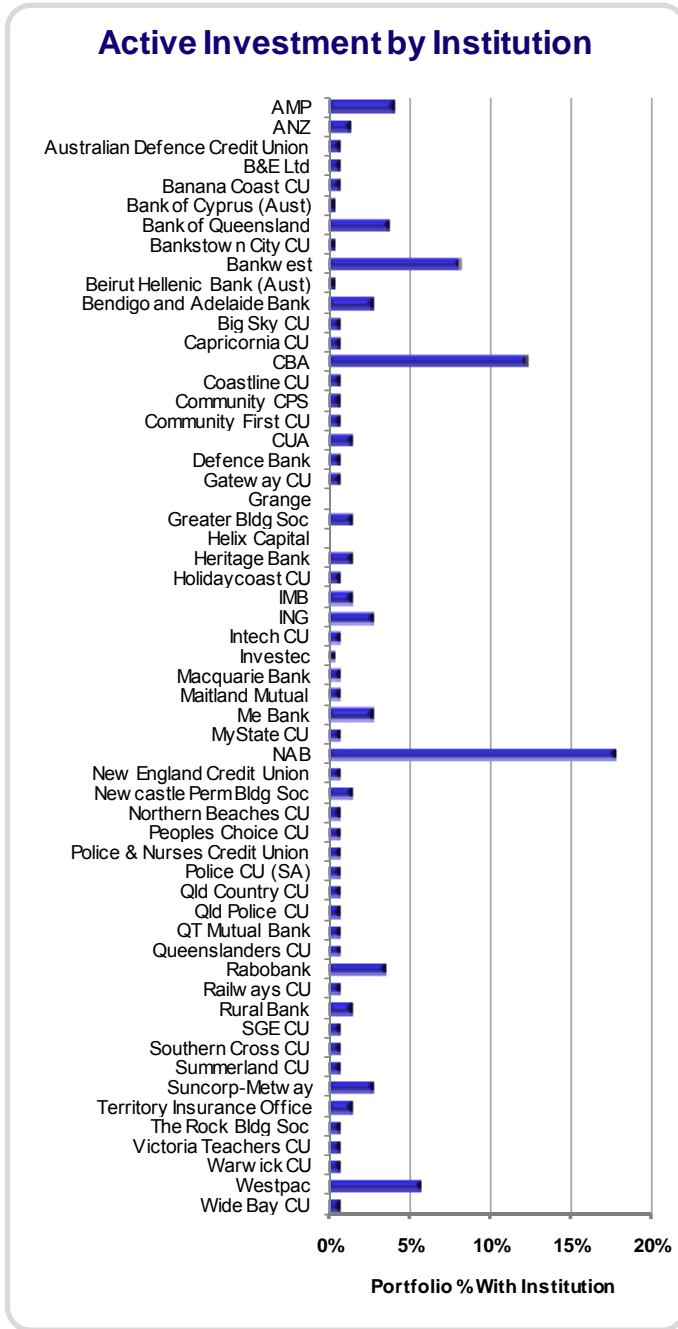


**ITEM 4 (continued)**

**Policy Limits on Maturities**



**ITEM 4 (continued)**



	>365 days	<365 days
Cash/TDs	\$6.0M	\$46.9M
FRNs	\$17.9M	\$0.0M
Fixed Bonds	\$2.0M	\$0.0M
Mgd Funds	\$0.0M	\$0.0M
Other	\$0.0M	\$0.5M
CDO's	\$0.0M	\$0.0M
<b>Total</b>	<b>\$25.9M</b>	<b>\$47.4M</b>

**ITEM 4 (continued)****Context**

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

**Financial Implications**

Income from interest on investments and proceeds from sales of investments totals \$4.25M, being \$627K above budget projections as per the Delivery and Operational Plan. This increased projection of interest on investment and proceeds from the sale of the written down investment, will be adjusted in the March Quarterly Review.

Interest received on written down CDO investments this year to date is \$60K. The Financial Security Reserve, following this transfer of additional funds, has a balance of \$2.065M.

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## 5 PLAN MAKING PROCESS - SUBMISSION ON THE DRAFT POLICY STATEMENT OF MORE LOCAL, MORE ACCOUNTABLE PLAN MAKING

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**Report prepared by:** Strategic Planner

**Report dated:** 3/04/2012

**File No.:** COR2006/1087 - BP12/366

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### REPORT SUMMARY

The NSW Government is seeking feedback on proposed changes to the plan making process which will:

- increase local government involvement in the process by allowing councils to have the final approval role for some local environmental plans (LEPs), and
- allow independent reviews of decisions at key stages of the plan making process.

The State Government believes the proposed changes, under Part 3 of the *Environmental Planning and Assessment Act, 1979* (the Act), will:

1. improve delivery of LEPs through delegation to local councils of some approval functions, allowing local government and their communities greater control over local decisions and
2. bring greater transparency and accountability to the planning system by providing review mechanisms that would enable independent reviews of local and departmental plan making decisions.

A draft Policy statement, fact sheet and Ministerial media statement was released on 27 March 2012 and made open for submissions/comments by key stakeholders, community and Council until 4 May 2012.

The report recommends that a submission to the draft Policy Statement be prepared. The submission will be supporting changes to the proposed delegation of approval functions to Council but not supporting proposed changes to the right of appeal to a Council refusal or delayed assessment of Planning Proposals.

### RECOMMENDATION:

That Council endorse that the issues outlined in this report form the basis of the City of Ryde submission to the Department of Planning and Infrastructure on the draft State Policy document – More local, more accountable plan making.



**ITEM 5 (continued)**

**ATTACHMENTS**

1 Fact Sheet - More Local, More Accountable Plan Making

Report Prepared By:

**Susan Wotton**  
**Strategic Planner**

Report Approved By:

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

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

## ITEM 5 (continued)

### Background

Council on the 14 February 2012 resolved to endorse a submission to be made on behalf of the City of Ryde to the panel conducting the NSW Planning Review. In that submission the following comments were made:-

- *Local Environmental Plans (LEPs): The preparation of the local planning instruments should remain at council level. The approval of LEPs by the Department of Planning and Infrastructure should continue, however delegations could be issued to councils for approval of minor LEPs. Criteria for delegations should include consideration of adopted local planning studies reflecting metropolitan and subregional planning.*
- *Right of Appeal: A right of appeal for decisions on local environmental plans/planning proposals is not supported. It is considered the current system works best for sound planning practice as the proposal and decision would be linked to a strategic plan for which consultation has already been undertaken.*

### Discussion

The NSW Government is seeking feedback on the following proposed changes to the plan making process:-

#### 1. Delegating Plan Making Powers to Councils

Under the State government changes a number of LEPs are proposed to be routinely delegated to councils to prepare and make following a Gateway determination that a planning proposal can proceed. These include:-

- Mapping alterations/corrections that do not alter strategy endorsed development standards;
- Section 73A matters e.g. amending references to documents/agencies, minor errors and anomalies.
- Reclassifications of land consistent with a strategy/supported by an adopted Open Space study.
- Heritage LEPs supported by an Office of Environment and Heritage endorsed study.
- Spot rezoning consistent with an endorsed strategy or surrounding zones or in accordance with broader Government policy

Delegation to finalise an LEP would be issued to Council at the same time as the Gateway determination is provided by the Department. Delegation of these plans to councils nominated officers (usually the general manager and/or Group Manager of the council) would mean the department generally plays no further role in the LEP following the issuing of a Gateway Determination. Councils would liaise directly with the Parliamentary Counsel's Office to finalise drafting of the plan. The department would however, continue to monitor the progress of an LEP to ensure it is prepared in a timely manner, and would continue to assist councils in the process, if requested.

**ITEM 5 (continued)****Comment**

It is considered that the delegation of plan making powers to Council for minor LEPS will result in a more timely and efficient processing of Planning Proposals (PP) and should be supported. It should be noted that prior to the legislation changes that introduced the Gateway process Council's were required to liaise directly with PCO with respect to the legal wording of an LEP and then forward the PCO opinion once received to the Department for the making of the Plan. The same is now being proposed with the exception that Council will now be making the Plan and the Department organising the notification of the Plan.

**2. Independent Review**

The second proposed change to legislation allows proponents and councils to request an independent review of decisions made in relation to a planning proposal.

The plan making reviews are:

- (a) Pre-gateway reviews – which may be requested by a proponent before a planning proposal has been forwarded for Gateway determination;
- (b) Gateway reviews – which may be requested by a council or proponent following a Gateway determination, but before community consultation on the planning proposal has commenced.

**(a) Pre-gateway reviews**

If a proponent (e.g. developer, landowner) has requested that a council (as the 'relevant planning authority' (RPA)) prepare a planning proposal, there are two situations where the proponent may ask for a review:

- a) the council has decided to not prepare a planning proposal; or
- b) the council has not made a decision after 60 days of receiving the proponent's request.

Once council has notified the proponent that it will not be proceeding with a planning proposal the proponent then has 40 days to seek a review of council's decision. Where the council has not made a decision on a PP within 60 days, proponents may also seek a review within 40 days of the end of the 60 day period. The review is undertaken by the Joint Regional Planning Panel.

**Comment**

At the moment Council can decide not proceed with a PP at two separate stages of the LEP making process. They are;

- Formal consideration of a PP by Council (Step 2) – if Council refuses the PP the process has come to an end and there is no formal right of appeal.
- Council considers community /agency submissions (Step 10) – at this point Council can seek to vary a PP or not proceed..

Although there is no formal right of appeal to a PP that is refused by Council the EP&A Act provides a right of review whereby the proponent can request that the Minister considers the PP. The Minister in turn requests the Planning Assessment Commission (PAC) to provide him with a report on the PP and if supported an

**ITEM 5 (continued)**

alternate relevant planning authority is appointed. The proposed changes will formalise the appeal process and remove the Minister's involvement.

Under the proposed changes if Council has not made a decision with respect to a PP after 60 days of the submission of a "properly made planning proposal" the proponent can request a pre –gateway review Clause 55 of the EP&A Act defines a "properly made planning proposal" as including a statement of the objectives or intended outcomes of the proposed instrument, an explanation of the provisions that are to be included in the proposed instrument, the justification for those objectives, outcomes and provisions and the process for their implementation, any proposed maps to be adopted and details of community consultation.

It is considered that Council should not support a formalised right of appeal on PPs for the following reasons:

- It erodes Council powers and cedes them to a state appointed panel.
- By formalising the appeal process many more proponents will seek reconsideration of their PPs by the department creating further uncertainty and adding a new step in the process.
- Another layer of uncertainty for the community is being introduced by giving proponents the opportunity to appeal a decision of Council that is representative of local community interest.
- Council will be required to provide additional information to the JRPP supporting its reasons for refusal of the PP. The time and resources required for appropriate defence of Council's position will be burdensome to Council.
- If Council is no longer appointed as the relevant planning authority there is no indication in the materials provided as to who will be responsible for the carrying out of any agency/ community consultation, other required Gateway determination conditions or assessment of the PP.

If the review process is to be implemented it is considered that 60 days is insufficient time for the assessment of a large and complex PP. A "properly made planning proposal" is a highly strategic document and in many instances a number of reports such as heritage, traffic, environmental are also required before it is possible for Council to have an informed opinion. In this regard it is considered that a minimum of 90 days should be provided for Council's to ensure all necessary information has been provided, carry out the necessary referrals, seek community comment and assess the PP.

**(b) Gateway reviews**

It is also proposed that Gateway determinations themselves maybe reviewed in certain circumstances. The council or proponent may request the Minister, to alter a Gateway determination, when a Gateway determination is made that:

- a) the planning proposal should not proceed
- b) the planning proposal should be resubmitted to the Gateway, or

**ITEM 5 (continued)**

- c) imposes requirements (other than consultation requirements) or makes variations to the proposal that the proponent or council thinks should be reconsidered.

If the Gateway determination is to not proceed or to resubmit the planning proposal, the council or proponent has 40 days from being notified by the department to request a review. If the Gateway determination is to proceed with the planning proposal but imposes conditions that the council or proponent consider inappropriate, the council or proponent has 14 days from being notified by the department to request a review.

The review will request advice from the PAC, consider submissions from the council or proponent and any new matters before making a decision to alter the Gateway determination. The Minister or Director-General may alter the Gateway determination and decide the planning proposal should proceed (in accordance with any revised conditions), at which point the council and proponent will be notified of the altered determination and post-Gateway consultation on the planning proposal can commence.

**Comment**

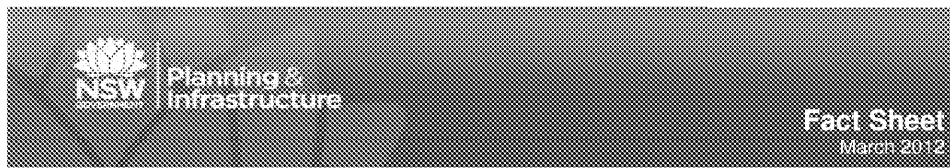
It is considered that the review of the Gateway determination is considered reasonable particularly with respect to conditions that may be considered inappropriate or onerous to Council (such as a requirement for a public meeting). However it is recognised that the appeal process adds another layer to the plan making process, increases time taken to finalise a PP and will result in Council having to expend resources in a new area.

**Financial Implications**

Adoption of the recommendation will have no financial impact.

**ITEM 5 (continued)**

**ATTACHMENT 1**



## More local, more accountable plan making

### INTRODUCTION

The NSW Government is seeking feedback on changes to the plan making process which will:

- increase local government involvement in the process by allowing councils to have the final approval role for some local environmental plans (LEPs), and
- allow independent reviews of decisions at key stages of the plan making process

The proposed changes, under Part 3 of the *Environmental Planning and Assessment Act, 1979* (the Act), would improve delivery of LEPs and devolve appropriate planning functions to local government.

The delegation of some approval functions would allow local government and their communities to have greater control over local decisions. The review mechanisms would enable independent reviews of local and departmental planning decisions. This would continue to bring greater transparency and accountability to the planning system.

### DELEGATING PLAN MAKING POWERS TO COUNCILS

A number of LEPs are proposed to be routinely delegated to councils to make in certain circumstances. These include:

- Spot rezonings consistent with an endorsed strategy
- Reclassifications of land supported by an open space study
- Heritage LEPs supported by an endorsed study
- Section 73A matters (amending references to documents/agencies, minor errors and anomalies) and
- Mapping alterations/corrections

Delegation of these plans to councils would mean the department generally plays no further role in the LEP following the issuing of a Gateway Determination. Councils would liaise directly with the Parliamentary Counsel's Office to finalise drafting of the plan. The department would however, continue to monitor the progress of an LEP to ensure it is prepared in a timely manner, and would continue to assist councils in the process, if requested.

Councils would be issued with a *Written Authorisation to Exercise Delegation* for individual plans, consistent with the above criteria. The authorisation would be issued under the Gateway process that initially determines whether a proposal can proceed. The Gateway may also delegate other minor plans to council to make if considered appropriate as part of its review.

### INDEPENDENT REVIEWS OF DECISIONS

The department also proposes to allow a review to be sought before or after a planning proposal, which explains the intended effect of a proposed LEP, has been through the Gateway process.

## ITEM 5 (continued)

## ATTACHMENT 1

- **Pre-Gateway reviews** could be requested by a proponent before a planning proposal is forwarded for a Gateway Determination. A proponent could seek an independent review by the relevant Joint Regional Planning Panel (JRPP) or Planning Assessment Commission (PAC) where there is no JRPP, if a council decides not to agree to send a planning proposal to the department, or where the council fails to make a decision on the proponent's request within 60 days. If the review is favourable, the planning proposal can proceed to Gateway.

Proposed reviews of council decisions will need to first pass a strict eligibility assessment by the Department of Planning and Infrastructure.

- **Gateway reviews** may be requested by a council or proponent after a Gateway Determination. A request must be received by the department for the review within 40 days of the Determination being issued, but before public exhibition has commenced.

An independent review would need appropriate information before it can commence. Additional information may also be sought later by the department, the JRPP or the PAC to complete the review. A fee would be required to cover administrative assessment costs.

### FURTHER INFORMATION

Further details on changes to the plan making delegations and the new review mechanisms for decisions made in relation to planning proposals can be found at [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au) (click **On Exhibition**, then **Draft Policies and Plans**)

Comments are welcome on the discussion paper. These comments can be made by **4 May 2012**.

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**6 COX'S ROAD MASTERPLAN**

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**Report prepared by:** Team Leader - Design and Development; City Urban Designer  
**Report dated:** 8/03/2012 **File No.:** PM2009/443/002 - BP12/237

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**REPORT SUMMARY**

A draft Masterplan for the Cox's Rd shopping precinct has been developed following a number of Councillor workshops and consultation with relevant landowners.

This report details the content, intention and community benefit of the Masterplan and seeks a resolution of council to place it on public exhibition for a period of six weeks. Subject to such a resolution a further report will be provided to Council detailing the community's response, proposed changes to the Masterplan and a recommendation as to whether the masterplan be adopted, re-exhibited or no further action taken.

**RECOMMENDATION:**

- (a) That the draft Cox's Road Masterplan prepared by Council be publicly exhibited for a period of six weeks from 9 May 2012 to 20 June 2012.
- (b) That Council not accept the landowners draft Masterplan for Cox's Road.
- (c) That Council delegate to the General Manager the task of identifying ways of optimising community benefit including how Council land and land holdings should be integrated in discussion with land owners.
- (d) That negotiations be commenced with key landowners regarding a Voluntary Planning Agreement to ensure an appropriate public benefit is achieved from the uplift in zoning.
- (e) That a further report be prepared for Council's consideration following the targeted consultation of the draft Cox's Road Masterplan.

**ATTACHMENTS**

- 1 Coxs Road Traffic Study Final - CIRCULATED UNDER SEPARATE COVER
- 2 Draft Cox's Road Masterplan - CIRCULATED UNDER SEPARATE COVER
- 3 Cox's Road Commercial Assessment - CIRCULATED UNDER SEPARATE COVER
- 4 Landowners Master Plan Study Cox's Road for Councillor Workshop 6 December 2011 - CIRCULATED UNDER SEPARATE COVER
- 5 Draft Cox's Road Masterplan Report - CIRCULATED UNDER SEPARATE COVER



**ITEM 6 (continued)**

Report Prepared By:

**Margaret Fasan**  
**Team Leader - Design and Development**

**John Wilson**  
**City Urban Designer**

Report Approved By:

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

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

## ITEM 6 (continued)

### Background

A master plan study of a number of the City's small centres has been undertaken to determine their development potential and their desired future role and character. When considering a report on the Small Centres Master Plan Study, Council resolved on 3 August 2010 in part as follows:

- (b) *That the Small Centres Master Plan Study be endorsed in principle and to prepare a traffic analysis report prior to undertaking targeted community consultation for the Cox's Road, North Ryde centre.*
- (c) *That the Group Manager Environment and Planning be authorised to undertake negotiation with the key land owners in the Cox's Road Centre regarding joint funding of a traffic analysis.*

This report responds to the above resolutions that relate to the Cox's Road Centre, North Ryde. At the time that the report went to Council in 2010, some of the key landowners in the Cox's Road Centre advised that they were supportive of an uplift in zoning and that they would be prepared to contribute towards a traffic analysis. Hence, the Traffic Study that was prepared was jointly funded by Council and three of the key landowners in the Cox's Road Centre. The landowners have also submitted an alternative Masterplan to the draft plan prepared by Council – this is discussed later in this report.

In January 2011 Council commissioned GTA Transport Consultants to undertake a traffic study of the Cox's Road Centre (**ATTACHMENT 1 - CIRCULATED UNDER SEPARATE COVER**). The objective of the study was to assess the expected impacts of the draft Masterplan on the surrounding road network and to determine the most suitable future access requirements and road/intersection upgrades to support the future land use growth proposed for the centre.

Key findings of the existing conditions investigation undertaken by GTA were:

- The traffic conditions on Cox's Road were particularly congested during the 3:00pm school pick up period with eastbound and westbound queues on the approaches to Wicks Road and Lane Cove Road. This is further exacerbated by the delays associated with the use of the pedestrian crossings and vehicles turning into and out of parking spaces accessible from Cox's Road.
- Both traffic and parking congestion was worse on a weekday than on a Saturday.
- Cox's Road traffic volumes exceeded the RTA's environmental capacity standards for a collector road classification although it is noted that traffic is generally slow moving on Cox's Road.
- There is adequate short-term and long-term parking capacity within the existing Cox's Road centre to meet current parking demand.

**ITEM 6 (continued)**

Traffic modelling of the draft Masterplan indicated that the existing road network could not support the proposed future growth, particularly relating to the queues and delays at the Cox's Road / Wicks Road intersection and to a lesser extent at the intersection of Lane Cove Road / Cox's Road. The Traffic Study recommended that in order to significantly improve the performance of the Cox's Road/Wicks Road intersection and support the expected future Masterplan traffic volumes, an additional left turning lane in Cox's Road to Wicks Road would be required.

The Study also tested the traffic impacts that the creation of two new roads between Cox's Road and Cooney Street and between Cooney Street and Marilyn Street would have on the local network. It was found that these roads improved the accessibility of the centre, although they would only provide minor improvements to traffic movements on Cox's Road.

The Study determined that a maximum of 783 additional car parking spaces would be required as part of the Masterplan development. Under the Masterplan, the on-street car parking along Cox's Road would increase by approximately 17 spaces due to the parking changing from parallel to 90 degree parking in some locations. The remainder of the additional parking requirement could readily be provided within individual development sites. The Study assumed that any redevelopment of the Council owned carpark site would require the retention of the existing 32 public parking spaces.

A Councillor Workshop was held on 1 November 2011 to discuss the implications of the Traffic Study on the draft Cox's Road Masterplan. There was some support for the upgrade to the Cox's / Wicks Road intersection and to increase pedestrian and cyclist access to the centre. There was no support for additional road connections to the local road network. As an outcome of that workshop a further workshop was held on 6 December 2011 to provide landowners from Cox's Road with the opportunity of presenting their proposals for the Centre.

Following this workshop, Council staff undertook additional work on the Masterplan to integrate the traffic study, define the community benefits and retest the economic viability. This report provides the details of this additional work.

**Draft Cox's Road Masterplan**

The Masterplan study brief was based on obtaining excellence in urban design with an urban form that integrated long term economic viability and traffic outcomes. The brief included providing for viable development that would contribute to significant and substantial public space and streetscape improvements. The Masterplan was undertaken by independent external consultants.

The draft Cox's Road Masterplan and Report (**ATTACHMENTS 2 and 5 - CIRCULATED UNDER SEPARATE COVER**) which were presented at the Councillor Workshop in November 2011, has been amended to include the recommendations of the Traffic Study and the Ryde Cultural Places and Spaces Plan that was prepared in

### ITEM 6 (continued)

2011. The amendments include a left turning lane into Wicks Road, the retention of the existing library on its current site rather than a new facility within a consolidated site and the inclusion of a small public plaza on the south side of Cox's Road. Possible road connections to the local streets have been removed.

The draft Masterplan includes the following:

#### Uses and zoning

The draft masterplan offers an opportunity to reinforce the significance of Cox's Road as a local centre. It will contribute to a lively streetscape along with increased pedestrian amenity. The existing retail shops will be improved and the supermarket expanded with residential apartments above to create mixed use development.

The Cox's Road Centre is currently zoned B1-Neighbourhood Centre. There are six sites within the centre that are currently zoned SP2 Infrastructure:

Site	Address	Current zoning
North Ryde Public School	154 Cox's Rd, W Ryde	SP2 Infrastructure
St John's Anglican Church	152 Cox's Rd, W Ryde	SP2 Infrastructure
Council carpark	150 Cox's Rd, W Ryde	SP2 Infrastructure
Church (demolished) – now part of supermarket site	215 Cox's Rd, W Ryde	SP2 Infrastructure
North Ryde Library	201 Cox's Rd, W Ryde	SP2 Infrastructure
Holy Spirit Primary School and Church	191-195 Cox's Rd, W Ryde	SP2 Infrastructure

It is noted that Council on 14 February 2012 resolved:

*That Council seek an amended Section 65 Certificate from the Department of Planning that does not rezone any current SP2 land to other purposes and that this will be reflected in the Draft LEP for public exhibition.*

Retail, commercial and residential uses are not permitted in the SP2 Infrastructure Zone. Whilst North Ryde Primary School and St John's Anglican Church could retain the SP2 Infrastructure zoning the remaining sites would need to be rezoned to implement the Masterplan.

A further report on the recommended zoning of the centre will be brought to Council if Council resolves to proceed to a planning proposal following the public exhibition of the draft Masterplan.

#### Built form

New development would be built to a consistent alignment along the length of Cox's Road. Building heights are typically four to six storeys with the top storey set back to reduce the impact on the streetscape. The building envelopes have been developed to minimise overshadowing of neighbouring residential buildings and to assist in ensuring good solar access, visual and acoustic privacy to new and existing residences. New development on the northern side of Cox's Road, along the frontage of Holy Spirit Primary School, would be set back from the boundary to maintain a consistent building alignment and provide for footpath widening and 90° angle

**ITEM 6 (continued)**

parking rear to kerb. The proposed built form is suitable for Cox's Roads continued role as a small centre in accordance with the Local Planning study.

Public domain

The draft Masterplan proposes widened footpaths and street tree planting which would improve pedestrian amenity in the centre and allow more opportunities for outdoor dining and cafes. Two new public spaces are proposed, an urban square on the south side of Cox's Road, and the other a small park immediately opposite and adjacent to the Holy Spirit Primary School. These two spaces would be linked by a relocated pedestrian crossing to improve access. These spaces have the potential to create new community nodes within the centre as they would be supported by active uses on the ground floor of adjacent building, and both would receive ample amounts of sunlight. The two spaces will form a core for the area and address the current lack of open space in the centre. The Masterplan proposes a new cycle / pedestrian link to Cooney Street from Cox's Road. The existing public pathway between Cooney Street and Marilyn Street would be retained. These pedestrian and cycle linkages would improve access to the centre for local residents. The existing public car parking which services the community facilities and local shops will be maintained in any future development of the site.

Community facilities

The Ryde Cultural Places and Spaces Plan (2011) identifies that an expansion and refurbishment of the existing library and performance hall in Cox's Road is required to meet future community needs. The recommended works include the installation of a lift for disability compliance, expansion of the library footprint by approximately 30% into the current forecourt and the provision of new back-of-house facilities for the performance hall.

Traffic infrastructure

An additional left turning lane in Cox's Road is proposed to improve the performance of the Cox's Road/Wicks Road intersection and to support the expected future traffic volumes. This will assist in minimising traffic congestion in Cox's Road.

The existing parking spaces within Council's car park would be retained as part of any redevelopment of that site. An additional 17 new on-street parking spaces would be provided as angled parking on the northern side of the street.

**Commercial viability of the draft Masterplan**

Sphere Property Company has provided a commercial assessment (**ATTACHMENT 3 - CIRCULATED UNDER SEPARATE COVER**) of the 2010 version of the Masterplan and a further assessment of the amended 2012 draft Masterplan. The study looked at the commercial viability of the proposed Masterplan by examining three example sites, namely the existing supermarket site (Site A), 140-150 Cox's Road (Site D) and 132-138 Cox's Road (Site E).

## ITEM 6 (continued)

The assessment assumed that the following public benefits would need to be delivered at no cost to Council as part of the delivery of the proposed Masterplan:

- an upgrade of the Council library and other facilities – the cost will depend on the extent of the upgrade but has been estimated to cost up to \$6 million;
- the turning lane into Wicks Road – with an estimated cost of \$0.9 million;
- the inclusion of 32 public car spaces in the development of site C – at a cost of approximately \$0.8 million (in addition to other mandatory parking required); and
- open space and footpath improvements – estimated at \$3 million.

The assessment determines that the redevelopment of the three example sites as proposed in the amended Masterplan would be financially attractive and that the three developments would be capable of making a contribution towards the cost of the proposed new infrastructure. Additional public benefit would be captured from the up-zoning process by Voluntary Planning Agreements with the landowners which would be a prerequisite to any up-zoning occurring. Section 94 contributions from new development would be an additional source of funding.

## Landowners Masterplan

The landowners of the existing supermarket site (Site A) and 140-150 Cox's Road (Site D) have prepared their own masterplan (**ATTACHMENT 4 - CIRCULATED UNDER SEPARATE COVER**) which they presented to the Councillor Workshop on 6 December 2012.

The Landowners Masterplan is not supported because:

- the proposed building heights and development yield are considered excessive;
- it does not provide any details of public benefit nor demonstrate any benefit in terms of improved amenity; and
- it does not equitably distribute development potential across all sites in the centre, but rather gives two landowners substantially more development potential than others.

## Consultation

Council is not required to publicly exhibit the draft Masterplan under the Regulations to the Environmental Planning and Assessment Act. However, it is recommended that targeted consultation of the draft Masterplan with key stakeholders be made. The exhibition period shall be for a period of six weeks.

Stakeholders shall include:

- Landholders and businesses within the centre
- Landholders immediately adjoining the centre

**ITEM 6 (continued)**

- Local community and business groups
- Internal council groups

The proposed exhibition period will commence on the 9 May 2012 and run until 20 June 2012.

As part of the exhibition process the following will occur:

- Letters to landowners advising of the draft Masterplan
- Hard copies of the draft Masterplan available for viewing at Customer Service Centre, Ryde Planning and Business Centre and Cox's Road Library.
- Website – material on the draft Masterplan.
- Community workshop, preferably held within the Cox's Road Centre.

A report on the outcome of the targeted consultation will be brought to Council. If Council resolves to adopt the draft Masterplan, a Planning Proposal and draft DCP would need to be prepared to facilitate the masterplan proposals.

**Financial Implications**

The total project budget for the Cox's Road Masterplan is \$20,000. Should Council resolve to place the draft Masterplan on public exhibition there will be associated advertising costs of approximately \$1000 and this is available within the current budget.

**Options**

Alternative options include the following:

- 1) That Council not proceed with the public exhibition of the draft Cox's Road Masterplan and take no further action;
- 2) That Council exhibit the landowner's masterplan; and
- 3) That Council defer exhibition of the draft Masterplan to effect any changes required by the Councillors.

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**7 MACQUARIE PARK CORRIDOR - WORKING GROUP**

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**Report prepared by:** Place Manager**Report dated:** 26/03/2012**File No.:** GRP/12/5/5/5 - BP12/324

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**REPORT SUMMARY**

The Department of Planning & Infrastructure, Transport for NSW and City of Ryde (CoR) have established a Macquarie Park Corridor Working Group to coordinate planning, development and infrastructure delivery issues at an operational level.

This report seeks council's endorsement of the Terms of Reference of the Macquarie Park Corridor Working Group.

**RECOMMENDATION:**

- (a) That Council endorses the Terms of Reference for the Macquarie Park Corridor Working Group.
- (b) That Council nominate staff as listed in the Terms of Reference for membership on the working group.
- (c) That should the Minister decide to launch the new group that Council participate in the launch.

**ATTACHMENTS**

- 1 Final Terms of Reference Macquarie Park Corridor - 22 March 2012

Report Prepared By:

**John Brown**  
**Place Manager**

Report Approved By:

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



## ITEM 7 (continued)

### History

The Mayor, Councillor Artin Etmekdjian wrote to the Minister for Planning & Infrastructure, Brad Hazzard on 13 September 2011 highlighting the benefits of greater integration and coordination of all current planning, development and infrastructure delivery initiatives to support the future development of Macquarie Park.

To address the Mayor's request, a meeting was hosted by the Department of Planning and Infrastructure (DP&I) on 14 December 2011 with representatives from Transport NSW and CoR in attendance. DP&I proposed that the three entities form a Working Group to provide a forum to identify, discuss and resolve key issues relating to the Macquarie Park Corridor.

It was agreed that the Working Group would meet on a monthly basis and that Terms of Reference be drafted to clarify the purpose, role, governance and responsibilities of the Group. Following input from Working Group members, Terms of Reference have been drafted and are **ATTACHED**.

It should be noted that the Macquarie Park Corridor Working Group has been established by the Department of Planning and Infrastructure and should not to be confused with the Macquarie Park Taskforce recently announced by the Minister for Finance and Services Greg Pearce to consider the re-development of Government land in Macquarie Park.

### Discussion

At present there is a clear lack of coordination between the three entities who have primary carriage in ensuring the efficient, timely and cohesive delivery of infrastructure and development outcomes in Macquarie Park. These are the City of Ryde, the Department of Planning and Infrastructure (DOPI) and Transport NSW. This is evident despite a strong commitment from Council staff to achieve an integrated approach and the cordial and productive relationship between staff in the three organisations.

The spate of recent Part 3A projects approved by the State Government have demonstrated that without close co-ordination, the strategic land-use intent of the state government and the City of Ryde are not well integrated and the resultant built form may not perform to a satisfactory standard or further impact on issues such as traffic and flooding.

Council has sought to address the issue through promoting a Working Group with DOPI and Transport NSW which will assist in the following:

- (a) developing planning controls for Macquarie Park,
- (b) a coordinated traffic management approach,
- (c) collaborative approaches to key infrastructure provision;
- (d) managing significant developments; and
- (e) investigating residential growth opportunities in appropriate locations.

**ITEM 7 (continued)**

The attached Terms of Reference provide more detail on the objectives, accountabilities, roles, membership and key issues to be considered by the Working Group.

**Context**

The role of the working group (as a forum for discussion) is to:

- Identify key issues, constraints and opportunities relevant to the future development of the Corridor by coordinating key agencies
- Document the process
- Keep relevant member agencies informed of progress

**Key Benefits**

- Key stakeholders from planning, transport and government will meet regularly
- Better integration and coordination of planning, development and infrastructure delivery
- Provide leadership and direction

**Financial Implications**

No specific financial implications pertaining to CoR's involvement on the Working Group. Any initiatives proposed by the Working Group will require a detailed business case being developed.

Adoption of the recommendation will have no financial impact.

**ITEM 7 (continued)**

**ATTACHMENT 1**

## **Macquarie Park Corridor Working Group**



### **Terms of Reference**

Status:	Final
Version:	3.0
Date of issue:	22 March 2012
Document owner:	Department of Planning & Infrastructure
Classification:	General Release

**ITEM 7 (continued)**

**ATTACHMENT 1**

Macquarie Park Corridor Working Group  
Terms of Reference  
March 2012

**Document History**

Status	Version	Date	Doc no.	CMS doc title	Notes
Working Draft	1.0	24 January 2012		Macquarie Park Corridor Working Group - Terms of Reference	Original.
Working Draft	2.0	10 February 2012		Macquarie Park Corridor Working Group - Terms of Reference	Original.
Final	3.0	22 March 2012		Macquarie Park Corridor Working Group - Terms of Reference	Original

**ITEM 7 (continued)**

**ATTACHMENT 1**

Macquarie Park Corridor Working Group  
Terms of Reference  
March 2012

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## ITEM 7 (continued)

## ATTACHMENT 1

Macquarie Park Corridor Working Group  
Terms of Reference  
March 2012

### 1. Objectives

The primary objective of the Macquarie Park Corridor Working Group (the working group) is to create a forum for identification, discussion and resolution of key issues relating to the Macquarie Park Corridor. This is to support Macquarie Park Corridor as a viable, competitive, sustainable and a specialist centre now and into the future. A key issue is the infrastructure work required to support the development of the Corridor.

The working group will also promote a shared understanding of the responsibilities, accountabilities and key deliverables in achieving Transit Orientated Development (TOD) at Macquarie Park..

### 2. Accountabilities

The Regional Director, Sydney East, Department of Planning & Infrastructure is accountable for this Working Group. Accountability includes monitoring the effectiveness of the working group and facilitating issue resolution between participating members.

Participants from Transport for NSW (TfNSW) and City of Ryde Council (Council) are accountable for ensuring the outcomes of this working group are implemented within their area of responsibility.

### 3. Role of the Working Group

The role of the working group, (as a forum for discussion) is to:

#### *High Level*

- identify key issues, constraints and opportunities relevant to the future development of the Corridor by coordinating key agencies
- document the process
- keep relevant member agencies informed of progress and strengthen intergovernmental collaboration

#### *Issue Identification, Resolution & Mitigation*

- provide a forum for strategic discussion and issue resolution with the aim of creating clarity, considering options and investigating solutions
- where appropriate, provide input into the strategic planning framework,(acknowledging and capitalising on the State Government funded railway stations within the Corridor)
- provide integrated strategic planning advice for large scale development concepts
- identify key project issues for discussion and resolution amongst participating members (**Attachment 1** includes current key issues)

#### *Risk Management*

- describe and document the reasons and / or justification for the preferred option/s and methodologies to resolve key issues

## ITEM 7 (continued)

## ATTACHMENT 1

Macquarie Park Corridor Working Group  
Terms of Reference  
March 2012

### 4. Working Group Membership

The Working Group shall be comprised of the following (or as delegated):

Department of Planning & Infrastructure (DP&I)

- Regional Director, Sydney East (Chair)
- Team Leader, Sydney East
- Senior Planner, Sydney East
- Director, Strategic Assessments
- Director, Project Delivery Unit

Transport for NSW (TfNSW)

- Manager, Land Use and Transport Planning

Ryde City Council

- General Manager
- Group Manager, Environment & Planning
- Strategic Manager, Urban Planning
- Team Leader, Strategic Planning
- Place Manager, Macquarie Park

The Regional Director, Sydney East, as Chair shall convene and conduct the Working Group meetings.

Other government agency and council representatives may be invited to attend meetings should issues relevant to their function arise.

### 5. Duties and Responsibilities

The Working Group will:

- Publish agreed actions of each meeting
- Document the decision-making process
- Review the progress of the Working Group
- Invite other government agency representatives to attend the working group meetings as relevant issues arise
- Invite appropriate representatives of the member agencies attend the working group to facilitate issue resolution / decision-making

### 6. Meetings

The Working Group shall meet monthly for the first 6 months and then as agreed by all parties.

The Working Group agenda and meeting papers will be distributed by the Department of Planning and Infrastructure, at least 5 business days prior to the next scheduled meeting.

**ITEM 7 (continued)**

**ATTACHMENT 1**

Macquarie Park Corridor Working Group  
Terms of Reference  
March 2012

**7. Minutes**

The actions of each Working Group meeting will be prepared by the Department of Planning and Infrastructure.

The meeting actions, including attachments, will be provided to all Working Group members no later than 5 business days following each meeting.

**8. Quorum**

A minimum of four of the Working Group members is required for a meeting to proceed.

The quorum must contain at least two representatives from:

- DP&I
- CoR

**9. Review**

The Working Group shall review its performance on a quarterly basis and propose changes to its Terms of Reference to the Executive Director as required to ensure its effectiveness.

**10. Related documents and references**

Document no. and title
• <i>Draft Ryde LEP 2010 (Amendment 1) Macquarie Park Corridor</i>
• <i>Ryde DCP 2010: Section 4.5 Macquarie Park Corridor</i>



**ITEM 7 (continued)**

**ATTACHMENT 1**

Macquarie Park Corridor Working Group  
Terms of Reference  
March 2012

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**Attachment 1**

**Key Issues**

1. Developing Herring Rd/ Interchange and active town centre in collaboration with the private sector, university and government sectors.
2. Developing planning controls and incentives to guide future development opportunities which regenerate Macquarie Park and optimise its potential growth
3. Implementing the park, pedestrian and road networks within Macquarie Park through the application of Amendment 1.
4. Developing a traffic management approach that supports multi-modal forms of transport
5. Managing the impact of significant developments including the Macquarie University Concept Plan and TCA SSD
6. Investigating and considering residential growth opportunities on the periphery of Macquarie Park and within the already established mixed-use zoning

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**8 WIFI FOR LIBRARIES PROJECT**

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**Report prepared by:** Manager - Library Services**Report dated:** 10/04/2012**File No.:** LIB/09/10/3 - BP12/387

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**REPORT SUMMARY**

Implementation of the WiFi for Libraries project has revealed a NSW government subsidised solution that will allow the project to be delivered in a shortened time period and at a reduced cost. The original four year project can now be reduced to two years with an estimated capital savings of \$75,216 across the four year project.

The proposed maintenance of the WiFi service will require the addition of \$15,000 to the library base budget from the financial year 2012/13. This cost is significantly less than the comparable commercial systems which were benchmarked at approximately \$77,000 per year and will cover the line rental and technical support services.

If the recommendation of this report is supported the project implementation will commence in May and West Ryde, Ryde and Eastwood will be commenced this financial year, followed by North Ryde and Gladesville libraries in the financial year 2012/13.

**RECOMMENDATION:**

- (a) That Council endorse an acceleration of the public WiFi for Libraries project. Noting that completion of the rollout to all library branches will be December 2012, replacing the previous timeframe of June 2015.
- (b) That Council approve an increase to the library operational budget by \$15,000 indexed annually to fund ongoing line costs and maintenance from the financial year 2012/13.

**ATTACHMENTS**

There are no attachments for this report.

Report Prepared By:

**Jill Webb**  
**Manager - Library Services**

Report Approved By:

**Danielle Dickson**  
**Group Manager - Community Life**

## ITEM 8 (continued)

### Discussion

The WiFi for Libraries project aimed to replace obsolete and unsupported public WiFi systems at Councils branch libraries with a new service over the four years of Council's current delivery plan. The current system provided by Unwired is obsolete and with growing demand is regularly not meeting customer expectations.

To address this need it was previously proposed to use existing City of Ryde data lines and a customised solution from an external supplier. The project therefore assumed ongoing line and maintenance costs would be covered by Council's existing Information Services budgets. Upon review this is now not considered an optimal solution from a Council IT capacity or network security standpoint. In addition the existing lines and services do not have the required capacity or functionality to meet customer expectations.

The above issues in project development led to a reinvestigation of available options. This investigation revealed the potential to use NSW.net, a service subsidised by the NSW State Government. Through NSW.net the State Government provides a 50% subsidy to Councils for capital equipment, installation, ongoing line and maintenance costs. It is anticipated that the total capital costs of implementation for the City of Ryde will be \$29,375. Ongoing line and maintenance costs are forecast to be \$15,000 p.a, subject to CPI. This breakdown is provided below:

#### Approved WiFi for Libraries Capital Project Budget

	FY2011/12	FY2012/13	FY2013/14	FY2014/15	4YR Total (\$)
Original Option	25,000	25,750	26,523	27,318	104,591
Proposed Option	25,000	4,375	Nil	Nil	29,375
				Capital Saving	75,216

#### Operational Budget\*:

	FY2011/12	FY2012/13	FY2013/14	FY2014/15	4YR Total (\$)
Original Option	10,000	10,000	10,000	10,000	40,000
Proposed Option		15,000	15,000	15,000	45,000
				Additional Operating Cost	5,000

\*The provision of internal IT support was not well defined in the original project brief. The original business case didn't acknowledge ongoing line and maintenance costs. Discussions with the Manager IT indicates this service would cost in this range of 8-12,000 to provide across the five sites.

Given the lower capital costs NSW.net presents the opportunity to upgrade all five libraries by December 2012 rather than over four years. This acceleration is recommended due to the increased demand for this service from library users.

## ITEM 8 (continued)

### The Range likely to be provided by WiFi systems

WiFi range varies dramatically depending on the equipment used, placement of the equipment and interference from walls, other solid objects and radio signals.

However a reasonable expectation would be that usable service is unlikely to extend beyond 10 metres of the library building. For example, the planned service at Eastwood Library will not extend to the Eastwood shopping centre.

### Project Risks

- Cost of ongoing data line costs and maintenance may increase
- NSW State Government may cease the NSW.net subsidy

These are offset by the two year term of the agreement and are therefore considered minor.

### Other Options

That Council continue with the original project plan and implement a customised solution from a commercial supplier

Indicative costing was obtained from a commercial supplier with a total implementation cost of \$54,758 and ongoing yearly maintenance and line costs of \$77,136. This will cost \$25,433 more in implementation costs than the NSW.net option and \$60,000 more in annual ongoing line and maintenance costs. This option is not recommended.

Comparison of costs: NSW.net and a commercial supplier

	Implementation	Annual Line and Maintenance
NSW.net	\$29,375	\$15,000
Commercial supplier	\$54,758	\$77,136

That Council do nothing

Existing commercial 3G WiFi services at Ryde Libraries provided by Unwired are slow by current standards and do not work at Eastwood due to network converge issues. Unwired has recently been purchased by Optus and only offers limited support at present. West Ryde library is currently unable to provide a service as replacement hardware for the Unwired service is no longer available. This option is not recommended.

**ITEM 8 (continued)****Financial Implications**

Should Council resolve to approve these recommendations it will result in reduced capital expenditure of \$75,216 over the four year Operational Plan.

As an offset to this capital saving the library operational budget will require \$15,000 per year to fund ongoing line costs and maintenance from the financial year 2012/13.

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**9 FLOOD MODELLING FEES & CHARGES**

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**Report prepared by:** Manager - Infrastructure Integration**Report dated:** 29/03/2012**File No.:** GRP/11/3/6/8 - BP12/350

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**REPORT SUMMARY**

This report recommends the adoption of the proposed fee for the purchase of Council's flood models which if endorsed will reduce expenses to private and public developers/landowners.

The report went on Public Exhibition receiving no objections.

**RECOMMENDATION:**

- (a) That the fee for the purchase of Council's DRAINS model in the amount of \$2,200 be adopted.
- (b) That the fee for the purchase of Council's TUFlow model in the amount of \$4,950 be adopted.

**ATTACHMENTS**

- 1 Report - Flood Modelling Fees & Charges - 11 November 2011 and Extract from Minutes containing Council Resolution.

Report Prepared By:

**Austin Morris**  
**Manager - Infrastructure Integration**

Report Approved By:

**Terry Dodds**  
**Group Manager - Public Works**

**ITEM 9 (continued)****History**

At the Ordinary Council Meeting held on 22 November 2011, Council resolved:

- 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.*

For ease of reference, a copy of the Report and Resolution are **ATTACHED** for the information of Councillors.

**Discussion**

The proposal was advertised from Wednesday 14 December 2011 to Wednesday 8 February 2012, a period of 56 days. This was extended from the required 28 days due to the school holiday period.

During this time no responses were received regarding the proposed fees. It is now proposed to proceed with the introduction of the new fee.

**Financial Implications**

Total project costs for the completed plans was \$650,000. The proposed fees are \$2,000 for the DRAINS model and \$4,500 for the TUFlow model (excl. GST).

**ITEM 9 (continued)**

**ATTACHMENT 1**

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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.

**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.

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Council, dated 29 March 2012, submitted on 22 November 2011.



**ITEM 9 (continued)**

**ATTACHMENT 1**

City of Ryde

Council Reports Page 2

**ITEM 14 (continued)**

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

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.

**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

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Council, dated 29 March 2012, submitted on 22 November 2011.

**ITEM 9 (continued)**

**ATTACHMENT 1**

City of Ryde

Council Reports Page 3

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**ITEM 14 (continued)**

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**

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Council, dated 29 March 2012, submitted on 22 November 2011.

**ITEM 9 (continued)**

**ATTACHMENT 1**



**OFFICIAL RECORDS COPY**

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EXTRACT FROM MINUTES OF COUNCIL MEETING NO. 20/11 HELD ON  
22 NOVEMBER 2011.

**14 FLOOD MODELLING FEES & CHARGES**

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

- (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 56 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 56 days.
- (c) That a further report be presented to Council for consideration after the advertising period addressing any submissions made.

**Record of Voting**

For the Motion: Unanimous

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**10 LEGAL SERVICES TENDER - COR-EOI-03/11**

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**Report prepared by:** General Counsel, Public Officer**Report dated:** 17/04/2012**File No.:** GRP/11/7/1/6 - BP12/429

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**REPORT SUMMARY**

This report advises Council that tenders were called for the provision of legal services to 30 June 2013 with an option of a further year at Council's discretion. The report advises Council on the outcome of the tender evaluation and recommends the appointment of eight (8) legal providers to Council's Legal Panel.

**RECOMMENDATION:**

- (a) That the firms Storey and Gough, Sparke Helmore, Planning Law Solutions, PCR Law and Associates, Marsdens Law Group, Maddocks, Kells the Lawyers, and Heard McEwan Legal be appointed as members of the panel of legal providers to the City of Ryde to 30 June 2013 with an option of a further year at Council's discretion. It is intended that this will be effective immediately.
- (b) That notwithstanding (a) above, should any specialist legal advice or services be required that cannot be adequately provided by the appointed panel, the General Manager be delegated the power to appoint specialist legal services as required from other providers.
- (c) That Council acknowledges the possibility of the statutory threshold of \$150,000 expenditure being lawfully exceeded on any individual member of Council's panel or individual member of a State Government agency panel.

**ATTACHMENTS**

- 1 COR-EOI-03/11 - Establish a Preferred Panel of Legal Service Providers to the City of Ryde - CIRCULATED UNDER SEPARATE COVER
- 2 Tender Evaluation Assessment Matrix - CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL

Report Prepared By:

**Bruce McCann**  
**General Counsel, Public Officer**

**ITEM 10 (continued)****Discussion**

A tender evaluation panel consisting of the Section Manager-Properties, Manager Tenders and Contracts and General Counsel / Public Officer was convened to assess the tenders.

Council received 24 submissions in respect of this tender. The tenders were assessed on the criteria as stated in the Expression of Interest Documents (EOI) **CIRCULATED UNDER SEPARATE COVER**. In accordance with the outcomes of the assessment process conducted by the Evaluation Panel, the Tender Evaluation Assessment matrix - Legal Services is **CIRCULATED UNDER SEPARATE COVER – CONFIDENTIAL**. It is recommended that the following law firms be appointed to the panel:

- Storey and Gough
- Sparke Helmore
- Planning Law Solutions
- PCR Law and Associates
- Marsdens Law Group
- Maddocks
- Kells the Lawyers
- Heard McEwan Legal

Notwithstanding the above, should any specialist legal advice or services be required that cannot be adequately provided by the appointed panel, it is recommended that the General Manager be authorised to source such advice of specialist services as required from other providers.

Further, Council is entitled to instruct law firms outside the panel provided such firms appear on State Government Agency legal panels. The presumption is that those firms would have undergone a rigorous tender selection process in accordance with procurement guidelines.

The tendering requirements under Section 55 of the Local Government Act and associated Regulations are satisfied by the process undertaken to establish the eight nominated most advantageous tenders. This is in addition to those panels established by the State Government agencies as detailed in the Local Government Act 1993.

Accordingly, expenditure on legal services in excess of \$150,000 on any individual legal service provider, whether on Council's panel or a State Government agency panel, is permissible without further resolution of Council.

**ITEM 10 (continued)****Financial Implications**

It is difficult to accurately estimate the total cost for the provision of legal services. In the 2011/2012 budget, Council allocated \$122,500. However, due to the increase in court actions, the legal costs for 2011/2012 are projected to be in excess of \$400,000. These cases have mainly related to development and boarding house applications and contract disputes. An adjustment to the legal services budget will be requested in the March Quarterly Review.

## 11 REPORTS DUE TO COUNCIL

**Report prepared by:** Meeting Support Coordinator

**Report dated:** 2 April 2012

**File No.:** GRP/12/5/5/5 - BP12/360

### REPORT

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 17 April 2012.

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.

Report date	Volume			Current reports		Completed reports			Performance	
	Number of reports listed	Number of reports added (since last report)	Number of reports COMPLETED (to be removed following this report)	Number of reports overdue	Number of reports due and on track/in time	Number of reports COMPLETED and in time	Number of reports COMPLETED overdue	% of reports COMPLETED	% of reports overdue (completed and pending)	% of reports in time (completed and pending)
14/02/11	33		7	2	24	6	1	21%	9%	91%
15/03/11	31	5	8	3	20	7	2	29%	16%	87%
2/05/11	32	9	9	5	16	9	1	31%	19%	78%
6/06/11	31	8	5	5	21	4	1	16%	19%	81%
19/07/11	33	7	10	6	17	2	8	30%	42%	58%
16/08/11	35	12	8	6	21	4	4	23%	29%	71%
20/09/11	36	9	7	7	21	3	5	22%	33%	67%
15/11/11	40	11	20	6	14	9	11	50%	43%	58%
28/02/12	37	17	11	0	26	7	4	30%	11%	89%
27/03/12	29	3	9	1	19	9	0	31%	3%	97%
24/04/12	28	8	3	3	22	2	1	11%	14%	86%

**ATTACHED** is a graph showing the volume of outstanding reports and the number of completed reports over the period 14 February 2011 to present.

**ITEM 11 (continued)**

There are currently 28 reports listed. Following consideration of this report there will be three overdue reports due to Council.

**RECOMMENDATION:**

That the report on Outstanding Council Reports be endorsed.

**ATTACHMENTS**

- 1 Performance Data - Report to Council 24 April 2012
- 2 Outstanding Council Reports as at 17 April 2012

Report Prepared By:

**Amanda Janvrin**  
**Meeting Support Coordinator**

Report Approved By:

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

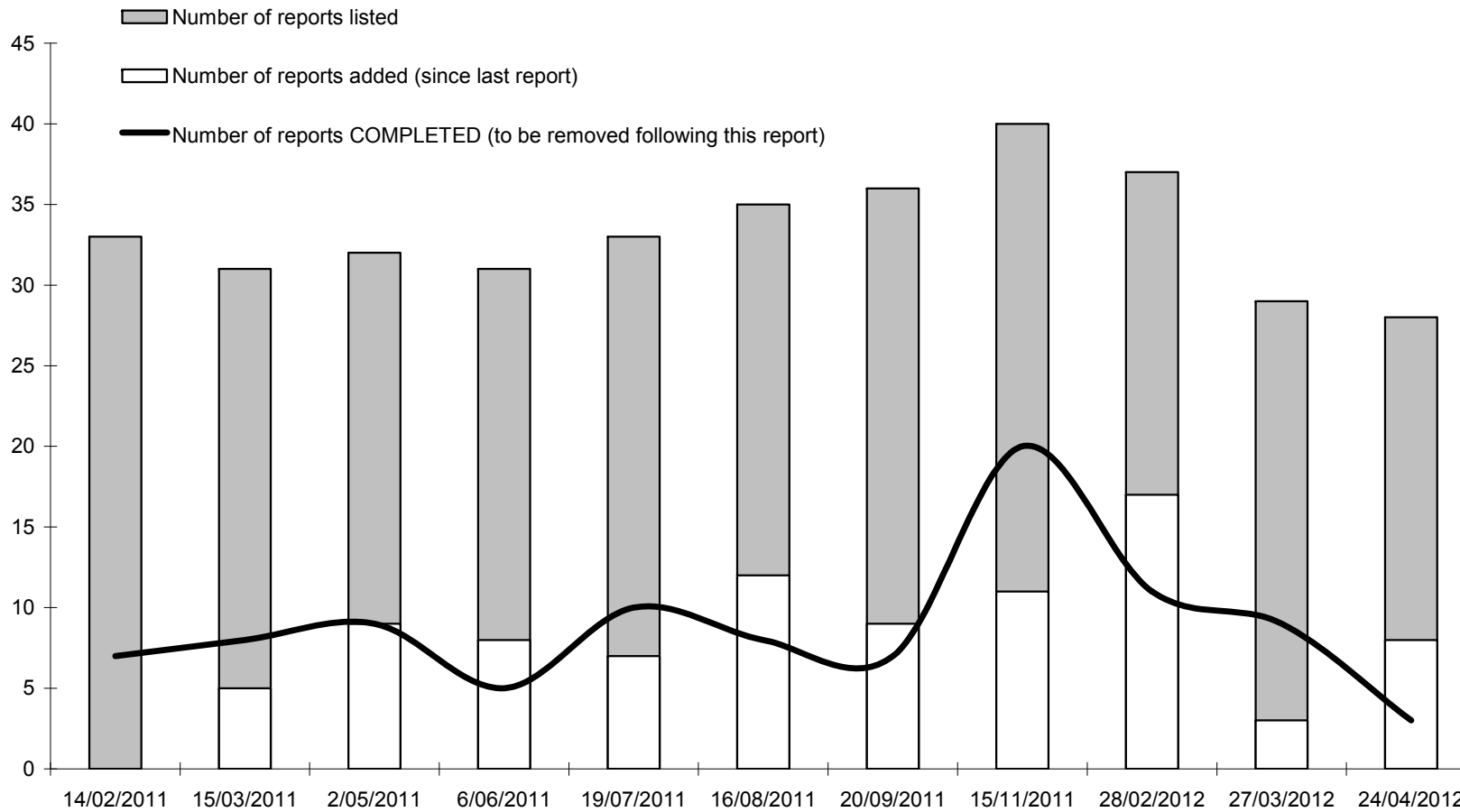
**Roy Newsome**  
**Group Manager - Corporate Services**



ITEM 11 (continued)

ATTACHMENT 1

Outstanding Reports to Council  
Volume of outstanding reports



**ITEM 11 (continued)**

**ATTACHMENT 2**

**Outstanding Reports**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>REVIEW OF PART 3.3 DWELLINGS HOUSES AND DUAL OCCUPANCY OF DEVELOPMENT CONTROL PLAN 2010</b>	10/04/2012	<i>Councillor Workshop scheduled for 20 March 2012</i>
<b>Meeting Date</b> 14/06/2011	(a) That a review of Part 3.3 Dwelling Houses and Dual Occupancy of City of Ryde's Development Control Plan 2010 and associated process be undertaken to address the issues raised in this report.	<b>Anticipated date</b> 24/07/2012	<i>Officer drafting DCP delayed by work on the Transport Coordination Authority development, DCP expected to be delayed to June 2012.</i>
<b>Group</b> Environment and Planning	(b) That a further report be provided to Council once the review process is completed.	<b>Officer</b> Meryl Bishop	<i>As there is no meeting on 10 July, it is expected the report will go to the Council Meeting of 24 July 2012.</i>

**ITEM 11 (continued)**
**ATTACHMENT 2**

<b>Meeting Type</b> Works and Community	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
<b>Meeting Date</b>	<b>TRAFFIC &amp; PARKING MATTERS PRESENTED TO RYDE LOCAL TRAFFIC COMMITTEE MEETING held on 26 May 2011 - (1) LEE AVENUE &amp; NICHOLL AVENUE RYDE, RICHARD JOHNSON CRESCENT RYDE, MERITON STREET GLADESVILLE, WATT AVENUE RYDE - Request for Parking Restrictions - COMPLETED</b>	3/04/2012	Report to Works and Community Committee Meeting on 3 April 2012.  Report BP12/201 was tabled at the Works & Community Committee Meeting on 20 March 2012.
21/06/2011	(a) Statutory "No Stopping" restrictions for a length of 10 metres at the bend on Lee Avenue and Nicoll Avenue on both sides be installed.  (b) With regard to the narrow road section on Richard Johnson Crescent:	<b>Anticipated date</b> 3/04/2012	<b>COMPLETED</b> - (To be removed following Council Meeting to be held 24 April 2012).
<b>Group</b> Public Works	I. "No Parking" restrictions on the western side (inside radius) of the narrow road section on Richard Johnson Crescent between property No's. 1 and 11 be installed on a trial basis of 6 months.  II. Council consult with the residents of Richard Johnson Crescent on the parking restrictions during the trial period, or at the end of the period, to seek feedback on the success of the trial.	<b>Officer</b> Harry Muker	

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**ITEM 11 (continued)**

**ATTACHMENT 2**

III.A further report be provided to the Traffic Committee.

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>PUBLIC DOMAIN UPGRADES</b>	30/06/2012	Part (d) will be reported when the development is undertaken.
<b>Meeting Date</b> 2/08/2011	(d) That a detailed costing be provided to Council on the replacement of the two poles with two smart poles in front of the proposed second hotel in Eastwood, at the same time that the development is undertaken.	<b>Anticipated date</b> 30/06/2012	Part (e) will be reported in June 2012.
<b>Group</b> Environment and Planning	(e) That a further report be provided to Council on this matter after consultation with shop owners in Church Street.	<b>Officer</b> Meryl Bishop	

**ITEM 11 (continued)**
**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council  <b>Meeting Date</b> 23/08/2011  <b>Group</b> Environment and Planning	<b>78 HERMITAGE ROAD, WEST RYDE, LDA2011/0022.</b>  (a) That this application be deferred for the applicant to submit further information to Council in support of their application addressing the reasons for refusal presented in the report to the Planning and Environment Committee on 16 August 2011, including the reduction of signage on the site and the storage of chemicals in compliance with WorkCover requirements.  (b) That upon receipt of this information, a further report be presented to the Planning and Environment Committee within a three month period.	17/04/2012  <b>Anticipated date</b> 17/07/2012  <b>Officer</b> Liz Coad	a) <i>Additional Information request sent to applicant on 29 August 2011.</i>  b) <i>Report to Planning and Environment Committee at date TBA (within three months of receipt of additional information from the applicant).</i>  Applicant advised Council on 13 November 2011 that additional information would be submitted shortly and that the premises now complies with WorkCover.  Applicant advised Council additional information would be submitted in mid December 2011 - no information was received.  Additional information finally submitted to Council on 20 January 2012.  Information to be renotified and

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**ITEM 11 (continued)**

**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>ESTABLISHMENT OF A LOCAL PLANNING PANEL</b>		
<b>Meeting Date</b> 23/08/2011	(b) That a report be provided to Council regarding the composition of the Joint Regional Planning Panel.	<b>Anticipated date</b>	<i>assessed by Council staff. if sufficient a report is expected to go to the Planning and Environment Committee late April 2012.</i>  <i>Following assessment further amendments were required.</i>  <i>Application to be renotified and report anticipated to go the Planning and Environment Committee 17 July 2012.</i>
<b>Group</b> Environment and Planning		<b>Officer</b> Liz Coad	<i>Note: The review details have not been released by the Department of Planning. When the composition of the Sydney East Joint Regional Planning Panel is up for renewal, a report will be brought to Council.</i>

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**ITEM 11 (continued)**

**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Works and Community	<b>ADOPTION OF THE PUTNEY PARK PLAN OF MANAGEMENT</b>	20/03/2012	<i>Working with Public Works to cost and scope implementation of masterplan.</i>
<b>Meeting Date</b> 11/10/2011	(b) That a further report be provided to Council regarding a plan of action addressing the following matters:	<b>Anticipated date</b> 1/05/2012	<i>Report to the Works and Community Committee Meeting on 1 May 2012.</i>
<b>Group</b> Community Life	<ul style="list-style-type: none"> <li>• to improve the site from Pellisier Road to the punt (relocation of gates);</li> <li>• the upgrading and remediation of the triangular park;</li> <li>• the improvement to the sea wall;</li> <li>• the removal of the Camphor Laurel trees;</li> <li>• the pruning of trees throughout the park to improve the security;</li> <li>• the development of the perimeter track; and</li> <li>• the exploration of provision of accessible equipment in the southern playground.</li> </ul>	<b>Officer</b> Fiona Morrison	

**ITEM 11 (continued)**

**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Works and Community			
<b>Meeting Date</b>	<b>TRAFFIC &amp; PARKING MATTERS PRESENTED TO RYDE LOCAL TRAFFIC COMMITTEE MEETING held on 29 September 2011 - BELMORE STREET, MEADOWBANK - Request for parking restrictions</b>	17/07/2012	<i>Report to Ryde Local Traffic Committee Meeting to be held on 24 May 2012, following which a report will be prepared for the Works and Community Committee Meeting to be held on 17 July 2012.</i>
1/11/2011	That Council install Statutory 'No Parking', 'Mon - Fri' restrictions for the length of 5 metres on approach side and 2 metres on departure side of two (2) access driveways of the block of units located at No. 84-102 Belmore Street and that this be trialled for 6 months with a further report provided to the Committee.	<b>Anticipated date</b> 17/07/2012	
<b>Group</b>		<b>Officer</b>	
Public Works		Ramesh Desai	



**ITEM 11 (continued)**

**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Works and Community			
<b>Meeting Date</b>	<b>TRAFFIC &amp; PARKING MATTERS PRESENTED TO RYDE LOCAL TRAFFIC COMMITTEE MEETING held on 29 September 2011 - POTTS STREET, RYDE - Review of parking restrictions</b>	17/07/2012	<i>Report to Ryde Local Traffic Committee Meeting to be held on 24 May 2012, following which a report will be prepared for the Works and Community Committee Meeting to be held on 17 July 2012.</i>
1/11/2011	(f) Proposal be trialled for a period of six months with a further report provided to the Committee.	<b>Anticipated date</b> 17/07/2012	
<b>Group</b>		<b>Officer</b>	
Public Works		Ramesh Desai	

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**ITEM 11 (continued)**
**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>NOTICE OF MOTION - SHORTFALL OF OPEN SPACE IN PARTS OF NORTH RYDE</b>	1/06/2012	<i>Council continues to meet with the Transport Coordination Authority regarding the future development of the site and has made repeated representations requesting that a multi-purpose sporting facility be provided. It is likely to be some time before clarity regarding what will be delivered on the site is achieved.</i>
<b>Meeting Date</b> 22/11/2011	(a) 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 Transport Coordination Authority 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.	<b>Anticipated date</b> 1/06/2012	
<b>Group</b> Environment and Planning	(b) That the meeting include all key stakeholders, such as Ryde City Hockey Club with the outcomes being reported to Council.	<b>Officer</b> Adrian Melo	

**ITEM 11 (continued)**
**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>MAYORAL MINUTE 15/11 - CUDAL RESERVE PUTNEY AND SMALLS ROAD RYDE</b>	8/05/2012	<i>Consultation with Department of Planning and Infrastructure and Relevant State Ministers undertaken.</i>
<b>Meeting Date</b>		<b>Anticipated date</b>	
22/11/2011	(a) That the Mayor and General Manager pursue meetings with the relevant State Government Ministers with the purpose of:	8/05/2012	<i>Report to Council Meeting on 8 May 2012.</i>
<b>Group</b>		<b>Officer</b>	
Environment and Planning	(1) ensuring that both sites remain in public ownership;	Meryl Bishop	
	(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;		
	(4) obtaining the dedication of the ovals within the former school site at Smalls Road as a park under the care, control and management of the City of Ryde in perpetuity at no cost to Council.		
	(b) That this matter be reported back to Council.		

**ITEM 11 (continued)**
**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>252 QUARRY ROAD, RYDE. LOT 2 DP 701738. Local Development Application for demolition and erection of an attached dual occupancy. LDA 2010/439</b>	14/08/2012	Report to Council following mediation meeting - meeting is scheduled for 24 January 2012 - Submitter cancelled.
22/11/2011		<b>Anticipated date</b> 27/07/2012	Re-scheduled for 22 February 2012 - Submitter cancelled.
<b>Group</b> Environment and Planning	That this matter be deferred to allow the Group Manager, Environment and Planning to undertake mediation to address the issues of overshadowing, privacy and unacceptable non compliances and that a further report be provided to Council following the conduct of this mediation.	<b>Officer</b> Liz Coad	Re-scheduled for 5 March 2012 - Applicant failed to attend.  Re-scheduled for Wednesday 21 March 2012.  Mediation held 21 March 2012.
			Amended Plans and renotification required. If amendments are received in May, a report could be forwarded to Council in July.

**ITEM 11 (continued)**
**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
<b>Meeting Date</b> 22/11/2011  <b>Group</b> Council  General Manager	<b>POTENTIAL DEVELOPMENT PARTNERSHIP ARRANGEMENT FOR COULTER STREET CAR PARK</b>  (b) On completion of the highest and best use study a full report be brought to Council for its consideration.	<b>Anticipated date</b> 26/06/2012  <b>Officer</b> Mitch Corn	
<b>Meeting Date</b> 22/11/2011  <b>Group</b> Public Works	<b>FLOOD MODELLING FEES &amp; CHARGES - COMPLETED</b>  (c) That a further report be presented to Council for consideration after the advertising period addressing any submissions made.	<b>Anticipated date</b> 24/04/2012  <b>Officer</b> Austin Morris	Report to Council Meeting on 24 April 2012.  Proposed Fees on public exhibition until 8 February 2012.  Report to Council Meeting on 24 April 2012.  COMPLETED (to be removed following the Council meeting on 24 April 2012).

**ITEM 11 (continued)**
**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>SKATEBOARD CLINICS FOR ALL AGES AND ABILITIES IN THE CITY OF RYDE</b>	28/02/2013	<i>Report to be provided in 2013.</i>
<b>Meeting Date</b> 13/12/2011	(e) That a further report be presented to Council in February 2013 at the conclusion of the series of skate clinics.	<b>Anticipated date</b> 28/02/2013	
<b>Group</b> Community Life		<b>Officer</b> Fiona Morrison	
<b>Meeting Type</b> Council	<b>TENDER FOR SURVEYING AND ASSESSMENT OF CITY OF RYDE'S CUSTOMER SERVICES</b>	22/05/2012	<i>Workshop held for Councillors on Tuesday, 20 March 2012.</i>
<b>Meeting Date</b> 13/12/2011	(b) That Council be provided with a further report exploring online and other options with costs that are available in the market place.	<b>Anticipated date</b> 22/05/2012	<i>Further report to be provided to Council on 22 May 2012.</i>
<b>Group</b> Corporate Services		<b>Officer</b> Angela Jones-Blayney	

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**ITEM 11 (continued)**

**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Works and Community			
<b>Meeting Date</b>	<b>Traffic and Parking Matters presented to Ryde Local Traffic Committee Meeting held on 24 November 2011 - (m) SIGNAGE ON COXS ROAD AND LANE COVE ROAD</b>	17/07/2012	<i>An Item will be prepared for the Ryde Traffic Committee at its meeting to be held in May 2012, following which a Report will be prepared for the Works and Community Committee at its meeting to be held on 17 July 2012, containing the Minutes of the Meeting of the RTC May meeting.</i>
7/02/2012	(i) That a working party comprising Council, RMS, NSW Police and State Transit representatives review the concerns raised by the NPPRS School President in relation to the Lane Cove Road, Kent Road and Cox's Road intersection and that a further report be brought back to the Committee in due course.	<b>Anticipated date</b> 17/07/2012	
<b>Group</b>		<b>Officer</b>	
Public Works		Ramesh Desai	

**ITEM 11 (continued)**

**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Works and Community			
<b>Meeting Date</b>	<b>Traffic and Parking Matters presented to Ryde Local Traffic Committee Meeting held on 24 November 2011 - (h) LANCASTER AVENUE AND COBHAM AVENUE, MELROSE PARK - Bypassing Traffic</b>	17/07/2012	<i>An Item will be prepared for the Ryde Traffic Committee at its meeting to be held in May 2012, following which a Report will be prepared for the Works and Community Committee at its meeting to be held on 17 July 2012, containing the Minutes of the Meeting of the RTC May meeting.</i>
7/02/2012	(iii) That a further review be undertaken in 6 months with a report to the Committee detailing the results.	<b>Anticipated date</b> 17/07/2012	
<b>Group</b>		<b>Officer</b>	
Public Works		Ramesh Desai	



**ITEM 11 (continued)**

**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	64 PELLISIER ROAD, PUTNEY. LOT 102 DP 866280. Local Development Application for Alterations and additions to the existing dwelling including an additional new storey and new cabana in the rear yard. LDA2011/493	15/05/2012	Mediation meeting scheduled for 15 March 2012.
14/02/2012	That the Group Manager Environment and Planning undertake a mediation session with the applicant and objectors to determine a possible solution to this matter and then be reported back to the Planning and Environment Committee for consideration within two months.	17/07/2012	Further report outlining possible solutions to this matter will be provided to the Planning and Environment Committee at its meeting of 15 May 2012.
<b>Group</b> Environment and Planning		<b>Officer</b> Liz Coad	Amended Plans submitted 16 April 2012. These will be assessed and notified and a report is expected to be provided to the Planning and Environment Committee at its meeting of 17 June 2012.

**ITEM 11 (continued)**

**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>NOTICE OF MOTION - EMPLOYMENT OPPORTUNITIES FOR PEOPLE WITH A DISABILITY</b>	26/06/2012	<i>This will be included in the Workforce Plan, which is currently being developed.</i>
<b>Meeting Date</b> 14/02/2012	That the General Manager report to Council on ways to improve the employment opportunities for people with a disability within the organisation.	<b>Anticipated date</b> 26/06/2012	<i>Report to Council Meeting on 26 June 2012.</i>
<b>Group</b> Corporate Services		<b>Officer</b> Melissa Attia	

**ITEM 11 (continued)**

**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Works and Community	SHAFTSBURY ROAD AND GLEN STREET, EASTWOOD - Proposed Traffic Facilities (Black Spot Remediation Site - UPDATE)	5/06/2012	An Item will be prepared for the Ryde Traffic Committee at its meeting to be held in May 2012, following which it is anticipated that a Report will be submitted to the Works and Community Committee at its meeting to be held on 5 June 2012.
6/03/2012	That a further report be provided to the Committee on the future provision of angled parking in Glen Street, adjacent to the Sydney Water stormwater drain.	5/06/2012	
<b>Group</b>		<b>Officer</b>	
Public Works		Harry Muker	

**ITEM 11 (continued)**

**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>INTEGRATED OPEN SPACE PLAN</b>	26/06/2012	(d) <b>COMPLETED</b> and reported to the Works and Community Committee.
<b>Meeting Date</b> 27/03/2012	(b) Following the public exhibition process, a further report be submitted to Council on the feedback received during the process and any proposed changes to the Integrated Open Space Plan.	<b>Anticipated date</b> 26/06/2012	(b) To be reported on 26 June 2012.
<b>Group</b> Community Life	(d) That action to remove safe and functioning playground equipment from parks without immediate replacement in the same park be suspended until the matter has been reported to the Works and Community Committee for consideration.	<b>Officer</b> Tajana Domazet	

**ITEM 11 (continued)**

**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT - 17 to 20 June 2012 - COMPLETED	10/04/2012	Reported to Council on 10 April 2012.
<b>Meeting Date</b> 27/03/2012	That a further report be provided to Council on 10 April 2012 for the consideration of proposed motions to the National General Assembly.	<b>Anticipated date</b> 10/04/2012	<i>COMPLETED (to be removed following the Council meeting on 24 April 2012).</i>
<b>Group</b> Corporate Services		<b>Officer</b> Shane Sullivan	

**ITEM 11 (continued)**

**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>BEST VALUE REVIEW - SPORTSGROUND ALLOCATION AND MANAGEMENT</b>	23/10/2012	<i>To be reported on 23 October 2012 following review and consultation.</i>
<b>Meeting Date</b> 27/03/2012	That Council fund and support the recommendations for the implementation of the Best Value Review, subject to a comprehensive review of the season charges being undertaken in consultation with the sport clubs and associations with costed options for consideration and that all results of the review be brought back to Council. The options to include:-  (i) No increase; (ii) 7% increase for 3 years; (iii) Any other options.	<b>Anticipated date</b> 23/10/2012	
<b>Group</b> Community Life		<b>Officer</b> Tajana Domazet	

**ITEM 11 (continued)**

**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Works and Community	<b>WATER BOTTLE REFILL STATIONS</b>	19/06/2012	<i>To be reported to Council on 19 June 2012.</i>
<b>Meeting Date</b> 10/04/2012	That Council investigate and report on the installation of water bottle refill stations in our major parks and/or centres	<b>Anticipated date</b> 19/06/2012	
<b>Group</b> Community Life		<b>Officer</b> Tajjana Domazet	

**ITEM 11 (continued)**
**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Works and Community	<b>FEASIBILITY STUDY ON MULTIPURPOSE SYNTHETIC (ARTIFICIAL) FIELDS</b>	7/08/2012	<i>To be reported to the Works and Community Committee on 7 August 2012.</i>
<b>Meeting Date</b> 10/04/2012	1. That the General Manager prepare a feasibility study on multipurpose synthetic (artificial) fields to be installed in the City of Ryde. This study should outline a comprehensive consultation process, projected financial impacts, construction cost estimates and a funding and grants program with all sports facility users and stakeholders in the LGA.	<b>Anticipated date</b> 7/08/2012	
<b>Group</b> Community Life	2. A report detailing possible sports funding grants through the State and Federal Governments in the next financial year to assist in this project should also be undertaken.	<b>Officer</b> Tajana Domazet	
	3. A feasibility study cost be funded through the 2012/13 First Quarter Budget review.		



**ITEM 11 (continued)**

**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Works and Community			
<b>Meeting Date</b> 10/04/2012	<b>TRAINING FACILITIES FOR WOMEN'S NETBALL IN THE CITY OF RYDE</b>  That the General Manager investigate the feasibility of providing additional training facilities for women's netball in the City of Ryde. This investigation is to include discussions with local clubs (eg: Ravens Netball) and local schools. The resultant report should also include possible funding implications associated with improved and additional facilities.	<b>Anticipated date</b> 17/07/2012	<i>To be reported to the Works and Community Committee on 17 July 2012.</i>
<b>Group</b> Community Life		<b>Officer</b> Tajana Domazet	

**ITEM 11 (continued)**

**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Works and Community	<b>DEERLE STREET - Submissions on Public Notification of Proposed Lease</b>	1/05/2012	<i>Council staff are negotiating with the property owner. The report will not be finalised until if or when satisfactory agreement is reached. If Council is unable to reach a satisfactory agreement the report may be delayed.</i>
<b>Meeting Date</b> 15/05/2012	That this matter be deferred for one month to allow staff to liaise with the legal representative of the property owners and for a further report for the Committee's consideration.	<b>Anticipated date</b> 1/05/2012	
<b>Group</b> Public Works		<b>Officer</b> Russell Nash	

**ITEM 11 (continued)**

**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Works and Community			
<b>Meeting Date</b>			
12/06/2012	<b>TRAFFIC &amp; PARKING MATTERS PRESENTED TO RYDE LOCAL TRAFFIC COMMITTEE MEETING held on 2 February 2012</b>	24/05/2012	<i>Survey yet to be finalised.</i>
<b>Group</b>		<b>Anticipated date</b>	
Public Works	(m) That the Group Manager – Public Works conduct an audit of parking on Buffalo Road (between Cressy Road and Monash Road) and that this be reported to the next Ryde Local Traffic Committee and the Works and Community Committee.	12/06/2012	
		<b>Officer</b>	
		Harry Muter	

## **PRECIS OF CORRESPONDENCE**

### **1 ACKNOWLEDGEMENT OF COUNCILLOR O'DONNELL BY AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA)**

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**Report prepared by:** Meeting Support Coordinator

**Report dated:** 16/04/2012

**File No.:** CLM/12/1/4/11 - BP12/419

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#### **CORRESPONDENCE:**

Submitting correspondence from Julie Griffiths, President ALGWA NSW dated 2 April 2012, acknowledging Councillor O'Donnell for her role of Executive member to ALGWA and recognising her as a leader in the community.

#### **RECOMMENDATION:**

That the correspondence be received.

#### **ATTACHMENTS**

- 1 Letter from Australian Local Government Women's Association (ALGWA) dated 2 April 2012

**Precis of Correspondence (continued)**

**ATTACHMENT 1**



**AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION  
(NSW BRANCH INC)**

2 April 2012

Cr Artin Etmekdjian  
Mayor  
Ryde City Council

Dear Sir

Subject: Cr Gabrielle O'Donnell, ALGWA Past Executive Member

The ALGWA Executive wishes to thank Ryde City Council for its support of Cr Gabrielle O'Donnell in her role of Executive member to ALGWA over recent years, and also notes your generosity in hosting our meetings during that time.

As a past member of the ALGWA Executive, Cr O'Donnell is recognised as a leader in her community. We acknowledge the role that she played on the ALGWA Executive and look forward to maintaining a close relationship with her in the future.

The Executive also looks forward to Ryde City Council's continued support of ALGWA at future events.

Kind Regards,

*Julie A Griffiths*

Julie Griffiths  
President ALGWA NSW

## **NOTICES OF MOTION**

### **1 PEDESTRIAN SAFETY AT WEST RYDE COMMUNITY CENTRE - Councillor Jeff Salvestro-Martin, Councillor Michael Butterworth**

**File Number: CLM/12/1/4/6 - BP12/418**

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#### **MOTION:**

That the General Manager urgently investigate the matter of pedestrian safety at the new West Ryde Community Centre and report those findings to the Ryde Traffic Committee for urgent action to improve resident safety at the new West Ryde Community Centre.

### **2 MAINTENANCE OF COUNTY ROAD RESERVE - Councillor Justin Li**

**File Number: CLM/12/1/4/6 – BP12/439**

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#### **MOTION:**

That Council approach the Roads & Maritime Services (formerly the RTA) and make them aware that:

- residents living near the County Road Reserve have complained about increased vermin as a result of lack of maintenance;
- grassland under their management requires regular mowing and maintenance; and
- they have obligations under the the Public Health (General) Regulation 2002 to take reasonable measures to keep their land free of vermin.

Council Environmental Health Officers to consider exercising their powers to order remedial action if there is no cooperation.

## **CONFIDENTIAL ITEMS**

### **12 ADVICE ON COURT ACTIONS**

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#### **Confidential**

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

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

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

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

**Report prepared by:** General Counsel, Public Officer

**Report dated:** 16 April 2012

**File No.:** GRP/11/7/1/6 - BP12/421

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