

**Meeting Date:** Tuesday 26 June 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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## **MAYORAL MINUTE**

### **3/12 DEFERRED MAYORAL MINUTE: ELECTION OF NICOLE CAMPBELL AS EXECUTIVE MEMBER OF NSW BRANCH OF AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA) – The Mayor, Councillor Artin Etmekdjian**

**File Number:** GRP/09/3/1 - BP12/661

**This Mayoral Minute is deferred from the Council Meeting held on 12 June 2012.**

Advice has been received from the President of ALGWA (NSW Branch) that Councillor Campbell was elected to the Executive on 22 March 2012.

The letter seeks Council's support for Councillor Campbell in assisting her to undertake her duties in this elected position.

It is usual for Council to provide the support requested in accordance with the "Payment of expenses and provision of facilities for the Mayor and other councillors policy".

Under this policy (Section 7, Clause 6):

"Councillors who are Executive Members of an organisation relevant to Council's interest by way of a Council resolution, shall be entitled to seek reimbursement and support for their attendance to the Executive Meetings held by the organisation. Council will meet the cost of the Councillor's transportation and accommodation expenses, including the cost of meals. The support provided to Councillors in their capacity as an Executive member of an organisation shall only be valid for the period they hold such a position".

I recommend that the requested support be provided to Councillor Campbell for the period whilst she is both a member of the Executive of ALGWA (NSW) and a Councillor of City of Ryde, consistent with Council's current practice.

#### **RECOMMENDATION:**

- (a) That Council endorse Councillor Nicole Campbell's election to the executive of ALGWA and provide her the relevant support whilst she is an Executive Member of ALGWA (NSW) in the terms provided for in the "Payment of Expenses and Provision of Facilities to the Mayor and other Councillors" Policy and
- (b) That the above support be provided to Councillor Campbell whilst she is both a member of the Executive of ALGWA (NSW) and a Councillor of City of Ryde.

#### **ATTACHMENTS**

There are no attachments for this report.

Report Prepared By:  
**Councillor Artin Etmekdjian**  
**The Mayor**

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**1 DEFERRED REPORT: CONFIRMATION OF MINUTES - Council Meeting held on 22 May 2012**

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**Report prepared by:** Meeting Support Coordinator**Report dated:** 30 April 2012**File No.:** GRP/12/5/5/5 - BP12/490

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**This report is deferred from the Council Meeting held on 12 June 2012.**

**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 8/12, held on 22 May 2012 be confirmed.

**ATTACHMENTS**

- 1 Minutes - Ordinary Council Meeting - 22 May 2012

**ITEM 1 (continued)**

**ATTACHMENT 1**

**Council Meeting  
MINUTES OF MEETING NO. 8/12**

**Meeting Date:** Tuesday 22 May 2012  
**Location:** Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde  
**Time:** 7.30pm

**Councillors Present:** Councillor O'Donnell (Chairperson) and Councillors Butterworth, Campbell, Li, Maggio, Petch, Perram, Salvestro-Martin, Tagg and Yedelian OAM.

Note: Councillor Butterworth left the meeting at 11:37pm and did not return.

**Apologies:** The Mayor, Councillor Etmekdjian and Councillor Pickering.

In the absence of the Mayor, Councillor Etmekdjian, Councillor O'Donnell (Deputy Mayor) assumed the Chair.

**Staff Present:** General Manager, Acting Group Manager – Community Life, Group Manager - Corporate Services, Group Manager – Environment & Planning, Group Manager - Public Works, General Counsel, Manager Strategy & Organisation Development, Chief Financial Officer, Service Unit Manager – Infrastructure Integration, Service Unit Manager – Community Relations & Events, Service Unit Manager – Assessment, Arts & Cultural Development Co-ordinator, Economic Development Manager and Service Unit Manager - Governance.

**PRAYER**

Pastor Ben Rodgers of Ryde Baptist Church was present and offered prayer prior to the commencement of the meeting.

**DISCLOSURES OF INTEREST**

Councillors Campbell and O'Donnell declared a Less than Significant Non-Pecuniary Interest in Precis of Correspondence 3 – correspondence from the Australian Local Government Women's Association (ALGWA NSW) for the reason that they are members of the Executive.

**PRESENTATION OF AWARD WON AT THE INSTITUTE OF PUBLIC WORKS  
ENGINEERING AUSTRALIA (IPWEA) EXCELLENCE AWARDS**

Mr Austin Morris, Service Unit Manager – Infrastructure Integration presented the Chairperson, Councillor O'Donnell with an award won by the City of Ryde at the Institute of Public Works Engineering Australia Excellence Awards. The award was in the category of Environmental Improvement Project and was won for the Strangers Creek Bioretention Basin and Creek Rehabilitation Project.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**ROTARY PRIDE OF WORKMANSHIP AWARD**

The Chairperson, Councillor O'Donnell recognised Mr Nathan Pratt (Council's Economic Development Manager) for his Pride of Workmanship Award presented by the Rotary Club of Macquarie Park. The Award was won for his strong working relationship with Ryde Business Forum and the Chambers of Commerce.

**LEAVE OF ABSENCE**

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

That Council approve a Leave of Absence for Councillor Perram for the period from 23 May 2012 to 19 June 2012.

**Record of Voting:**

For the Motion: Unanimous

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

The following persons addressed the Council:-

<b>Name</b>	<b>Topic</b>
Mr Chad Quinn	<b>Notice of Motion 4</b> – Wolfe Road and Blue Gum Drive, East Ryde
Mr Stuart Maxwell	
Mr Harrison Saba	
Ms Michelle Saba	
Mr Richard Luxford (representing Lifestart Co-operative Ltd)	<b>Item 12</b> – Benevolent Society Licence – West Ryde Community Centre
Ms Diane Erickson	<b>Notice of Rescission 1</b> – Civic Centre Redevelopment Community Advisory Committee

**MAYORAL MINUTES**

There were no Mayoral Minutes.

**COUNCIL REPORTS**

**1 CONFIRMATION OF MINUTES - Council Meeting held on 8 May 2012**

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

That the Minutes of the Council Meeting 7/12, held on 8 May 2012 be confirmed.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**Record of Voting:**

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

Against the Motion: Councillors Salvestro-Martin and Tagg

**ORDER OF BUSINESS**

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

That the following Items be considered at the start of the meeting:

- Notice of Motion 1 – Hillview Lane Stormwater Canal,
- Notice of Motion 2 – City of Ryde Procurement Processes,
- Notice of Motion 3 – Public Works at Corner Boyce Street and Twin Road,
- Notice of Motion 4 – Wolfe Road and Blue Gum Drive, East Ryde
- Rescission Motion 1 - Civic Centre Redevelopment Community Advisory Committee; and
- Precis of Correspondence 1 – Macquarie Park Corridor Workshop – Land and Housing Corporation Correspondence – Ivanhoe Precinct

**Record of Voting:**

For the Motion: Unanimous

**SPEAKERS ON PLANNING AND ENVIRONMENT COMMITTEE MEETING 6/12**

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

That the three people who wish to address Council in relation to Item 2 – REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 6/12 held on 15 May 2012:

- 3 40 SHEPHERD STREET, RYDE. LOT 79 DP 5887. Local Development Application for demolition and construction of six dwellings under State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004. LDA2011/0625

be permitted to address Council.

**Record of Voting:**

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

Against the Motion: Councillors Campbell, Maggio and O'Donnell



**ITEM 1 (continued)**

**ATTACHMENT 1**

**RECOMITTAL OF ITEM**

**RESOLUTION:** (Councillors Maggio and Butterworth)

That this matter be recommitted.

**Record of Voting:**

For the Motion: Unanimous

**RECOMMENDED: SPEAKERS ON PLANNING AND ENVIRONMENT COMMITTEE MEETING 6/12**

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

That those people who wish to address Council in relation to Item 2 – REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 6/12 held on 15 May 2012:

- 3 40 SHEPHERD STREET, RYDE. LOT 79 DP 5887. Local Development Application for demolition and construction of six dwellings under State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004. LDA2011/0625

be permitted to address Council ensuring the applicant and objectors be allowed equal opportunity to speak.

**Record of Voting:**

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

Against the Motion: Councillor Campbell

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

The following persons addressed the Council:

<b>Name</b>	<b>Topic</b>
Mr Alex Kussas	40 SHEPHERD STREET, RYDE. LOT 79 DP 5887. LDA2011/0625
Ms Sarah Chance	
Mr Ian Glendinning (representing the applicant)	

**ITEM 1 (continued)**

**ATTACHMENT 1**

**NOTICES OF MOTION**

**1 HILLVIEW LANE STORMWATER CANAL - Councillor Justin Li**

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

That Council investigates and reports on the factors that increased the intensity of the Eastwood flash flood on 18 April 2012 and any measure that could alleviate the intensity of flooding including the feasibility and effectiveness of increasing the height of the Eastwood Hillview Lane stormwater canal walls so as to reduce the impact of potential future flash floods on nearby businesses and parked cars.

**Record of Voting:**

For the Motion: Unanimous

**2 CITY OF RYDE PROCUREMENT PROCESSES - Councillor Jeff Salvestro-Martin**

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

That the General Manager conduct a detailed and thorough review of City of Ryde Procurement processes with particular emphasis on the Tendering Process and to ensure that all future Tender Evaluations include and clearly identify and report Tender Risks associated with potential contracts, thereby ensuring that Council has met all obligations with respect to minimising risk to resident and public safety as a consequence of Sub-Contractor activity within City of Ryde. The output of this Notice of Motion is a report for Council consideration.

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

In the interests of transparency and to assist understanding by Councillors and the broader community, the General Manager provides a report detailing Council's current procurement and tendering processes (including, but not limited to, risk management, probity processes and contractual management arrangements), with a view to identifying potential further opportunities to ensure a best practice management approach by the City of Ryde in this aspect of Council's operations.

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

**Record of Voting:**

For the Amendment: Councillors Campbell, Maggio, O'Donnell and Yedelian OAM.

**ITEM 1 (continued)**

**ATTACHMENT 1**

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

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

That the General Manager conduct a detailed and thorough review of City of Ryde Procurement processes with particular emphasis on the Tendering Process and to ensure that all future Tender Evaluations include and clearly identify and report Tender Risks associated with potential contracts, thereby ensuring that Council has met all obligations with respect to minimising risk to resident and public safety as a consequence of Sub-Contractor activity within City of Ryde. The output of this Notice of Motion is a report for Council consideration.

**Record of Voting:**

For the Motion: Councillors Butterworth, Li, Maggio, Petch, Salvestro-Martin, Tagg and Yedelian OAM

Against the Motion: Councillors Campbell, O'Donnell and Perram

Note: A Notice of Rescission signed by Councillors Campbell, Yedelian OAM and Maggio was received in relation to this item following the meeting and will be considered by Council at its meeting to be held on 12 June 2012.

**3 PUBLIC WORKS AT CORNER BOYCE STREET AND TWIN ROAD -  
Councillor Victor Tagg**

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

- (a) That public works stop at Corner Boyce Street and Twin Road. To go back to Traffic Committee so that the concerns of Ryde East P&C about a crossing near Bahdajos and Twin be addressed rather than Boyce and Twin.
- (b) That Council contact the Ryde East P&C to address their issues and concerns prior to any report being provided to the Traffic Committee.

**Record of Voting:**

For the Motion: Unanimous

**4 WOLFE ROAD AND BLUE GUM DRIVE, EAST RYDE - Councillor Roy Maggio**

Note: Mr Chad Quinn, Mr Stuart Maxwell, Mr Harrison Saba and Ms Michelle Saba addressed the meeting in relation to this Item.

**ITEM 1 (continued)**

**ATTACHMENT 1**

Note: A photograph provided by Mr Harrison Saba was tabled in relation to this matter and a copy is ON FILE.

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

I formally move that Council facilitate a Neighbourhood Forum with members of the community residing in Wolfe Road and Blue Gum Drive, East Ryde to discuss the issues relating to the management of the Wolfe Road reserve.

- That Council facilitate the Neighbourhood Forum within a 3 week time frame
- That Council do not proceed with any works relating to the management of the reserve until all concerns of the Neighbourhood Forum are comprised.
- That Council prepare a report of the Neighbourhood Forum for consideration at a Works and Community Committee for referral to a Council meeting.
- That Council encourage further public comment on it as a basis for an immediate plan of management for the Wolfe Road Reserve.

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

That the General Manager report to the Works and Community Committee regarding the continued use of the Wolfe Road Reserve as an open space area so that the Committee can inspect the area.

On being put to the Meeting, the voting on the Amendment was LOST, there being two (2) votes For and eight (8) votes Against. The Motion was then put and CARRIED.

**Record of Voting:**

For the Amendment: Councillors Perram and Tagg

Against the Amendment: Councillors Butterworth, Campbell, Li, Maggio, O'Donnell, Petch, Salvestro-Martin and Yedelian OAM

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

That Council facilitate a Neighbourhood Forum with members of the community residing in Wolfe Road and Blue Gum Drive, East Ryde to discuss the issues relating to the management of the Wolfe Road reserve.

- That Council facilitate the Neighbourhood Forum within a 3 week time frame
- That Council do not proceed with any works relating to the management of the reserve until all concerns of the Neighbourhood Forum are comprised.

**ITEM 1 (continued)**

**ATTACHMENT 1**

- That Council prepare a report of the Neighbourhood Forum for consideration at a Works and Community Committee for referral to a Council meeting.
- That Council encourage further public comment on it as a basis for an immediate plan of management for the Wolfe Road Reserve.

**Record of Voting:**

For the Motion: Unanimous

**1 NOTICE OF RESCISSION - CIVIC CENTRE REDEVELOPMENT  
COMMUNITY ADVISORY COMMITTEE - Councillor Ivan Petch, Councillor  
Jeff Salvestro-Martin, Councillor Victor Tagg, Councillor Justin Li**

Note: Ms Diane Erickson addressed the meeting in relation to this Item.

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

That Council rescind the previous resolution in relation to NOTICE OF MOTION 1, passed at the Council Meeting held on 8 May 2012, namely:

- (a) *That Council establish a Civic Precinct Community Facilities Advisory Committee to provide community input into the design detail of the community facilities, consisting of a new auditorium, community meeting and rehearsal rooms which will be delivered as part of the Developer Agreement entered into for the Civic Precinct redevelopment.*
- (b) *That the Civic Precinct Community Facilities Advisory Committee be established once the Development Agreement for the Civic Precinct redevelopment has been agreed and signed by both parties.*
- (c) *That the General Manager be requested to draft the Terms of Reference for the Civic Precinct Community Facilities Advisory Committee for Council's endorsement using the existing endorsed framework for Advisory Committees.*

**Record of Voting:**

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

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

The Rescission Motion was CARRIED, there being six (6) votes For and four (4) votes Against. The matter was then AT LARGE.

**ITEM 1 (continued)**

**ATTACHMENT 1**

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

1. That Council establishes a civic centre redevelopment community advisory committee.
2. That four Councillors be appointed to the civic centre redevelopment community advisory committee.
3. That expressions of interest be called from interested community representatives to be members on the civic centre redevelopment community advisory committee.
4. That all applications from members of the community who have expressed an interest to be part of the civic centre redevelopment community advisory committee be presented to Councillors at a workshop where six will be appointed.
5. After all committee members have been appointed that the civic centre redevelopment community advisory committee develop draft terms of reference for presentation and consideration by Council.
6. Until all committee members are appointed and the terms of reference for the civic centre redevelopment community advisory committee have been adopted by Council that all works including tender processes, consultant/contractor engagement and Council officer actions/decisions on the civic centre site development be placed on hold.
7. That the Council considers a new timeframe and process for the civic centre redevelopment after receiving advice from the civic centre redevelopment community advisory committee.

**Record of Voting:**

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

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

Note: A Notice of Rescission signed by Councillors Campbell, Yedelian OAM and Maggio was received in relation to this item during the meeting and will be considered by Council at its meeting to be held on 12 June 2012.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**1 DEFERRED PRECIS OF CORRESPONDENCE: MACQUARIE PARK CORRIDOR WORKSHOP - LAND & HOUSING CORPORATION CORRESPONDENCE - IVANHOE PRECINCT**

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

- (a) That the correspondence be received.
- (b) That further letters be sent reconfirming Council's previous resolution of 10 April 2012 in relation to this matter.

**Record of Voting:**

For the Motion: Unanimous

**COUNCIL REPORTS**

**2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 6/12 held on 15 May 2012**

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

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

**Record of Voting:**

For the Motion: Unanimous

**2 62 HIGGINBOTHAM ROAD, GLADESVILLE. LOT 4 DP 814502. Local Development Application to erect a front and side boundary fence 1.2m & 1.8m high. LDA2011/0665**

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

- (a) That consideration of Local Development Application No. LDA 2011/665 at 62 Higginbotham Road, Gladesville be deferred until the Planning and Environment Committee Meeting on 19 June 2012 to allow the applicant's legal representatives time to review the report and make representations to Council prior to the application being determined.
- (b) That Council's General Counsel and Service Unit Manager – Assessment undertake discussions with the Group Manager – Public Works to cost the rectification works to reconstruct the driveway and General Counsel also investigate options of compulsory acquisition and provide further information to Councillors.

**ITEM 1 (continued)**

**ATTACHMENT 1**

- (c) That all interested residents be notified in writing of the recommendations of Council staff before going to the Planning and Environment Committee and be individually contacted by phone or email to be advised of the Committee Meeting.

**Record of Voting:**

For the Motion: Unanimous

**3 40 SHEPHERD STREET, RYDE. LOT 79 DP 5887. Local Development Application for demolition and construction of six dwellings under State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004. LDA2011/0625**

Note: Mr Alex Kussas, Ms Sarah Chance and Mr Ian Glendinning (representing the applicant) addressed Council in relation to this Item.

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

- (a) That Local Development Application No. LDA 2011/625 at 40 Shepherd Street, Ryde being LOT 79 in DP 5887 be refused for the following reasons:-
1. With regard to the requirements of the shared driveway wheelchair arrangements, the proposed development does not adequately provide safe access for the ingress and egress of a wheelchair and a vehicle where paths should be wide enough to allow a vehicle and a wheelchair to pass safely.
  2. The development as proposed will be detrimental to the character of the area having 4 x two storey dwellings resulting in unacceptable bulk, scale and massing.
  3. The development as proposed will have an adverse impact on the amenity of adjoining dwellings in regards to privacy, overlooking and overshadowing.
  4. The development is an overdevelopment of the site and provides insufficient parking.
  5. The proposal does not comply with Council's DCP 2010 – Part 8.2 Stormwater Management in relation to on-site detention volumes and insufficient freeboard between the finished floor and ground levels.
  6. The development is not in the public interest as evident by the submissions made.



**ITEM 1 (continued)**

**ATTACHMENT 1**

7. Despite a numerical compliance with clause 26 of the SEPP the development does not provide easy access to the required bus stops.

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

**Record of Voting:**

For the Motion: Unanimous

**EXTENSION OF TIME**

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

That Council extend the meeting closing time to allow consideration of the following items with the remainder to be deferred for consideration at the Council Meeting to be held on 12 June 2012:

- 4 DEFERRED REPORT: LIVI'S PLACE STATUS REPORT - PROJECT UPDATE
- 8 ONE ASSOCIATION - ENDORSEMENT OF DELEGATES FOR VOTING
- 9 INVESTMENT REPORT - April 2012
- 10 LOCAL GOVERNMENT REMUNERATION TRIBUNAL DETERMINATION - Councillors and Mayoral fees for 2012/13
- 12 BENEVOLENT SOCIETY LICENCE - West Ryde Community Centre Level 3
- 13 BRUSH FARM HOUSE - Future Use
- 15 MARCH 2012 QUARTERLY REVIEW REPORT - 2011/2015 DELIVERY PLAN AND 2011/2012 OPERATIONAL PLAN
- 16 TENDER FOR CRUSHING OF RECLAIMED CONCRETE AND ASPHALT - COR - RFT- 03/12

**Record of Voting:**

For the Motion: Unanimous

**4 DEFERRED REPORT: LIVI'S PLACE STATUS REPORT - PROJECT UPDATE**

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

- (a) That Council proceed with the project.
- (b) That Council seek formal confirmation from Lend Lease Corporation regarding their ongoing sponsorship offer for services relating to this project, and thank them for their assistance to date.

**ITEM 1 (continued)**

**ATTACHMENT 1**

- (c) That Council request the General Manager to develop an agreement with the Touched by Olivia Foundation that covers the receipt and payment of the charitable funds raised for this project on their behalf.
- (d) That Council endorse the unexpended funds for this project in 2011/2012 to be carried over to the 2012/2013 financial year.
- (e) That the amount of \$150,000 be transferred from Sportsground Amenities Upgrades Renewal project to the Livi's Place project for the purpose of the construction of an amenities building within Yamble Reserve.

**Record of Voting:**

For the Motion: Unanimous

Note: Councillor Maggio left the meeting at 11:04pm and was not present for consideration of Items 8, 9 and 10.

**8 ONE ASSOCIATION - ENDORSEMENT OF DELEGATES FOR VOTING**

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

That Council nominate five voting delegates to take part in the forthcoming secret postal ballot to deal with the matter of One Association and that their names and personal postal addresses be forwarded to the Associations to form the Roll of Voters as follows:

- Councillor Petch
- Councillor Yedelian OAM
- Councillor Salvestro-Martin
- The Mayor, Councillor Etmekdjian
- Councillor O'Donnell

**Record of Voting:**

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

Against the Motion: Councillors Butterworth and Perram

**9 INVESTMENT REPORT - April 2012**

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

That Council endorse the report of the Chief Financial Officer dated 8 May 2012 on Investment Report – April 2012.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**Record of Voting:**

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

Against the Motion: Councillor Butterworth

**10 LOCAL GOVERNMENT REMUNERATION TRIBUNAL DETERMINATION - Councillors and Mayoral fees for 2012/13**

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

That Council adopt the following increases to Councillor and Mayoral fees effective from 1 July 2012:

- (a) 2.5% increase to Councillor fees (total fee payment of \$21,700 per annum).
- (b) 2.5% increase to Mayoral fees (total fee payment of \$57,660 per annum), noting that 10% of the Mayoral fee is paid to the Deputy Mayor.

**Record of Voting:**

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

Against the Motion: Councillor Salvestro-Martin

Note: Councillor Maggio returned to the meeting at 11.07pm.

**12 BENEVOLENT SOCIETY LICENCE - West Ryde Community Centre Level 3**

Note: Mr Richard Luxford (representing Lifestart Co-operative Ltd) addressed the meeting in relation to this Item.

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

- (a) That the Council endorse a five-year licence for the Benevolent Society to undertake children and family services in Level 3 of the West Ryde Community Centre.
- (b) That Council endorse the subsidy provided to Benevolent Society (Category 4), as the community tenant for Level 3 of the West Ryde Community Centre.
- (c) That Council actively engage with Lifestart Co-operative Ltd to assist them in finding suitable accommodation within the City of Ryde.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**Record of Voting:**

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

Against the Motion: Councillor Butterworth

Note: Councillor Li left the meeting at 11:35pm and was not present for consideration of Item 13.

**13 BRUSH FARM HOUSE - Future Use**

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

That this matter be deferred to the next Council Meeting.

**Record of Voting:**

For the Motion: Unanimous

Note: Councillor Li returned to the meeting at 11:36pm.

**15 MARCH 2012 QUARTERLY REVIEW REPORT - 2011/2015 DELIVERY PLAN AND 2011/2012 OPERATIONAL PLAN**

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

- (a) That the report of the Chief Financial Officer, dated 4 May 2012 on MARCH 2012 QUARTERLY REVIEW REPORT – 2011/2015 DELIVERY PLAN AND 2011/2012 OPERATIONAL PLAN be received and endorsed.
- (b) That the proposed budget adjustments included in this report resulting in a net total \$0.03 million improvement in Council's Working Capital be endorsed and included in the 2011/2012 Budget.
- (c) That the proposed transfers to and from Reserves as detailed in the report, and included as budget adjustments, totalling a net decrease in Transfers from Reserves of \$0.95 million be endorsed.
- (d) That the Certificate of the Responsible Accounting Officer attached to the report of the Chief Financial Officer dated 4 May 2012 be endorsed.

**Record of Voting:**

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

Against the Motion: Councillor Butterworth

**ITEM 1 (continued)**

**ATTACHMENT 1**

**16 TENDER FOR CRUSHING OF RECLAIMED CONCRETE AND ASPHALT - COR - RFT- 03/12**

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

- (a) That the tender for the Crushing of reclaimed concrete and asphalt COR-RFT- 03/12 be awarded to Crusher Rentals Pty Ltd.
- (b) That Screenmasters Australia Pty Ltd be acknowledged as an alternate for the Crushing of reclaimed concrete and asphalt tender COR-RFT- 03/12.
- (c) That the unsuccessful tenderers be advised accordingly.

**Record of Voting:**

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

Against the Motion: Councillors Butterworth and Salvestro-Martin

Note: Councillor Butterworth left the meeting at 11:37pm and did not return.

**NATIONAL ANTHEM**

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

Note: The following Items listed on the Agenda for Council Meeting 8/12 were deferred for consideration at the Council meeting to be held on 12 June 2012 and will be listed on the Agenda for Council Meeting 9/12 to be held on Tuesday, 12 June 2012:

**COUNCIL REPORTS**

- 3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 6/12 held on 15 May 2012
- 5 DEFERRED REPORT: PUTNEY PARK PLAN OF MANAGEMENT ACTION PLAN UPDATE
- 6 DEFERRED REPORT: ACCUMULATED LIBRARY FINES
- 7 PROPOSED SITE FOR HOUSING COUNCIL STAFF AND MOVEMENT OF STAFF TO NEW PREMISES
- 11 WEBCASTING OF COUNCIL MEETINGS
- 14 SUMMARY OF EXPENSES RELATING TO THE GENERAL MANAGER AND SENIOR STAFF

**ITEM 1 (continued)**

**ATTACHMENT 1**

17 REPORTS DUE TO COUNCIL

18 ADVICE ON COURT ACTIONS

**PRECIS OF CORRESPONDENCE FOR CONSIDERATION**

2 DEFERRED PRECIS OF CORRESPONDENCE: FUNDING FOR THE POSITION OF ABORIGINAL EDUCATION OFFICER AT MARSDEN HIGH SCHOOL

3 AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA NSW)

4 SYDNEY AIRPORT – THE RIGHT FUTURE, STARTING NOW

The meeting closed at 11.39pm.

CONFIRMED THIS 12TH DAY OF JUNE 2012

Chairperson

**2 CONFIRMATION OF MINUTES - Council Meeting held on 12 June 2012**

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**Report prepared by:** Meeting Support Coordinator**Report dated:** 28/05/2012**File No.:** GRP/12/5/5/5 - BP12/638

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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 9/12, held on 12 June 2012 be confirmed.

**ATTACHMENTS**

- 1 Minutes - Ordinary Council Meeting - 12 June 2012

**ITEM 2 (continued)**

**ATTACHMENT 1**

**Council Meeting  
MINUTES OF MEETING NO. 9/12**

**Meeting Date:** Tuesday 12 June 2012  
**Location:** Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde  
**Time:** 7.30pm

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

Councillor Butterworth arrived at the meeting at 7.41pm during Public Participation on Items on the Agenda.

Note: Councillor Butterworth left the meeting at 11.14pm and did not return. He was not present for consideration of the Matter of Urgency or Items 2, 3, 4, 13, 15, 16 and 17.

Note: Councillor Salvestro-Martin left the meeting at 11.28pm and did not return. He was not present for consideration of Items 2, 3, 4, 13, 15, 16 and 17.

**Apologies:** Nil.

**Leave of Absence:** Councillor Perram.

**Staff Present:** General Manager, Group Manager – Community Life, Group Manager - Corporate Services, Group Manager – Environment & Planning, Group Manager - Public Works, General Counsel, Manager Strategy and Organisation Development, Chief Financial Officer, Development Director – Civic Precinct Project, Service Unit Manager – Governance, Service Unit Manager – Human Resources, Service Unit Manager – Customer Service, Team Leader – Environmental Health, Environmental Health Officer, Media & Community Relations Officer and Meeting Support Coordinator.

**PRAYER**

The General Manager, Mr John Neish offered prayer prior to the commencement of the meeting.

**DISCLOSURES OF INTEREST**

Councillor Campbell disclosed a significant non-pecuniary interest in Mayoral Minute MM3/12 – Election of Nicole Campbell as Executive Member of NSW Branch of Australian Local Government Women's Association (ALGWA) for the reason that she is a member on the ALGWA Executive.



**ITEM 2 (continued)**

**ATTACHMENT 1**

**PRESENTATION OF GROUP FOOD SURVEILLANCE CHAMPION AWARD**

Craig Redfern, Team Leader – Environmental Health and Isan Tchan, Environmental Health Officer presented the Mayor, Councillor Etmekdjian with an award won by the Environmental Health Units of City of Ryde, Ku-ring-gai and North Sydney Council's. The Group Food Surveillance Champion Award from the NSW Food Authority was won for a food handler education campaign conducted in partnership with Ryde TAFE.

**PRESENTATION OF THREE SILVER ACCREDITATIONS WON IN THE 50:50 GENDER EQUITY AWARDS**

Shane Sullivan, Service Unit Manager – Governance, Melissa Attia, Service Unit Manager – Human Resources and Angela Jones-Blayney, Service Unit Manager – Customer Service (representing the Women's Empowerment Working Group) presented the Mayor, Councillor Etmekdjian with three Silver Accreditations won in the 50:50 Gender Equity Awards. The Accreditations were won for the categories of Work and Family Balance, Remuneration, Recognition and Training and Commitment and Leadership.

**PRESENTATION OF GOLD AWARD WON AT THE AUSTRALASIAN REPORTING AWARDS**

Beki Boulet, Manager Strategy and Organisation Development presented the Mayor, Councillor Etmekdjian with the Gold Award for reporting excellence, won for Council's Annual Report at the Australasian Reporting Awards.

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

Note: Councillor Butterworth arrived at the meeting at 7.41pm during Public Participation on Items on the Agenda.

The following persons addressed the Council:-

<b>Name</b>	<b>Topic</b>
Kate Pain	<b>Notice of Motion 1</b> – Retention of Community Open Space
Warwick Cooper	<b>Notice of Rescission 1</b> – Civic Centre Redevelopment Community Advisory Committee
Denise Pendleton (representing Residents for Ryde)	<b>Item 5</b> – Report of the Civic Precinct Committee Meeting 3/12 held on 6 June 2012
Shaun Gilchrist	<b>Notice of Rescission 1</b> – Civic Centre Redevelopment Community Advisory Committee
Philip Peake	<b>Item 5</b> – Report of the Civic Precinct Committee Meeting 3/12 held on 6 June 2012
Rose Torossian	<b>Item 5</b> – Report of the Civic Precinct Committee Meeting 3/12 held on 6 June 2012
Beth Kosnik (spoke on behalf of Sherie Barton)	<b>Item 5</b> – Report of the Civic Precinct Committee Meeting 3/12 held on 6 June 2012

**ITEM 2 (continued)**

**ATTACHMENT 1**

Rex Honey	<b>Item 5</b> – Report of the Civic Precinct Committee Meeting 3/12 held on 6 June 2012
Ken Allcott (representing Concerned Residents Action Group)	<b>Notice of Motion 1</b> – Retention of Community Open Space
Lee Cummings	<b>Item 5</b> – Report of the Civic Precinct Committee Meeting 3/12 held on 6 June 2012
Emil Duic	<b>Item 5</b> – Report of the Civic Precinct Committee Meeting 3/12 held on 6 June 2012
Connie Netterfield	<b>Item 5</b> – Report of the Civic Precinct Committee Meeting 3/12 held on 6 June 2012
Suzanne Maslen (representing Ryde Eisteddfod)	<b>Notice of Rescission 1</b> – Civic Centre Redevelopment Community Advisory Committee
Diane Erickson	<b>Item 5</b> – Report of the Civic Precinct Committee Meeting 3/12 held on 6 June 2012
Laurie Kennedy	<b>Item 5</b> – Report of the Civic Precinct Committee Meeting 3/12 held on 6 June 2012

Note: Lyn Slatter and Ping Tan were called to address Council, however were not present in the Chamber.

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

That the late request to address Council on Items Listed on the Agenda be allowed to address the meeting.

**Record of Voting:**

For the Motion: Unanimous

The following person then addressed the Council:-

<b>Name</b>	<b>Topic</b>
June Heinrich (representing Macquarie Community College)	<b>Item 12</b> – Brush Farm House – Future Use

**ORDER OF BUSINESS**

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

That the following Items be considered by Council:-

- Notice of Rescission 1 – Civic Centre Redevelopment Community Advisory Committee,
- Item 5 – Report of the Civic Precinct Committee Meeting 3/12 held on 6 June 2012,
- Notice of Motion 1 – Retention of Community Open Space; and
- Item 12 – Brush Farm House – Future Use

**ITEM 2 (continued)**

**ATTACHMENT 1**

**Record of Voting:**

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

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

**NOTICE OF RESCISSION**

**1 NOTICE OF RESCISSION - CIVIC CENTRE REDEVELOPMENT  
COMMUNITY ADVISORY COMMITTEE - Councillor Nicole Campbell,  
Councillor Sarkis Yedelian OAM, Councillor Roy Maggio**

Note: Warwick Cooper, Shaun Gilchrist and Suzanne Maslin (representing Ryde Eisteddfod) addressed the meeting in relation to this Item.

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

That Council rescind the previous resolution in relation to NOTICE OF RESCISSION 1 – CIVIC CENTRE REDEVELOPMENT COMMUNITY ADVISORY COMMITTEE, passed at the Council Meeting held on 22 May 2012, namely:

1. *That Council establishes a civic centre redevelopment community advisory committee.*
2. *That four Councillors be appointed to the civic centre redevelopment community advisory committee.*
3. *That expressions of interest be called from interested community representatives to be members on the civic centre redevelopment community advisory committee.*
4. *That all applications from members of the community who have expressed an interest to be part of the civic centre redevelopment community advisory committee be presented to Councillors at a workshop where six will be appointed.*
5. *After all committee members have been appointed that the civic centre redevelopment community advisory committee develop draft terms of reference for presentation and consideration by Council.*
6. *Until all committee members are appointed and the terms of reference for the civic centre redevelopment community advisory committee have been adopted by Council that all works including tender processes, consultant/contractor engagement and Council officer actions/decisions on the civic centre site development be placed on hold.*

**ITEM 2 (continued)**

**ATTACHMENT 1**

7. *That the Council considers a new timeframe and process for the civic centre redevelopment after receiving advice from the civic centre redevelopment community advisory committee.*

The Rescission Motion was CARRIED, there being six (6) votes For and five (5) votes Against.

**Record of Voting:**

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

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

**5 REPORT OF THE CIVIC PRECINCT COMMITTEE MEETING 3/12 held on 6 June 2012**

Note: Denise Pendleton (representing Residents for Ryde), Philip Peake, Rose Torossian, Rex Honey, Lee Cummings, Emil Duic, Connie Netterfield, Beth Kosnik (on behalf of Sherie Barton), Diane Erickson and Laurie Kennedy addressed the meeting in relation to this Item.

**1 CONFIRMATION OF MINUTES – Civic Precinct Committee Meeting held on 1 May 2012**

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

That the Minutes of the Civic Precinct Committee Meeting 2/12, held on Tuesday, 1 May 2012, be confirmed.

**Record of Voting:**

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

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

**2 CITY OF RYDE PRECINCT REDEVELOPMENT TENDER**

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

1. That Council note the report from the General Manager, and the report from the tender evaluation panel (**ATTACHMENT E – CIRCULATED UNDER SEPARATE COVER – CONFIDENTIAL**), in relation to responses received from Lend Lease Development Pty Limited and Billbergia Pty Limited/Frasers Property Australia Pty Limited to the Request for Tenders.

That Council adopts the recommendation from the tender evaluation panel as reviewed and approved by the General Manager and not accept either

**ITEM 2 (continued)**

**ATTACHMENT 1**

tender on the basis that whilst the tenders received demonstrated substantial compliance with Council's project objectives of community benefit, revitalisation, design, sustainability, financial viability and traffic, the tenders displayed deficiencies in the following areas:

- (a) Council's preferred financial objectives were not fully achieved;
- (b) the proposed risk allocations were not fully in accordance with Council's preferred risk profile;
- (c) certain elements of Council's performance brief were not fully complied with; and
- (d) the form of the tenders submitted were not sufficiently legally certain and complete as to enable Council to accept them.

**And that Council resolves** that having regard to clause 178(1) of the Local Government (General) Regulation 2005 and having regard to the tenders received in response to the Request for Tenders, the recommendations of the General Manager and the recommendations from the tender evaluation panel, no tender be accepted.

2. That Council notes the recommendations of the General Manager and the tender evaluation panel that Council (subject to confirmation of Lend Lease board approval) enter into negotiations with Lend Lease Development Pty Limited with a view to concluding a contract, on the basis of the reasons set out in the confidential report from the tender evaluation panel:

**And that Council resolves** that having regard to clause 178(3)(e) of the Local Government (General) Regulation 2005 and having regard to the recommendations of the General Manager and the tender evaluation panel, to further the procurement process for the selection of an appropriate development partner (subject to confirmation of Lend Lease board approval) by entering into negotiations with Lend Lease Development Pty Limited with a view to entering into a Project Delivery Agreement (and all documents referred to as Project Documents in the Project Delivery Agreement) preferably by August 2012 in relation to the Ryde Civic Redevelopment for the reasons that:

- (a) the tender submitted by Lend Lease Development Pty Limited achieved a superior ranking by the tender evaluation panel and subsequent meetings with both proponents to appreciate areas where negotiations might result in improvements to Council's position confirmed this ranking; and
- (b) other options available to Council such as inviting fresh tenders or fresh applications from other persons or Council implementing one of several options ie: 'Do Nothing' or 'Refurbishment' or carrying out the redevelopment itself would not achieve a more satisfactory result for the following reasons:

**ITEM 2 (continued)**

**ATTACHMENT 1**

- (i) the procurement process involving an expressions of interest and request for tenders has fully tested the market and any new tender process would be unlikely to produce a better result;
  - (ii) any new tender process would involve Council in substantial additional costs without any certainty of a better result;
  - (iii) any new tender process would involve a reputation risk to Council with tenderers being exposed to the substantial costs of tendering and having potentially lacking confidence in Council's process;
  - (iv) the 'Do Nothing' option would lead to ultimate building failure over the next five to seven years;
  - (v) the 'Refurbishment Option' will incur considerable additional costs to Council over the next ten years which would be significantly greater than the final net cost of proceeding with a Project Delivery Agreement with Lend Lease Development Pty Limited and in doing so would leave Council significantly disadvantaged; and
  - (vi) as previously advised to Council, Council does not have the experience, capability, risk appetite or the cash available to undertake the project itself.
3. That Council note the recommendations of the General Manager that Council enter into a Project Development Agreement (and all documents referred to as Project Documents in the Project Delivery Agreement) with Lend Lease Development Pty Limited on terms the General Manager approves and is reasonably satisfied are substantially consistent with or more favourable to Council than, the Commercial and Risk Principles set out in Confidential Attachment G.

**And that Council resolves** that Council enter into a Project Delivery Agreement (and all documents referred to as Project Documents in the Project Delivery Agreement) on terms approved by the General Manager and which he is reasonably satisfied are substantially consistent with or more favourable to Council than, the Commercial and Risk Principles set out in **ATTACHMENT G - CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL**.

4. That Council notes the recommendation that Council delegates to the General Manager the authority to negotiate with Lend Lease Development Pty Limited with a view to finalising and executing the Project Delivery Agreement (and all documents referred to as Project Documents in the Project Delivery Agreement) on terms approved by the General Manager and which he is reasonably satisfied are substantially consistent with or more favourable to Council than, the Commercial and Risk Principles set out in Confidential Attachment G.

**ITEM 2 (continued)**

**ATTACHMENT 1**

**And that Council resolves** that pursuant to section 377(1) of the Local Government Act 1993, Council delegates to the General Manager the authority to finalise and execute the Project Delivery Agreement (and all documents referred to as Project Documents in the Project Delivery Agreement) with Lend Lease Development Pty Limited once he has approved the final form of that documentation and is reasonably satisfied the documentation is substantially consistent with or more favourable to Council than, the Commercial and Risk Principles set out in Confidential Attachment G.

That Council notes that a funding option offered by Lend Lease Development Pty Limited provides the best financial return to Council through the delivery of a low cost of capital solution by utilising Council's ability to borrow funds at a much lower levels than Lend Lease's cost of capital.

**And that Council resolves** that it prefers the Lend Lease funding option and authorises the General Manager to undertake a tender process to provide the most advantageous outcome for Council for a \$35 million loan over a six year period, where the principal and interest is guaranteed by Lend Lease to Council and the funding is provided at no net cost to Council, the details of which will form part of the Project Delivery Agreement.

5. That Council notes that Stage 3 of the Civic Precinct project will be achieved upon the completion of negotiations with a preferred development partner.

**And that Council Resolves:**

- (a) to implement Stage 4 in accordance with these recommendations and the indicative program provided in this report and maintain the Civic Precinct development team of contractors/consultants to do so and extend the delegation of the General Manager pursuant to section 377(1) of the Local Government Act 1993, to negotiate extensions of procurement arrangements and execute all relevant documentation with external providers for Stage 4, where Council's commitment to those providers will exceed \$150,000 over all 4 stages of the project; being:
  - (i) Forbrook Group Pty Ltd;
  - (ii) Kathy Jones and Associates; and
  - (iii) Michael Collins and Associates, and
- (b) that pursuant to section 55(3) of the Local Government Act 1993, that a satisfactory result would not be achieved by inviting tenders for the services to be provided by the external providers (as listed above) because of extenuating circumstances, by reason that a costly tender process to procure new external providers would not achieve a satisfactory result having regard to:

**ITEM 2 (continued)**

**ATTACHMENT 1**

- (i) the whole of life costs for the project when taking into account the amount of time, risks and resources that may be required to brief new consultants;
- (ii) Council's desire for continuity in the project and the intellectual property held by those external providers in relation to the project; and
- (iii) the timetable adopted by Council to progress to Stage 4,

and accordingly, that Council will not be inviting tenders for the services to be provided by the external providers (as listed above).

6. That Council notes that until such time as Council resolves to proceed with the Civic Precinct redevelopment, or commits to a 'Do Nothing' approach, that Council is unable to integrate the financial models relating to this report into its Four Year Delivery Plan and its Long Term Financial Plan.

**And that Council Resolves:** to adjust its Four Year Delivery Plan and its Long Term Financial Plan to reflect the impacts of the Lend Lease funding option as outlined in the confidential attachments to this report and finalised by negotiation with the General Manager.

7. That Council enter into a legally enforceable Memorandum of Understanding with Lend Lease Development Pty Limited, consistent with the Project Delivery Agreement referred to in Parts 4 and 5 above, on terms approved by the General Manager, and which he is reasonably satisfied are substantially consistent with, or more favourable to Council than, the Commercial and Risk Principles set out in Confidential Attachment G, and that, pursuant to Section 377(1) of the Local Government Act 1993, Council delegates to the General Manager the authority to finalise and execute that Memorandum of Understanding should the General Manager deem it commercially appropriate to do so.

**Record of Voting:**

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

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

Note: A Notice of Rescission signed by Councillors Petch, Salvestro-Martin, Tagg and Li was received in relation to this Item after the meeting and will be considered by Council at its meeting to be held on 26 June 2012.



**ITEM 2 (continued)**

**ATTACHMENT 1**

**NOTICE OF MOTION**

**1 RETENTION OF COMMUNITY OPEN SPACE - Councillor Roy Maggio**

Note: Kate Pain and Ken Allcott (representing Concerned Residents Action Group) addressed the meeting in relation to this Item.

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

To assist with the provision of community open space for the long term benefit and well being of the RYDE community. I formally move that Council write to the Local Government Association and the three local State members to lobby the State Government for the retention of open space from school closures at no cost to the community to ensure the retention of the increasing need for active sports fields and passive recreation.

**Record of Voting:**

For the Motion: Unanimous

**COMPLETION OF BUSINESS**

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

That Council extend the meeting time to allow consideration of the following Items, the time being 11.02pm:

- Item 12 – Brush Farm House – Future Use; and
- Matter of Urgency – Landowners of Waterloo Road, Macquarie Park.

**Record of Voting:**

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

Against the Motion: Councillor Butterworth

**12 BRUSH FARM HOUSE - Future Use**

Note: June Heinrich (representing Macquarie Community College) addressed the meeting in relation to this Item.

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

That Council execute a five-year licence agreement with Macquarie Community College to use Brush Farm House as community education facility with the following parameters:

**ITEM 2 (continued)**

**ATTACHMENT 1**

- (a) Payment to Council of an annual license fee of \$9,216 plus a 5% increase in that fee per annum;
- (b) Payment to Council of 50% of any venue hire fees received;
- (c) Undertaking of all non structural maintenance, acceptance of responsibility for all operational costs and maintenance of lawns and gardens;
- (d) Agreement to six monthly inspections by Council staff to ensure presentation and asset condition is maintained to Councils satisfaction.

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

That Council execute a two-year licence agreement plus a two-year option with Macquarie Community College to use Brush Farm House as community education facility with the following parameters:

- (a) Payment to Council of an annual license fee of \$9,216 plus a 5% increase in that fee per annum;
- (b) Payment to Council of 50% of any venue hire fees received;
- (c) Undertaking of all non structural maintenance, acceptance of responsibility for all operational costs and maintenance of lawns and gardens;
- (d) Agreement to six monthly inspections by Council staff to ensure presentation and asset condition is maintained to Councils satisfaction.

On being put to the Meeting, the voting on the Amendment was six (6) votes For and five (5) votes Against. The Amendment was CARRIED. The Amendment then became the Motion.

**Record of Voting:**

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

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

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

That Council execute a two-year licence agreement plus a two-year option with Macquarie Community College to use Brush Farm House as community education facility with the following parameters:

- (a) Payment to Council of an annual license fee of \$9,216 plus a 5% increase in that fee per annum;
- (b) Payment to Council of 50% of any venue hire fees received;
- (c) Undertaking of all non structural maintenance, acceptance of responsibility for all operational costs and maintenance of lawns and gardens;
- (d) Agreement to six monthly inspections by Council staff to ensure presentation and asset condition is maintained to Councils satisfaction.

**ITEM 2 (continued)**

**ATTACHMENT 1**

**Record of Voting:**

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

Against the Motion: Councillors Campbell and Maggio

**MATTER OF URGENCY – LANDOWNERS OF WATERLOO ROAD, MACQUARIE PARK**

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

That Council deal with a Matter of Urgency regarding the landowners of Waterloo Road, Macquarie Park.

**Record of Voting:**

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

Against the Motion: Councillor Butterworth

Note: Councillor Butterworth left the meeting at 11.14pm and did not return.

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

- 1). That within the next seven days, the Council write to the Landowner of 31 to 33 Waterloo Road, Macquarie Park and request that they prepare a residential commercial mix draft master plan for the sites, in accordance with the principals of a transit orientated development to activate the precinct.
- 2). That this transit orientated development draft master plan incorporate the principle of high density living with diverse employment opportunities while integrating the adjacent public transport infrastructure to allow efficient connectivity/accessibility to other parts of Sydney and being consistent with TCA (Transport Construction Authority) Master Plan at Macquarie Park.
- 3). That if the landowner agrees to undertake the preparation of this transit orientated development draft master plan at their cost, then they be requested to present the outcome to Council in October 2012.
- 4). That Council request the land owners of 31-33 Waterloo Road, Macquarie Park to give consideration to not selling any of the strata lots on the property until the master planning process has been concluded.

**ITEM 2 (continued)**

**ATTACHMENT 1**

**Record of Voting:**

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

Against the Motion: Councillors Campbell and O'Donnell

Note: Councillor Salvestro-Martin left the meeting at 11.28pm and did not return.

**COMPLETION OF BUSINESS**

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

That Council extend the meeting time to allow consideration of the following Items, the time being 11.30pm:

- Item 2 – Report of the Planning and Environment Committee Meeting 7/12 held on 5 June 2012,
- Item 3 – Deferred Report: Report of the Works and Community Committee Meeting 6/12 held on 15 May 2012,
- Item 4 – Report of the Works and Community Committee Meeting 7/12 held on 5 June 2012,
- Item 13 – 2012 Local Government Election – Caretaker Provisions and Meeting Schedule,
- Item 15 – Draft DCP 2011 – Part 3.4 Multi Dwelling Housing,
- Item 16 – Surveying and Assessment of City of Ryde Services; and
- Item 17 – Tender – Manufacture and Supply of Air Handling Units to RALC.

**Record of Voting:**

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

Against the Motion: Councillor Li

**2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 7/12 held on 5 June 2012**

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

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

**ITEM 2 (continued)**

**ATTACHMENT 1**

**Record of Voting:**

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

Against the Motion: Councillor Petch

**2 252 MORRISON ROAD, PUTNEY. LOT 97 DP 8902. Local Development Application for demolition, construction of new dual occupancy (attached). LDA2012/0069.**

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

That consideration of Local Development Application No. 2012/69 at No. 252 Morrison Road, Putney being LOT 97 DP 8902 be deferred to the next available Planning and Environment Committee Meeting for a site inspection to be undertaken and to enable the objectors to attend and address the meeting in respect of this matter.

**Record of Voting:**

For the Motion: Unanimous

**3 2-4 PORTER STREET AND 80 BELMORE STREET, RYDE. LOT 1 DP 776768 & LOT 12 DP 4481. Section 96(1A) Application to amend the development consent 2010/0331 for a mixed use development. MOD2011/0185.**

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

(a) That the Section 96 application to modify Local Development Application No. MOD2011/0185 at 2 Porter Street, Ryde being LOT 1 DP 776768 be approved subject to the acceptance of the Deed made by Ryde Developments Pty Limited at the meeting in which Council adopts the recommendation of the Planning and Environment Committee meeting dated 5 June 2012 and conditions 1, 2, 5 and 133 being amended to read as follows:

1. **Approved Plans** - Development is to be carried out in accordance with the following plans and supporting documentation as submitted to Council, except where amended by these conditions of consent:

Document	Author	Date and Revision
Site Plan	Brooks Projects Architects	Sk1g dated 28/11/11
Basement Plans	Brooks Projects Architects	Sk2i dated 25/10/11

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

<b>Building A Porter Street Level 1</b>	<b>Brooks Projects Architects</b>	<b>Sk3k dated 13/12/11</b>
<b>Building A Porter Street levels 2 and 3</b>	<b>Brooks Projects Architects</b>	<b>Sk4h dated 25/10/11</b>
<b>Building A porter Street Levels 4 and 5</b>	<b>Brooks Projects Architects</b>	<b>Sk5h dated 25/10/11</b>
<b>Building A Porter Street Level 6</b>	<b>Brooks Projects Architects</b>	<b>Sk6g dated 17/9/10</b>
<b>Building B Belmore Street Level 1</b>	<b>Brooks Projects Architects</b>	<b>Sk7i dated 12/12/11</b>
Building B Belmore Street Levels 2-5	Brooks Projects Architects	Sk8f dated 5/5/10
<b>Building B Belmore Street Level 6</b>	<b>Brooks Projects Architects</b>	<b>Sk9g dated 8/9/10</b>
<b>Elevations</b>	<b>Brooks Projects Architects</b>	<b>Sk10h dated 25/10/11</b>
Sections	Brooks Projects Architects	Sk11f dated 15/3/10
Belmore Street elevations	Brooks Projects Architects	Sk12f dated 28/6/10
Section through unit terraces	Brooks Projects Architects	Sk14 dated 21/10/10
Section through walkway	Brooks Projects Architects	Sk13 dated 21/10/10
Landscape plan	Jocelyn Ramsay and Associates Pty Ltd	10-008/R May 05

- 2a. Voluntary Planning Agreement** - Pursuant to Section 80A(1) of the Environmental Planning and Assessment Act 1979, the Voluntary Planning Agreement between the City of Ryde and Hayes (Holdings) Pty Limited that relates to the development application the subject of this consent, must be registered on the title of the property prior to the lodgement of any application for a certificate under section 109C of the Environmental Planning and Assessment Act 1979.
- 2b. Deed.** Pursuant to Section 80A(1) of the Environmental Planning and Assessment Act 1979, the Deed between the City of Ryde and Ryde Developments Pty Ltd that relates to the Section 96 Application MOD2011/0185, must be registered on the title of the property prior to the lodgement of any application for a certificate under section 109C of the Environmental Planning and Assessment Act 1979.
- 5. Compliance with BASIX** - The development is to be carried out in compliance with BASIX Certificate No. 421488M dated 28 April 2012.
- 133. Allocation of Car Parking** - Car parking is to be provided in accordance with the following:
- 88 resident spaces (Note: for the purposes of car parking, the home/office units have been assessed as residential).
  - 17 residential visitor spaces
  - 5 commercial spaces

**ITEM 2 (continued)**

**ATTACHMENT 1**

- The remaining 4 car parking spaces are to be allocated to the home/offices units on the ground floor.
- (b) That Council enter into the Deed made by Ryde Developments Pty Limited as part of the Section 96 Application MOD2011/0185 to Development Consent 2010/331 at 2-4 Porter Street and 80 Belmore Street, Ryde.
- (c) That the persons who made submissions be advised of Council's decision.
- (d) That the letters of objection in respect of Porter Street be referred to Ryde's Traffic Committee for review.

**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: Councillor Tagg

**3 DEFERRED REPORT: REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 6/12 held on 15 May 2012**

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

That Council determine Items 3(c), 3(g), 3(j), 3(l) and 4 of the Works and Community Committee report, noting that Items 1, 2, 3(a), 3(b), 3(d), 3(e), 3(f), 3(h), 3(i), 3(k) and 3(m) were dealt with by the Committee within its delegated powers.

**Record of Voting:**

For the Motion: Unanimous

**3 TRAFFIC & PARKING MATTERS PRESENTED TO RYDE LOCAL TRAFFIC COMMITTEE MEETING held on 29 March 2012**

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

- (c) That Council defer consideration of the report titled "MCGREGOR STREET, NORTH RYDE – Request for parking restrictions on one side" for further clarification.

**Record of Voting:**

For the Motion: Unanimous

**ITEM 2 (continued)**

**ATTACHMENT 1**

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

- (g) That Council adopt the following recommendations in relation to the report titled “VIMIERA ROAD, MARSFIELD Black Spot Program 2011/2012 – Black Length” as follows:

That this matter be referred to members of the Bicycle Advisory Committee (out of session) for comment with an update provided at the Council Meeting on 22 May 2012.

**Record of Voting:**

For the Motion: Unanimous

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

- (j) That Council adopt the following recommendation in relation to the report titled “BALACLAVA ROAD AND AGINCOURT ROAD Bus Priority Improvement – Proposed Traffic Signals” as follows:

That the proposal be noted.

**Record of Voting:**

For the Motion: Unanimous

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

- (l) That Council adopt the following recommendations in relation to the report titled “MORRISON ROAD AND CHARLES STREET Proposed Roundabouts – Ryde Rehabilitation Centre Development” as follows:

- i. That ADCO Constructions investigate the potential of converting splitter islands to pedestrian refuges to improve pedestrian access adjacent to roundabouts (considering the likely increase in both density of pedestrian traffic and an ageing population).
- ii. That ADCO Constructions consult the NSW Fire Brigade to seek advice as to the type of service vehicle that may be used in an emergency situation to ensure that accessibility will be maintained.
- iii. That ADCO constructions review the bus / heavy vehicle movements across roundabouts to ensure that compliance with Australian road rules is maintained (50% overlap rule).
- iv. That ADCO Constructions undertake supplementary modelling analysis to confirm if a left in / left out arrangement at the intersection of Morrison Road and Payten Street could be considered in lieu of a roundabout. (This consideration is being given due to the close proximity of the proposed roundabouts as presently proposed. Consideration should also be made to minimise the loss of parking).



**ITEM 2 (continued)**

**ATTACHMENT 1**

- v. That this matter be referred to the next Local Traffic Committee meeting on 24 May 2012 for further consideration.
- vi. That the intersection of Princes Street and Morrison Road be investigated on two fronts:
  - i) Whether or not it is in the developer's scope
  - ii) If not, that Council explore possible traffic interventions at that location and report back to the Works and Community Committee.

**Record of Voting:**

For the Motion: Unanimous

**4 CORRECTION – Community Grants Allocation 2011-12**

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

That Council endorse the correction in the amount of grants allocated to provide a total allocation of:

- i. Ryde Community Hub (Good Beginnings Australia) \$3,000
- ii. The Senior Agenda Inc \$2,000

**Record of Voting:**

For the Motion: Unanimous

**4 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 7/12 held on 5 June 2012**

Note: Councillor Yedelian OAM left the meeting at 11.33pm and did not vote on this Item.

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

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

**Record of Voting:**

For the Motion: Unanimous

**ITEM 2 (continued)**

**ATTACHMENT 1**

**2 TREE MANAGEMENT REVIEW – 5 DARCEY STREET, MARSFIELD**

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

That Council endorse:

- (a) the removal of one (one *Araucaria heterophylla* (Norfolk Island Pine) and require the replacement planting of suitable species that would attain a minimum height of no less than 13 metre at maturity
- (b) the removal and replacement of the two *Thuja spp.* (Bookleaf Cypress) in accordance with previous correspondence sent to the applicant.

**Record of Voting:**

For the Motion: Unanimous

**3 REVIEW OF DETERMINATION OF TREE APPLICATION – 2 LESLIE STREET, NORTH RYDE**

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

That Council approve the removal of the one *Podocarpos macrophyllus* (Fern Tree) and request replacement planting, subject to the following conditions:

- a. One (1) tree (palms, fruit trees and species recognised to have a short life span are not considered a suitable replacement) be planted within the property and in such a manner as to promote growth and long term survival.
- b. At the time of planting that the tree would be no less than 1.5 metres in height.
- c. When mature, the tree would attain a minimum height of not less than 10 metres.
- d. The replacement planting must not be located within three (3) metres of the wall or foundation of a legally constructed building or an approved associated building.
- e. The replacement planting must be completed within twelve (12) months from the date of the consent to remove the subject tree/s unless a written extension is granted by Council.
- f. The replacement planting must be maintained in such a manner as to ensure, as far as practicable, growth to maturity. Any tree that fails to thrive must be replaced with a comparable planting.

**Record of Voting:**

For the Motion: Unanimous

**ITEM 2 (continued)**

**ATTACHMENT 1**

**4 WATER BOTTLE REFILL STATIONS IN OPEN SPACE**

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

That this matter be deferred pending a further report on alternate systems including those that are not chilled.

**Record of Voting:**

For the Motion: Unanimous

Note: Councillor Yedelian OAM returned to the meeting at 11.35pm.

**13 2012 LOCAL GOVERNMENT ELECTION - CARETAKER PROVISIONS AND MEETING SCHEDULE**

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

- (a) That Council note the caretaker provisions as set out in the Local Government Amendment Bill 2012.
- (b) That Council endorse 28 August 2012 as the last Council Meeting prior to the 2012 Local Government Elections, noting that caretaker provisions commence from 10 August 2012.
- (c) That notification of Council's remaining 2012 meeting schedule be placed on Council's website, in CityView and local newspapers.

**Record of Voting:**

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

Against the Motion: Councillors Campbell, Li, Petch and Tagg

**15 DRAFT DCP 2011 - PART 3.4 MULTI DWELLING HOUSING**

Note: A Media Release posted on 25 May 2012 from Bankstown City Council titled "Bankstown Wins Boarding House Test Case" was tabled by Councillor Pickering in relation to this Item and a copy is ON FILE.

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

That this matter be deferred to the next Council meeting on 26 June 2012 to allow for a report from the Group Manager – Environment and Planning regarding Bankstown Council and boarding houses and proposed amendments to the LEP.

**ITEM 2 (continued)**

**ATTACHMENT 1**

**Record of Voting:**

For the Motion: Unanimous

**16 SURVEYING AND ASSESSMENT OF CITY OF RYDE SERVICES**

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

- (a) That Council accept the tender from Micromex Research for the surveying and assessment of City of Ryde services to the amount of \$82,250 (excluding GST), a reduction from the original proposed cost of \$115,700 as recommended in the Tender Evaluation Report.
- (b) That Council delegate to the General Manager the authority to enter into a contract with Micromex Research on the terms contained within the tender and for minor amendments to be made to the contract documents that are not of a material nature.
- (c) That Council advise all the respondents of Council's decision.

**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: Councillor Tagg

**17 TENDER - MANUFACTURE AND SUPPLY OF AIR HANDLING UNITS TO RALC**

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

- (a) That Council accept the tender from Air Change Australia for the manufacture and supply of air handling units to the Ryde Aquatic Leisure Centre to the sum of \$249,783 (ex GST) as recommended in the Tender Evaluation Report.
- (b) That Council delegate to the General Manager the authority to enter into a contract with Air Change Australia on the terms contained within the tender and for minor amendments to be made to the contract documents that are not of a material nature.
- (c) That Council advise all the respondents of Council's decision.
- (d) That Council endorse the unexpended funds for this project in 2011/12 be carried forward to 2012/13 to complete the work.

**ITEM 2 (continued)**

**ATTACHMENT 1**

**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: Councillor Tagg

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

That all remaining Items be deferred to the next Council meeting on 26 June 2012.

**Record of Voting:**

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

Against the Motion: Councillor Maggio

**MAYORAL MINUTES**

**MM3/12 ELECTION OF NICOLE CAMPBELL AS EXECUTIVE MEMBER OF NSW  
BRANCH OF AUSTRALIAN LOCAL GOVERNMENT WOMEN'S  
ASSOCIATION (ALGWA)**

Note: Councillor Campbell disclosed a significant non-pecuniary interest in this Item for the reason that she is a member on the ALGWA Executive.

Note: This Item was not considered at the meeting and will be listed on the Agenda for the Council Meeting No. 10/12 to be held on Tuesday, 26 June 2012.

**COUNCIL REPORTS**

**1 CONFIRMATION OF MINUTES – Council Meeting held on 22 May 2012**

Note: This Item was not considered at the meeting and will be listed on the Agenda for the Council Meeting No. 10/12 to be held on Tuesday, 26 June 2012.

**2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING  
7/12 held on 5 June 2012**

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

**ITEM 2 (continued)**

**ATTACHMENT 1**

**3 DEFERRED REPORT: REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 6/12 held on 15 May 2012**

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

**4 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 7/12 held on 5 June 2012**

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

**5 REPORT OF THE CIVIC PRECINCT COMMITTEE MEETING 3/12 held on 6 June 2012**

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

**6 DEFERRED REPORT: PUTNEY PARK PLAN OF MANAGEMENT ACTION PLAN UPDATE**

Note: This Item was not considered at the meeting and will be listed on the Agenda for the Council Meeting No. 10/12 to be held on Tuesday, 26 June 2012.

**7 DEFERRED REPORT: ACCUMULATED LIBRARY FINES**

Note: This Item was not considered at the meeting and will be listed on the Agenda for the Council Meeting No. 10/12 to be held on Tuesday, 26 June 2012.

**8 DEFERRED REPORT: PROPOSED SITE FOR HOUSING COUNCIL STAFF AND MOVEMENT OF STAFF TO NEW PREMISES**

Note: This Item was not considered at the meeting and will be listed on the Agenda for the Council Meeting No. 10/12 to be held on Tuesday, 26 June 2012.

**9 DEFERRED REPORT: WEBCASTING OF COUNCIL MEETINGS**

Note: This Item was not considered at the meeting and will be listed on the Agenda for the Council Meeting No. 10/12 to be held on Tuesday, 26 June 2012.

**10 DEFERRED REPORT: SUMMARY OF EXPENSES RELATING TO THE GENERAL MANAGER AND SENIOR STAFF**

Note: This Item was not considered at the meeting and will be listed on the Agenda for the Council Meeting No. 10/12 to be held on Tuesday, 26 June 2012.

**ITEM 2 (continued)**

**ATTACHMENT 1**

**11 DEFERRED REPORT: REPORTS DUE TO COUNCIL**

Note: This Item was not considered at the meeting and will be listed on the Agenda for the Council Meeting No. 10/12 to be held on Tuesday, 26 June 2012.

**12 BRUSH FARM HOUSE – Future Use**

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

**13 2012 LOCAL GOVERNMENT ELECTION – CARETAKER PROVISIONS AND MEETING SCHEDULE**

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

**14 POLICY FOR THE INTERFACE AND DAY TO DAY OVERSIGHT OF THE GENERAL MANAGER BY THE MAYOR**

Note: This Item was not considered at the meeting and will be listed on the Agenda for the Council Meeting No. 10/12 to be held on Tuesday, 26 June 2012.

**15 DRAFT DCP 2011 – PART 3.4 MULTI DWELLING HOUSING**

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

**16 SURVEYING AND ASSESSMENT OF CITY OF RYDE SERVICES**

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

**17 TENDER – MANUFACTURE AND SUPPLY OF AIR HANDLING UNITS TO RALC**

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

**18 2012/2013 CHRISTMAS / NEW YEAR ARRANGEMENTS – Business Operations**

Note: This Item was not considered at the meeting and will be listed on the Agenda for the Council Meeting No. 10/12 to be held on Tuesday, 26 June 2012.

**ITEM 2 (continued)**

**ATTACHMENT 1**

**PRECIS OF CORRESPONDENCE FOR CONSIDERATION**

**1 DEFERRED PRECIS OF CORRESPONDENCE: FUNDING FOR THE POSITION OF ABORIGINAL EDUCATION OFFICER AT MARSDEN HIGH SCHOOL**

Note: This Precis of Correspondence was not considered at the meeting and will be listed on the Agenda for the Council Meeting No. 10/12 to be held on Tuesday, 26 June 2012.

**2 DEFERRED PRECIS OF CORRESPONDENCE: AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA NSW)**

Note: This Precis of Correspondence was not considered at the meeting and will be listed on the Agenda for the Council Meeting No. 10/12 to be held on Tuesday, 26 June 2012.

**3 DEFERRED PRECIS OF CORRESPONDENCE: SYDNEY AIRPORT – THE RIGHT FUTURE, STARTING NOW**

Note: This Precis of Correspondence was not considered at the meeting and will be listed on the Agenda for the Council Meeting No. 10/12 to be held on Tuesday, 26 June 2012.

**4 50:50 VISION – COUNCILS FOR GENDER EQUITY PROGRAM**

Note: This Precis of Correspondence was not considered at the meeting and will be listed on the Agenda for the Council Meeting No. 10/12 to be held on Tuesday, 26 June 2012.

**5 SYDNEY OVER THE NEXT 20 YEARS**

Note: This Precis of Correspondence was not considered at the meeting and will be listed on the Agenda for the Council Meeting No. 10/12 to be held on Tuesday, 26 June 2012.

**6 FUTURE REZONING OF CUDAL RESERVE, RYDE TO RE1 PUBLIC RECREATION**

Note: This Precis of Correspondence was not considered at the meeting and will be listed on the Agenda for the Council Meeting No. 10/12 to be held on Tuesday, 26 June 2012.



**ITEM 2 (continued)**

**ATTACHMENT 1**

**7 BOARDING HOUSE TARIFFS FOR RESIDENTIAL RATING AND FEE FOR SECTION 603 CERTIFICATES FOR 2012/13**

Note: This Precis of Correspondence was not considered at the meeting and will be listed on the Agenda for the Council Meeting No. 10/12 to be held on Tuesday, 26 June 2012.

**NOTICES OF MOTION**

**1 RETENTION OF COMMUNITY OPEN SPACE – Councillor Roy Maggio**

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

**2 GLADESVILLE HORNSBY FOOTBALL ASSOCIATION – Councillor Roy Maggio**

Note: This Notice of Motion was not considered at the meeting and will be listed on the Agenda for the Council Meeting No. 10/12 to be held on Tuesday, 26 June 2012.

**NOTICES OF RESCISSION**

**1 NOTICE OF RESCISSION – CIVIC CENTRE REDEVELOPMENT  
COMMUNITY ADVISORY COMMITTEE – Councillor Nicole Campbell,  
Councillor Sarkis Yedelian OAM, Councillor Roy Maggio**

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

**2 NOTICE OF RESCISSION – CITY OF RYDE PROCUREMENT PROCESSES –  
Councillor Nicole Campbell, Councillor Sarkis Yedelian OAM, Councillor  
Roy Maggio**

Note: This Notice of Rescission was not considered at the meeting and will be listed on the Agenda for the Council Meeting No. 10/12 to be held on Tuesday, 26 June 2012.

**QUESTIONS BY COUNCILLORS AS PER POLICY**

There were no Questions by Councillors as per Policy.

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

No addresses were made to Council.

**ITEM 2 (continued)**

**ATTACHMENT 1**

**CLOSED SESSION**

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

Note: This Item was not considered at the meeting and will be listed on the Agenda for the Council Meeting No. 10/12 to be held on Tuesday, 26 June 2012.

**20 ADVICE ON COURT ACTIONS**

Note: This Item was not considered at the meeting and will be listed on the Agenda for the Council Meeting No. 10/12 to be held on Tuesday, 26 June 2012.

**NATIONAL ANTHEM**

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

Note: The following Items listed on the Agenda for Council Meeting 9/12 were deferred for consideration at the Council meeting to be held on 26 June 2012 and will be listed on the Agenda for Council Meeting 10/12 to be held on Tuesday, 26 June 2012:

**MAYORAL MINUTE**

3/12 ELECTION OF NICOLE CAMPBELL AS EXECUTIVE MEMBER OF NSW BRANCH OF AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA)

**COUNCIL REPORTS**

- 1 CONFIRMATION OF MINUTES – Council Meeting held on 22 May 2012
- 6 DEFERRED REPORT: PUTNEY PARK PLAN OF MANAGEMENT ACTION PLAN UPDATE
- 7 DEFERRED REPORT: ACCUMULATED LIBRARY FINES
- 8 DEFERRED REPORT: PROPOSED SITE FOR HOUSING COUNCIL STAFF AND MOVEMENT OF STAFF TO NEW PREMISES
- 9 DEFERRED REPORT: WEBCASTING OF COUNCIL MEETINGS
- 10 DEFERRED REPORT: SUMMARY OF EXPENSES RELATING TO THE GENERAL MANAGER AND SENIOR STAFF
- 11 DEFERRED REPORT: REPORTS DUE TO COUNCIL
- 14 POLICY FOR THE INTERFACE AND DAY TO DAY OVERSIGHT OF THE GENERAL MANAGER BY THE MAYOR

**ITEM 2 (continued)**

**ATTACHMENT 1**

- 18 2012/2013 CHRISTMAS / NEW YEAR ARRANGEMENTS – Business Operations
- 19 DEFERRED REPORT: ADVICE ON COURT ACTIONS
- 20 ADVICE ON COURT ACTIONS

**PRECIS OF CORRESPONDENCE**

- 1 DEFERRED PRECIS OF CORRESPONDENCE: FUNDING FOR THE POSITION OF ABORIGINAL EDUCATION OFFICER AT MARSDEN HIGH SCHOOL
- 2 DEFERRED PRECIS OF CORRESPONDENCE: AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA NSW)
- 3 DEFERRED PRECIS OF CORRESPONDENCE: SYDNEY AIRPORT – THE RIGHT FUTURE, STARTING NOW
- 4 50:50 VISION – COUNCILS FOR GENDER EQUITY PROGRAM
- 5 SYDNEY OVER THE NEXT 20 YEARS
- 6 FUTURE REZONING OF CUDAL RESERVE, RYDE TO RE1 PUBLIC RECREATION
- 7 BOARDING HOUSE TARIFFS FOR RESIDENTIAL RATING AND FEE FOR SECTION 603 CERTIFICATES FOR 2012/13

**NOTICE OF MOTION**

- 2 GLADESVILLE HORNSBY FOOTBALL ASSOCIATION

**NOTICE OF RESCISSION**

- 2 CITY OF RYDE PROCUREMENT PROCESSES

The meeting closed at 11.48pm.

CONFIRMED THIS 26TH DAY OF JUNE 2012

Chairperson

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**3 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING  
8/12 held on 19 June 2012**

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**Report prepared by:** Meeting Support Coordinator**Report dated:** 21/05/2012**File No.:** GRP/12/5/5/5 - BP12/610

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**REPORT SUMMARY**

Attached are the Minutes of the Planning and Environment Committee Meeting 8/12 held on 19 June 2012. The Minutes will be listed for confirmation at the next Planning and Environment Committee Meeting.

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

The following Committee recommendations for Items 2, 3 and 4 are submitted to Council for determination in accordance with the delegations set out in Council's Code of Meeting Practice relating to Charters, functions and powers of Committees:

**2 252 MORRISON ROAD, PUTNEY. LOT 97 DP 8902. Local Development Application for demolition, construction of new dual occupancy (attached). LDA2012/0069.**

Report: The Committee inspected the properties at 252 Morrison Road and 256 Morrison Road, Putney.

Note: Mr Robert Bourne (objector) and Mr Justin Loe (on behalf of the applicant) addressed the Committee in relation to this Item.

Note: Photographs were tabled by Mr Robert Bourne (objector) in relation to this Item and copies are ON FILE.

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

- (a) That Local Development Application No. 2012/69 at No. 252 Morrison Road, Putney being LOT 97 DP 8902 be approved subject to the **ATTACHED** conditions (Attachment 1).
- (b) That the persons who made submissions be advised of Council's decision.

**Record of Voting:**

For the Motion: Councillors O'Donnell and Pickering

Against the Motion: Councillor Salvestro-Martin

Note: This matter will be dealt with at the Council Meeting to be held on **26 JUNE 2012** as dissenting votes were recorded.

**ITEM 3 (continued)**
**3 44 DAVID AVENUE, NORTH RYDE. LOT 49 DP 36455. Local Development Application for New two storey dual occupancy. LDA2011/0541.**

Report: The Committee inspected the property at 44 David Avenue, North Ryde.

Note: Mr Harry Koo (applicant) addressed the Committee in relation to this Item.

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

- (a) That Local Development Application No. 2011/541 at No. 44 David Avenue, North Ryde being LOT 49 DP 36455 be approved subject to the following Conditions of Consent:

**GENERAL**

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

1. **Approved Plans/Documents.** 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
Site Plan	August 2010	Sheet 1 of 9
Ground Floor Plan	August 2010	Sheet 2 of 9
First Floor Plan	August 2010	Sheet 3 of 9
Elevations (SW, SE, NE)	August 2010	Sheet 4 of 9
Elevation (NW) and Section A-A	August 2010	Sheet 5 of 9

2. **Building Code of Australia.** All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
3. **BASIX.** Compliance with all commitments listed in BASIX Certificate numbered 386555m\_02, dated 18 October 2011.

**Landscaping**

4. The removal and construction management of trees is to be in accordance with the landscape plan prepared by Michael Siu, Revision A, dated 11th August, 2011.
5. A tree protection zone is to be established around trees 5 & 6, with no construction activity, site storage or stockpiling to occur within the root zone of the subject trees. Tree protection areas are to be installed prior to the commencement of demolition (under a separate application) and maintained for duration of the construction period.

**ITEM 3 (continued)**

6. Works within the root zone of tree 4 including: the establishment of the building platform, associated paving and stormwater pipes and trenching are to be supervised by a project arborist.

**Protection of Adjoining and Public Land**

7. **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.
8. **Hoardings.**
  - (a) A hoarding or fence must be erected between the work site and any adjoining public place.
  - (b) An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
  - (c) Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.
9. **Public space.** The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council.

**General Engineering Conditions**

10. **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* and relevant Development Control Plans except as amended by other conditions.
11. **Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.
12. **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.
13. **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 3 (continued)**
**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.

14. **Section 94.** 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</b>	<b>B</b>
<b>Community &amp; Cultural Facilities</b>	\$3,991.39
<b>Open Space &amp; Recreation Facilities</b>	\$9,825.97
<b>Civic &amp; Urban Improvements</b>	\$3,341.90
<b>Roads &amp; Traffic Management Facilities</b>	\$455.76
<b>Cycleways</b>	\$284.75
<b>Stormwater Management Facilities</b>	\$904.74
<b>Plan Administration</b>	\$76.78
<b>The total contribution is</b>	<b>\$18,881.29</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>.

**ITEM 3 (continued)**

15. **Compliance with Australian Standards.** 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**.
16. **Security deposit.** 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 prior to the release of the **Construction Certificate**. (category: dwelling houses with delivery of bricks or concrete or machine excavation)
17. **Fees.** The following fees must be paid to Council in accordance with Council's Management Plan prior to the release of the **Construction Certificate**:
  - (a) Infrastructure Restoration and Administration Fee
  - (b) Enforcement Levy
18. **Long Service Levy.** 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**.
19. **Fencing.** 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**.

Engineering Conditions to be complied with Prior To Construction Certificate

20. **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.
21. **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.
22. **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.



**ITEM 3 (continued)**

23. **Stormwater Runoff.** Stormwater runoff from all roof impervious areas shall be collected and piped to an absorption drainage system located at the rear of the site via an OSD system and a BASIX required rainwater tank(s) in accordance with BASIX and the City of Ryde, Development Control Plan 2010: - Part 8.2; Stormwater Management. *Runoff from driveways and other low lying impervious areas can be collected and piped to directly to the absorption system, by-passing the OSD and rainwater tanks system.*

**Additionally, the BASIX required rainwater tank volume shall be increased for each dwelling to 3000 litres as specified by BASIX.**

Accordingly, detailed amended engineering plans including certification indicating compliance with this condition are to be submitted with the construction certificate application.

24. **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 Department of Housing. 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.

**ITEM 3 (continued)****25. Site Sign**

- (a) A sign must be erected in a prominent position on site, prior to the commencement of construction:
  - (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.

26. **Residential building work – insurance.** 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.

27. **Residential building work – provision of information.** 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).

28. **Safety fencing.** The site must be fenced prior to the commencement of construction, and throughout demolition and/or excavation and must comply with WorkCover New South Wales requirements and be a minimum of 1.8m in height.

**ITEM 3 (continued)**Engineering Conditions to be complied with Prior to Commencement of Construction

29. **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.
30. **Compliance Certificate.** A Compliance Certificate must be obtained confirming that the constructed erosion and sediment control measures comply with the construction plan and the City of Ryde, Development Control Plan 2006: - Part 8.1; Construction Activities.
31. **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.

32. **Critical stage inspections.** The person having the benefit of this consent is required to notify the Principal Certifying Authority during construction to ensure that the critical stage inspections are undertaken, as required under clause 162A(4) of the *Environmental Planning and Assessment Regulation 2000*.
33. **Noise and vibration.** 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.
34. **Construction noise.** The  $L_{10}$  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.

**ITEM 3 (continued)**

35. **Survey of footings/walls.** 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.
36. **Sediment/dust control.** No sediment, dust, soil or similar material shall leave the site during construction work.
37. **Construction materials.** All materials associated with construction must be retained within the site.
38. **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.
39. **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 equipment 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.
40. **Tree protection – no unauthorised removal.** 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.
41. **Tree protection – during construction.** Trees that are shown on the approved plans as being retained must be protected against damage during construction.

**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.

**ITEM 3 (continued)**

42. **BASIX.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate numbered 386555m\_02, dated 18 October 2011.
43. **Landscaping.** All landscaping works approved by condition 1 are to be completed prior to the issue of the final **Occupation Certificate**.
44. **Sydney Water – Section 73.** 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.

45. **Letterboxes and street/house numbering.** All letterboxes and house numbering 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.

**Engineering Conditions to be complied with Prior to Occupation Certificate**

46. **Disused Gutter Crossing.** All disused gutter and footpath crossings shall be removed and the kerb and footpath reinstated to the satisfaction of Council.
47. **Compliance Certificates – Engineering.** Compliance Certificates must 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 all vehicular footway and gutter (layback) crossings are constructed in accordance with the construction plan requirements and Ryde City Council’s *Environmental Standards Development Criteria - 1999*.
  - Confirming that the driveway is constructed in accordance with the construction plan requirements and Ryde City Council’s *Environmental Standards Development Criteria - 1999*.
  - Confirming that the site drainage system servicing the development complies with the construction plan requirements and the City of Ryde, Development Control Plan 2010: - Part 8.2; Stormwater Management

**ITEM 3 (continued)**

- 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.
  - From Council confirming that all external works have been completed to Council's satisfaction.
48. **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 the City of Ryde, Development Control Plan 2006: - 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.
49. **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. If there are proposed interallotment drainage easements on the subject property, **a Certificate from a Registered Surveyor is to be submitted to the PCA** certifying that the subject drainage line/s and pits servicing those lines lie wholly within the proposed easements.
50. **Disused Gutter Crossing.** All disused gutter and footpath crossings shall be removed and the kerb and footpath reinstated to the satisfaction of Council.
51. **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.
52. **Positive Covenant, Dispersal.** The creation of a Positive Covenant under Section 88 of the Conveyancing Act 1919, burdening the property with the requirement to maintain the stormwater dispersal system. The terms of the instruments are to be generally in accordance with the Council's draft terms of Section 88E instrument for Maintenance of On- site Dispersal Systems and to the satisfaction of Council.

**ITEM 3 (continued)**

53. **Drainage Construction.** The stormwater drainage on the site is to be constructed in accordance with the construction certificate version of plan 22915 sheet 1 revision A dated 29/6/11 prepared by Auswide Engineering as amended in red.

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

**Record of Voting:**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **26 JUNE 2012** as substantive changes were made to the published recommendation.

**4 46 DAVID AVENUE, NORTH RYDE. LOT 48 DP 36455. Local Development Application for construction of a two-storey attached dual occupancy. LDA2011/567.**

Report: The Committee inspected the property at 46 David Avenue, North Ryde.

Note: Mr Joe O'Connor (applicant) addressed the Committee in relation to this Item.

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

(a) That Local Development Application No. 2011/567 at 46 David Avenue, North Ryde, be approved subject to the following Conditions of Consent:

**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:
  - Drawing Nos. 1 to 4 and 6 to 10, Issue 'B' prepared by 'Universal Property Group' dated 24 April 2012 and colour schedule, and
  - Arboricultural Assessment prepared by 'Horticultural Management Services' dated 22 November 2011, except as amended by the conditions hereunder.

**ITEM 3 (continued)**

Prior to the issue of a **Construction Certificate**, the following amendments shall be made:

- (a) The only tree permitted to be removed under this consent is the existing Black Bean tree (*Castanospermum australe*) located along the proposed rear boundary. The proposed screen planting along the front boundary of the site shall be limited to a maximum height of 900mm and the Landscape Plan shall be amended accordingly.
  - (b) The Landscape Plan shall be amended to replace the Black Bean with a suitable advanced native having a minimum pot size of 75litres at the time of planting.
2. **Building Code of Australia** – All building works are required to be carried out in accordance with the provisions of the Building Code of Australia.
  3. **BASIX** – Compliance with all commitments listed in BASIX Certificate No. 398422M\_03 dated 25 April 2012.
  4. **Drainage Construction** – The stormwater drainage on the site shall be constructed in accordance with the Construction Certificate version of Plan No. 1108181d issue 'C' dated 23 April 2012 prepared by Rammy Associates Pty Ltd.

**Protection of Adjoining and Public Land**

5. **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.
6. **Hoardings** – A hoarding or fence must be erected between the work site and any adjoining public place.  
  
Any hoarding or fence erected pursuant this consent is to be removed when the work has been completed
7. **Development to be within site boundaries** – 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.
8. **Public space** – The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council.

**Works on Public Road**

9. **Public Utilities** – Compliance with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra,



**ITEM 3 (continued)**

RTA, Council etc) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.

10. **Roads Act** – Any works performed in, on, or over a public road pursuant to this consent must be carried out in accordance with this consent and with the Road Opening Permit issued by Council as required under section 139 of the Roads Act 1993.

**Engineering Conditions**

11. **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.
12. **Service Alterations** – All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.
13. **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.
14. **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.

**DEMOLITION CONDITIONS**

The following conditions are imposed to ensure compliance with relevant legislation and Australian Standards, and to ensure that the amenity of the neighbourhood is protected.

A Construction Certificate is not required for Demolition.

15. **Asbestos** – Where asbestos is present during demolition work, the work must be carried out in accordance with the guidelines for asbestos work published by WorkCover New South Wales.

**ITEM 3 (continued)**

16. **Asbestos disposal** – All asbestos wastes must be disposed of at a landfill facility licensed by the New South Wales Environmental Protection Authority to receive that waste. Copies of the disposal dockets must be retained by the person performing the work for at least 3 years and be submitted to Council on request.
17. **Imported fill type** – 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.

18. **Section 94** – 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</b>	<b>B</b>
Community & Cultural Facilities	<b>\$3,991.39</b>
Open Space & Recreation	<b>\$9,825.97</b>
Civic & Urban Improvements	<b>\$3,341.90</b>
Roads & Traffic Management Facilities	<b>\$455.76</b>
Cycleways	<b>\$284.75</b>
Stormwater Management Facilities	<b>\$904.74</b>
Plan Administration	<b>\$76.78</b>
<b>The total contribution is</b>	<b>\$18,881.29</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.

**ITEM 3 (continued)**

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>.

19. **Compliance with Australian Standards** – 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**.
20. **Structural certification** – The applicant must engage a qualified practising structural engineer to provide structural certification in accordance with relevant BCA requirements.
21. **Security deposit** – 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: dwelling houses with delivery of bricks or concrete or machine excavation).
22. **Fees** – The following fees must be paid to Council in accordance with Council's Management Plan:
  - (a) Infrastructure Restoration and Administration Fee
  - (b) Enforcement Levy
23. **Long Service Levy** – 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**.
24. **Fencing**. 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**.
25. **Sydney Water – quick check** – The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect any Sydney Water assets, sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped.

**ITEM 3 (continued)**

Please refer to the website [www.sydneywater.com.au](http://www.sydneywater.com.au) for:

- Quick Check agents details - see Building, Developing and Plumbing then Quick Check; and
- Guidelines for Building Over/Adjacent to Sydney Water assets - see Building, Development and Plumbing then Building and Renovating.

Or telephone 13 20 92.

**Engineering Conditions Prior to Construction Certificate**

26. **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**.
27. **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.
28. **Sight Distance** – To facilitate safe sight distances, all proposed fencing and vegetation forward of the building alignment to McGregor Street shall be limited in height to a maximum of 900mm. Plans detailing compliance with this condition shall be submitted with the **Construction Certificate**.
29. **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.  
  
Engineering plans, including certification indicating compliance with this condition are to be submitted with the **Construction Certificate** application.
30. **On-Site Stormwater Detention Tank** – All access grates to the on site stormwater detention tank are to be hinged and fitted with a locking bolt. Any tank greater than 1.2m in depth must be fitted with step irons.
31. **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.
32. **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 Landcom. These devices shall be maintained during the construction works and replaced where considered necessary.

**ITEM 3 (continued)**

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.

**33. 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.

**34. Residential building work, insurance** – 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.

**ITEM 3 (continued)**

35. **Residential building work, provision of information** – 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).

36. **Safety Fencing** – 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.

**Engineering Conditions Prior to Commencement of Construction**

37. **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.

**Note:** 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.

38. **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

39. **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.

**ITEM 3 (continued)****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.

40. **Critical stage inspections** – The person having the benefit of this consent is required to notify the Principal Certifying Authority during construction to ensure that the critical stage inspections are undertaken, as required under clause 162A(4) of the *Environmental Planning and Assessment Regulation 2000*.
41. **Noise and vibration** – 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.
42. **Construction noise.** 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.
43. **Survey of footings and walls** – 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.
44. **Sediment/dust control** – No sediment, dust, soil or similar material shall leave the site during construction work.
45. **Construction materials** – All materials associated with construction must be retained within the site.
46. **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; and,
  - (c) the site is clear of waste and debris at the completion of the works.
47. **Work within public road** – At all times when 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 3 (continued)**

48. **Drop-edge beams** – Perimeters of slabs are not to be visible and are to have face brickwork from the natural ground level.
49. **Plumbing and drainage work** – All plumbing and drainage work must be carried out in accordance with the requirements of Sydney Water Corporation.
50. Only unpolluted water is to be discharged to Council's stormwater drainage system.

**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.

51. **BASIX** – The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate No. 398422M\_03 dated 25 April 2012.
52. **Landscaping** – All landscaping works approved by condition 1 are to be completed prior to the issue of the final **Occupation Certificate**.

**Engineering Conditions Prior to Occupation Certificate**

53. **Disused Gutter Crossing** – All disused gutter and footpath crossings shall be removed and the kerb and footpath reinstated to the satisfaction of Council.
54. **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 all vehicular footway and gutter (layback) crossings are constructed in accordance with the construction plan requirements and *Ryde City Council's Environmental Standards Development Criteria – 1999, Section 4*.
  - Confirming that the driveway and the footpath paving works are constructed in accordance with the construction plan requirements and *Ryde Development Control Plan 2010: Part 8.3 - Driveways*.



**ITEM 3 (continued)**

- Confirming that the site drainage system (including the on-site detention storage system) servicing the development complies with the construction plan requirements and *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.
55. **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. If there are proposed interallotment drainage easements on the subject property, **a Certificate from a Registered Surveyor is to be submitted to the PCA** certifying that the subject drainage line/s and pits servicing those lines lie wholly within the proposed easements.
56. **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.
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.
58. **Positive Covenant, Dispersal** – The creation of a Positive Covenant under Section 88 of the Conveyancing Act 1919, burdening the property with the requirement to maintain the stormwater dispersal system. The terms of the instruments are to be generally in accordance with the Council's draft terms of Section 88E instrument for Maintenance of On- site Dispersal Systems and to the satisfaction of Council.
- (b) That the persons who made submissions be advised of Council's decision.

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

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **26 JUNE 2012** as substantive changes were made to the published recommendation.

**ATTACHMENTS**

1 Minutes - Planning and Environment Committee - 19 June 2012

**ITEM 3 (continued)**

**ATTACHMENT 1**

Planning and Environment Committee  
**MINUTES OF MEETING NO. 8/12**

**Meeting Date:** Tuesday 19 June 2012

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

**Time:** 4.00pm

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

**Apologies:** Councillors Butterworth and Yedelian OAM.

**Staff Present:** Group Manager – Environment & Planning, Manager Assessment, Business Support Coordinator – Environment & Planning, Team Leader – Building Compliance, Team Leader – Assessment, Senior Town Planner, Senior Development Engineer, Town Planner and Meeting Support Coordinator.

**ADJOURNMENT**

In accordance with the Code of Meeting Practice, as there was not a quorum at 4.00pm the meeting was adjourned to reconvene as follows:

- 5.10pm (following inspections)
- Tuesday, 19 June 2012
- Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde

The following Councillors were present:

Councillors Pickering (Chairperson) and O'Donnell.

Apologies had been received from Councillors Butterworth and Yedelian OAM.

**MEETING RECONVENED**

The Meeting reconvened at 5.10pm on Tuesday, 19 June 2012 in Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde.

The following Councillors were present:

Councillors Pickering (Chairperson), O'Donnell and Salvestro-Martin.

Apologies had been received from Councillors Butterworth and Yedelian OAM.

**DISCLOSURES OF INTEREST**

There were no disclosures of interest.

**ITEM 3 (continued)**

**ATTACHMENT 1**

**1 CONFIRMATION OF MINUTES - Meeting held on 5 June 2012**

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

That the Minutes of the Planning and Environment Committee 7/12, held on Tuesday 5 June 2012, be confirmed.

**Record of Voting:**

For the Motion: Unanimous

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

**2 252 MORRISON ROAD, PUTNEY. LOT 97 DP 8902. Local Development Application for demolition, construction of new dual occupancy (attached). LDA2012/0069.**

Report: The Committee inspected the properties at 252 Morrison Road and 256 Morrison Road, Putney.

Note: Mr Robert Bourne (objector) and Mr Justin Loe (on behalf of the applicant) addressed the Committee in relation to this Item.

Note: Photographs were tabled by Mr Robert Bourne (objector) in relation to this Item and copies are ON FILE.

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

- (a) That Local Development Application No. 2012/69 at No. 252 Morrison Road, Putney being LOT 97 DP 8902 be approved subject to the **ATTACHED** conditions (Attachment 1).
- (b) That the persons who made submissions be advised of Council's decision.

**Record of Voting:**

For the Motion: Councillors O'Donnell and Pickering

Against the Motion: Councillor Salvestro-Martin

Note: This matter will be dealt with at the Council Meeting to be held on **26 JUNE 2012** as dissenting votes were recorded.

**3 44 DAVID AVENUE, NORTH RYDE. LOT 49 DP 36455. Local Development Application for New two storey dual occupancy. LDA2011/0541.**

Report: The Committee inspected the property at 44 David Avenue, North Ryde.

Note: Mr Harry Koo (applicant) addressed the Committee in relation to this Item.

**ITEM 3 (continued)**

**ATTACHMENT 1**

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

- (a) That Local Development Application No. 2011/541 at No. 44 David Avenue, North Ryde being LOT 49 DP 36455 be approved subject to the following Conditions of Consent:

**GENERAL**

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

1. **Approved Plans/Documents.** 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
Site Plan	August 2010	Sheet 1 of 9
Ground Floor Plan	August 2010	Sheet 2 of 9
First Floor Plan	August 2010	Sheet 3 of 9
Elevations (SW, SE, NE)	August 2010	Sheet 4 of 9
Elevation (NW) and Section A-A	August 2010	Sheet 5 of 9

2. **Building Code of Australia.** All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
3. **BASIX.** Compliance with all commitments listed in BASIX Certificate numbered 386555m\_02, dated 18 October 2011.

**Landscaping**

4. The removal and construction management of trees is to be in accordance with the landscape plan prepared by Michael Siu, Revision A, dated 11th August, 2011.
5. A tree protection zone is to be established around trees 5 & 6, with no construction activity, site storage or stockpiling to occur within the root zone of the subject trees. Tree protection areas are to be installed prior to the commencement of demolition (under a separate application) and maintained for duration of the construction period.
6. Works within the root zone of tree 4 including: the establishment of the building platform, associated paving and stormwater pipes and trenching are to be supervised by a project arborist.

**Protection of Adjoining and Public Land**

7. **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.

**ITEM 3 (continued)**

**ATTACHMENT 1**

**8. Hoardings.**

- (a) A hoarding or fence must be erected between the work site and any adjoining public place.
- (b) An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
- (c) Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.

- 9. Public space.** The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council.

**General Engineering Conditions**

- 10. 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* and relevant Development Control Plans except as amended by other conditions.
- 11. Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.
- 12. 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.
- 13. 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.

**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.

**ITEM 3 (continued)**

**ATTACHMENT 1**

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

14. **Section 94.** 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**:

A	B
<b>Community &amp; Cultural Facilities</b>	\$3,991.39
<b>Open Space &amp; Recreation Facilities</b>	\$9,825.97
<b>Civic &amp; Urban Improvements</b>	\$3,341.90
<b>Roads &amp; Traffic Management Facilities</b>	\$455.76
<b>Cycleways</b>	\$284.75
<b>Stormwater Management Facilities</b>	\$904.74
<b>Plan Administration</b>	\$76.78
<b>The total contribution is</b>	<b>\$18,881.29</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>.

15. **Compliance with Australian Standards.** 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**.
16. **Security deposit.** 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 prior to the release of the **Construction Certificate**. (category: dwelling houses with delivery of bricks or concrete or machine excavation)

**ITEM 3 (continued)**

**ATTACHMENT 1**

17. **Fees.** The following fees must be paid to Council in accordance with Council's Management Plan prior to the release of the **Construction Certificate**:
  - (a) Infrastructure Restoration and Administration Fee
  - (b) Enforcement Levy
18. **Long Service Levy.** 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**.
19. **Fencing.** 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**.

**Engineering Conditions to be complied with Prior To Construction Certificate**

20. **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.
21. **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.
22. **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.
23. **Stormwater Runoff.** Stormwater runoff from all roof impervious areas shall be collected and piped to an absorption drainage system located at the rear of the site via an OSD system and a BASIX required rainwater tank(s) in accordance with BASIX and the City of Ryde, Development Control Plan 2010: - Part 8.2; Stormwater Management. *Runoff from driveways and other low lying impervious areas can be collected and piped to directly to the absorption system, by-passing the OSD and rainwater tanks system.*

**Additionally, the BASIX required rainwater tank volume shall be increased for each dwelling to 3000 litres as specified by BASIX.**

Accordingly, detailed amended engineering plans including certification indicating compliance with this condition are to be submitted with the construction certificate application.



**ITEM 3 (continued)**

**ATTACHMENT 1**

24. **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 Department of Housing. 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.

**25. Site Sign**

- (a) A sign must be erected in a prominent position on site, prior to the commencement of construction:
  - (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.

26. **Residential building work – insurance.** 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.

**ITEM 3 (continued)**

**ATTACHMENT 1**

27. **Residential building work – provision of information.** 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).

28. **Safety fencing.** The site must be fenced prior to the commencement of construction, and throughout demolition and/or excavation and must comply with WorkCover New South Wales requirements and be a minimum of 1.8m in height.

**Engineering Conditions to be complied with Prior to Commencement of Construction**

29. **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.
30. **Compliance Certificate.** A Compliance Certificate must be obtained confirming that the constructed erosion and sediment control measures comply with the construction plan and the City of Ryde, Development Control Plan 2006: - Part 8.1; Construction Activities.
31. **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.

**ITEM 3 (continued)**

**ATTACHMENT 1**

**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.

32. **Critical stage inspections.** The person having the benefit of this consent is required to notify the Principal Certifying Authority during construction to ensure that the critical stage inspections are undertaken, as required under clause 162A(4) of the *Environmental Planning and Assessment Regulation 2000*.
33. **Noise and vibration.** 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.
34. **Construction noise.** 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.
35. **Survey of footings/walls.** 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.
36. **Sediment/dust control.** No sediment, dust, soil or similar material shall leave the site during construction work.
37. **Construction materials.** All materials associated with construction must be retained within the site.
38. **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.
39. **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 equipment 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.

**ITEM 3 (continued)**

**ATTACHMENT 1**

40. **Tree protection – no unauthorised removal.** 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.
41. **Tree protection – during construction.** Trees that are shown on the approved plans as being retained must be protected against damage during construction.

**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.

42. **BASIX.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate numbered 386555m\_02, dated 18 October 2011.
43. **Landscaping.** All landscaping works approved by condition 1 are to be completed prior to the issue of the final **Occupation Certificate**.
44. **Sydney Water – Section 73.** 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.

**ITEM 3 (continued)**

**ATTACHMENT 1**

45. **Letterboxes and street/house numbering.** All letterboxes and house numbering 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.

**Engineering Conditions to be complied with Prior to Occupation Certificate**

46. **Disused Gutter Crossing.** All disused gutter and footpath crossings shall be removed and the kerb and footpath reinstated to the satisfaction of Council.
47. **Compliance Certificates – Engineering.** Compliance Certificates must 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 all vehicular footway and gutter (layback) crossings are constructed in accordance with the construction plan requirements and Ryde City Council's *Environmental Standards Development Criteria - 1999*.
  - Confirming that the driveway is constructed in accordance with the construction plan requirements and Ryde City Council's *Environmental Standards Development Criteria - 1999*.
  - Confirming that the site drainage system servicing the development complies with the construction plan requirements and the 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.
  - From Council confirming that all external works have been completed to Council's satisfaction.
48. **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 the City of Ryde, Development Control Plan 2006: - 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.
49. **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. If there are proposed interallotment drainage easements on the subject property, **a Certificate from a Registered Surveyor is to be submitted to the PCA** certifying that the subject drainage line/s and pits servicing those lines lie wholly within the proposed easements.

**ITEM 3 (continued)**

**ATTACHMENT 1**

50. **Disused Gutter Crossing.** All disused gutter and footpath crossings shall be removed and the kerb and footpath reinstated to the satisfaction of Council.
51. **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.
52. **Positive Covenant, Dispersal.** The creation of a Positive Covenant under Section 88 of the Conveyancing Act 1919, burdening the property with the requirement to maintain the stormwater dispersal system. The terms of the instruments are to be generally in accordance with the Council's draft terms of Section 88E instrument for Maintenance of On- site Dispersal Systems and to the satisfaction of Council.
53. **Drainage Construction.** The stormwater drainage on the site is to be constructed in accordance with the construction certificate version of plan 22915 sheet 1 revision A dated 29/6/11 prepared by Auswide Engineering as amended in red.
- (b) That the persons who made submissions be advised of Council's decision.

**Record of Voting:**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **26 JUNE 2012** as substantive changes were made to the published recommendation.

**4 46 DAVID AVENUE, NORTH RYDE. LOT 48 DP 36455. Local Development Application for construction of a two-storey attached dual occupancy. LDA2011/567.**

Report: The Committee inspected the property at 46 David Avenue, North Ryde.

Note: Mr Joe O'Connor (applicant) addressed the Committee in relation to this Item.

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

- (a) That Local Development Application No. 2011/567 at 46 David Avenue, North Ryde, be approved subject to the following Conditions of Consent:

**GENERAL**

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

## ITEM 3 (continued)

## ATTACHMENT 1

### 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:
  - Drawing Nos. 1 to 4 and 6 to 10, Issue 'B' prepared by 'Universal Property Group' dated 24 April 2012 and colour schedule, and
  - Arborcultural Assessment prepared by 'Horticultural Management Services' dated 22 November 2011, except as amended by the conditions hereunder.

Prior to the issue of a **Construction Certificate**, the following amendments shall be made:

- (a) The only tree permitted to be removed under this consent is the existing Black Bean tree (*Castanospermum australe*) located along the proposed rear boundary. The proposed screen planting along the front boundary of the site shall be limited to a maximum height of 900mm and the Landscape Plan shall be amended accordingly.
  - (b) The Landscape Plan shall be amended to replace the Black Bean with a suitable advanced native having a minimum pot size of 75litres at the time of planting.
2. **Building Code of Australia** – All building works are required to be carried out in accordance with the provisions of the Building Code of Australia.
3. **BASIX** – Compliance with all commitments listed in BASIX Certificate No. 398422M\_03 dated 25 April 2012.
4. **Drainage Construction** – The stormwater drainage on the site shall be constructed in accordance with the Construction Certificate version of Plan No. 1108181d issue 'C' dated 23 April 2012 prepared by Rammy Associates Pty Ltd.

### Protection of Adjoining and Public Land

5. **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.
6. **Hoardings** – A hoarding or fence must be erected between the work site and any adjoining public place.  
  
Any hoarding or fence erected pursuant this consent is to be removed when the work has been completed
7. **Development to be within site boundaries** – 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.

### ITEM 3 (continued)

### ATTACHMENT 1

8. **Public space** – The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council.

#### Works on Public Road

9. **Public Utilities** – Compliance with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RTA, Council etc) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.
10. **Roads Act** – Any works performed in, on, or over a public road pursuant to this consent must be carried out in accordance with this consent and with the Road Opening Permit issued by Council as required under section 139 of the Roads Act 1993.

#### Engineering Conditions

11. **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.
12. **Service Alterations** – All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.
13. **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.
14. **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.

#### DEMOLITION CONDITIONS

The following conditions are imposed to ensure compliance with relevant legislation and Australian Standards, and to ensure that the amenity of the neighbourhood is protected.

A Construction Certificate is not required for Demolition.



**ITEM 3 (continued)**

**ATTACHMENT 1**

15. **Asbestos** – Where asbestos is present during demolition work, the work must be carried out in accordance with the guidelines for asbestos work published by WorkCover New South Wales.
16. **Asbestos disposal** – All asbestos wastes must be disposed of at a landfill facility licensed by the New South Wales Environmental Protection Authority to receive that waste. Copies of the disposal dockets must be retained by the person performing the work for at least 3 years and be submitted to Council on request.
17. **Imported fill type** – 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.

18. **Section 94** – 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</b>	<b>B</b>
Community & Cultural Facilities	\$3,991.39
Open Space & Recreation	\$9,825.97
Civic & Urban Improvements	\$3,341.90
Roads & Traffic Management Facilities	\$455.76
Cycleways	\$284.75
Stormwater Management Facilities	\$904.74
Plan Administration	\$76.78
<b>The total contribution is</b>	<b>\$18,881.29</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.

**ITEM 3 (continued)**

**ATTACHMENT 1**

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>.

19. **Compliance with Australian Standards** – 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**.
20. **Structural certification** – The applicant must engage a qualified practising structural engineer to provide structural certification in accordance with relevant BCA requirements.
21. **Security deposit** – 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: dwelling houses with delivery of bricks or concrete or machine excavation).
22. **Fees** – The following fees must be paid to Council in accordance with Council's Management Plan:
  - (a) Infrastructure Restoration and Administration Fee
  - (b) Enforcement Levy
23. **Long Service Levy** – 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**.
24. **Fencing**. 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**.
25. **Sydney Water – quick check** – The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect any Sydney Water assets, sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to the website [www.sydneywater.com.au](http://www.sydneywater.com.au) for:

**ITEM 3 (continued)**

**ATTACHMENT 1**

- Quick Check agents details - see Building, Developing and Plumbing then Quick Check; and
- Guidelines for Building Over/Adjacent to Sydney Water assets - see Building, Development and Plumbing then Building and Renovating.

Or telephone 13 20 92.

**Engineering Conditions Prior to Construction Certificate**

26. **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**.
27. **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.
28. **Sight Distance** – To facilitate safe sight distances, all proposed fencing and vegetation forward of the building alignment to McGregor Street shall be limited in height to a maximum of 900mm. Plans detailing compliance with this condition shall be submitted with the **Construction Certificate**.
29. **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.  
  
Engineering plans, including certification indicating compliance with this condition are to be submitted with the **Construction Certificate** application.
30. **On-Site Stormwater Detention Tank** – All access grates to the on site stormwater detention tank are to be hinged and fitted with a locking bolt. Any tank greater than 1.2m in depth must be fitted with step irons.
31. **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.
32. **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 Landcom. These devices shall be maintained during the construction works and replaced where considered necessary.

**ITEM 3 (continued)**

**ATTACHMENT 1**

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.

**33. 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.

**34. Residential building work, insurance** – 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.

**35. Residential building work, provision of information** – 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:

**ITEM 3 (continued)**

**ATTACHMENT 1**

- (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).

36. **Safety Fencing** – 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.

**Engineering Conditions Prior to Commencement of Construction**

37. **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.

**Note:** 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.

38. **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
39. **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.

**ITEM 3 (continued)**

**ATTACHMENT 1**

40. **Critical stage inspections** – The person having the benefit of this consent is required to notify the Principal Certifying Authority during construction to ensure that the critical stage inspections are undertaken, as required under clause 162A(4) of the *Environmental Planning and Assessment Regulation 2000*.
41. **Noise and vibration** – 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.
42. **Construction noise.** 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.
43. **Survey of footings and walls** – 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.
44. **Sediment/dust control** – No sediment, dust, soil or similar material shall leave the site during construction work.
45. **Construction materials** – All materials associated with construction must be retained within the site.
46. **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; and,
  - (c) the site is clear of waste and debris at the completion of the works.
47. **Work within public road** – At all times when 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”.
48. **Drop-edge beams** – Perimeters of slabs are not to be visible and are to have face brickwork from the natural ground level.
49. **Plumbing and drainage work** – All plumbing and drainage work must be carried out in accordance with the requirements of Sydney Water Corporation.
50. Only unpolluted water is to be discharged to Council’s stormwater drainage system.

**ITEM 3 (continued)**

**ATTACHMENT 1**

**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.

51. **BASIX** – The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate No. 398422M\_03 dated 25 April 2012.
52. **Landscaping** – All landscaping works approved by condition 1 are to be completed prior to the issue of the final **Occupation Certificate**.

**Engineering Conditions Prior to Occupation Certificate**

53. **Disused Gutter Crossing** – All disused gutter and footpath crossings shall be removed and the kerb and footpath reinstated to the satisfaction of Council.
54. **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 all vehicular footway and gutter (layback) crossings are constructed in accordance with the construction plan requirements and *Ryde City Council's Environmental Standards Development Criteria – 1999, Section 4*.
  - Confirming that the driveway and the footpath paving works are constructed in accordance with the construction plan requirements and *Ryde 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 *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.

**ITEM 3 (continued)**

**ATTACHMENT 1**

55. **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. If there are proposed interallotment drainage easements on the subject property, **a Certificate from a Registered Surveyor is to be submitted to the PCA** certifying that the subject drainage line/s and pits servicing those lines lie wholly within the proposed easements.
56. **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.
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.
58. **Positive Covenant, Dispersal** – The creation of a Positive Covenant under Section 88 of the Conveyancing Act 1919, burdening the property with the requirement to maintain the stormwater dispersal system. The terms of the instruments are to be generally in accordance with the Council's draft terms of Section 88E instrument for Maintenance of On- site Dispersal Systems and to the satisfaction of Council.
- (b) That the persons who made submissions be advised of Council's decision.

**Record of Voting:**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **26 JUNE 2012** as substantive changes were made to the published recommendation.

The meeting closed at 5.45pm.

CONFIRMED THIS 17TH DAY OF JULY 2012.

Chairperson



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**4 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 8/12  
held on 19 June 2012**

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**Report prepared by:** Meeting Support Coordinator**Report dated:** 21/05/2012**File No.:** GRP/12/5/5/5 - BP12/611

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**REPORT SUMMARY**

Attached are the Minutes of the Works and Community Committee Meeting 8/12 held on 19 June 2012. The Minutes will be listed for confirmation at the next Works and Community Committee Meeting.

Items 1, 2, 3, 4(a), 4(b), 4(c), 4(e), 4(f), 4(g), 4(h), 4(i), 4(j), 4(l), 4(m), 4(n), 4(o), 4(p) and 4(r) were dealt with by the Committee within its delegated powers.

The following Committee recommendations for Items 4(d), 4(k), 4(q) and 5 are submitted to Council for determination in accordance with the delegations set out in Council's Code of Meeting Practice relating to Charters, functions and powers of Committees:

**4 TRAFFIC & PARKING MATTERS PRESENTED TO RYDE LOCAL TRAFFIC  
COMMITTEE MEETING held on 24 May 2012****RESOLUTION:** (Moved by Councillors Tagg and Maggio)

That the traffic and parking measures resulting from the Ryde Traffic Committee at its meeting on 24 May 2012 be dealt with in seriatim.

**Record of Voting:**

For the Motion: Unanimous

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

(d) That in relation to Belmore Street, Meadowbank, the matter be deferred for confirmation that consultation with the restaurant owner has occurred.

**Record of Voting:**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **26 JUNE 2012** as substantive changes were made to the published recommendation.

**ITEM 4 (continued)**

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

Note: Mr Day and Mrs Cronk of Gannet Street, Gladesville addressed the Committee in relation to this Item.

- (k) (i) That the "GANNET STREET, GLADESVILLE Request for Parking Restrictions matter be referred to the next Traffic Committee for a further report addressing the concerns of the residents and that the residents be invited to address the committee.
- (ii) That compliance with the conditions of consent for Harris Farm and Woolworths be investigated.
- (iii) That the traffic and linemarking treatment carried out at Morrison Park be considered as a traffic measure in Gannet Street.
- (iv) That the need for a bench in the vicinity of the Harris Farm Market be investigated.

**Record of Voting:**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **26 JUNE 2012** as substantive changes were made to the published recommendation.

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

Note: Mr Salameh and Mr Fiore (residents of Osgathorpe Road) addressed the Committee in relation to this Item.

- (q) That Council adopt the following recommendations in relation to the report titled "OSGATHORPE ROAD, GLADESVILLE Request for Works Zone at construction site" as follows:
  - i. That approval be granted for the Work Zone in front of No.328-332 Victoria Road property along Osgathorpe Road frontage for 40 metres in length over the period from 30 April 2012 to 20 September 2012, subject to the associated work zone permit fee being paid in accordance with Council's approved Fees and Charges 2011/12.
  - ii. That the Work Zone operates between the hours of 7am to 5pm, Monday to Friday, and 8am to 1pm on Saturday.
  - iii. That the RMS approved traffic controllers be employed at all times to control ingress / egress movements within the Work Zone.
  - iv. That an Investigation of current speed and crash history in Osgathorpe Road and Brereton and Evans Streets be carried out and further that speed calming measures be investigated in those three streets.

**ITEM 4 (continued)**

**Record of Voting:**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on 26 JUNE 2012 as substantive changes were made to the published recommendation.

**5 COMMUNITY MEMBERSHIP OF THE WHEELED SPORTS ADVISORY COMMITTEE**

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

That the formation of the Wheeled Sports Advisory Committee be deferred for consideration until after the Council election when the formation of all Advisory Committees will be considered.

**Record of Voting:**

For the Motion: Councillors Perram, Petch and Tagg

Against the Motion: Councillor Maggio

Note: This matter will be dealt with at the Council Meeting to be held on **26 JUNE 2012** as dissenting votes were recorded.

**ATTACHMENTS**

1 Minutes - Works and Community Committee - 19 June 2012

**ITEM 4 (continued)**

**ATTACHMENT 1**

**Works and Community Committee  
MINUTES OF MEETING NO. 8/12**

**Meeting Date:** Tuesday 19 June 2012  
**Location:** Committee Room 1, Level 5, Civic Centre, 1 Devlin Street, Ryde  
**Time:** 4.30pm

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

**Apologies:** Councillors Campbell and Li.

**Staff Present:** Group Manager – Community Life, Acting Group Manager – Public Works, Service Unit Manager – Open Space, Service Unit Manager – Urban Planning, City Urban Designer and Executive Assistant to the Mayor and Other Councillors.

**DISCLOSURES OF INTEREST**

There were no disclosures of interest.

**1 CONFIRMATION OF MINUTES - Meeting held on 5 June 2012**

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

That the Minutes of the Works and Community Committee 7/12, held on Tuesday 5 June 2012, be confirmed.

**Record of Voting:** Unanimous

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

**2 NEIGHBOURHOOD CENTRES RENEWAL - AGINCOURT ROAD SHOPS  
PUBLIC DOMAIN UPGRADE CONCEPT PLAN**

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

That Council adopt the Agincourt Road Centre Landscape Concept Plan.

**Record of Voting:**

For the Motion: Unanimous

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

**ITEM 4 (continued)**

**ATTACHMENT 1**

**3 PUTNEY PROGRESS ASSOCIATION'S CENTENARY MONUMENT**

Note: Mr James Balestriere (representing Putney Progress Association) addressed the Committee in relation to this Item.

Note: A photograph, map and information regarding the directional marker from Mr James Balestriere was tabled in relation to this Item and a copy is ON FILE.

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

- (a) That Council approve the request received from Putney & Districts Progress Association Inc. to install a directional marker and plaques in celebration of their centenary, as per design plan.
- (b) That Council agree to an “in-kind” contribution of labour only to install the plinth and provide landscaping around the marker/stone.

**Record of Voting:**

For the Motion: Unanimous

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

**4 TRAFFIC & PARKING MATTERS PRESENTED TO RYDE LOCAL TRAFFIC COMMITTEE MEETING held on 24 May 2012**

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

That the traffic and parking measures resulting from the Ryde Traffic Committee at its meeting on 24 May 2012 be dealt with in seriatim.

**Record of Voting:**

For the Motion: Unanimous

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

- (a) That Council adopt the following recommendations in relation to the report titled “TOP RYDE, RYDE Resident Parking Scheme (New RPS Zone)” as follows:
  - i. That Council note the information contained within this report.
  - ii. That Top Ryde Resident Parking Scheme be known as Zone 10 and bounded by Victoria Road, Princes Street, Buffalo Road, Shepherd Street and Colston Street.
  - iii. That streets nominated for 2P (RPS) within Top Ryde be assessed in accordance with the RMS guidelines for establishing a Residential Parking Scheme criteria as practicable.

**ITEM 4 (continued)**

**ATTACHMENT 1**

**Record of Voting:**

For the Motion: Unanimous

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

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

- (b) That Council adopt the following recommendation in relation to the report titled "MALVINA STREET, RYDE Request for short parking restrictions" as follows:  
That a 6m P10 minute (7am-10am and 3pm-7pm, MON-FRI) parking space in front of 27 Malvina Street, Ryde to facilitate the pick up and drop off of children to the childcare centre.

**Record of Voting:**

For the Motion: Unanimous

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

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

- (c) That Council adopt the following recommendations in relation to the report titled "POTTS STREET, RYDE Existing Parking Restrictions Review" as follows:
- i. That Council retain a 'No Stopping' zone (8am-9.30am and 2.30pm-4pm, School Days) along western side of Potts Street south of Victoria Road for a length of 25 metres.
  - ii. That Council retain a 'No Stopping' zone (2.30pm-4pm, School Days) along Potts Street (south of school access driveway in front of house No. 84 and No.86) and extend up to Fredrick Street.

**Record of Voting:**

For the Motion: Unanimous

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

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

- (d) That in relation to Belmore Street, Meadowbank, the matter be deferred for confirmation that consultation with the restaurant owner has occurred.

**Record of Voting:**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **26 JUNE 2012** as substantive changes were made to the published recommendation.

**ITEM 4 (continued)**

**ATTACHMENT 1**

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

- (e) That Council adopt the following recommendations in relation to the report titled “LANCASTER AVENUE AND COBHAM AVENUE, MELROSE PARK Further review of traffic flow’ as follows:
- i. That Council develop options to mitigate speeding in Lancaster Avenue and Cobham Avenue between Wharf Road and Andrew Street, Melrose Park, which may include the use of temporary Variable Message Signs (VMS).
  - ii. That NSW Police Services be requested to undertake regular surveillance to mitigate the incidence of speeding along Lancaster Avenue and Cobham Avenue between Wharf Road and Andrew Street.
  - iii. That a further report be brought back to the Ryde Traffic Committee regarding possible measures to mitigate speeding.

**Record of Voting:**

For the Motion: Unanimous

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

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

- (f) That Council adopt the following recommendations in relation to the report titled “BOWDEN STREET, MEADOWBANK Request for Loading Zone’ as follows:
- i. That Council approve a ‘ Loading Zone’ (8am-12pm) on Saturday and Sunday only for 12 metres in length on the western side of Bowden Street outside property No. 143 Bowden Street
  - ii. That the Strata Management of the property be informed of the Council Resolution.

**Record of Voting:**

For the Motion: Unanimous

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

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

- (g) That Council adopt the following recommendations in relation to the report titled “NELSON ROAD, GLADESVILLE Request for 2P restrictions’ as follows:
- i. That notification to affected residents and businesses be undertaken prior to the signage changes.
  - ii. That Council install 2P parking restrictions (8am-6pm, Mon-Fri) in the designated 90° angle parking area in Nelson Street, Gladesville along the frontage of No. 15 Buffalo Road, Gladesville.
  - iii. A further report be brought back to this committee in three (3) months time to advise on the “effectiveness” of the parking changes.

**ITEM 4 (continued)**

**ATTACHMENT 1**

**Record of Voting:**

For the Motion: Unanimous

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

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

- (h) That Council adopt the following recommendation in relation to the report titled "BUFFALO ROAD, GLADESVILLE Request for 2P restrictions" as follows:  
That the 1P (8am-6pm, Mon-Fri) parking restriction be implemented along the property frontages of No's 21, 23, 28, 32 and 34 Buffalo Road, Gladesville.

**Record of Voting:**

For the Motion: Unanimous

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

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

- (i) That Council adopt the following recommendation in relation to the report titled "ENDEAVOUR STREET, WEST RYDE Request for change in parking restriction" as follows:  
That Council approve 1/2P (8.30am-6.00pm, Mon-Fri, 8.30am-12.30pm, Sat) in Endeavour Street along the frontage of the West Ryde Baptist Church subject to maintaining statutory No Stopping distance from Victoria Road.

**Record of Voting:**

For the Motion: Unanimous

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

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

- (j) That Council adopt the following recommendation in relation to the report titled "PORTER STREET, MEADOWBANK Difficulty if garbage collection" as follows:  
That Council install 'No Parking' (6am-10am) restrictions on garbage days for 20 metres south of the existing driveway access of No. 6-10 Porter Street (western side).

**Record of Voting:**

For the Motion: Unanimous

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



**ITEM 4 (continued)**

**ATTACHMENT 1**

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

Note: Mr Day and Mrs Cronk of Gannet Street, Gladesville addressed the Committee in relation to this Item.

- (k) (i) That the “GANNET STREET, GLADESVILLE Request for Parking Restrictions matter be referred to the next Traffic Committee for a further report addressing the concerns of the residents and that the residents be invited to address the committee.
- (ii) That compliance with the conditions of consent for Harris Farm and Woolworths be investigated.
- (iii) That the traffic and linemarking treatment carried out at Morrison Park be considered as a traffic measure in Gannet Street.
- (iv) That the need for a bench in the vicinity of the Harris Farm Market be investigated.

**Record of Voting:**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **26 JUNE 2012** as substantive changes were made to the published recommendation.

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

- (l) That Council adopt the following recommendations in relation to the report titled “WEST RYDE TOWN CENTRE PARKING MANAGEMENT PLAN REVIEW (INTERIM) Request for parking restrictions” as follows:
  - i. That parking restrictions fronting commercial premises be extended to include (8am-6pm; Sat and Sun) to allow for better parking turnover during business trading hours.
  - ii. That Council’s parking officers enforce the parking restrictions in the area on a regular basis, including Saturday and Sunday to ensure that parking compliance is maintained.

**Record of Voting:**

For the Motion: Unanimous

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

**ITEM 4 (continued)**

**ATTACHMENT 1**

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

- (m) That Council adopt the following recommendation in relation to the report titled “DICKSON AVENUE, WEST RYDE Traffic Calming Devices” as follows:  
That Council not proceed with traffic calming devices in Dickson Avenue between Chatham Road and Bellevue Avenue at present as the results of the traffic surveys (2011 and 2012) and community consultation do not support their introduction.

**Record of Voting:**

For the Motion: Unanimous

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

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

- (n) That Council adopt the following recommendation in relation to the report titled “BRENDON STREET, NORTH RYDE Give Way restriction” as follows:  
That consideration of this matter to be deferred and a further report be brought back to this Committee after further technical considerations.

**Record of Voting:**

For the Motion: Unanimous

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

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

- (o) That Council adopt the following recommendation in relation to the report titled “GLEN STREET, EASTWOOD Provision of Angle Parking” as follows:  
That the concept plan be approved for construction in a future capital works program subject to future budget consideration.

**Record of Voting:**

For the Motion: Unanimous

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

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

- (p) That Council adopt the following recommendation in relation to the report titled “MORRISON ROAD AND CHARLES STREET, RYDE Proposed roundabouts-Ryde Rehabilitation Centre Development” as follows:  
This item will be deferred to the next Traffic Committee Meeting.

**ITEM 4 (continued)**

**ATTACHMENT 1**

**Record of Voting:**

For the Motion: Unanimous

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

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

Note: Mr Salameh and Mr Fiore (residents of Osgathorpe Road) addressed the Committee in relation to this Item.

- (q) That Council adopt the following recommendations in relation to the report titled "OSGATHORPE ROAD, GLADESVILLE Request for Works Zone at construction site" as follows:
- i. That approval be granted for the Work Zone in front of No.328-332 Victoria Road property along Osgathorpe Road frontage for 40 metres in length over the period from 30 April 2012 to 20 September 2012, subject to the associated work zone permit fee being paid in accordance with Council's approved Fees and Charges 2011/12.
  - ii. That the Work Zone operates between the hours of 7am to 5pm, Monday to Friday, and 8am to 1pm on Saturday.
  - iii. That the RMS approved traffic controllers be employed at all times to control ingress / egress movements within the Work Zone.
  - iv. That an Investigation of current speed and crash history in Osgathorpe Road and Brereton and Evans Streets be carried out and further that speed calming measures be investigated in those three streets.

**Record of Voting:**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on 26 JUNE 2012 as substantive changes were made to the published recommendation.

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

- (r) That Council adopt the following recommendations in relation to the report titled "MORRISON ROAD, PUTNEY Request for Works Zone at construction site" as follows:
- i. That approval be granted for the Work Zone in front of No.288 Morrison Road property along frontage for 15 metres in length for the period from 14 May 2012 to 14 October 2012, subject to the associated work zone permit fee being paid in accordance with Council's approved Fees and Charges 2011/12.
  - ii. That the Work Zone operates between the hours of 7am to 5pm, Monday to Friday, and 8am to 1pm on Saturday.
  - iii. That the RMS approved traffic controllers be employed at all times to control ingress / egress movements within the Work Zone.

**ITEM 4 (continued)**

**ATTACHMENT 1**

**Record of Voting:**

For the Motion: Unanimous

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

**5 COMMUNITY MEMBERSHIP OF THE WHEELED SPORTS ADVISORY COMMITTEE**

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

That the formation of the Wheeled Sports Advisory Committee be deferred for consideration until after the Council election when the formation of all Advisory Committees will be considered.

**Record of Voting:**

For the Motion: Councillors Perram, Petch and Tagg

Against the Motion: Councillor Maggio

Note: This matter will be dealt with at the Council Meeting to be held on **26 JUNE 2012** as dissenting votes were recorded.

The meeting closed at 6.00pm.

CONFIRMED THIS 17TH DAY OF JULY 2012.

Chairperson

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**5 DEFERRED REPORT: PUTNEY PARK PLAN OF MANAGEMENT ACTION PLAN UPDATE**

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**Report prepared by:** Open Space Planner**Report dated:** 27 April 2012**File No.:** GRP/09/4/6 - BP12/479

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**This report is deferred from the Council Meetings held on 8 May, 22 May and 12 June 2012.**

**REPORT SUMMARY**

The Putney Park Plan of Management was adopted by Council on 11 October 2011 and guides the future development and management of Putney Park. The Plan of Management recommends a series of actions that support the sustainable management and conservation of Putney Parks' natural, cultural and indigenous resources while promoting public recreation and leisure within the Park. The management actions are aimed at meeting current and future demands on the Park while improving the quality of the Park, responding to the needs of the community, and reinforcing the community values of the Park.

During exhibition and adopting process of the Plan of Management, Council requested a further report to be provided on the high priorities for Putney Park as identified by the community. This report provides further information and financial considerations on these items.

**RECOMMENDATION:**

That Council receive and note the information contained in the body of this report.

**ATTACHMENTS**

1 Masterplan and Action Plan for Council

Report Prepared By:

**Fiona Morrison**  
**Open Space Planner**

Report Approved By:

**Tatjana Domazet**  
**Service Unit Manager - Open Space**

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

## ITEM 5 (continued)

### Discussion

At its meeting on 11 October 2011, Council adopted the Putney Park Plan of Management and resolved, in part, the following:

- (b) *That a further report be provided to Council regarding a plan of action addressing the following matters:*
- *to improve the site from Pellisier Road to the punt (relocation of gates);*
  - *the upgrading and remediation of the triangular park;*
  - *the improvement to the sea wall;*
  - *the removal of the Camphor Laurel trees;*
  - *the pruning of trees throughout the park to improve the security;*
  - *the development of the perimeter track; and*
  - *the exploration of provision of accessible equipment in the southern playground.*

The Putney Park Plan of Management includes a Masterplan and an Action Plan that contains actions that respond to the community needs for the Park. These two items are contained in **ATTACHMENT 1**. The report provides information on the timing and financial impact for the implementation of the Plan of Management and Masterplan.

#### *Recommended Actions*

The Putney Park Plan of Management has been prepared with a series of actions linked to the values of the reserve. Strategies, actions, priorities, responsibilities and performance measurement are outlined in more detail in Section 5 of the Plan (and as attached), and are to be used for projects bidding for future budgets and work programs.

The Plan's Action Plan has been prepared to coordinate the future management of Park. The Plan contains actions needed to:

- Improve the quality of the Park;
- Respond to the needs of the community and Park users;
- Achieve the core objectives of the Local Government Act and the Crown Lands Act; and
- Reinforce the values of the Park.

All actions have been assigned a priority rating of short, medium, long or ongoing. In addition, during the exhibition process, the community has identified a number of high priority actions for Putney Park. All of these actions together with approximate costs are listed in the table below.

<b>Priority Ranking</b>	<b>Key Actions</b>	<b>Approx Cost</b>	<b>Notes:</b>
<b>Short Term</b>	<ul style="list-style-type: none"> <li>• Expand the southern playground</li> </ul>	\$200,000	Proposed for 2012/13

**ITEM 5 (continued)**

<b>Priority Ranking</b>	<b>Key Actions</b>	<b>Approx Cost</b>	<b>Notes:</b>
	<ul style="list-style-type: none"> <li>Prepare a Bush Care Management Strategy</li> </ul>	\$15,000	
	<ul style="list-style-type: none"> <li>Design and construction of the foreshore path</li> </ul>	\$500,000	
	<ul style="list-style-type: none"> <li>Bindii weed management</li> </ul>	\$80,000	Additional works are required to change grass species
<b>Sub-total for Short Term priorities</b>		<b>\$796,000</b>	
<b>Community High Priority</b>	<ul style="list-style-type: none"> <li>Upgrading and remediation of the triangular park;</li> </ul>	\$60,000	
	<ul style="list-style-type: none"> <li>Improvement to the sea wall;</li> </ul>	\$200,000	To scope the extend of the repairs and conduct geotechnical investigations
	<ul style="list-style-type: none"> <li>Removal of the Camphor Laurel trees;</li> </ul>	\$30,000	Review underway
	<ul style="list-style-type: none"> <li>Pruning of trees throughout the park to improve the security;</li> </ul>	\$30,000	Works programmed
	<ul style="list-style-type: none"> <li>Apply the Ryde River Walk Masterplan to Putney Park that includes development of the perimeter track and implementation of the parkland loop path network;</li> </ul>	\$550,000	Project delayed to allow for additional community consultation
	<ul style="list-style-type: none"> <li>Improve the site from Pellisier Road to the punt (relocation of gates);</li> </ul>	\$230,000	Project not commenced due to lack of funding
	<ul style="list-style-type: none"> <li>Provision of accessible equipment in the southern playground.</li> </ul>		<i>Note: consideration to the inclusion of accessible equipment will be undertaken during the design process</i>
<b>Sub-total for community high priorities</b>		<b>\$1.103 mil</b>	
<b>Medium Term</b>	<ul style="list-style-type: none"> <li>Implement natural and cultural heritage interpretation signage and art works throughout the Park</li> </ul>	\$57,500	Estimated at 10 signs located throughout the Park.
	<ul style="list-style-type: none"> <li>Construction of a path within the southern triangular area of the Park</li> </ul>	\$20,000	
	<ul style="list-style-type: none"> <li>Installation of additional seating throughout the Park</li> </ul>	\$440,000	

**ITEM 5 (continued)**

<b>Priority Ranking</b>	<b>Key Actions</b>	<b>Approx Cost</b>	<b>Notes:</b>
<b>Sub-total for Medium Term priorities</b>		<b>\$517,500</b>	
<b>Long Term</b>	<ul style="list-style-type: none"> <li>• Create a connection between the punt ferry and the Park</li> </ul>	\$50,000	
	<ul style="list-style-type: none"> <li>• Demolition of southern toilet block and replace with a new facilities closer to the southern playground area</li> </ul>	\$500,000	
	<ul style="list-style-type: none"> <li>• Development of an interpretation strategy</li> </ul>	\$30,000	
<b>Sub-total for Long Term Priorities</b>		<b>\$580,000</b>	
<b>TOTAL</b>		<b>\$2,996,500</b>	

*Timeline for implementation*

The implementation of a complex Plan of Management such as Putney Park requires a long term commitment. While the Plan of Management provides direction on the priority of works, a timeframe for the implementation of these priorities is dependent upon the funding available.

**Financial Implications**

The estimated value identified in the Putney Park Plan of Management Action Plan is approximately \$2.9 million.

Council's commitment to the management and maintenance of this park over a long period of time has been significant. The ultimate implementation of all actions identified within the Plan of Management will require a sustained investment over a long period of time.

The majority of actions identified in the Action Plan are capital upgrades of the Park. Resourcing these upgrades will need to be identified through council's long term financial plan and yearly capital works programs within the operational plan. Sources of funding will include general funds, Section 94, grants, sponsorship and partnership contributions.

In the draft 2012/13 budget, \$200,000 has been allocated towards the expansion of the southern playground.

**Conclusion**

Council's adopted Plan of Management for Putney Park including an Action Plan. Some of the high priorities actions that have been identified in the Action Plan are being addressed through the operational plan whilst the expansion of playground has been identified in 2012/13 budget.



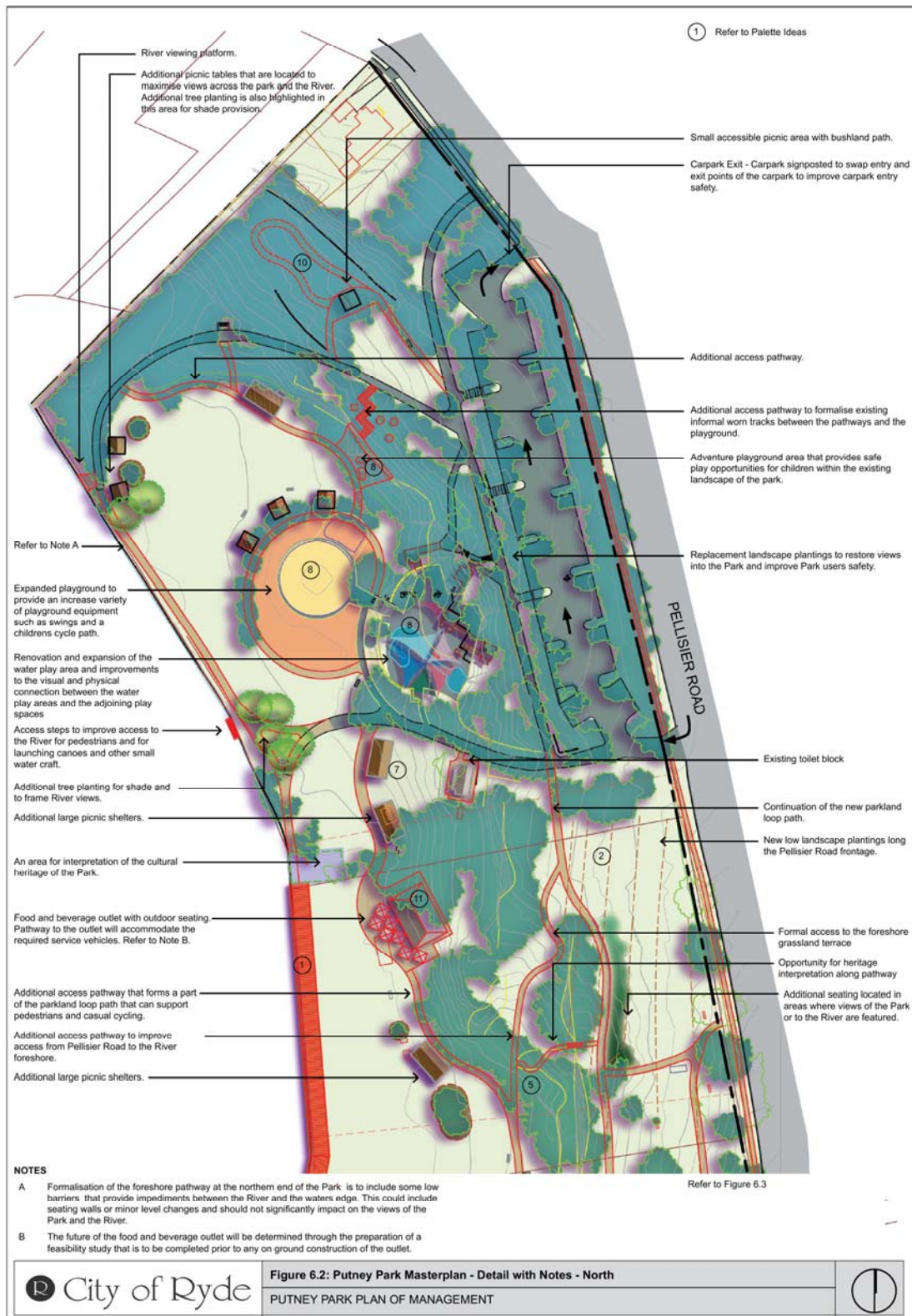
**ITEM 5 (continued)**

**ATTACHMENT 1**



ITEM 5 (continued)

ATTACHMENT 1






ITEM 5 (continued)

ATTACHMENT 1



ITEM 5 (continued)

ATTACHMENT 1

<p><b>IMAGE</b></p> 	<p><b>NOTE</b></p> <p><b>1. Boardwalk along Foreshore:</b> To provide an opportunity for connection with the foreshore and between other park elements, particularly the historic Putney Park baths.</p>	<p><b>IMAGE</b></p> 	<p><b>NOTE</b></p> <p><b>7. Picnic Shelters:</b> To provide a consistent appearance of picnic shelters, including both large and small sizes. The style propose has been used in other City of Ryde standard shelter.</p>
	<p><b>NOTE</b></p> <p><b>2. Ornamental Shrubs and Garden:</b> To revive the concept of the "pleasure garden" which was in Putney Park in the 1920's. There is an opportunity to highlight the natural features of the park in this area.</p>		<p><b>NOTE</b></p> <p><b>8. Playgrounds:</b> North Play Area: The existing playground is expanded to increase play value  The propose play space would build upon the existing use of the sandstone rock shelf being used as a climbing wall. Included in this playground would be "parkour" play items.</p>
	<p><b>NOTE</b></p> <p><b>3. Heritage Interpretation:</b> To provide an opportunity to celebrate the historic sites in Putney Park such as Lunnhilda / Dunhope House and the Putney Baths through interpretation such as sculptures and ground plan artworks.</p>		<p><b>NOTE</b></p> <p>South Play Area: This playspace is replaced with a themes playground that is built around the tree canopy and heritage character of the Park. Element in this playspace could include a "ruins trail" with imaginary heritage exploration elements.</p>
	<p><b>NOTE</b></p> <p><b>4. Heritage Planting and Garden:</b> To enhance the heritage interpretation of the historic Lunnhilda / Dunhope House site and protect the existing plantings that are remnants of the House's original garden.</p>		<p><b>NOTE</b></p> <p><b>9. New Amenity Block:</b> To provide a safe amenity block located at the southern end of the Park. An adjacent shelter should ne used by nearby playground users.</p>
	<p><b>NOTE</b></p> <p><b>5. Native Plants and Gardens:</b> To highlight the rich array of landscape elements at Putney Park such as the sandstone rock shelf between the upper level of the Park and the foreshore.</p>		<p><b>NOTE</b></p> <p><b>10. Bushcare and Interpretation Trial:</b> To provide and opportunity for signage that identifies comes of the native plants species grown in the Park. To provide an opportunity for public art to be incorporated within the bushland areas as another from of environmental education.</p>
	<p><b>NOTE</b></p> <p><b>6. Viewing Areas:</b> To provide opportunities to enjoy the great views available over the Parramatta River. The viewing areas are purposed where there are natural break in the existing vegetation.</p>		<p><b>NOTE</b></p> <p><b>11. New Kiosk / Cafe:</b> To provide a food and beverage outlet in Putney Park that takes advantage of the great views.</p>
<p>City of Ryde</p>	<p>Figure 6.4: Putney Park Masterplan - Ideas Palette PUTNEY PARK PLAN OF MANAGEMENT</p>		

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### 7. ACTION PLAN

The overall management for Putney Park is to preserve it as a regional community resource. This can be achieved by maintaining and strengthening the features of the Park, providing suitable parklands facilities, strengthen the interface between the Park and the foreshore and to maximise opportunities for a wide range of leisure and recreational uses. Building on from the values and roles of the Park, it is important to establish some management principles against which the opportunities for the future management and development of the Park can be assessed against.

The following Action Plan (as listed in the tables and shown on Figure 7.1) has been prepared to coordinate the future management of Park. The Plan contains actions needed to:

- Improve the quality of the Park
- Respond to the needs of the community and Park users
- Achieve the core objectives of the Local Government Act and the Crown Lands Act
- To reinforce the values of the Park.

All actions have been assigned a priority rating.

**Table 71 Priority Rankings**

TERM	ACTIONS
Short Term	<ul style="list-style-type: none"> <li>• Safety Issues</li> <li>• Park functional improvements</li> <li>• Severe environmental rectifications</li> <li>• Management of unauthorised use</li> </ul>
Medium Term	<ul style="list-style-type: none"> <li>• Preventative and remedial maintenance</li> <li>• Resolution of park users conflicts</li> <li>• Moderate environmental rectifications</li> <li>• Improve park user use and enjoyment</li> </ul>
Long Term	<ul style="list-style-type: none"> <li>• Long term quality improvements</li> <li>• Reduction of maintenance costs</li> </ul>
Ongoing	<ul style="list-style-type: none"> <li>• Regular actions for the life of the Plan of Management</li> </ul>

Each action is also accompanied by a notation of legislative compliance and the key for this is contained in Table 7.2 below.

**Table 7.2 Legislative Compliance**

LEGISLATION	DETAILS	ACTION PLAN NOTATION
<b>Crown Lands Act</b>		
Section 11	Observe environmental protection principles in relation to the management and administration of Crown land.	1
	Conserve the natural resources of Crown land (including water, soil, flora, fauna, and scenic quality) wherever possible.	2
	Encourage public use and enjoyment of appropriate Crown land.	3
	Encourage multiple use of Crown land, where appropriate.	4
	Use and manage Crown land in such a way that both the land and its resources are sustained in perpetuity, where appropriate	5
	Occupy, use, sell, lease, license, or otherwise deal with Crown land in the best interests of the State, consistent with the above principles.	6

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LEGISLATION	DETAILS	ACTION PLAN NOTATION
<b>Local Government Act</b>		
Section 36E - Natural Areas	To conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area.	36E (a)
	To maintain the land, or that feature or habitat, in its natural state and setting.	36E (b)
	To provide for the restoration and regeneration of the land.	36E (c)
	To provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion.	36E (d)
Section 36G - Park	To assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the Threatened Species Conservation.	36E (e)
	To encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities.	36G (a)
	To provide for passive recreational activities or pastimes and for the casual playing of games.	36G (b)
	To improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.	36G (c)
Section 36J - Bushland	To ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms) of the land and other ecological values of the land.	36J (a)
	To protect the aesthetic, heritage, recreational, educational and scientific values of the land.	36J (b)
	To promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion.	36J (c)
	To restore degraded bushland.	36J (d)
	To protect existing landforms such as natural drainage lines, watercourses and foreshores.	36J (e)
	To retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term.	36J (f)
Section 36N - Foreshore	To protect bushland as a natural stabiliser of the soil surface.	36J (g)
	To maintain the foreshore as a transition area between the aquatic and the terrestrial environment, and to protect and enhance all functions associated with the foreshore's role as a transition area.	36N (a)
	To facilitate the ecologically sustainable use of the foreshore, and to mitigate impact on the foreshore by community use.	36N (b)

**7.1 Implementation of the Plan of Management**

Once the Council and the Lands Minister adopts this Plan of Management, it is incumbent on the Reserve Trust to "carry out and give effect to it" (Section 114 of the Crown Lands Act 1989). The Trust must only allow operations or development that is in accordance with the Plan of Management.

Implementation of the Plan will be monitored annually with the preparation of annual performance standards and capital works programs. Performance standards and works programs for administration, maintenance and upgrading works are revised each year to meet allocated budgets and works priorities determined in Council's Management Plan.



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### 7.1.1 Review of this Plan of Management

Alteration of the adopted Plan of Management may be undertaken under Section 115 of the *Crown Lands Act*, and may be required after a period of five years to keep abreast of government legislation and policy, Ministerial directions, to cater for the changing expectations and requirements of the community, to recognise completed actions, and to ensure the Plan of Management remains useful and relevant. Review of this Plan of Management should also take into account the outcomes of periodic reviews of Council's strategic and operational plans. The Action Plan tables have a shorter life and therefore require more frequent reviews and updating. The Action Plan tables should be reviewed and revised yearly in accordance with Council's budgets, Capital Works Program and changing priorities.

Funding for management of the Reserve will be sought from a range of Government, Council and community sources.

### 7.1.2 Funding Sources and Opportunities

There are a number of approaches that Council and Crown Reserve Trusts can take in funding the implementation of this Plan of Management. City of Ryde, as Trust Manager and Owner, is likely to fund most of the proposed improvements to the Reserve.

#### *Reserve Trust proceeds*

Under Section 106 of the *Crown Lands Act 1989*, the Minister may direct that proceeds from a sale, lease, easement or licence (including a temporary licence) of a Crown reserve be paid to:

- Another Reserve Trust to be used for care, control and management of the other Trust's reserve.
- The Consolidated Fund or to a Public Reserves Management Fund under the *Public Reserves Management Fund Act 1987*.

The Public Reserves Management Fund provides loans or grants that assist Crown Reserve Trusts in the management, planning and development of Crown reserves. The fund principally relies on levies on coastal caravan parks, and repayments of loan principal and interest. A 15% levy on the proceeds from leases and licenses that can then be applied for the care and maintenance of reserves also contributes to the Public Reserves Management Fund. Funds are distributed on a merit basis to Trusts that apply for grant funds for specific projects.

#### *Council funding*

The implementation of this Plan of Management is achieved through its linkage with Council's Management Plan, Operational Budget, and Capital Works Program. Funding is integral to implementing the Plan.

Funding arrangements for the foreshores need to address recurrent costs of management and maintenance, together with capital costs for new facilities or upgrading works. Council currently funds management and maintenance costs through its annual budget allocation, and uses capital funds and Section 94 funding for capital and non-recurrent works.

Funding for construction of new facilities is generally through the annual budgeting process, but special projects may be partly funded through State government grant allocations, which may involve matching funding from Council.

Staging of works will need to occur because Council cannot meet the cost of every single item of work proposed at one time, due to other financial commitments throughout the City. Actions listed in the Action Plans have been prioritised, which will assist in preparing forward open space work programs and annual budgets. This Plan will therefore provide direction for future works in the foreshore parks.

- Section 94A contributions - Council currently enters into planning agreements, or levies contributions or works in kind from developers towards the cost of upgrading facilities, including parks, to meet the needs of new development.

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- Partnerships - Local residents and corporate groups participate in bushcare activities. There is an opportunity to develop further partnerships with residents and interested people in relation to park improvements and ongoing management.
- Rental income - Income from the Reserve is generated by lease and licence fees, and from applicants for approved functions and events.
- Rationalisation and disposal - Revenue for park projects and improvements may be raised from the sale of assets, such as surplus or inappropriate land.

*Grants*

A number of Commonwealth and State government grants are available to assist with capital works along the foreshore area. While not exhaustive, the following list gives an indication of the range of available grant programs through which improvements to the Reserve consistent with its size, catchment and intended uses could be funded.

**Table 7.3 Grant Funding Opportunities**

GRANT	ORGANISATION	PURPOSE
<b>Commonwealth</b>		
Natural Heritage Trust	Department of Environment and Heritage	Bushcare Program: conserving and restoring habitat for native flora and fauna
Public Art Program	Ministry for the Arts	Grants of up to \$4,000 are available to assist in the commissioning of concept proposals by artists. Matching grants of up to \$20,000 are available for commissioning public art.
Australia Council for the Arts	Australia Council	Community cultural development, visual arts / crafts, theatre, dance, music
<b>State</b>		
Public Reserve Management Fund	Department of Lands	Assists Crown Reserve Trusts in the management, planning and development of Crown reserves.
Metropolitan Greenspace Program	Department of Planning	Planning and improvement of regionally significant open space in Sydney.
Capital Assistance Program	Department of Tourism, Sport and Recreation	Community-oriented sporting and / or recreational facilities.
Regional Sports facilities Program	Department of Tourism, Sport and Recreation	High quality sporting facilities with a regional catchment.
Environmental Trust: Integrated Environmental Program	Department of Environment and Conservation	Environmental restoration and rehabilitation to prevent or reduce pollution, waste or other environmental degradation.
Regional Cycleway Network	Roads and Traffic Authority	The RTA matches Council funding for regional cycleway routes.
Heritage Study and Promotion Projects	NSW Heritage Office	Studies, promotion, interpretation and presentation, histories and other projects for heritage items in NSW.
Sharing Sydney Harbour Access Program	Department of Planning	Improve public access to and enhance the recreational enjoyment of Sydney Harbour and its tributaries for the people of Sydney and visitors to the city. Funding for specific capital works projects such as walking tracks, cycle paths, new public waterfront parks, jetties, pontoons and boat launching facilities.

**7.1.3 Reporting**

Under Section 122 of the *Crown Lands Act* 1989, a Reserve Trust must furnish a report on its activities for the previous financial year. Contents of the report are listed in Clause 32(2) of the *Crown Lands Regulation* 2006.

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7.2 Putney Park Masterplan

ITEM	SPECIFIC OBJECTIVE	ACTION	PRIORITY	PERFORMANCE MEASURE(S)	PARK VALUE	LEGISLATIVE COMPLIANCE	
						CROWN LANDS ACT PRINCIPLE	LOCAL GOVT ACT CORE OBJECTIVE
Putney Park Masterplan	To implement the Putney Park Masterplan as a component of the plan of management implementation	Undertake community consultation, design and implementation of the Masterplan in accordance with all relevant Council's policies, legislation and Australian Standards.	Ongoing	Implementation of the Masterplan	Recreation Open Space & Landscape Cultural Environment Access & Linkages	1.2.3.4.5	Sections 36E, 36G, 36J and 36N
		Prepare a business case(s) to obtain funding for the implementation of the Masterplan.	Short	Funds provided via Council, grant or other sources of funding.	Recreation Open Space & Landscape Cultural Environment Access & Linkages	1.2.3.4.5	Sections 36E, 36G, 36J and 36N
		Implement the Masterplan in accordance with Masterplan and Plan of Management priorities.	Ongoing	Implementation of the Masterplan	Recreation Open Space & Landscape Cultural Environment Access & Linkages	1.2.3.4.5	Sections 36E, 36G, 36J and 36N

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7.3 Recreation

ITEM	SPECIFIC OBJECTIVE	ACTION	PRIORITY	PERFORMANCE MEASURE(S)	PARK VALUE	LEGISLATIVE COMPLIANCE	
						CROWN LANDS ACT PRINCIPLE	LOCAL GOVT ACT CORE OBJECTIVE
Recreation	That Putney Park is managed as a regional park within the City of Ryde open space network.	Recognise Putney Park as a regionally significant parkland within the strategic planning of open space within the City.	Short	Listing of Putney Park as a regional park within the Integrated Open Space Strategic Plan.	Recreation	3, 5	36G, 36E
		Update all park promotional material to market the Park as a regional park.	Medium	All park marketing material updated.	Recreation	3, 5	36G, 36E
		Revised all service level agreements relating to Putney Park to reflect the regional status of the Park and ensure maintenance expectations are revised accordingly.	Short	Revised service level agreements for park maintenance	Recreation Open Space & Landscape Environment	3	36G, 36E, 36J, 36N
	To provide a range of quality unstructured recreational opportunities based on identified community needs.	Implement the Masterplan which incorporates new and upgraded recreation opportunities for all ages.	Short	Implementation of the Masterplan	Recreation	2, 3	36G, 36E
		Construct additional areas for passive recreation that includes walking paths, playgrounds, picnic areas, viewing areas and complementary landscaping.	Short	Provision of additional passive recreation areas in alignment with the Masterplan	Recreation Open Space & Landscape	3	36G
		Undertake community consultation, design and implementation of the Masterplan in accordance with all relevant Council's policies, legislation and Australian Standards.	Ongoing	Implementation of the Masterplan	Recreation Open Space & Landscape	3	36G, 36E
		Engage with the local community and park users during the design and implementation of the Masterplan.	Ongoing	The community and park users are engaged and informed during the implementation of the Masterplan.	Recreation Open Space & Landscape Cultural Environment Access & Linkages	3, 5	36G, 36E

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						CROWN LANDS ACT PRINCIPLE	LOCAL GOVT ACT CORE OBJECTIVE
	To limit negative impacts from Park activities on surrounding private residential areas.	Engage with the local community during the design and implementation of the Masterplan to mitigate impacts on local residents.	Ongoing	The local community is engaged and informed of the implementation of the Plan of Management and Masterplan.	Recreation	3	36G, 36E
	To ensure that the quality of the environment and landscape remains the focus of the recreational experience at Putney Park	Ensure the implementation of the Masterplan protects and enhances the opportunities for environmental focused recreation, such as bush walks, bush care and viewing of the River.	Ongoing	The landscape of the Park is enhanced through the implementation of the Masterplan.	Recreation Open Space & Landscape Environment	2,3,5	36G, 36E, 36J, 36N
Children's Playgrounds	To ensure all park playground facilities are safe for use.	Review and audit all Park playgrounds regularly for compliance with the relevant safety standards and issue repairs as necessary.	Ongoing	Playground equipment and surrounds comply with relevant Australian Standards.	Recreation	3	36G
		Prepare suitable service level agreements for the maintenance of the playgrounds as regional playgrounds	Short	Service level agreements for playground maintenance prepared and adhered to.	Recreation	5	36G
		Review the provision of shade sails or trees at the playground areas and install / plant where necessary.	Medium	Adequate provision of shade at all playgrounds.	Recreation	5	36G
		Conduct routine safety audits on all playgrounds where all defects and noncompliance is reported to Councils for action.	Ongoing	Periodic safety audits completed and referred to Council for action.	Recreation	5	36G
		Replace playground equipment as required.	Ongoing	Playground equipment replaced when necessary.	Recreation	5	36G
	To expand the northern play area to provide a additional play opportunities for all ages and amenity for parents and carers.	Expand the footprint and play value of the northern playground in accordance with the Masterplan and community needs.	Short	Playground expanded	Recreation	3	36G
		Provide additional seating areas within the vicinity of the northern playground for park users.	Short	Additional seating installed	Recreation	3	36G

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						CROWN LANDS ACT PRINCIPLE	LOCAL GOVT ACT CORE OBJECTIVE
		Incorporate into the expansion of the playground and the foreshore path a low informal barrier between the playground and the River, such as a sitting wall.	Medium	Informal barrier installed between the playground and the foreshore.	Recreation Open Space & Landscape Access & Linkages	3	36G
	To improve the <b>water play area</b> for users.	To improve safety and reduce risk of user injury, consider the use of softer surface treatments within the water play area, such as soft fall rubber.	Medium	Installation of softer surfaces within the water play area.	Recreation	3.5	36G
		Provide additional seating areas within the vicinity of the water play area for parents and carers. Seating areas must be located to allow clear view lines for parents / carers to the water areas.	Short	Installation of additional seating in accordance with the Masterplan.	Recreation	3	36G
		Improve the physical and visual interface between the water play area and the northern playground and the River.	Long	Sight lines and access between the two play areas are improved in accordance with the Masterplan.	Recreation Open Space & Landscape	3	36G
	To promote the safe use of the <b>water play area</b> .	Instal signs that remind children not to run within the water play area.	Short	Installation of signage.	Recreation	3	36G
	To ensure the <b>water play area</b> is safe for use.	Ensure the water play areas is maintained to meet all relevant water quality control standards.	Ongoing	Water quality complys with relevant Australian Standards.	Recreation	3	36G
		Conduct routine water testing and take action as necessary.	Ongoing	Programmed water quality inspections completed.	Recreation	3.5	36G, 36E, 36J
	To expand the <b>southern play area</b> to provide a additional play opportunities and amenity for parents and carers.	Expand the existing playground to provide a suitable alternative play area for younger children with a high play value and incorporated landscape.	Medium	Expanded playground constructed.	Recreation Open Space & Landscape Environment	3	36G
		Provide additional seating and picnic areas near the playground for park users.	Medium	Additional seating installed.	Recreation	3	36G
		Provide a pathway that connects the southern playground to the play opportunities at the northern end of the Park.	Medium	Pathways constructed.	Recreation Access & Linkages	3	36G

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						CROWN LANDS ACT PRINCIPLE	LOCAL GOVT ACT CORE OBJECTIVE
Dog Walking & Exercising	To provide a safe and accessible park for dog walking.	Install and maintain signage that encourages dog owners to act responsibly keep out of bushland and playground areas, keep their dog under control at all times & to pick up after their dog.	Short	Installation of signs and minimal complaints from Park users and the community.	Recreation Environment	2,3,5	36E, 36G, 36J, 36N
		Install dog waste bins and water bowls throughout the park.	Medium	Installation of bins and water bowls	Recreation	3	36G
	To minimise the potential conflicts between dog owners and other Park users.	Maintain regular and prompt attention by Council Rangers to matters relating to dogs acting contrary to notices at the Park.	Ongoing	Minimal complaints from Park users and the community.	Recreation	3.5	36G
Ryde River Walk	To apply the Ryde River Walk Masterplan to Putney Park.	Design and construct a loop path within the Park that connects to the Ryde River Walk .	Short	Construction of a loop path within Putney Park	Recreation Access & Linkages	3	36E, 36G
		Install signage at key locations to inform users of the Ryde River Walk of Putney Park and the amenities within the Park.	Short	Installation of signage	Recreation Access & Linkages	3	36E, 36G
		Install seating along the path to provide rest areas for Ryde River Walk users.	Medium	Installation of seating	Recreation	3	36G
		Improve the park entry points and connections to the surrounding street	Medium	Install Pathways that connect entry points and paths	Access & Linkages	3	36G
	To improve foreshore connections between Kissing Point Park and Putney Park	Investigate future foreshore connection between Kissing Point Park and Putney Park	Long	Connection between Kissing Point Park and Putney Park made.	Recreation	3	36E, 36G
Food and Beverage Facility	To provide a food and beverage outlet within the Park.	Conduct a feasibility study on the provision of a food and beverage outlet within the Park.	Medium	Completion of feasibility study.	Recreation	3.6	36G
		Implement the findings of the feasibility study.	Medium	Actioning the feasibility study.	Access & Linkages	3.6	36G
	To control vehicle access for private service vehicles to ensure the safety of park users	Limit the operation of all coffee carts, ice cream vans and similar to the southern carpark or other designated car park areas.	Ongoing	No food selling vehicles driving in the Park.	Recreation Access & Linkages	2.6	36G

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7.4 Park Elements

ITEM	SPECIFIC OBJECTIVE	ACTION	PRIORITY	PERFORMANCE MEASURE(S)	PARK VALUE	LEGISLATIVE COMPLIANCE	
						CROWN LANDS ACT PRINCIPLE	LOCAL GOVT ACT CORE OBJECTIVE
Tree Management	To review and implement the recommendations of the Tree Survey (2008) - Appendix C.	Conduct a review of the Tree Survey and identify all tree management actions required.	Short	Actions in the Tree Survey are implemented	Open Space and Landscape	1, 2, 5	36G, 36E, 36J
		Develop and implement a program for tree works as a result of the review of the Tree Survey.	Short	Actions in the Tree Survey are implemented	Open Space and Landscape	1, 2, 5	36G, 36E, 36J
	To manage the tree assets sustainably.	Council arborists are to conduct regular inspections and monitor the health and condition of the trees as a part of regular Park maintenance. Undertake tree surgery, removal and replanting as required.	Ongoing	Ongoing inspections are undertaken and recommendations implemented	Open Space and Landscape	1, 2, 5	36G, 36E, 36J
		Council arborists are to conduct regular inspections as a part of regular Park maintenance and to identify the occurrences of tree vandalism and report to the regulatory officers for action is appropriate.	Ongoing	Ongoing inspections are undertaken and recommendations implemented	Open Space and Landscape	1, 2, 5	36G, 36E, 36J
		Undertake habitat assessment prior to the removal of any tree or limbs.	Ongoing	Habitat inspections completed prior to any tree or limb removal	Open Space and Landscape Environment	1, 2, 5	36G, 36E, 36J
	To protect the significant trees planted within the Park.	Identify all significant trees located within Putney Park and register these trees on the City of Ryde Significant Tree Register.	Short	Significant trees registered and management appropriately	Open Space and Landscape Environment Cultural	1, 2, 5	36G, 36E
	Enhance the landscape character of the Park.	Ensure all replacement tree plantings are consistent with the landscape character of the Park and maintain Park users safety.	Ongoing	Unhealthy trees are removed and replace with appropriate species	Open Space and Landscape Environment	1, 2, 5	36G, 36E, 36J
		Use only high branching tree habits for tree plantings along the Parramatta River foreshore to protect views to the River.	Ongoing	Key view lines in and through park are protected	Open Space and Landscape	1, 2, 5	36G, 36E, 36J, 36N
		Prepare and implement a Succession Planting Plan for <i>Ficus rubiginosa</i> and other significant tree within the Park	Short	Succession planting scheme developed and implemented	Open Space and Landscape Cultural	1, 2, 5	36G, 36E, 36J, 36N

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						CROWN LANDS ACT PRINCIPLE	LOCAL GOVT ACT CORE OBJECTIVE
		Plant additional trees in those areas identified in the Masterplan.	Ongoing	Masterplan implemented	Open Space and Landscape Environment	1, 2, 5	36G, 36E, 36J, 36N
Vegetation Management	To manage the Park's vegetation so as to complement the recreation role of the Park.	Undertake a programmed bindii weed management program for all turfied areas.	Ongoing	Bindii weed management program and infestation of Bindee weed reduced	Open Space and Landscape Recreation	3, 5	36G
		Review the vegetation planting within the vicinity of the northern carpark and modify to increase sight line into and out of the Park.	Short	Sight lines around north car park are improved	Open Space and Landscape	1, 3, 5	36G, 36E, 36J, 36N
		Provide additional landscape areas to complement picnic areas and rest areas and in accordance with the Masterplan.	Medium	Masterplan implemented	Open Space and Landscape	1, 2, 3, 5	36G, 36E, 36J, 36N
	To improve the landscape and visual access to the park area located to the south of the punt access road.	Conduct a program of vegetation management that focuses on removal of weed species and replanting with appropriate species.	Short	Weeds removed and replaced with suitable plant species	Open Space and Landscape Environment	1, 2, 3, 5	36G, 36E, 36J, 36N
		Improve River viewing areas through the management of vegetation and weed species removal.	Ongoing	Sight lines to the River are improved and or protected	Open Space and Landscape Environment	1, 2, 3, 5	36G, 36E, 36J, 36N
	To ensure all community involvement with bush care within the Park is managed in accordance with Council policies and priorities.	Prepare and implement a Bush Care Management Strategy to define areas and priorities for all bush care activities within the Park.	Short	Bush Care Management Strategy implemented	Open Space and Landscape Environment	1, 2, 3, 4, 5	36G, 36E, 36J, 36N
		Ensure all community members volunteering are inducted as specified in Council's policies and procedures prior to undertaking any works on site.	Ongoing	All bush care volunteers follow Council direction and procedures	Open Space and Landscape Environment	1, 2, 3, 4, 5	36G, 36E, 36J, 36N
	Enhance vegetation corridors along the Parramatta River	As a part of the Bushland Management Strategy, identify areas within the Park for planting to enhance vegetation corridor along the Parramatta River	Short	Bush Care Management Strategy implemented	Open Space and Landscape Environment	1, 2, 3, 4, 5	36G, 36E, 36J, 36N
Park Furniture	To install park furniture that is suitable for a foreshore location and a palette complementary to other parks in Ryde.	To undertake a program of furniture replacement to standardise all furniture within the park.	Ongoing	Older furniture replaced with Council standard furniture range	Open Space and Landscape Recreation	3	36G, 36E, 36J, 36N

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						CROWN LANDS ACT PRINCIPLE	LOCAL GOVT ACT CORE OBJECTIVE
	To increase the provision of seating, picnic areas, BBQ's and shelters	Provide new picnic and informal areas within the Park in accordance with the Masterplan.	Short	Additional picnic areas provided across the Park	Open Space and Landscape Recreation	3	36G, 36E
		Create larger picnic and BBQ areas that can accommodate larger family and community gatherings. These should be located in alignment with the Masterplan.	Medium	Additional large picnic areas provided across the Park	Open Space and Landscape Recreation	3, 4	36G
		Increase seating and picnic opportunities along the foreshore areas where viewing of the River can be enjoyed.	Short	Additional seating and viewing areas provided across the Park	Open Space and Landscape Recreation	3, 4	36G
Park Lighting	To improve safe evening access to the Park	Complete a lighting plan to along key pathways (as identified in the Masterplan) to increase the availability of the Park for recreation into the evening.	Medium	Preparation and implementation of a lighting plan for the Park	Open Space and Landscape Recreation	3	36G, 36E, 36J, 36N
		Install all lighting in accordance with the relevant Australian Standards	Ongoing	All lighting designed and installed to meet all relevant Australian Standards	Open Space and Landscape Recreation	3, 5	36G, 36E, 36J, 36N
Signage and Public Art	To increase legibility of the foreshore pathways, connection, regional links and connections to public transport.	Prepare a signage plan for the Park then install entry signage and directional signage accordingly.	Short	Preparation and implementation of a signage plan	Open Space and Landscape Recreation	3	36G, 36E, 36J, 36N
		Include references to the Ryde River Walk on all directional signage to promote the Walk within the park and its surrounds.	Ongoing	Ryde River Walk references placed on all relevant signage within the Park	Open Space and Landscape Recreation Access and Linkages	3	36G, 36E, 36J, 36N
		Review all signage in car parking areas and ensure all sign meet all regulatory requirements.	Ongoing	Appropriate regulation signage installed	Open Space and Landscape Access and Linkages	3	36G, 36E, 36J, 36N
	To tell the story of the Parramatta River and the local history of Putney Park.	Develop an interpretation strategy for the Park and its surrounds that is complementary to the Ryde River Walk and the Draft Ryde Foreshore Natural and Cultural Study.	Long	Interpretation strategy developed and implemented	Open Space and Landscape Access and Linkages Cultural	3	36G, 36E, 36J, 36N

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PUTNEY PARK PLAN OF MANAGEMENT		City of Ryde					
ITEM	SPECIFIC OBJECTIVE	ACTION	PRIORITY	PERFORMANCE MEASURE(S)	PARK VALUE	CROWN LANDS ACT PRINCIPLE	LEGISLATIVE COMPLIANCE LOCAL GOVT ACT CORE OBJECTIVE
		Create opportunities for public art and community art within the Park.	Ongoing	Public art installed in the Park	Open Space and Landscape Cultural	3	36G, 36E, 36J, 36N
Public Toilets	To provide quality facilities Park users.	Maintain the public toilet facilities to a suitable level.	Ongoing	Customer satisfaction	Open Space and Landscape Recreation	3	36G
		Consider the demolition of the southern toilet facilities and construction of a new facilities within the vicinity of the expanded southern playground	Long	New toilet facilities constructed	Open Space and Landscape Recreation	3	36G, 36E, 36J
	Embrace environmental design principles.	Incorporate environmental design principles in the future development of public toilets within the Park.	Long	New toilet facilities constructed	Open Space and Landscape Recreation Environment	1, 3	36G, 36E, 36J

ITEM 5 (continued)

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City of Ryde

PUTNEY PARK PLAN OF MANAGEMENT

7.5 Access and Movement

ITEM	SPECIFIC OBJECTIVE	ACTION	PRIORITY	PERFORMANCE MEASURE(S)	PARK VALUE	LEGISLATIVE COMPLIANCE	
						CROWN LANDS ACT PRINCIPLE	LOCAL GOVT ACT CORE OBJECTIVE
Pathway Network	To have a network of pathways that encourage the use and enjoyment of the park for people of all abilities.	Develop a pathway network within the Park that includes a loop path and a networks that enables users to enjoy the variety of landscape settings.	Medium	Pathway network developed in accordance with the Masterplan.	Recreation Access and Linkages Open Space and Landscape	3	36G, 36E
		Create a pathway link between the northern / water play area with the southern playground.	High	Pathway network developed in accordance with the Masterplan.	Recreation Access and Linkages	3	36G, 36E
		Establish a path networks that offers opportunities for cycling within the Park.	Medium	Pathway network developed in accordance with the Masterplan.	Recreation Access and Linkages	3, 4	36G, 36E
		Install signage and seating along pathway network.	Medium	Provision of information and rest areas along the path network.	Recreation Access and Linkages	3	36G, 36E
	To formalise the access between the Punt and the Park and the park area to the south east.	Create a pathway connection between the vehicular ferry and the Park to improve the safety of Park users.	High	Pathway constructed in accordance with the Masterplan.	Access and Linkages	3, 4	36G
		Establish a pathway connection that traverses the southern triangular area of the Park.	Medium	Pathway constructed in accordance with the Masterplan.	Access and Linkages Open Space and Landscape	3, 4	36G, 36E, 36J, 36N
	To provide accessible access into the Park.	Aim to provide suitable grade access throughout the Park.	High	Suitable grade access provided throughout the Park.	Recreation Access and Linkages	3	36G, 36E, 36J, 36N
	To enhance the connection along the River Foreshore.	Develop a foreshore pathway in alignment with the Masterplan, that connects the southern and northern sections of the Park.	High	Foreshore pathway constructed in accordance with the Masterplan.	Recreation Access and Linkages Open Space and Landscape	3	36G, 36E, 36N
		In the design of the pathway, resolve the ongoing tidal inundation issues during king tides events.	High	Tidal inundation across the Park is eliminated.	Environment Open Space and Landscape	1, 2, 3	36G, 36E, 36N

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ITEM	SPECIFIC OBJECTIVE	ACTION	PRIORITY	PERFORMANCE MEASURE(S)	PARK VALUE	LEGISLATIVE COMPLIANCE	
						CROWN LANDS ACT PRINCIPLE	LOCAL GOVT ACT CORE OBJECTIVE
		Incorporate into the foreshore path a low informal barrier between the northern playground and the River, such as a sitting wall.	Medium	Foreshore pathway constructed in accordance with the Masterplan.	Recreation Open Space and Landscape	1, 3	36G, 36E, 36N
		Investigate opportunities to provide public art or interpretation signage along the foreshore pathway.	Medium	Interpretation opportunities are created along the pathway network	Cultural Access and Linkages Open Space and Landscape	2, 3	36G, 36E, 36N
Entry Points	To promote the Park through carefully considered and formalised park entry points.	Formalise the main entry points within the Park.	Medium	Entry points formalised	Access and Linkages Open Space and Landscape	3	36G
Car Management	To provide adequate on and off street car parking for Park Users.	Any further provision of off street car parking areas must not impact on the recreation values of the Park and should be design to minimise impact local resident amenity.	Long	Additional carparks no not impact on local residential area or on the recreation value of the Park	Recreation Open Space and Landscape Access and Linkages	3	36G
		Install line markings on the existing 90 degree parking area at the southern end of the Park to maximise capacity of the existing car parking area and to provide no parking areas across the Park entry points.	Short	Line markings painted in the southern car park area	Access and Linkages	3	36G
	To improve the safety of park users in car park areas.	Swap the entry and exit points of the northern carpark to improve access and visibility into the main Park carpark.	Short	Entry signs repositioned	Access and Linkages	3	36G
		Install signage to alert drivers of children in the area and directions to additional parking.	Short	Signage installed	Access and Linkages	3	36G
	To upgrade the access between the car park areas and the Park.	Replace existing steps with ramps and resurface existing refuge islands in the northern car park to improve the interface and accessibility between the car park and the park pathway	Medium	Access between carpark and park pathway network improved	Access and Linkages Recreation	3	36G

PUTNEY PARK PLAN OF MANAGEMENT

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ITEM 5 (continued)

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ITEM	SPECIFIC OBJECTIVE	ACTION	PRIORITY	PERFORMANCE MEASURE(S)	PARK VALUE	LEGISLATIVE COMPLIANCE	
						CROWN LANDS ACT PRINCIPLE	LOCAL GOVT ACT CORE OBJECTIVE
	To ensure private vehicles cannot access the Park or encroach onto the Park.	Manage private car encroachment along the section of Pellissier Road south of McGowan Street heading towards the small wharf at the end of the Road. The use of bollards or other landscape elements to prevent cars parking or driving onto the Park areas is required.	Medium	Private vehicles cannot park on parkland	Access and Linkages Open Space and Landscape	3	36G, 36E, 36J, 36N
		Ongoing operational management of all entry gates is needed to ensure private vehicles cannot freely access the Park.	Ongoing	Council staff lock gates at all times	Access and Linkages Open Space and Landscape and Recreation	3	36G, 36E, 36J, 36N
		Due to the Park's role in hosting community events, control vehicular access has been provided for in the Masterplan. There must be strict operational control on the access of vehicles within the Park.	Ongoing	Vehicles within the Parks for events purposes (only) are limited to specific locations at all times	Access and Linkages Open Space and Landscape Recreation Cultural	3, 4, 6	36G, 36E, 36J, 36N
Mortlake Ferry Punt	To improve the safety of Punt and Park users along the access road to the Ferry.	Create a vehicle turning area located at separation point of Pellissier Road and the two lane access road to the punt ferry. This turning area should also be sign posted to advise drivers of ferry operation times	Medium	Turning area and signage installed	Access and Linkages	3, 4	36G
		Install signage and road markings to provide a safe pedestrian crossing point across the two lane access road to the punt ferry. This should include removal of vegetation to improve sight lines.	Short	Safe crossing area and signage installed	Access and Linkages	3	36G,
		Create a connection between the Park and the Ferry to provide safe pedestrian access of people visiting the Park from the southern foreshore of the Parramatta River.	Short	Safe crossing area and signage installed	Access and Linkages	3	36G

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PUTNEY PARK PLAN OF MANAGEMENT

ITEM	SPECIFIC OBJECTIVE	ACTION	PRIORITY	PERFORMANCE MEASURE(S)	PARK VALUE	LEGISLATIVE COMPLIANCE	
						CROWN LANDS ACT PRINCIPLE	LOCAL GOVT ACT CORE OBJECTIVE
	To educate the community on the history of the Ferry.	Erect signage that provides information on the history of the Punt as an example of a form of transport once relatively common on New South Wales rivers and harbours prior to the advancement of bridge building technology that enabled the bridging of large or wide waterways.	Long	Signage installed	Cultural	3	36G
	To apply an operational land classification on the access road to the Ferry.	Consider future consideration of reclassifying the punt access road to operational land.	Long	Reclassification of punt road area	Access and Linkages	3, 4, 6	36

ITEM 5 (continued)

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City of Ryde

PUTNEY PARK PLAN OF MANAGEMENT

7.6 Foreshore Open Space

ITEM	SPECIFIC OBJECTIVE	ACTION	PRIORITY	PERFORMANCE MEASURE(S)	PARK VALUE	LEGISLATIVE COMPLIANCE	
						CROWN LANDS ACT PRINCIPLE	LOCAL GOVT ACT CORE OBJECTIVE
Views and access to the River	To protect the views to the River from within the Park.	Ensure the placement of park buildings, park infrastructure (including playgrounds, picnic shelters etc.) and vegetation does not excessively block or obstruct important views throughout the Park.	Ongoing	River views are protected	Open Space and Landscape Cultural	1, 2, 3	36G, 36N
		Ensure all future improvements within the Park consider future impacts on views and where possible, these improvements should be located and designed to frame and or enhance views towards the River.	Ongoing	River views are protected	Open Space and Landscape Cultural	1, 2, 3	36G, 36N
	To provide safe access to the Parramatta River.	Repair access pathways to the River at the southern end of the Park.	Short	Pathway improved	Recreation Access and Linkages	1, 2, 3	36G, 36N
		Provide access to the River along the western foreshore of the Park as indicated in the Masterplan.	Short	Masterplan implemented	Recreation Access and Linkages	1, 2, 3	36G, 36N
Sea Wall	To ensure the sea wall is in good repair.	Repair the sea wall as required with suitable materials	Ongoing	Implement upgrades to sea walls	Environment	1, 2, 3	36G, 36N
		As a part of the design of the pathway, resolve the ongoing tidal inundation issues during king tides events through modify the existing sea wall where necessary.	High	Tidal inundation across the Park is eliminated.	Recreation Open Space and Landscape Environment	1, 2, 3	36G, 36N
Beaches and Tidal Areas	To manage the use of watercraft within and adjoining the Park.	Remove all authorised dinghy storage within the Park.	Ongoing	Unauthorised dinghies removed	Recreation Environment	1, 2, 3	36G, 36N

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PUTNEY PARK PLAN OF MANAGEMENT

7.7 Natural and Cultural Heritage

ITEM	SPECIFIC OBJECTIVE	ACTION	PRIORITY	PERFORMANCE MEASURE(S)	PARK VALUE	LEGISLATIVE COMPLIANCE	
						CROWN LANDS ACT PRINCIPLE	LOCAL GOVT ACT CORE OBJECTIVE
Natural Heritage	To retain and rehabilitated the sandstone scarps as a significant natural feature in the park.	Install signage to provide information on the geology of the Park and the vegetation communities that would have existing in the Park prior to European settlement. Ensure no park furniture to infrastructure is sited on or adjacent to scarps.	Medium	Signage installed	Cultural Environment	1, 2, 3	36G, 36E 36J
		Ensure no planting of additional native or exotic plant species on or adjacent to scarps.	Ongoing	Scarps are protected	Cultural Environment Recreation	1, 2, 3	36G, 36E 36J
Cultural Heritage	To manage and protect the Park's heritage elements	Erect interpretive signage that provides information on the transformation of the Park from its industry history to the Park it is today.	Ongoing	Scarps are protected	Cultural Environment	1, 2, 3	36G, 36E 36J
	To conduct investigations on the history of the Park including Lunnhilda house and the houses associated features.	Research potential through archaeological investigations of Lunnhilda house and the houses associated features.	Medium	Signage installed	Cultural Environment	1, 2, 3	36G, 36E
	To represent the site of Siazenger's boat yard, which operated during the Second World War to supply the allied armies with boats and craft for the Park	Erect interpretive signage and or public art that provides information on the location of the House, the role the House had in the social history of the Ryde Community, colonial house layout and uses, cultural plantings associated with the house and nineteenth century garden design and trends. Erection of interpretive signage and or public art.	Long	Archaeological investigations completed	Cultural Environment	1, 2, 3	36G, 36E
			Medium	Signage installed	Cultural Environment	1, 2, 3	36G, 36E
			Medium	Signage and or public art installed	Cultural Environment	1, 2, 3	36G, 36E, 36N

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PUTNEY PARK PLAN OF MANAGEMENT

7.8 Event Management

ITEM	SPECIFIC OBJECTIVE	ACTION	PRIORITY	PERFORMANCE MEASURE(S)	PARK VALUE	LEGISLATIVE COMPLIANCE	
						CROWN LANDS ACT PRINCIPLE	LOCAL GOVT ACT CORE OBJECTIVE
Event Management	To provide facilities that can accommodate a range of opportunities for social and cultural activities	Park amenities and services to accommodate a range of size gatherings including shelters, food preparation areas	Ongoing	Park can accommodate community events	Recreation Cultural	3, 4, 5, 6	36G
		Develop three distinct event spaces on the lower grass waterfront of the Park that can be hired for suitable private and community events.	Short	Three areas identified and are sign posted	Recreation Cultural	3, 4, 5, 6	36G
		Modify Council Fees and Charges Register in accordance with the creation of designated events areas within the Park.	Short	Fees and charges are modified to reflect the events management in Putney Park.	Recreation	3, 4, 5, 6	36G
	To ensure the event function of the Park has minimal impact local residents	The ongoing assessment, determination and subsequent management of all future events and activities within the Park must be done so as to protect the availability of the Park to the general public and to minimise impacts, such as noise, lighting and access etc. on local residents	Ongoing	Community satisfaction and no complaints to Council	Recreation Cultural	3, 4, 5, 6	36G
	To ensure private events do not impact on the role of the park as a public open space.	Ensure all events are held only within designated areas and adhere to Council's standard conditions of hire.	Ongoing	Community satisfaction and no complaints to Council	Recreation Cultural	3, 4, 5, 6	36G
	To establish a program of events and festivals focused on the use of the Park.	Coordinate existing program of events and develop potential new events with a publicised calendar	Long	Community events calendar formulated	Recreation Cultural	3, 4, 5, 6	36G

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PUTNEY PARK PLAN OF MANAGEMENT

**7.9 Supplementary Actions**

ITEM	SPECIFIC OBJECTIVE	ACTION	PRIORITY	PERFORMANCE MEASURE(S)	PARK VALUE	LEGISLATIVE COMPLIANCE	
						CROWN LANDS ACT PRINCIPLE	LOCAL GOVT ACT CORE OBJECTIVE
Land Zoning	To ensure appropriate environmental protection and recreation zoning are applied to the Putney Park.	Recommended future environmental protection zoning applied to the Park includes E3 (Environmental Management).	Long	Recommendations are incorporated into future reviews of the Ryde Local Environment Plan (LEP)	Environment	5	36E, 36G
		Rezone areas within the Park in accordance with the Review of Environmental Protection Zones Report, January 2011.	Long	Recommendations are incorporated into future reviews of the Ryde (LEP)	Environment	5	36E, 36G
Park Categorisation	To ensure appropriate land categorisation under the Local Government Act 1993 are applied to the Park.	Consider the future re-categorisation of the community land within the Park to compliment the future zoning of the Park.	Long	Changes made to the categorisation of community land within the Park	Environment	5	36E, 36G

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ITEM 5 (continued)

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PUTNEY PARK PLAN OF MANAGEMENT

7.10 Park Maintenance

ITEM	SPECIFIC OBJECTIVE	ACTION	PRIORITY	PERFORMANCE MEASURE(S)	PARK VALUE(S)	LEGISLATIVE COMPLIANCE	
						GROWN LANDS ACT PRINCIPLE	LOCAL GOVT ACT CORE OBJECTIVE
Park Maintenance	To carry ensure grass cover is adequate and weed free.	Implement mowing program. Undertake turf maintenance as required.	Ongoing	High quality and durable grass cover	Recreation Open Space and Landscape	3, 4, 5	36G, 36E, 36J, 36N
	To ensure healthy and attractive garden beds	Minimum monthly garden bed maintenance. Clean up and mulch garden beds. Undertake horticultural maintenance.	Ongoing	Garden beds are free of weeds and rubbish, well-mulched. Healthy, viable plants	Environmental Open Space and Landscape	3, 4, 5	36G, 36E, 36J, 36N
	To ensure safe surfaces of footpaths and steps	Maintain footpaths and steps. Remove weeds. Barricade dangerous / broken pavement and arrange for repairs	Ongoing	Paths and steps are clear of obstructions and weed free. Path surface are even, free draining and clean.	Recreation Access and Linkages	3, 4, 5	36G, 36E, 36J, 36N
	To ensure maintenance of lighting furniture and fixtures	Check lighting monthly. Repaint damage annually. Replace or repair items within 2 weeks of being notified	Ongoing	All lights are operational and with posts and fittings of good quality	Open Space and Landscape	3, 4, 5	36G, 36E, 36J, 36N
	To provide comfortable and safe, drinking fountains, picnic shelters and seats	Check seating monthly. Replace or repair or clean as required.	Ongoing	Seats are good quality, clean and fixed to ground.	Open Space and Landscape	3, 4, 5	36G, 36E, 36J, 36N
	To ensure signs are functional	Check signage monthly for damage and cleanliness	Ongoing	Signs are clean and undamaged	Open Space and Landscape Access and Linkages	3, 4, 5	36G, 36E, 36J, 36N
	To ensure maintenance, operation and cleanliness of toilets	Check toilets daily for cleanliness, replacement of items and other repairs as required.	Ongoing	Toilet buildings are clean and in good condition, toilet paper and soap available, lights working.	Recreation	3, 4, 5	36G, 36E, 36J, 36N
	To minimise use of water on turf sporting fields.	Investigate opportunities for water harvesting and reuse in the Park.	Ongoing	Develop plan for water management practices to be implemented	Environmental	3, 4, 5	36G, 36E, 36J, 36N

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**ITEM 5 (continued)**

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PUTNEY PARK PLAN OF MANAGEMENT		LEGISLATIVE COMPLIANCE					
ITEM	SPECIFIC OBJECTIVE	ACTION	PRIORITY	PERFORMANCE MEASURE(S)	PARK VALUE(S)	CROWN LANDS ACT PRINCIPLE	LOCAL GOVT ACT CORE OBJECTIVE
	To discourage encroachments on the open space of the Park.	Identify park boundaries and determine encroachments. Remove encroachments and dumped refuse.	Ongoing	No reports of encroachments.	Open Space and Landscape	3, 4, 5	36G, 36E, 36J, 36N

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**6 DEFERRED REPORT: ACCUMULATED LIBRARY FINES**

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**Report prepared by:** Group Manager - Community Life**Report dated:** 12/04/2012**File No.:** GRP/09/3/2/7 - BP12/405

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**This report is deferred from the Council Meetings held on 8 May, 22 May and 12 June 2012. The timeline has been adjusted to align with this.**

**REPORT SUMMARY**

In 2010 Councils Internal Audit section completed a “*Review of the Cash Handling Procedures – Library Services Unit*”.

Following commencement of the current Group Manager Community Life it has become clear that not all of the recommendations of the review have been implemented and verified. This is now underway, with the key gap in the implementation of the review being the subject of this report.

This report recommends a short term resolution to improve the management of the outstanding accumulated Library Fines held in Council’s Library Management System and in the medium term the development of a Policy and Procedure to assist staff to manage this issue across the organisation.

**RECOMMENDATION:**

- (a) That Council request the General Manager to write off as unrecoverable debts \$521,549.16 of library fines and fees registered in the Library Management System from prior to 2006/7 until 30 June 2011.
- (b) That Council promote an amnesty period for the month of August 2012, and that the General Manager, or his delegate, is given authority to waive accumulated fines and fees for ‘lost’ items returned to the library in good condition.
- (c) That Council commence appropriate external debt recovery procedures in September 2012 for all fines and fees accumulated in and beyond the financial year 2011/12 that remain following (b) and exceed \$50 per library member.
- (d) That Council endorse the exclusion of borrowers who are aged under 18 or over 65 from the debt recovery process.

**ATTACHMENTS**

There are no attachments for this report.

Report Prepared By:

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

Report Approved By:

**John Neish****General Manager**

## ITEM 6 (continued)

### Report

In 2010 Councils Internal Audit section completed a “*Review of the Cash Handling Procedures – Library Services Unit*”. The implementation of this report was accepted by the Management Team in Community Life. Following commencement of the current Group Manager Community Life it became clear that not all of the recommendations of the review had been implemented and verified. This is now underway, with the key gap being the subject of this report.

One of the primary issues identified in the review was the need to resolve the accumulated overdue library fines and fees. The current outstanding debt is made up as follows:

Year	Total outstanding fines and fees <small>(note 1)</small>	Recoverable outstanding fines and fees <small>(note 2)</small>
All years prior to 30/6/2007	\$564,521.40	\$376,491.34
FY2007/08	\$58,396.18	\$36,606.83
FY2008/09	\$58,544.46	\$35,507.91
FY2009/10	\$58,046.16	\$37,134.66
FY2010/11	\$63,423.92	\$35,808.42
FY2011/12	\$57,750.64	\$41,615.74
TOTAL	\$860,682.76	\$563,164.90

There are a number of key items to note in regard to this table:

- The outstanding fines and fees are currently held in the Library Management System and do not appear in Council’s Financial Systems.
- The total debt fluctuates daily. Existing fines are paid and new fines are generated.
- Column (1) shows totals that are not totally recoverable as library processes allow borrowers the choice of:
  - Returning items and paying overdue fines and fees, or
  - Paying lost item and associated fees
 This process leads to the waiving of either the fines or the lost fees
- Column (2) shows the figures that are the recoverable component of the figures contained in Column (1).
- The statute of limitations applies to these charges, meaning that any fines older than three years are unable to be pursued through Debt Recovery.

This amount of un-recovered public funds is a concern that needs to be resolved. This report recommends a two stage approach to the issue and has been developed following analysis of the source of the above figures.

**ITEM 6 (continued)**

The preceding overall total is made up of many small fines. Currently here are 16,723 borrowers with outstanding fines, of these only 3,249 are current active library members and the vast majority of fines are for less than \$300. There are only 457 borrowers who have fines and charges greater than \$300.

Library fines and fees are essentially in place to encourage members to return books on time to allow their access and availability to others. Council's current fine regime and communication with borrowers to recover these charges is as follows:

- Items are generally borrowed for three weeks, excluding DVDs and magazines which are borrowed for one week.
- At the point of borrowing a date due slip is issued that provides item details, due date and contact information if a renewal is required.
- An email notification is sent three days before the due date to remind borrowers that their item is due. This courtesy service was introduced in 2010 and is only available to those borrowers who have provided an email address.
- Once an item is overdue, renewal or further borrowing is not allowed.
- An overdue notice is generated when items are one week overdue. This notice is mailed or emailed to the borrower. The generation of the notice incurs a fee of \$5.
- A weekly fine of \$2.50 per item is added to the borrowers record at the end of the second overdue week, and each subsequent week up until the eighth overdue week. This means that the maximum fine per item is \$17.50.
- At the end of the eighth week, the item is considered to be long overdue and declared 'lost'.
- The fine (of \$17.50 per item plus the \$5 notice fee) is replaced by the purchase price of the lost item plus a processing fee of \$16.20 per item.
- A 'long overdue' notice is mailed to the borrower. This notice is a formal tax invoice and provides the detail, cost and fees associated with each item.
- If the item is found and returned after the eight week overdue period the fine and overdue notice fee is paid, the cost of the item and associated fees are waived.
- In cases where a borrower is able to show genuine hardship or an emergency library procedures provide a process whereby a fine can be waived or reduced. These transactions are documented and reviewed quarterly.

From 1 August 2012 the long overdue fines and charges will be managed through a debt recovery process. As such the amount outstanding in the library management system will be removed, although the borrower will remain barred until confirmation is provided by finance that the debt has been cleared.

**Financial Implications**

Any write off of these fees and fines have no impact on working capital as the income is not recognised in the Financial System until it is received by the Council.



**ITEM 6 (continued)**

The library service generates about \$60,000 income annually from fines and charges. This sum includes library fines, notice and processing charges, lost item charges and sale of replacement cards. Recent benchmarking indicates that our charge regime is high and the process protracted. A review of this process is underway and is expected to inform the development of the coming delivery plan. The aim of this review is to ensure that the process is fair, transparent and consistent with the overall objective of ensuring ongoing access to library materials to the community without discouraging participation in this service.

As an immediate step outstanding debts will be listed for financial recovery and reported monthly to the Group Manager Community Life and the Group Manager Corporate Services.

The approach recommended by this report is expected to recover less than \$15,000 in revenue given the age of the debt and the costs of any external debt recovery.

**Policy Implications**

As a result of the review undertaken into the implementation of this Internal Audit report Council has assembled a working party to address the issue of debt recovery across the organisation. This will include the preparation of a policy and procedure in relation to the management of debts, once implemented this will ensure that debts are not allowed to accumulate and are managed in a timely manner.

**Other Options**

Council could choose to transfer all debts to an external debt recovery agency for action. This not recommended due to the age of many of the amounts and the likelihood that many of the contact details for the members of the public would be outdated. This will affect the potential for recovery of funds. The statute of limitations applies to these charges, meaning that any fines older than three years are unable to be pursued through Debt Recovery.

In the absence of a clear Policy and Procedure on Debt Recovery Management this would represent a significant change in practice and may conflict with Councils encouragement of the community's involvement and support of 2012 as the National Year of Reading. This option is not recommended.

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**7 DEFERRED REPORT: PROPOSED SITE FOR HOUSING COUNCIL STAFF  
AND MOVEMENT OF STAFF TO NEW PREMISES**

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**Report prepared by:** Development Director - Civic Precinct Project**Report dated:** 10 May 2012**File No.:** PM2010/37/007/11 - BP12/552

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**This report is deferred from the Council Meetings held on 22 May and 12 June 2012.**

**REPORT SUMMARY**

This report responds to a recent Council resolution and outlines the approximate timelines for the provision of Council's new Civic Office accommodation, subject to the appointment of a proponent, and confirms the provision of facilities for Council meetings within the new Office building until the new Civic Centre is provided.

**RECOMMENDATION:**

That Council receives and notes this Report.

**ATTACHMENTS**

There are no attachments for this report.

Report Prepared By:

**Mitch Corn****Development Director - Civic Precinct Project**

Report Approved By:

**John Neish****General Manager**

**ITEM 7 (continued)****Discussion**

At its meeting of 24 April 2012 Council resolved:

*That the General Manager report back to the Councillors on the proposed site (Civic Centre) for Council staff to be housed and Council meetings conducted. When the sale goes through and the expected turn around time from the winning tenders announced and the expected movement of staff to new premises.*

The Civic Precinct site, as defined by Ryde LEP 2010 Amendment 2, consists of the triangular site (Site A) on which the existing Civic Centre and Civic Hall are located, Blaxland Road immediately west of that land and the site (Site B) currently used by Council for parking on the corner of Blaxland Road and Parkes Street.

As discussed at Councillor workshops, Civic Precinct Committee meetings, and at Council, the proponents have been advised that Council's preferred position was to move once. This avoids business disruption and reduces costs of the move. As such the preferred location for the new staff accommodation and the Council meeting facilities (accommodating the Council Chamber, Mayoral suite, Councillors' facilities, meeting rooms etc) is that it remain on our site. However in keeping with Councils resolution to keep the redeveloped Civic Precinct in Top Ryde, the Request For Tender (RFT) documents, (previously distributed to Councillors) state that the new Council Office (administration) could be provided either within Site A integrated with the new Civic Centre, as a standalone building on Site B or located on another site (proponent to identify and propose) within a radius of 1 km of the Civic Precinct Site.

Both proponents have now confidentially submitted their proposals in response to the RFT which are being evaluated before a detailed report is brought to Council. This process is in accordance with section 55 of the Local Government Act and the Probity Plan adopted for the Civic Precinct project.

The evaluation of the tenders is not yet complete, and it is not possible to be certain at this time of the dates that the new buildings will be available for Council's use. However, given the detailed design, Development Application processes and construction periods that would be required for both, a potential time line (as previously presented to Council) may be;

Appointment of Proponent	Mid 2012
Provision of new Council Offices	Early to Mid 2015
Provision of new Civic Centre	Mid 2017

Using these guide dates, staff would move in the new Council Office building and demolition of the existing Civic Centre and adjacent Civic Hall occur in Early-Mid 2015.

**ITEM 7 (continued)**

As can be seen from the above timetable, there may be a need for transitional arrangements relating to the Council meeting spaces and the location of the Mayor's office during the construction period. However this may vary in each of the responses from the proponents. Once evaluation of each proponents bid has been completed, Councillors will be provided with a confidential briefing on each proposal, at the Civic Precinct Committee on 6 June. At this time the staging arrangements will be known.

As previously reported to Council, the new staff accommodation has a 15% contingency space allowed to accommodate growth over the next 20 years. To accommodate the transition, the Performance Brief for the new Council office building includes meeting rooms and multifunction spaces. It is planned to design these for utilisation outside business hours to accommodate the various meetings of Council for approximately two years until the new Civic Centre becomes available. It is also planned to provide a temporary Mayoral suite within the Office building for the same period. The Performance brief included in the tender documentation, highlights the need for this temporary integrated use and the proponents have been requested to acknowledge this in their pricing structure.

Upon selection of the most appropriate proponent, further work will take place to define the use of the administration and the integration of temporary Civic functions in the Civic Office building.

**Financial Implications**

The financial aspects of the provision of new Council buildings are integral to each proponent's submission now under evaluation. The financial implications are not yet known but will be reported to the Civic Precinct Committee at its confidential briefing on 6 June.

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**8 DEFERRED REPORT: WEBCASTING OF COUNCIL MEETINGS**

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**Report prepared by:** Manager - Governance**Report dated:** 2 May 2012**File No.:** CLR/07/8/63 - BP12/506

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**This report is deferred from the Council Meetings held on 22 May and 12 June 2012.**

**REPORT SUMMARY**

Council resolved that a report be provided regarding opportunities to webcast Council and Civic Precinct Meetings.

Webcasting promotes openness, transparency and accountability and aligns with the goals of Council's adopted Community Strategic Plan.

This report recommends that Council pursue webcasting and discusses the financial, risk and policy implications of proceeding.

**RECOMMENDATION:**

- (a) That Council commence webcasting of Council and Civic Precinct Committee Meetings on a trial basis for six months, as soon as practicable after 1 July 2012.
- (b) That Council allocate \$20,000 in the 2012/13 Operational Plan for the webcasting project noting ongoing costs of approximately \$1,000 per year.
- (c) That a report be provided to Council following the conduct of the 2012 Local Government Election outlining the outcomes of the trial and recommending appropriate changes to Council's Code of Meeting Practice.

**ATTACHMENTS**

There are no attachments for this report.

Report Prepared By:

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

Report Approved By:

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

**ITEM 8 (continued)****Discussion****History**

At its meeting on 18 July 2008, Council resolved as follows:

*That the General Manager report to Council regarding the possibility of audio recording Council and Committee meetings with copies of the recording being available to the media and any interested member of the community as soon as possible after the meeting.*

As a result, a report was provided to the Council Meeting of 24 February 2009 and Council resolved as follows inter alia:

- (b) That Council undertake audio recording of all meetings of Council and Committee of the Whole on a trial basis, excluding closed and confidential sessions, for a six (6) month period as soon as possible.*
- (c) That all data recorded at these meetings not be made publicly available in the trial period.*
- (e) That a further report be provided back to Council at the conclusion of the trial period.*

Following this trial period, at its meeting of 9 February 2010, Council resolved as follows inter alia:

- (a) That Council continue to undertake audio recording of Council and Committee of the Whole meetings for the purpose of verifying the accuracy of the Minutes, excluding closed and confidential sessions.*

At its meeting held 8 May 2012, Council resolved that a report be provided to Council regarding opportunities to webcast Council and Civic Precinct Committee Meetings.

Council also resolved at its meeting held 14 February 2012, as part of the General Manager's Project Milestones that a proposal to podcast Council meetings to ensure optimum transparency of Council matters be scoped and costed for Council's consideration and determination by May 2012.

**Background**

Since recordings have been made of Council meetings these recordings have been accessed by staff on rare occasions to confirm the accuracy of the minutes. While use of the recordings for this purpose is rare, the importance of having the recordings available is significant.

**ITEM 8 (continued)**

Recordings have more frequently been accessed by Councillors and staff for clarification regarding specific matters, most commonly potential Code of Conduct complaints.

The recording of Council Meetings is currently managed within the existing facilities and equipment with rare instances of failure. The Council Chambers and Committee Room 2, Level 5, Civic Centre currently have the facilities for audio recording of meetings.

**Definitions**

A podcast is an episodic series of audio files to which people can subscribe online or which can be streamed live for online listening.

Webcasting is a media presentation distributed over the internet using streaming media live or an on-demand video.

Streaming media allows the end-user to watch a video before the entire file has been transmitted.

Live streaming delivers live media, over the internet, audio and/or visual.

**Context**

Webcasting of Council meetings would provide a number of benefits to Council and the community. Webcasting allows community members to view meetings live, regardless of their location.

Council's adopted Community Strategic Plan, under the outcome area of Progressive Leadership identifies the following strategies:

- To lead, govern and regulate in an ethical, equitable, transparent and accountable way.
- To be responsive to the changing needs of our community.
- To make our community aware of things happening in their city that impact on their daily lives.

Webcasting of Council meetings clearly supports the achievement of these goals by increasing transparency, providing information about Council's decision making processes and meeting the expectations of our community to provide online information and opportunities.

## ITEM 8 (continued)

Evidence outlined below suggests that the audience size for webcasts, live or on demand, is small. For this reason, it is recommended that Council progress using the lowest cost options and the fewest staff resources. This will allow Council to provide the access to webcasts of Council and Civic Precinct Committee Meetings without unreasonable cost or resources.

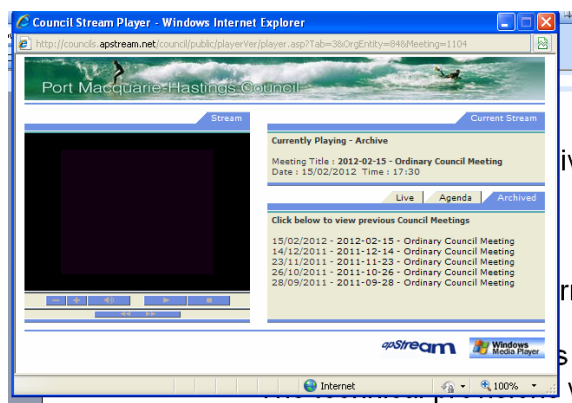
It is also recommended that Council commence webcasting as a trial following the provision of funds in the 2012/13 Operational Plan. The outcomes of the trial period would then be reported to Council following the conduct of the Local Government election as part of consideration of amendments to Council's Code of Meeting Practice.

## Other Councils

Some Councils currently provide webcasts of Council Meetings.

Port Macquarie-Hastings Council has been webcasting monthly meetings since 2008. The technical provisions were set up at a cost of \$34,725. There is an ongoing hosting and set up cost of \$386 per month. A dedicated staff member is present to assist with the webcasting of meetings. Past meetings are provided on the Council's website for a period of four months.

The webcast appears in a 6.5cm screen (screen shot below). There is a camera operator and as required the camera moves to include speakers. The system is able to be operated by one person. The screen is quite small but the sound is clear and the streaming quite fast.



Shellharbour Council has been webcasting meetings since late 2009. All recorded meetings since then are available on their website. The set up costs were estimated at \$15,000 and two staff members are present at meetings to manage the webcast.

The video can be viewed in full screen mode. The camera moves as required for filming of speakers.



### ITEM 8 (continued)

In January 2012, Gold Coast City Council commenced webcasting of Council Meetings. The set up costs for equipment are estimated at \$37,000 with ongoing hosting costs of \$1,800 per month. A staff member is present to manage the webcasting of meetings.

The webcast is shown in a 14cm screen with the option to expand to full screen. The camera operator zooms as required and the feed includes three different shots of the meeting as shown in the screen shot below. The webcast would benefit from the onscreen labelling and identification of Councillors but of the Councils viewed it was the most professional.

#### Full Council Meeting 636 Session 1 of 2



Lane Cove Council has been webcasting meetings since 2010. The set up cost was approximately \$5,000 and ongoing hosting costs are estimated at \$50 per month. No additional staff member has been required to manage the webcasting of meetings. The webcast can be viewed in full screen. The cameras do not move and Councillors are identified as shown in the screen shot below.

**ITEM 8 (continued)**



Staff from City of Ryde have visited Lane Cove Council to discuss their webcasting facilities and better understand the set up required and hosting options. The requirements at the meeting to enable the webcast are not onerous and the installation of the equipment required was considered relatively simple.

**Audience Size**

The viewership rates of webcasting for the above Councils is summarised in the table below:

<b>Council</b>	<b>Population</b>	<b>Viewers (approx) per live meeting</b>	<b>% of population</b>
Port Mac-Hastings	76,323	26	0.034%
Shellharbour	66,900	35	0.052%
Gold Coast	500,000	150	0.030%
Lane Cove	31,000	10	0.032%

The figures above suggest that should Council progress with webcasting that the viewership will not be significant. However, webcasting clearly supports the principles of transparency and equitable access and as such can not be measured by audience size alone.

In addition, should Council determine to archive webcasts and have them available on the website, it will provide the opportunity for the public to revisit and review meetings and decisions of Council as required. Figures obtained from Port Macquaire-Hastings Council suggest that the viewership for archived meetings will at least equal that as for the live webcast.

**ITEM 8 (continued)**

It is recommended that should Council resolve to webcast Council and Civic Precinct Committee Meetings that the video be archived and available through Council's website for a period to be determined by our information technology capacity for storage.

**Risks**

The following risks have been identified and considered with regard to webcasting meetings. Where appropriate, mitigation strategies have been considered and suggested.

*Privacy*

A key premise of the Privacy and Personal Information Protection Act 1998 (PPIPA) is that agencies should only collect information that is reasonably necessary for the purposes of the function of an agency. Currently, the purpose of data collection with regard to audio recordings of Council meetings is to ensure the accuracy of the minutes.

Council has indicated a desire to make audio-visual recordings of meetings available to increase and promote transparency, access and accountability. Such principles support good governance, promote community participation in the democratic process and foster an increased understanding of Council's decision making process. As such, webcasting of Council meetings would be in the public interest and would constitute a necessary purpose of Council.

To mitigate any risk of the inappropriate release of personal information should Council pursue webcasting, signs would be displayed in the relevant meeting rooms and an appropriate statement would be required to be read by the Chair prior to each meeting. Information would also be included on the Agenda, website and any relevant meeting forms. The wording for these signs and statements would be approved by Council's General Counsel.

*Inappropriate or defamatory remarks*

Should Council webcast meetings, there is a risk that inappropriate or defamatory remarks may be broadcast. It should be noted that as Council meetings are public meetings this is a current risk, the escalation as a result of webcasting relates to audience size.

To date, there have been no instances of defamatory comments being made in Council meeting which have resulted in any legal action. This likelihood of inappropriate or defamatory remarks being broadcast is considered low.

**ITEM 8 (continued)**

The following actions would limit Council's exposure should inappropriate or defamatory comments be broadcast.

- Members of the public addressing Council would continue to be required to sign a form confirming they have read and understood the provisions regarding addressing Council. This would be expanded to specifically address webcasting.
- Prior to viewing any webcast, there would be an indemnity statement advising that Council accepts no liability for any defamatory remarks made during the course of the webcast. Again, this would be wording provided by Council's General Counsel.
- Should staff become aware of any inappropriate comments or behaviour during a meeting, they may be able to halt the webcast. Similarly, should staff become aware of inappropriate comments following the meeting the webcast or offending material could be removed from the website.

*Confidential matters*

There is a risk that confidential matters or the closed session of Council could be broadcast in error. Staff would, as they do currently, endeavour on all occasions to ensure that the closed parts of meetings are not recorded.

When Council is in closed session there would be a slide in the webcast advising that the meeting was closed in accordance with the provisions of the Local Government Act.

It is proposed that there be an 'on air' light or signal to remind those in attendance when the meeting is being broadcast. This will reduce the possibility of confidential sessions being broadcast. It is also very likely that the webcasting set up will require a staff member to monitor the live webcast and this will enable them to monitor what is being broadcast at any time.

*Quality of webcast*

The quality of the webcast as seen by the community will depend upon an individual's PC memory and the internet connection bandwidth. In selecting a streaming platform, consideration would be given to the bandwidth, the platform required balanced against the screen size and resolution.

It would be appropriate that a disclaimer be included with the webcast stating that the quality of the image and audio will depend on the individual's system capability. Where required the disclaimer would also direct the viewer to any software they may need to view the webcast.

**ITEM 8 (continued)**

Given the size of the webcasts it is recommended that they be hosted externally. This will minimise the potential impacts on Council's existing website capability.

Any specific determination with regard to hosting and access platforms would be made in consultation with Council's Information technology staff to minimise any impact upon the current functionality of Council's website and server capacity.

**Opportunities**

The following opportunities exist should Council pursue webcasting. It is considered that the benefits presented through these opportunities outweigh the risks set out above, many of which can be significantly mitigated.

*Openness, transparency and accountability*

Webcasting Council and Civic Precinct Committee Meetings demonstrates and manifests City of Ryde's commitment to open and transparent decision making. It also makes those at Council meetings accountable for their actions, behaviour and comments. These principles are the cornerstones of good governance.

It also supports the strategies in Council's adopted Community Strategic Plan.

*Factual information*

Providing access to webcasts, both live and archived, ensures members of the public and Councillors will have access to watch and see the actual events at a Council Meeting. This may reduce or mitigate the spread of incorrect information.

In today's communication landscape, residents can access comments made during and after Council meetings on line (through twitter feeds, facebook comments, blogs etc). They may also read about the meetings in the local press.

They cannot access the meeting itself. They are following or reading an individual's interpretation of events which, while valid, is an opinion on a meeting and not the meeting itself.

Webcasting allows people to access the source material when required.

*Community expectations*

While there is no specific research for City of Ryde residents, it is clear from the continuing increased use of platforms such as twitter, facebook and you tube that our community expects the City of Ryde to be accessible on-line. Webcasting will go some way towards meeting these expectations.

**ITEM 8 (continued)***Accessibility*

Webcasting meetings allows people to access meetings without needing to be physically present. Creating greater capacity for our community to understand the decision making process supports the goals of our Community Strategic Plan and can increase public confidence in Council, its policies and processes.

**Policy Implications**

Any decision to webcast Council meetings would need to be reflected in Council's Code of Meeting Practice.

Currently the Code provides for the audio recording of Council meetings for the purpose of assisting in the preparation and verification of minutes. This provision would need to be extended to provide for the audio-visual recording and webcasting of Council meetings to promote openness, accountability and transparency.

Part 12 of the Code of Meeting Practice sets out provisions regarding the amendment of the Code and states that if a Council changes its Code it should be publicly exhibited and public comment sought unless Council is of the opinion that the amendments are not substantial. It is considered that any decision to webcast Council meetings would be substantial and would require public exhibition of a revised Code of Meeting Practice.

Council could determine to webcast meetings for a trial period prior to and during the public exhibition of a draft Code of Meeting Practice.

Giving consideration to Council's resolutions with regard to this issue, it is recommended that any decision to webcast Council meetings would be extended to Civic Precinct Committee Meetings.

**Financial Implications**

Should Council resolve to undertake this project it will result in a financial impact of up to \$20,000 for the set up. The costing would include one or two static cameras similar to the Lane Cove model and would take the audio feed from the room volume, although three cameras may be required due to the current Council Chamber configuration.

Given the anticipated audience size, it is recommended that at this stage the cheaper option be pursued, noting that should there be sufficient demand that the system could be improved or embellished. In addition, it is expected that any future upgrade of Council's meeting facilities would include an integrated webcasting solution.

There is an ongoing hosting cost and given the unknown demand for the webcasts and bandwidth required, it is recommended that Council use external hosting services.

**ITEM 8 (continued)**

Having viewed a number of webcasts for Council meetings, those of Gold Coast City Council and Port Macquarie-Hastings Council ran the fastest with the highest resolution. Gold Coast City Council's was particularly fast and clear. It is anticipated that hosting costs of this type would be approximately \$21,600 per year.

Lane Cove has sourced a hosting option at \$50 per month which could be explored, however based on viewing archived webcasts it was slower than those of Gold Coast City Council and Port Macquarie-Hastings Council. Again, given the potential audience size it is recommended that the less expensive option be used at this time.

As stated within this report, many Councils provide additional resources to manage the webcast camera and audio. It is recommended that, like Lane Cove Council, we endeavour to set up static cameras which would only require the system to be turned on and off. This would not require the presence of an additional staff member at Council meetings.

Should Council wish to incorporate camera movements, or the broadcast of the live minutes or voting in the future, this may require provisions for an additional staff resource at Council meetings.

There are no provisions within the current budget for the webcasting of Council meetings. Should Council resolve to undertake webcasting of Council and Civic Precinct Committee meetings, Council would need to allocate the amount of \$21,000 in the 2012/13 Operational Plan.

**Timing**

Changing the Code of Meeting Practice would require a report to Council followed by a 28 day public exhibition period. The Local Government Act also requires that a period of not less than 42 days be provided during which submissions may be made regarding the draft Code. A subsequent report would then be provided to Council.

A report providing the results of the public exhibition period would then be provided on 14 August 2012. This would fall within the anticipated caretaker period leading up to the 2012 Local Government Election and as a result, Council may determine to consider an alternative option.

It is suggested that Council conduct a trial period of webcasting for six months, following which a further report would be presented to Council including any recommended changes to the Code of Meeting Practice.

**Options**

Council could resolve not to webcast Council meetings but to make audio recordings available on the website following the meeting. Meetings are currently recorded and this would provide some degree of openness and transparency with no additional cost.

**ITEM 8 (continued)**

Council could resolve to provide a live podcast (audio) only of Council meetings.

Council could resolve to defer consideration of this matter. The matter could then be determined by the newly elected Council, following the 2012 Local Government Election.



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**9 DEFERRED REPORT: SUMMARY OF EXPENSES RELATING TO THE  
GENERAL MANAGER AND SENIOR STAFF**

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**Report prepared by:** Councillor Support Coordinator**Report dated:** 26 April 2012**File No.:** CLR/07/8/42 - BP12/475

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**This report is deferred from the Council Meetings held on 22 May and 12 June 2012.**

**REPORT SUMMARY**

Council adopted the Expenses Relating to the General Manager and Senior Staff Policy on 11 October 2011. Council resolved that a report be provided every six months summarising expenses claimed.

This report provides a summary of expenses claimed by the General Manager and Senior Staff from November 2011 to April 2012. Reimbursements on expenses claimed during this period have been made in accordance with the provisions of the Policy.

It is recommended that the summary of expenses for this period be received and noted.

**RECOMMENDATION:**

That Council note the summary of expenses claimed by the General Manager and Senior Staff for the period between November 2011 and April 2012.

**ATTACHMENTS**

There are no attachments for this report.

Report Prepared By:

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

Report Approved By:

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

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

**ITEM 9 (continued)**
**Discussion**

The Expenses Relating to the General Manager and Senior Staff Policy sets out the circumstance and process for reimbursement of out-of-pocket expenses incurred by the General Manager and Senior Staff. The Policy ensures there is consistency and transparency in the application of the process.

The Policy aligns with the NSW Government Expenses Policy and the provisions of the Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors Policy.

Claims lodged by the General Manager are authorised by the Mayor and claims lodged by Senior Staff are authorised by the General Manager for reimbursement.

At its meeting on 11 October 2011, Council endorsed the Policy with an additional requirement that expenses claimed under the Policy be reported to Council on a six monthly basis. Below is a summary outlining expenses claimed by the General Manager and Senior Staff from November 2011 to April 2012.

<b>Claimant</b>	<b>Date of Claim</b>	<b>Amount \$</b>	<b>Category</b>	<b>Description</b>
John Neish	7/11/2011	266.90	1	Food and beverages with Councillors - LGA Conference, Nowra
John Neish	7/11/2011	50.70	3	Meeting on 15 September 2011 with John Burgess – General Manager, Auburn City Council
John Neish	7/11/2011	100.90	5	Telstra Home Phone and BigPond
Terry Dodds	22/11/2011	192.00	3	Stationary, meal with Councillors Butterworth and Tagg at ICTC Conference and taxi, minus accommodation in Hobart
Terry Dodds	22/11/2011	32.00	1	Parking fee at St. Andrews Carpark for attendance at CitySwitch Progress Report and Awards
John Neish	22/11/2011	46.92	1 and 3	Parking fee for meeting with Ron Myor and John Farrara and attendance to Department of Planning Seminar
John Neish	28/11/2011	101.90	5	Telstra Home Phone and BigPond

**ITEM 9 (continued)**

Roy Newsome	30/11/2011	60.18	1	Parking fees for LGMA Mentoring Program
Roy Newsome	2/12/2011	144.00	1	Parking fees: <ul style="list-style-type: none"> <li>• 3/11/11 – Attendance at Federal Court: Local Government Financial Services</li> <li>• 4/11/11 – Attendance at Federal Court: Local Government Financial Services</li> <li>• 11/11/11 – Meeting with the Industrial Relations Commission</li> </ul>
John Neish	21/12/2011	19.30	3	Food and beverage expenses for travel to the Social Impacts of Migration Workshop at the Australian National University, Canberra
John Neish	21/12/2011	14.00	3	Parking fees – Attendance to the Social Impacts of Migration Workshop at the Australian National University, Canberra
John Neish	21/12/2011	101.90	5	Telstra Home Phone and BigPond
Dominic Johnson	3/01/2012	43.64	1	Parking fees - Department of Planning - North Ryde Station Precinct Working Group
Terry Dodds	18/01/2012	68.00	1	Parking for Court Hearing
John Neish	23/01/2012	101.90	5	Telstra Home Phone and BigPond
Terry Dodds	24/01/2012	47.00	1	Parking fees for presentation to City of Sydney
Dominic Johnson	7/02/2012	60.00	1	Parking fees - Governor Macquarie Tower, Farrer Place Sydney with the Minister for Planning and Infrastructure, Mayor and General Manager
Dominic Johnson	21/02/2012	22.73	1	Travel Expenses - Ministerial Planning Forum - Planning System Review

**ITEM 9 (continued)**

John Neish	6/03/2012	93.86	5	Telstra Home Phone and BigPond
Dominic Johnson	7/03/2012	12.45	1	Taxi Fare - Property Council of Australia
Terry Dodds	13/03/2012	437.69	1	Qantas Flight Expense - Sydney to Canberra for presentation to Transport Branch of Engineers Australia
Danielle Dickson	23/03/2012	49.95	4	Audio tape on communication techniques
John Neish	29/03/2012	11.00	1	Food and beverage - Meeting with Councillor Campbell on 25 January 2012
John Neish	29/03/2012	101.90	5	Telstra Home Phone and BigPond
Dominic Johnson	10/04/2012	28.36	1	Taxi Fare - Governor Macquarie Tower - meeting with the Minister for Finance and Service with the Mayor
Dominic Johnson	10/04/2012	25.45	1	Parking fees - Department of Planning - Macquarie Park Steering Group
Dominic Johnson	23/04/2012	41.18	1	Parking fees - Planning Assessment Commission
John Neish	27/04/2012	101.90	5	Telstra Home Phone and BigPond
Dominic Johnson	24/11/2012	43.64	1	Parking fees - Department of Planning with the General Manager

The sum of all claims processed from November 2011 to April 2012 is \$2,421.35.

Expenses claimed are categorised on the following basis:

1. Performance of Official Duties
2. Recognition of staff performance (e.g. departing staff)
3. Establishing partnerships of importance to Council
4. Professional development and associated costs
5. Employment Contract Provisions

**Financial Implications**

Adoption of the recommendation will have no financial impact as all reimbursements made were within the approved budget.

## 10 DEFERRED REPORT: REPORTS DUE TO COUNCIL

**Report prepared by:** Meeting Support Coordinator

**Report dated:** 26 April 2012

**File No.:** GRP/12/5/5/5 - BP12/477

**This report is deferred from the Council Meetings held on 22 May and 12 June 2012.**

### 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 15 May 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%
22/05/12	32	7	3	5	24	2	1	9%	19%	81%

**ITEM 10 (continued)**

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

There are currently 32 reports listed. Following consideration of this report there will be five overdue reports due to Council.

**RECOMMENDATION:**

That the report on Outstanding Council Reports be endorsed.

**ATTACHMENTS**

- 1 Performance Data - Report to Council 22 May 2012
- 2 Outstanding Council Reports as at 15 May 2012

Report Prepared By:

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

Report Approved By:

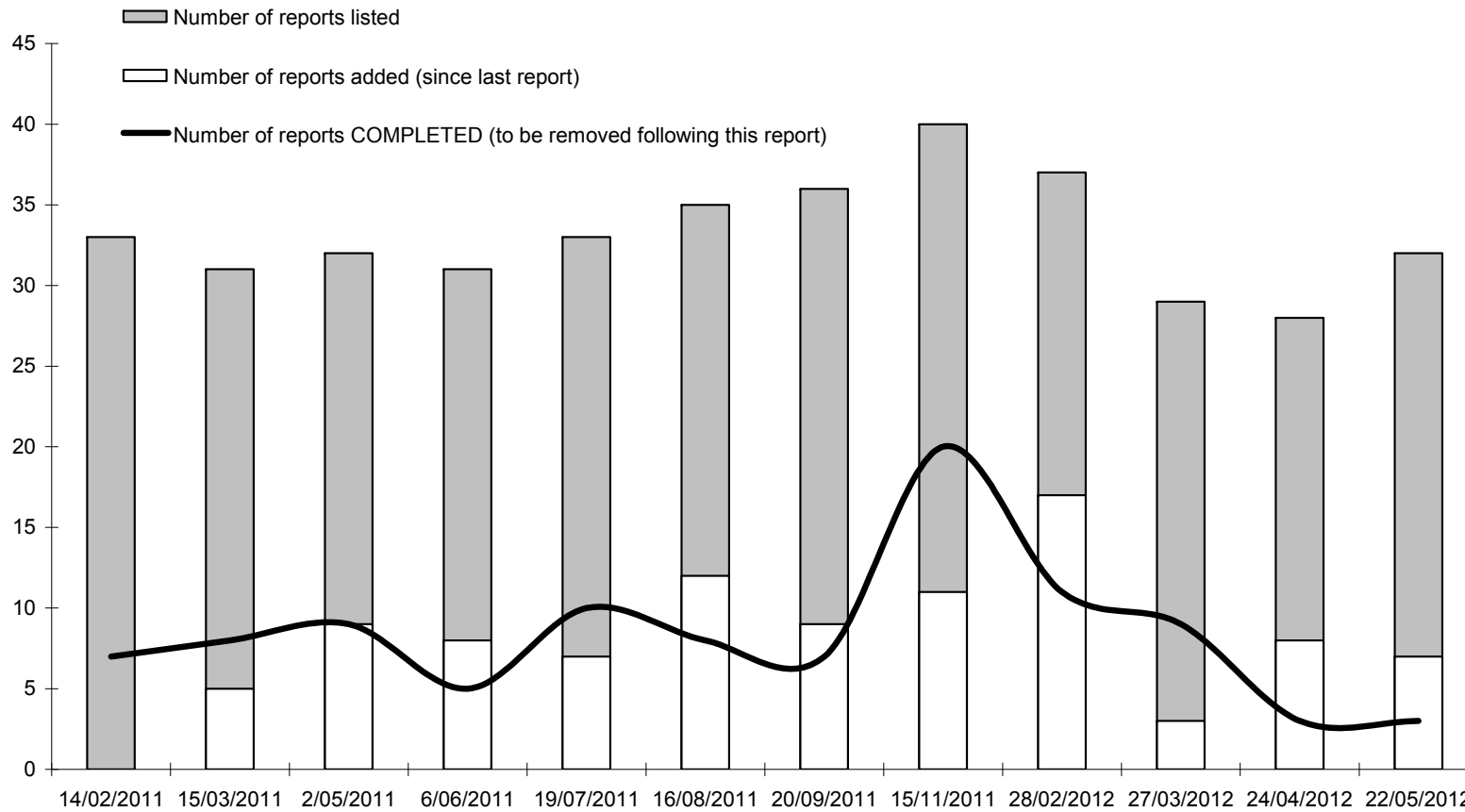
**Shane Sullivan**  
**Manager - Governance**

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

ITEM 10 (continued)

ATTACHMENT 1

Outstanding Reports to Council  
Volume of outstanding reports



**ITEM 10 (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	Councillor Workshop scheduled for 20 March 2012
<b>Meeting Date</b>		<b>Anticipated 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) That a further report be provided to Council once the review process is completed.	24/07/2012	Officer drafting DCP delayed by work on the Transport Coordination Authority development. DCP expected to be delayed to June 2012.
<b>Group</b>		<b>Officer</b>	
Environment and Planning		Meryl Bishop	As there is no meeting on 10 July, it is expected the report will go to the Council Meeting of 24 July 2012.



**ITEM 10 (continued)**

**ATTACHMENT 2**

<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	<i>Part (d) will be reported when the development is undertaken.</i>
<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> 19/06/2012	<i>Part (e) will be reported to the Works and Community Committee on 19 June 2012.</i>
<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 10 (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. IDA2011/0022.</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>  <i>Applicant advised Council on 13 November 2011 that additional information would be submitted shortly and that the premises now complies with WorkCover.</i>  <i>Applicant advised Council additional information would be submitted in mid December 2011 - no information was received.</i>  <i>Additional information finally submitted to Council on 20 January 2012.</i>  <i>Information to be renotified and</i>

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**ITEM 10 (continued)**

**ATTACHMENT 2**

<b>Meeting Type</b> Council	<b>Resolution</b> ESTABLISHMENT OF A LOCAL PLANNING PANEL	<b>Due Date of Report</b>	<b>Comments/Update</b> Report to Council date TBA
<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>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>
<b>Group</b> Environment and Planning		<b>Officer</b> Liz Coad	

*assessed by Council staff, if sufficient a report is expected to go to the Planning and Environment Committee late April 2012.*

*Following assessment further amendments were required.*

*Application to be renotified and report anticipated to go to the Planning and Environment Committee 17 July 2012.*

**ITEM 10 (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 - COMPLETED</b>	20/03/2012	Working with Public Works to cost and scope implementation of masterplan.
<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:  <ul style="list-style-type: none"> <li>• to improve the site from Pellissier 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>Anticipated date</b> 8/05/2012	Report provided to Council Meeting of 8 May 2012.
<b>Group</b> Community Life		<b>Officer</b> Fiona Morrison	<i>COMPLETED (To be removed following Council Meeting to be held 22 May 2012).</i>

**ITEM 10 (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>			
1/11/2011	TRAFFIC & PARKING MATTERS PRESENTED TO RYDE LOCAL TRAFFIC COMMITTEE MEETING held on 29 September 2011 - BELMORE STREET, MEADOWBANK - Request for parking restrictions	17/07/2012	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.
<b>Group</b>		<b>Anticipated date</b>	
Public Works	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.	17/07/2012	
		<b>Officer</b>	
		Ramesh Desai	

**ITEM 10 (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>			
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	<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>
<b>Group</b>		<b>Officer</b>	
Public Works		Ramesh Desai	

**ITEM 10 (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> 22/11/2011	(a) That the Mayor and General Manager pursue meetings with the relevant State Government Ministers with the purpose of:	<b>Anticipated date</b> 26/06/2012	<i>Report to Council Meeting on 26 June 2012.</i>
<b>Group</b> Environment and Planning	(1) ensuring that both sites remain in public ownership; (2) ensuring that the zoning of both sites reflects public ownership; (3) obtaining the dedication of Cudal Reserve as a park under the care, control and management of the City of Ryde in perpetuity at no cost to Council; (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>Officer</b> Meryl Bishop	
<hr/>			
(b) That this matter be reported back to Council.			

**ITEM 10 (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> 22/11/2011  <b>Group</b> Environment and Planning	<b>NOTICE OF MOTION - SHORTFALL OF OPEN SPACE IN PARTS OF NORTH RYDE</b>  (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) That the meeting include all key stakeholders, such as Ryde City Hockey Club with the outcomes being reported to Council.	1/06/2012  <b>Anticipated date</b>  Adrian Melo	Council continues to meet with the Transport Coordination Authority (TCA) 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.  TCA to release revised concept design, report to Council following receipt of revisions. Report to Council TBA.



**ITEM 10 (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	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.	27/07/2012	Re-scheduled for 22 February 2012 - Submitter cancelled.
<b>Group</b> Environment and Planning		<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 10 (continued)**

**ATTACHMENT 2**

<b>Meeting Type</b> Council	<b>Resolution</b> <b>POTENTIAL DEVELOPMENT PARTNERSHIP ARRANGEMENT FOR COULTER STREET CAR PARK</b>	<b>Due Date of Report</b> 26/06/2012	<b>Comments/Update</b> <i>Negotiations with the Gladsville RSL have been extended due to their need to remodel a proposal which complies with our DCP and LEP.</i>
<b>Meeting Date</b> 22/11/2011	(b) On completion of the highest and best use study a full report be brought to Council for its consideration.	<b>Anticipated date</b> 27/11/2012	
<b>Group</b> General Manager		<b>Officer</b> John Neish	
<b>Meeting Type</b> Council	<b>Resolution</b> <b>TENDER FOR SURVEYING AND ASSESSMENT OF CITY OF RYDE'S CUSTOMER SERVICES</b>	<b>Due Date of Report</b> 22/05/2012	<b>Comments/Update</b> <i>To allow further feedback to be received, report will be provided to Council on 12 June 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> 12/06/2012	
<b>Group</b> Corporate Services		<b>Officer</b> Angela Jones-Blayney	

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**ITEM 10 (continued)**

**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	SKATEBOARD CLINICS FOR ALL AGES AND ABILITIES IN THE CITY OF RYDE	28/02/2013	Report to be provided in 2013.
<b>Meeting Date</b>		<b>Anticipated 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.	28/02/2013	
<b>Group</b>		<b>Officer</b>	
Community Life		Fiona Morrison	

**ITEM 10 (continued)**

**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Works and Community	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	17/07/2012	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.
7/02/2012	(ii) That a further review be undertaken in 6 months with a report to the Committee detailing the results.	17/07/2012	
<b>Group</b>		<b>Officer</b>	
Public Works		Ramesh Desai	

**ITEM 10 (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>			
7/02/2012	<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>
<b>Group</b>		<b>Anticipated date</b>	
Public Works	(i) That a working party comprising Council, RMS, NSW Police and State Transit representatives review the concerns raised by the NPRS 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.	17/07/2012	
		<b>Officer</b>	
		Ramesh Desai	

**ITEM 10 (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> General Manager		<b>Officer</b> Beki Boulet	

**ITEM 10 (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>Anticipated date</b> 17/07/2012 <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 July 2012.

**ITEM 10 (continued)**

**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Works and Community	<b>SHAFTSBURY ROAD AND GLEN STREET, EASTWOOD - Proposed Traffic Facilities (Black Spot Remediation Site - UPDATE)</b>	5/06/2012	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.
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.	17/07/2012	
<b>Group</b>		<b>Officer</b>	
Public Works		Harry Muker	



**ITEM 10 (continued)**

**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Works and Community	<b>DEEBLE 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> 27/03/2012	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> 17/07/2012	
<b>Group</b> Public Works		<b>Officer</b> Russell Nash	<i>Remains on-going - no updated information yet available.</i>

**ITEM 10 (continued)**

**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Works and Community	<b>TRAFFIC &amp; PARKING MATTERS PRESENTED TO RYDE LOCAL TRAFFIC COMMITTEE MEETING held on 2 February 2012</b>	24/05/2012	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.
27/03/2012	(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.	17/07/2012	
<b>Group</b>		<b>Officer</b>	
Public Works		Harry Muker	

**ITEM 10 (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> Tatjana Domazet	

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**ITEM 10 (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> Tajjana Domazet	

**ITEM 10 (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>	17/07/2012	<i>To be reported to the Works and Community Committee on 17 July 2012.</i>
<b>Group</b> Community Life	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 <b>Officer</b> Tajjana Domazet	

**ITEM 10 (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 the Works and Community Committee 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 10 (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.  3. A feasibility study cost be funded through the 2012/13 First Quarter Budget review.	<b>Officer</b> Tatjana Domazet	

**ITEM 10 (continued)**

**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	COX'S ROAD MASTERPLAN	24/07/2012	<i>Master Plans are on exhibition from 9 May 2012 to 20 June 2012. The report on the outcomes from the exhibition are anticipated to be reported to Council on 24 July 2012.</i>
<b>Meeting Date</b> 24/04/2012	(b) That a further report be provided to Council following the public exhibition period.	<b>Anticipated date</b> 24/07/2012	
<b>Group</b> Environment and Planning		<b>Officer</b> Meryl Bishop	



**ITEM 10 (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 - PUBLIC DOMAIN AREAS - WEST RYDE</b>		<i>Update unavailable as at 14 May 2012 - revised programme dependant upon outcome of May 2012 PCC Meeting. Matter has been escalated to Group Manager / General Manager. Date of proposed report is currently pending.</i>
<b>Meeting Date</b> 24/04/2012	That the General Manager report to the Works and Community Committee on the intended usability and presentation of the public domain areas on and around the new West Ryde (Coles) development site at the following stages of the project:	<b>Anticipated date</b>	
<b>Group</b> Public Works	(a) following opening of the Council underground carpark; (b) following opening the retail (Coles) development; and (c) for the duration of the construction of the residential units.	<b>Officer</b> Peter Nguyen	
For the purposes of this report, the public domain includes the market place, footpaths, roads, traffic facilities, lighting, public art, furniture, street trees, signage and any other feature intended to be installed on public land as part of the complete development.			

**ITEM 10 (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 - PROPOSED SITE FOR HOUSING COUNCIL STAFF AND MOVEMENT OF STAFF TO NEW PREMISES - COMPLETED</b>	22/05/2012	<i>This report is listed on the Council Agenda for 22 May 2012.</i>
24/04/2012	That the General Manager report back to the Councilors on the proposed site (Civic Centre) for Council staff to be housed and Council meetings conducted. When the sale goes through and the expected turn around time from the winning tenders announced and the expected movement of staff to new premises.	22/05/2012	<i>COMPLETED (To be removed following the Council Meeting on 22 May 2012).</i>
<b>Group</b>		<b>Officer</b>	
General Manager		John Neish	

**ITEM 10 (continued)**

**ATTACHMENT 2**

<b>Meeting Type</b> Council	<b>Resolution</b> FLOODING AT FIRST AVENUE, EASTWOOD	<b>Due Date of Report</b> 24/07/2012	<b>Comments/Update</b> <i>Report anticipated on 24 July 2012.</i>
<b>Meeting Date</b> 24/04/2012	That the General Manager investigate the issue of flooding on the southern side of First Avenue, Eastwood and provide a report to Council within three months outlining options for consideration.	<b>Anticipated date</b> 24/07/2012	
<b>Group</b> Public Works		<b>Officer</b> Anthony Ogle	
<b>Meeting Type</b> Council	<b>Resolution</b> DRAFT FOUR YEAR DELIVERY PLAN 2012/2016 INCLUDING ONE YEAR OPERATIONAL PLAN 2012/2013	<b>Due Date of Report</b> 26/06/2012	<b>Comments/Update</b> <i>Report to be provided to Council on 26 June 2012.</i>
<b>Meeting Date</b> 8/05/2012	(d) That following the public exhibition period detailed in part (c), Council consider all public submissions at its meeting to be held on Tuesday 26 June 2012 prior to formally adopting its Four-Year Delivery Plan 2012/2016 including the One-Year Operational Plan 2012/2013.	<b>Anticipated date</b> 26/06/2012	
<b>Group</b> Corporate Services		<b>Officer</b> John Todd	

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**ITEM 10 (continued)**

**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	AUDIO RECORDING OF CIVIC PRECINCT COMMITTEE MEETING - 1 May 2012 - COMPLETED	22/05/2012	COMPLETED (To be removed following Council Meeting to be held 22 May 2012).
<b>Meeting Date</b> 8/05/2012	(c) That a report be provided to Council regarding opportunities to webcast Council and Civic Precinct Committee Meetings.	<b>Anticipated date</b> 22/05/2012	
<b>Group</b> Corporate Services		<b>Officer</b> Shane Sullivan	

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**ITEM 10 (continued)**

**ATTACHMENT 2**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>THE CITY OF RYDE PRECINCT REDEVELOPMENT STAGE 3- STATUS REPORT</b>	30/11/2012	
<b>Meeting Date</b> 8/05/2012	(b) That a detailed report which recommends the most appropriate course of action for the redevelopment of the Argyle Centre site be prepared for Council by November 2012, which examines how Council can utilise a shared equity scheme, the National Rental Affordability Scheme and a partnership with a social housing company. The report to specifically include :-	<b>Anticipated date</b> 27/11/2012	
<b>Group</b> General Manager	(i) A detailed financial and cash flow model (including an option for Council to borrow funds) for developing each of options 2 and 3 for the redevelopment of the Argyle Centre as outlined in this report. The model be designed to deliver 10 to 15 affordable / key worker housing units and provides Council with the best sustainable revenue stream possible considering Council's appetite for risk.  (ii) The most appropriate governance, procurement and management model required to manage redevelopment risk, oversee the redevelopment of the Argyle Centre site and	<b>Officer</b> Mitch Corn	

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**ITEM 10 (continued)**

**ATTACHMENT 2**

manage any housing stock which Council may retain in its ownership for each of options 2 and 3 as outlined in this report.

(iii) An open space concept plan relating to the future development of the Ryde City Bowling Club and the Argyle Centre site.

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**11 DEFERRED REPORT: POLICY FOR THE INTERFACE AND DAY TO DAY  
OVERSIGHT OF THE GENERAL MANAGER BY THE MAYOR**

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**Report prepared by:** Meeting Support Coordinator**Report dated:** 28/05/2012**File No.:** GRP/12/5/5/5 - BP12/635

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**This report is deferred from the Council Meeting held on 12 June 2012.**

**REPORT SUMMARY**

This report provides Council with a Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor.

This Policy has been developed in accordance with the Director General's Guidelines for the Appointment and Oversight of General Managers, issued pursuant to Section 23A of the Local Government Act 1993 and in accordance with Council's resolution of 8 November 2011 relating to the General Manager's Performance Objectives for 2011/2012.

This report seeks Council's endorsement of the Policy.

**RECOMMENDATION:**

That Council endorse the Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor as **ATTACHED** to this report.

**ATTACHMENTS**

- 1 Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor

Report Prepared By:

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

Report Approved By:

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

**John Neish**  
**General Manager**

**ITEM 11 (continued)****Discussion**

The relationship between the General Manager and the Mayor of the City of Ryde is a critical interface required to ensure that the Mayor's role in day to day management of the General Manager is transparent and appropriately delegated by Council.

**General Manager's Performance Objectives**

At its meeting on 8 November 2011, Council adopted the General Manager's Performance Objectives 2011/12 including the following:

Objective 12 – Interface between Councillors and the General Manager

To continue to address the recommendations from the Department of Local Governments Better Practice Review relating to the relationships between Councillors, General Manager and Executive Team.

As part of this objective, the General Manager is required to develop a policy for the constructive interface between the Mayor and the General Manager (in accordance with the Local Government Act) and previously established conventions, so that each can assist the other in fulfilling their respective roles positively in a way which is understood by all Councillors.

**ATTACHED** is a Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor.

This Policy has been drafted to address Objective 12 of the General Manager's Performance Objectives.

**Key Items in the Policy**

The aim of the Policy is to strengthen the executive management of the Council by detailing the relationship, the appropriate interface and day to day oversight by the Mayor of the City of Ryde of the General Manager and covers the following key items:

- The General Manager's Appointment;
- Management of the General Manager's performance;
- Audit of the General Manager's Accountabilities;
- The General Manager's Leave Applications;
- The General Manager's Expense Claims;
- Gifts and Benefits;
- Presiding at Council Meetings;
- Conducting Meetings with Ministers and Members of Parliament;
- Conducting Meetings with constituents and those wishing to make representations to the Mayor;
- Public Relations Management;



**ITEM 11 (continued)**

- Civic events, ceremonies and forums;
- Managing Complaints;
- Training and Development;
- Updating relevant information.

**Financial Implications**

Adoption of the recommendation will have no financial impact.

**Policy Implications**

The adopted Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor will be placed on Council's website.

The Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor guides the appropriate interface between the Mayor of the City of Ryde and the General Manager and is in keeping with the Director General's Guidelines for the Appointment and Oversight of the General Manager and other related policies and guidelines.

**ITEM 11 (continued)**

**ATTACHMENT 1**



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**Policy For the Interface and Day to Day Oversight of the  
General Manager by the Mayor**

**Scope**

This policy governs the appropriate interface between the Mayor of the City of Ryde and the General Manager in keeping with the Director General's Guidelines for the Appointment and Oversight of the General Manager and other related policies and guidelines.

The relationship between the General Manager and the Mayor of the City of Ryde is a critical interface required to ensure that the Mayor's role in day to day management of the General Manager is transparent and appropriately delegated by Council. Constructive professional relationships between the Mayor and the General Manager are essential to enable the effective executive management of the Council.

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**Purpose**

The aim of the policy is to strengthen the executive management of the Council by detailing the relationship, the appropriate interface and the day to day oversight by the Mayor of the City of Ryde of the General Manager relating to:-

1. The General Manager's Appointment
2. Management of the General Manager's performance
3. Audit of the General Manager's Accountabilities
4. The General Manager's Leave Applications
5. The General Manager's Expense Claims
6. Gifts and Benefits
7. Presiding at Council Meetings
8. Conducting Meetings with Ministers and Members of Parliament
9. Conducting Meetings with constituents and those wishing to make representations to the Mayor
10. Public Relations Management
11. Civic events, ceremonies and forums
12. Managing Complaints
13. Training and Development
14. Updating relevant information

This policy aims to ensure that there is a clear understanding between the General Manager and the Mayor of the day. It will ensure that expectations and transparency of the interface between the Mayor and General Manager is consistently applied to strengthen and maintain a positive working relationship between both parties.

**Guidelines / Procedures**

This policy is drafted to ensure compliance with appropriate legislative requirements, existing Council policies and is supported by the attached Guidelines.

<b>City of Ryde Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor</b>		
Owner: Governance Unit	Accountability: Mayor and Councillor Support Service	
Trim Reference: D12/34947	Review date: Every four years following the election	Endorsed: Council

**ITEM 11 (continued)**

**ATTACHMENT 1**



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**References - Legislation**

- The Local Government Act 1993
- Division of Local Government – Guidelines for the Appointment and Oversight of General Managers
- City of Ryde Code of Conduct
- City of Ryde Code of Meeting Practice
- City of Ryde Media Policy
- City of Ryde Expenses Relating to The General Manager and Senior Staff
- City of Ryde Corporate Credit Card Policy
- City of Ryde Gifts and Benefits Policy
- Anti Corruption Safeguards and the NSW Planning System – ICAC 2012
- Public Interest Disclosures Act 1994
- City of Ryde Public Interest Disclosures Internal Reporting Policy
- Council's Policy on Ethical Lobbying

This policy is supported by the Guidelines attached below

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**Review Process and Endorsement**

This Policy should be reviewed each term of Council and endorsed by the Council.

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City of Ryde Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor		
Owner: Governance Unit	Accountability: Mayor and Councillor Support Service	
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**ITEM 11 (continued)**

**ATTACHMENT 1**

**Guidelines For the Interface and Day to Day Oversight of the General Manager by the Mayor**

**1. The General Manager's Appointment**

The Mayor will establish and chair a selection panel for the purpose of selecting the General Manager in accordance with the Guidelines for the Appointment and Oversight of General Managers.

**2. Management of the General Manager's Performance**

The General Manager's performance management process will be conducted annually in accordance with the Guidelines for the Appointment and Oversight of General Managers.

The Mayor will chair the Performance Review Panel and oversee the appointment of an external facilitator to assist with the process of performance appraisal and the development of performance plans.

**3. Audit of the General Manager's Accountabilities**

As a member of the City of Ryde Audit Committee, the Mayor will participate in setting the priorities and the program of the audit of Council's operations, to ensure independent oversight of the risk and compliance environment of the General Manager's accountabilities.

The Mayor will also be briefed annually by Council's external auditors to ensure robust financial reporting is in place.

**4. The General Manager's Leave Applications**

The Mayor will be the approval authority for all leave applications made by the General Manager in accordance with Council's leave policies.

**5. The General Manager's Expense Claims**

The Mayor will be the approval authority for all expense claims relating to the General Manager's out of pocket expenses and use of Council's Corporate Credit Card in keeping with the General Manager's Terms of Engagement, Council's Policy on Expenses Relating to the General Manager and Senior Staff and Councils Corporate Credit Card Policy.

<b>City of Ryde Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor</b>		
Owner: Governance Unit	Accountability: Mayor and Councillor Support Service	
Trim Reference: D12/34947	Review date: Every four years following the election	Endorsed: Council

**ITEM 11 (continued)**

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**6. Gifts and Benefits**

The Mayor or Council's Manager, Risk and Audit will be the acknowledging authority for all Gifts and Benefits Disclosure Forms completed by the General Manager in keeping with the General Manager's Terms of Engagement and Council's Gifts and Benefits Policy.

**7. Presiding at Council Meetings**

- *Setting the Agenda for Council or Committee Meetings*

Under Section 266 of the Local Government Act, the Mayor presides at meetings of the Council. Clause 240 of the Local Government (General ) Regulation 2005 stipulates that the General Manger must cause the agenda for a meeting of Council or a Committee of the Council to be prepared as soon as practicable before the meeting.

Once the agenda has been set, the General Manager or his/her nominee will meet with the Mayor to discuss the matters on the agenda of either a Council or Committee meeting prior to the meeting being convened. To ensure that the independence of advice to the Council is maintained, the Mayor cannot direct the General Manager or his/her staff to either prepare or remove reports set on an existing or future agenda.

- *Calling Extraordinary or Special Meetings*

In accordance with Council's Code of Meeting Practice, the Mayor or General Manager may call an extraordinary or special meeting of the Council on any matter or matters considered necessary. The Mayor, in consultation with the General Manager, shall determine the time and place of an extraordinary or special meeting in accordance with Council's Code of Meeting Practice.

**8. Conducting Meetings with Ministers and Members of Parliament**

The Mayor will from time to time have reason to meet with Ministers and Members of Parliament to discuss issues of importance to the City of Ryde and the implementation of its Community Strategic Plan and Council resolutions.

As per Council's resolution of 22 November 2011, the General Manager and/or his/her nominee will accompany the Mayor to any meeting with a State Minister or Member of Parliament at which Council business will be discussed. This will ensure appropriate briefings can be given relating to Council's policies, operational matters or strategic impacts relating to the discussions and to ensure that the follow up of agreed actions at the meeting will take place.

City of Ryde Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor		
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**ITEM 11 (continued)**

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**9. Conducting Meetings with Constituents and those wishing to make representations to the Mayor**

It is acknowledged that the Mayor will meet with constituents relating to a range of matters and may request the presence of the General Manager.

▪ *General Matters*

From time to time the Mayor will request that the General Manager attend meetings with constituents or other parties. Adequate notice (where practicable, no less than three working days) and background information will be given to the General Manager to ensure that the General Manager is able to prepare for the meeting in advance. Meetings will be held in the Mayoral suite during business hours and secretarial support will be provided for meetings that occur to ensure that records are kept detailing the agenda and minutes of the meeting.

▪ *Matters relating to Complaints*

The Mayor may receive complaints about the level of service provided by the Council's staff. These complaints will be referred to the General Manager prior to any meeting between the complainant, the Mayor and the General Manager taking place. This will ensure that appropriate preparations can be made and will be dealt with in accordance with the Council's Complaints and Compliments Management Policy. Meetings will be convened as outlined above in General Matters.

Should the complaint relate to a development matter the same procedure will be followed as outlined below.

▪ *Matters relating to Proposed Development Matters (either Planning Proposals or proposed major Development Applications).*

No meetings will take place with any developer or their representative unless a detailed agenda item is prepared prior to the meeting. Council's Ethical Lobbying Policy will apply to meetings attended by those lobbying on behalf of their client. At such meetings the Group Manager Environment and Planning (or his/her nominee) will also be in attendance at the meetings. Meetings will be convened as outlined above in General Matters and will be minuted by the Mayor's secretary or an appropriate planning staff member.

It is inappropriate for the Mayor to attempt to influence the independent advice of planning staff on any planning proposal or development assessment report. No meetings will be held on matters where a development application assessment process is already underway, to ensure there can be no perception of inappropriate influence.

**10. Public Relations Management**

The General Manager will ensure that the Mayor is provided with adequate resources to meet his/her requirements for public relations management. Public relations management relates to the provision of advice and preparation of:-

<b>City of Ryde Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor</b>		
Owner: Governance Unit	Accountability: Mayor and Councillor Support Service	
Trim Reference: D12/34947	Review date: Every four years following the election	Endorsed: Council

**ITEM 11 (continued)**

**ATTACHMENT 1**



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- press releases
- issues management
- speeches
- Council publications
- opinion pieces for journals etc

In accordance with Council's Media Policy, both the Mayor and the General Manager can make comments to the media on policy matters. When doing so, the Mayor and General Manager will communicate with members of the press through Council's media advisor to ensure consistency of message. All articles and speeches etc relating to or quoting the Mayor, will be approved by the Mayor prior to their release.

The General Manager will comment on administrative issues in accordance with the Media Policy.

The General Manager will ensure that Council staff provides necessary public relations support for all non political issues relating to Council's operations and the adopted resolutions of Council. Should the Mayor wish to make commentary that in the opinion of the General Manager is of a political nature and not relating to matters of Council policy, business or resolution etc, Council's media staff will not be used to draft or place such statements.

**11. Civic events, Ceremonies Conferences and Forums**

It is acknowledged that both the Mayor and the General Manager will represent Council at Civic Events, Ceremonies and professional forums etc. When both the Mayor and General Manager are speaking at an event the Mayor will always speak first. Media staff will coordinate the content of each speech to ensure consistency of message and avoid duplication.

When the General Manager is speaking at a forum or conference, he/she will advise the Mayor of the topic of address. The Mayor will respect the independence of the content and the format of the presentation to enable the General Manager to provide his/her professional views. The General Manager must make it clear when doing so if they are not the views of Council or its policies.

When speaking about the City of Ryde Council, Council's policies and views will always be clearly stated by the Mayor and General Manager.

**12. Managing Complaints**

All complaints about the General Manager's conduct will be referred to the Mayor and will be managed in accordance with Council's Complaints Management Policy, Council's Code of Conduct and if necessary, the Public Interest Disclosures Act 1994 and Council's Public Interest Disclosures Internal Reporting Policy. The Mayor may seek the independent assistance of the Internal Auditor, external experts and Council's General Counsel should she/he so require, undertaking investigations or seeking advice. The procurement of external experts will be managed by Council's Internal Auditor.

City of Ryde Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor		
Owner: Governance Unit	Accountability: Mayor and Councillor Support Service	
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**ITEM 11 (continued)**

**ATTACHMENT 1**



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All Code of Conduct complaints about the Mayor will be referred to the General Manager and will be managed in accordance with the Council's Code of Conduct and if necessary the Public Interest Disclosures Act 1994 and Council's Public Interest Disclosures Internal Reporting Policy.

All Code of Conduct complaints relating to Councillors made by the General Manager will be made to the Mayor and in accordance with Council's Code of Conduct and any relevant industrial relations legislation. The Mayor may seek the assistance of Council's Internal Auditor, external experts, Council's General Counsel should he/she so require, to undertake investigations or seek advice. The procurement of external experts will be managed by Council's Internal Auditor.

**13. Training and Development**

It is recognised that the General Manager is required to keep abreast of local government issues industry best practice and to keep his/her knowledge and skills relevant. To this end, the General Manager will attend industry seminars conferences and forums such as those provided by the Local Government Managers' Association, the Chief Officers' Group of Australasia, the Local Government and Shires Association conference and the National General Assembly of Local Government.

When deemed that attendance of an industry forum/conference is appropriate, the General Manager will seek the Mayor's approval to attend.

Should the General Manager seek to attend formal training relating to advancing his/her knowledge and skills and in accordance with Council's policy on Tertiary Education etc, the General Manager will seek the Mayor's approval to do so.

**14. Updating Relevant Information**

Both the Mayor and General Manager will use their best endeavours to keep each other appraised of relevant issues relating to Council's operations and the local government industry. Whilst this should take place on an 'as needs' basis, a more formal regular update meeting may take place between the Mayor and the General Manager and his/her executive team as agreed by both parties.

City of Ryde Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor		
Owner: Governance Unit	Accountability: Mayor and Councillor Support Service	
Trim Reference: D12/34947	Review date: Every four years following the election	Endorsed: Council



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**12 DEFERRED REPORT: 2012/2013 CHRISTMAS / NEW YEAR  
ARRANGEMENTS - Business Operations**

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**Report prepared by:** Manager - Human Resources**Report dated:** 30 May 2012**File No.:** GRP/11/7/1/6 - BP12/659

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**This report is deferred from the Council Meeting held on 12 June 2012.**

**REPORT SUMMARY**

This report seeks Council's endorsement of the proposed business operations during the 2012/2013 Christmas / New Year Period, with this report recommending that Council's operations close from noon on Friday, 21 December 2012 and recommence on Wednesday, 2 January 2013.

The report details that during this period, Council will have staff on duty in key areas, supported by staff on call, to ensure essential services are undertaken. Also, during this period Council's Ryde Aquatic Leisure Centre (RALC) and the Ryde Library will be operating on revised business hours as detailed in the report.

**RECOMMENDATION:**

- (a) That the changes to normal City of Ryde business operations over the 2012/2013 Christmas / New Year period, as outlined in the report be endorsed.
- (b) That the changes to normal business operations referred to in (a) above, be advertised in the Mayor's Column, the Ryde City View, on Council's website and by way of notice at the front of the Civic Centre, Council's branch libraries and the Ryde Aquatic Leisure Centre.
- (c) That Council endorse the staff Christmas Party being held at the Civic Hall on Friday, 21 December 2012.

**ATTACHMENTS**

There are no attachments for this report.

Report Prepared By:

**Melissa Attia**  
**Manager - Human Resources**

Report Approved By:

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

## ITEM 12 (continued)

### Background

In recent years, normal City of Ryde business operations, except Ryde Aquatic Leisure Centre (RALC) have ceased over the Christmas / New Year period. A skeleton staff has remained on duty supported by staff on-call to continue essential services and to respond to urgent customer requests. This report seeks Council's endorsement for the proposed arrangements for Council's operations to close from 12 noon on Friday, 21 December 2012 and recommence on Wednesday, 2 January 2013.

The Library service and the RALC will have modified hours during this period.

### Report

For the upcoming Christmas / New Year period it is proposed that business operations cease at 12 noon on Friday, 21 December 2012 and recommence on Wednesday, 2 January 2013. These dates are proposed due to Christmas Day falling on a Tuesday.

This will result in Monday 24, December 2012 being declared a shut down day and staff other than those required to work (skeleton staff and critical operations/services) will be required to take one day of accrued leave.

During the shutdown period, the following service functions will remain operational with on-duty staff;

- Cleansing operations:
  - Shopping Centres – streets, footpaths and bin collections.
  - Parks – bin collections.
  - Public Toilets.
- Urgent infrastructure repairs (public safety).
- General Parks Maintenance and mowing of Regional Parks.
- Rangers – normal patrols.
- Hall Hire – pre bookings.
- Details of the hours of operation and services in respect of the Top Ryder bus service over this period will be outlined in a further report to Council in November 2012.

The proposed RALC operation hours for this period are as follows:

Monday	Dec 24	5.30am – 1.00pm
Tuesday	Dec 25	CLOSED (Christmas Day)
Wednesday	Dec 26	10.00am – 6.00pm (Boxing Day)
Thursday	Dec 27	10.00am – 6.00pm
Friday	Dec 28	10.00am – 6.00pm
Saturday	Dec 29	10.00am – 6.00pm
Sunday	Dec 30	10.00am – 6.00pm
Monday	Dec 31	10.00am – 6.00pm
Tuesday	Jan 01	10.00am – 6.00pm (New Year's Day)
Wednesday	Jan 02	5.30am – 8.45pm (Resume Normal Operations)

**ITEM 12 (continued)**

The RALC returns to normal hours of operation on Wednesday, 2 January 2013.

The proposed Library operations are as follows:

Monday, 17 December 2012 – Thursday, 20 December 2012	Normal hours
Friday, 21 December 2012	All libraries closed from 12 noon

All library branches other than Ryde Library will remain closed for the period from 12.00 noon on Friday 21 December 2012 until 10.00am on Wednesday 2 January 2013 when normal library operations will resume at all branches.

The proposed operating hours for Ryde Library during the 2012/2013 Christmas/New Year period are as follows:

Friday, 21 December 2012	Closed from 12.00 noon
Saturday, 22 December 2012	9.30am – 5.00pm
Sunday, 23 December 2012	2.00pm – 5.00pm
Monday, 24 December 2012	CLOSED
Tuesday, 25 December 2012	CLOSED
Wednesday, 26 December 2012	CLOSED
Thursday, 27 December 2012	10.00am – 5.00pm
Friday, 28 December 2012	10.00am – 5.00pm
Saturday, 29 December 2012	9.30am – 5.00pm
Sunday, 30 December 2012	2.00pm – 5.00pm
Monday, 31 December 2012	CLOSED
Tuesday, 1 January 2013	CLOSED
Wednesday, 2 January 2013	10.00am – 9.00pm (normal operations resume for all branches)

The Library returns to regular hours of operation from Wednesday, 2 January 2013.

The Operations Centre will be closed from 12 noon on Friday, 21 December 2012 through to Tuesday, 1 January 2013, returning to regular hours of operation on Wednesday, 2 January 2013.

A roster of on-call staff will be prepared for all other service units and these staff will be available to respond to urgent matters if required. This would include other functions such as information systems (IT) support and Development Application (DA) notifications. All details of on-call staff will be provided to Councillors and the Executive Team prior to the Christmas / New Year shutdown.

The normal after-hours call centre arrangements will apply during this period, whereby any customers calling Council's main phone number will speak to an operator who will then allocate the enquiry to the relevant officer for action.

**ITEM 12 (continued)**

The proposed changes to normal business operations for the Christmas / New Year period are proposed to be advertised in the Mayor's Column, the Ryde City View, on Council's website and by way of notice at the front of the Civic Centre, Council's branch libraries and the Ryde Aquatic Leisure Centre.

It is proposed the staff Christmas Party will be held from 12 noon on Friday, 21 December 2012. Consistent with previous years, Council will provide a meal for staff, with the costs of this function included in Council's 2012/2013 Budget. Staff not attending the Christmas Party will remain on duty until the close of business.

It is proposed for the staff Christmas Party to be held in Council's Civic Hall and Councillors will be advised of the details once confirmed, with all Councillors welcome to attend.

**Financial Impact**

Adoption of the recommendation outlined in this report will have no financial impact as the funding of staff resources over the Christmas / New Year shutdown is already included into existing operational budgets.

**Policy Implications**

There are no policy implications through adoption of the recommendation.

**Other Options**

Levels of services could be increased or decreased during this period. The arrangements proposed, however, will ensure the community is provided with appropriate levels of service throughout this period.

**Conclusion**

This report seeks Council's endorsement for the proposed arrangements for Council's operations to close from noon on Friday, 21 December 2012 and recommence on Wednesday, 2 January 2013.

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**13 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:** 13/06/2012**File No.:** FIM/07/6/2/2/4 - BP12/708

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**REPORT SUMMARY**

This report provides Council with a summary of public submissions received in relation to the exhibition of the Draft Four Year Delivery Plan and Draft One Year Operational Plan together with the recommended amendments for Council's consideration in adopting the Delivery Plan for the period 2012-2016 and the Operational Plan 2012/2013.

**RECOMMENDATION:**

- (a) That Council note the public submissions received during the public exhibition period and the responses to the submissions, as detailed in the report.
- (b) That in accordance with Sections 404 & 405 of the Local Government Act (1993), the Draft Four Year Delivery Plan 2012-2016 including One Year Operational Plan 2012/2013 be adopted as the Four Year Delivery Plan 2012-2016 including One Year Operational Plan 2012/2013, incorporating the amendments described in this report, and all changes consequential thereunto.
- (c) That, in accordance with Sections 534 and 535 of the Local Government Act, 1993, Council makes the following rates and charges for every parcel of rateable land within the City of Ryde for the year commencing 1 July 2012 as detailed in the Four Year Delivery Plan 2012-2016 including One Year Operational Plan 2012/2013.
  - (i) A Residential Ordinary Rate of zero point one three three nine five six (0.133956) cents in the dollar levied on the land value of all rateable land within the City of Ryde categorised as residential in accordance with Section 516 of the Local Government Act, 1993 subject to a minimum amount of four hundred and fifty seven dollars and seventy four cents (\$457.74).
  - (ii) A Business Ordinary Rate of zero point six eight seven eight one five (0.687815) cents in the dollar levied on the land value of all rateable land within the City of Ryde categorised as business in accordance with Section 518 of the Local Government Act, 1993, (excepting land sub-categorised as Business - Major Retail Centre - Macquarie Park or sub-categorised as Business - Major Retail Centre - Top Ryde, subject to a minimum amount of four hundred and fifty seven dollars and seventy four cents (\$457.74).

**ITEM 13 (continued)**

- (iii) A Business - Major Retail Centre - Macquarie Park Ordinary Rate of one point one zero seven four six eight (1.107468) cents in the dollar levied on the land value of all rateable land within the City of Ryde sub-categorised as Business - Major Retail Centre - Macquarie Park in accordance with Section 529(2)(d).
  - (iv) A Business - Major Retail Centre - Top Ryde Ordinary Rate of zero point six eight seven eight one five (0.687815) cents in the dollar levied on the land value of all rateable land within the City of Ryde sub-categorised as Business - Major Retail Centre - Top in accordance with Section 529(2)(d).
  - (v) An Environmental Management Rate of zero point zero two one six two five (0.021625) cents in the dollar be levied on the value of all rateable land within the City of Ryde subject to a base amount of fifty three dollars and sixty nine cents (\$53.69), which will levy thirty five point seven three percent (35.73%) of the total amount raised within this rate.
  - (vi) A Macquarie Park Corridor Special Rate of zero point one three three six six one (0.133661) cents in the dollar be levied on the land value of all rateable land categorised as business in accordance with Sections 518 or 529(2)(d) and included in the Macquarie Park Corridor, as identified by the map contained in the Four Year Delivery Plan 2012-2016 including One Year Operational Plan 2012/2013.
  - (vii) That aggregation of parcels of land, subject to a minimum or base amount, be permitted in accordance with Section 548A of the Local Government Act 1993.
- (d) That, in accordance with Section 496 (1) of the Local Government Act 1993, the charge for the Domestic Waste Management Service for each rateable residential property be set at three hundred and fifty four dollars (\$354.00) per service per annum and the following additional services be provided, on request, to each rateable residential property, for the following annual charges:
- (i) Upgrade from 140 litre to 240 litre service      \$258.46
  - (ii) Additional 140 litre Garbage bin                      \$268.84
  - (iii) Additional 240 litre Garbage bin                      \$527.30
  - (iv) Additional Recycle bin                                      \$ 42.56
  - (v) Additional Green bin    \$ 42.56

**ITEM 13 (continued)**

(e) That, in accordance with Section 496 (2) of the Local Government Act 1993 the standard charge for the Domestic Waste Management service provided, on request, to non-rateable properties be set at three hundred and fifty four dollars (\$354.00) per service per annum and the following additional services be provided, on request, to each non-rateable property, for the following annual charges:

(i) Upgrade from 140 litre to 240 litre service	\$258.46
(ii) Additional 140 litre Garbage bin	\$268.84
(iii) Additional 240 litre Garbage bin	\$527.30
(iv) Additional Recycle bin	\$ 42.56
(v) Additional Green bin	\$ 42.56

(f) That in accordance with Section 496A of the Local Government Act 1993, the Stormwater Management Service Charge be levied at the following rates:

(i) Strata titled residential home units	\$12.50 per unit
(ii) Other residential property	\$25.00 per rateable property
(iii) Business rateable properties	\$25.00 per 350 sq metres of land area
(iv) Business rateable Strata Properties	\$12.50 per unit

(g) That, in accordance with Section 611 of the Local Government Act 1993, the following annual charges be made:

- (i) the use of Council land for the vehicle overbridge situated in Herring Road be charged in accordance with the legal agreement between the City of Ryde and the owners of Macquarie Shopping Centre (anticipated income is \$69,397 including GST for 2012/2013).
- (ii) the use of Council land for the Shell Oil company pipeline in the City of Ryde be charged in accordance with the pricing formula agreed with the Company, (anticipated income is \$60,837 including GST for 2012/2013).
- (iii) the use of Council land for AGL Gas Mains in the City of Ryde be charged at a rate based on an annual review by KPMG of AGL's revenue (anticipated income is \$56,938 including GST for 2012/2013).

**ITEM 13 (continued)**

- (h) That the rate of interest payable in respect of rates and charges that remain unpaid after they become due and payable be set at ten percent (10%) per annum.
  
- (i) That the Schedule of Fees and Charges, annexed to the Draft Four Year Delivery Plan 2012-2016 including One Year Operational Plan 2012/2013 as amended in terms of this report, be adopted as Council's Fees and Charges for 2012/2013.

**ATTACHMENTS**

- 1 Submission on the Four Year Delivery Plan 2012-2016 from Jasmina Molter
- 2 Proposed Changes to Fees and Charges to copy on public exhibition

Report Prepared and Approved By:

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



## ITEM 13 (continued)

### Background

Council, at its Ordinary Meeting on 12 April 2011, resolved that pursuant to Sections 404 & 405 of the Local Government Act 1993, that the document titled "Draft Four Year Delivery Plan 2012-2016 including One Year Operational Plan 2012/2013" be adopted as the Draft Four Year Delivery Plan and Draft One Year Operational Plan of the City of Ryde, to be placed on public exhibition for a period of not less than 28 days from 16 May 2012 to 18 June 2012.

### Ryde 2021 Community Strategic Plan

In the formulation of the Draft Plans, consideration has been given to the Ryde 2021 Community Strategic Plan, which adopted by Council on Tuesday 28 June 2011. It reflects the feedback and priorities received from the Community Survey results in 2008, together with the feedback from further extensive community consultation, undertaken on the key Outcome areas. A summary of the Outcomes showing the proposed expenditure allocation in the Draft Four Year Delivery Plan 2012-2016 is below:

	<b>Base \$ M</b>	<b>Projects \$ M</b>	<b>Total \$ M</b>
A City of Connections	56.4	28.2	84.7
A City of Environmental Sensitivity	94.0	10.3	104.3
A City of Harmony & Culture	26.6	2.4	29.0
A City of Liveable Neighbourhoods	39.7	4.1	43.8
A City of Progressive Leadership	124.3	21.3	145.6
A City of Prosperity	0.7	9.5	10.2
A City of Well Being	74.6	10.9	85.5
	<b>416.3</b>	<b>86.7</b>	<b>503.1</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 providing details on the projects to be delivered within each Outcome area.

This is the second time Council has produced its Four Year Delivery Plan in this format in response to the new legislation. Council is on target to fully comply with reporting to its Community Strategic Plan from 1 July 2012, with the Workforce Plan, Asset Management Plans and Long Term Financial Plan to be presented to a Council Workshop on 19 June 2012 and a separate report at this meeting, ensuring that all plans are fully integrated.

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

### ITEM 13 (continued)



#### Report

In accordance with Council's resolution at its meeting on 8 May 2012, the Draft Four Year Delivery Plan 2012-2016 including One Year Operational Plan 2012/2013 was advertised on 16 May 2012 and also distributed to other key stakeholders in seeking feedback from our community. A summary of these initiatives is detailed below;

#### Public Advertising/ Consultation Program

In the preparation of the Draft Four Year Delivery Plan and Draft One Year Operational Plan, Council undertook a comprehensive advertising/ consultation program. The program was as follows:

- Formal public advertising of the Draft Four Year Delivery Plan and Draft One Year Operational Plan commenced on 16 May 2012 with an advertisement being placed in the Northern District Times advising the community of the public exhibition period for submissions being up to 18 June 2012 and that the Draft Plans were available at all Council Libraries, the Civic Centre and on Council's website.

Key highlights of the Draft Four Year Delivery Plan 2012-2016 including One Year Operational Plan 2012/2013 and important information on how the community could comment on the Draft Plans was included in the advertisement. Council's website also provided other supporting documentation to assist the community in accessing and being fully informed of Council's Draft Plan with an opportunity to provide feedback on line.

A special edition of the City View also contained details of the draft plans.

- Similar articles were also included in the Mayoral Column.

**ITEM 13 (continued)**

- A number of public community forums and presentations to key stakeholder groups were held for both the Community Strategic Plan and the Four Year Delivery Plan seeking community comment and feedback.
- All Advisory Committees and their members were notified of the public exhibition of both Draft Plans and referred them to Council's website seeking their feedback.

All information on the presentations made, are detailed later in this report.

**Public Submissions**

Submissions closed on 18 June 2012. A total of one public submission was received and is summarised in **ATTACHMENT 1** together with a response from the relevant Council Officer.

Overall only one responses were received on the Draft Four Year Delivery Plan 2012-2016 including One Year Operational Plan 2012/2013.

The submission related to the following areas:

- Objection to the redevelopment of the Civic Centre site, which is the subject of a rescission motion to this meeting.

As there is only one submission the detailed submission is attached, but no summary, **ATTACHMENT 1** and no recommended changes to Council's Delivery Plan are proposed from the submission.

**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 \$4.02 million, 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 \$1.63 million of Working Capital, therefore the Working Capital is projected to be \$2.39 million as at 30 June 2013.

**Draft Four Year Delivery Plan and Draft One Year Operational Plan and Recommended Amendments**

Since the Draft Four Year Delivery Plan and Draft One Year Operational Plan was adopted by Council for public exhibition, there are some amendments that are required to be made to the Draft Plans to correct minor typographical errors or amendments to the wording of the document, adjustments vacant positions that have been filled, other labour adjustments, plus some minor budgetary adjustments, as detailed below.

### ITEM 13 (continued)

Once adopted the Four Year Delivery Plan 2012-2016 including One Year Operational Plan 2012/2013 will be published in its final form on Council's website with notification in the Ryde City View newsletter. A bound copy of the document will be distributed to all Councillors and will also be available at Customer Service and our five libraries.

#### Proposed Amendments

The following proposed amendments are put forward for Council's consideration and determination.

During the exhibition period a number of projects were reviewed to ensure that they were ready for capital delivery in the 2012/13 operational plan. This review has resulted in a recommended change to the Sports Field floodlighting expansion program. If supported by Council it is proposed to reduce the funding in 2012/13 to \$50K to allow for consultation, detailed design and approvals to be completed. The remaining funds (\$250K) will be moved to the following year together with contributions from the clubs to allow for delivery of the projects in 2013/14. There is no overall change to the level of funding committed to this program over the four year delivery program, only a recommended change to phasing of the expenditure.

Following Council's addition of projects at the May 2012 meeting, staff are also recommending that a number of projects in the Library Program and Community and Culture program are combined to deliver better efficiencies, no change is proposed to outcomes or budget.

	<b>\$'000</b>
Increase in rates	21
Increase in Other Revenues (leases & leaseback)	376
Increase in employee costs (labour calculations updated)	-536
Increase in materials	-25
Decrease in other operating (vehicles)	122
Increase in transfer to reserve	-30
Additional Working Capital Used	(\$ 72)

The above changes are proposed with no change to Council's net financial position covered in the Draft Plan.

#### Civic Buildings Redevelopment

The figures quoted in this report do not currently include the Civic Buildings Redevelopment, as this is the subject of a resolution motion to this meeting. This will be included if Council so resolves that way.

#### Capital Works Program 2012-2016

City of Ryde's revised 4 year Capital Works program totals \$79.55 million with \$20.95 million Program for 2012/2013.

**ITEM 13 (continued)****Loan Borrowings**

City of Ryde does not propose to borrow any additional funds to support its \$20.95 million capital works program with Council's forecasted debt service ratio being less than 1% as at 30 June 2013. There is a loan borrowing for the Surf Attraction that will be drawn down during 2012/2013.

**Rates and Annual Charges**

The Minister for Local Government has set the rate pegging limit at 3.6% for 2012/2013 and this is proposed to be adopted by Council for the 2012/2013 rating year.

The Minister for Local Government has advised the maximum interest rate on overdue rates for 2012/2013 is 10%. It is recommended that Council adopt this amount.

**Fees & Charges**

It is proposed that the following changes be made to the Schedule of Fees and Charges in respect of the following areas:

1. Typographical errors and clarification of some of the comments.
2. New proposed fee for Tree Permit Applications
3. Changes to the Boarding house inspection fees, a reduction of one and three new proposed fees, in accordance with the changes in the Local Government Act as advised on Circular 12/15 from the Division of Local Government.
4. An increase in the fee for the Outdoor Dining Area for the lodgement processing from \$149 to \$250

These changes are included in **ATTACHMENT 2**. The proposed new fees are highlighted.

**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 \$119.37 million.
- The Operating Result before Depreciation provides for a surplus of \$10.96 million.
- Forecasted Working Capital as at 30 June 2012 is \$4.02 million and as at 30 June 2013 is projected to be \$2.39 million.
- The budget provides for 474.3 full time equivalent employees with a total headcount of 546 staff.

**ITEM 13 (continued)**

- Debt Service Ratio is estimated to be <1% as at 30 June 2013.
- Capital Expenditure in 2012/2013 is budgeted at \$20.95 million representing a Council funded program of \$20.95 million; there are no contributed assets in forecast in 2012/2013.
- 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 \$9.29 million in 2012/2013.
- The principal areas of project expenditure in 2012/2013 are:
  - Capital Expenditure - \$20.95 m
  - Non-Capital Expenditure - \$ 3.34 m
  - In-kind Capital - \$ 0.00 m

Total Projects                      \$24.28 m

Council funded projects      \$24.28 million

Program	Capital Projects \$M	Non-Capital Projects \$M	TOTAL \$M
Catchment program	2.07	0.02	2.08
Centres and Neighbourhood program	2.58	0.21	2.78
Community and Cultural program	0.16	0.44	0.60
Customer and Community Relations program		0.25	0.25
Economic Development program	0.05	0.22	0.27
Environmental program		0.04	0.04
Foreshore program			
Governance and Civic program		0.02	0.02
Internal Corporate Services program	3.29	0.31	3.60
Land Use Planning program		0.82	0.82
Library program	0.64	0.03	0.67
Open Space, Sport & Recreation program	2.53	0.11	2.64
Organisational Development program		0.13	0.13
Paths and Cycleways program	1.67		1.67
Property Portfolio program	2.07		2.07

**ITEM 13 (continued)**

<b>Program</b>	<b>Capital Projects \$M</b>	<b>Non- Capital Projects \$M</b>	<b>TOTAL \$M</b>
Regulatory program	0.37	0.26	0.63
Risk Management program		0.08	0.08
Roads program	4.34		4.34
Strategic City program			
Traffic & Transport program	0.57	0.28	0.85
Waste and Recycling program	0.62	0.15	0.78
<b>Total</b>	<b>20.95</b>	<b>3.34</b>	<b>24.28</b>

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 \$1.3 billion. 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 \$18.91 million, 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 Capital Works Program of \$20.95 million for 2012/2013 provides for approximately \$11.79 million of renewal of existing assets next year.

This represents a shortfall of \$7.91 million next year. Council's Long Term Financial Strategy recommends Council spend \$18 - \$20 million per year on asset renewal of its existing infrastructure assets, based on asset management principles. This level of capital expenditure includes the use of \$11.02 million from Reserves on hand for 2012/2013.

It should be noted that Council's Operating Result Before Capital (including depreciation) is projected to be a loss of \$8.75 million, which represents the level of additional funding that is required for annual infrastructure 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.

**ITEM 13 (continued)**

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 planned to be undertaken during 2012/2013.

**Critical Dates**

Council publicly exhibited the Draft Four Year Delivery Plan and Draft One Year Operational Plan on 16 May 2012 for a period of 34 days, closing on 18 June 2012, to allow the public to make submissions on any aspect of the Draft Plans.

Council is required to consider all public submissions received during the public exhibition period, when considering this matter at its meeting on Tuesday, 26 June 2012, prior to formally adopting the Four Year Delivery Plan 2012-2016 including One Year Operational Plan 2012/2013.

**Consultation**

Internal Council business units consulted included:

- Executive Team
- Corporate Strategy Unit
- Finance Unit
- All Council Service Units
- Staff Champions

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 Draft Community Strategic Plan to consider Projects that would meet the goals and strategies within the Community Strategic Plan.

External public consultation on both Draft Plans included:

- Public exhibition of Draft Four Year Delivery Plan 2012-2016 including One Year Operational Plan 2012/2013 between 16 May 2012 and 18 June 2012.



**ITEM 13 (continued)**

- Information package on Council's website, Civic Centre and all Libraries
- Presentations extending an invitation to provide feedback on both Draft Plans were made to:
  - State and Federal Government Members of Parliament
  - State Government agencies
  - Macquarie Park Forum
  - Ryde Business Forum, all Chambers of Commerce
  - EDAC Committee Economic Development Advisory Committee
  - Macquarie University
  - TAFE
  - Local Service Providers (All Rotary organisations)
- Advice to all Advisory Committee members, Chambers of Commerce/Progress Associations providing links to Council's website

**Operational Plan Budget / Linkages**

The Draft Four Year Delivery Plan 2012-2016 including One Year Operational Plan 2012/2013 detail the key projects, initiatives and actions that Council proposes to be undertaken over the next year. It provides the strategic direction for Council and details the key initiatives, deliverables and performance measures for 2012/2013 in addition to formally allocating resources through the Budget.

**Financial Implications**

The Draft Four Year Delivery Plan 2012-2016 including One Year Operational Plan 2012/2013 maintains the City of Ryde's sound financial position whilst delivering a significant Capital Works Program of \$20.95 million and projects a Working Capital balance of \$2.39 million, as at 30 June 2013.

Council is continuing to address the condition of the City's infrastructure and in particular the renewal of existing infrastructure. Council's proposed 4 year capital works program of \$79.55 million provides approximately \$44.73 million for renewal of existing assets which equates to \$11.13 million per year.

However, based on asset management principles, Council should spend \$18 - \$20 million per year on asset renewal. On Council's projected level of expenditure, City of Ryde's infrastructure will continue to decline and increase expenditure will be required in future years in maintaining Council's infrastructure at a satisfactory condition.

**ITEM 13 (continued)****Other Options**

Council has the discretion to accept or reject the proposed amendments to the Draft Plans and to accept or reject any of the public submissions. Due to the tight nature of the budget, should Council decide to reject or accept additional expenditure or income, an alternative source of those funds would need to be found.

**Conclusion**

The Draft Four Year Delivery Plan 2012-2016 including One Year Operational Plan 2012/2013 has been developed by Council with five Councillor Workshops being held with staff since September 2011.

The Draft Four Year Delivery Plan 2012-2016 including One Year Operational Plan 2012/2013 maintains Council's sound financial position whilst delivering a significant Capital Works Program of \$20.95 million, with a Projected Working Capital as at 30 June 2013 of \$2.39 million.

The Draft Four Year Delivery Plan 2012-2016 including One Year Operational Plan 2012/2013 provides the strategic direction for Council and details the key projects, deliverables and performance measures that Council proposes will be undertaken over the next four years.

**ITEM 13 (continued)**

**ATTACHMENT 1**

Page 1 of 1

**E-mail Message**

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**From:** [TrimAdmin@ryde.nsw.gov.au](mailto:TrimAdmin@ryde.nsw.gov.au) [SMTP:TrimAdmin@ryde.nsw.gov.au]  
**To:** [City of Ryde \[EX:/O=COREX/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=B10238AD-EA5F1DA7-CA256F68-7740E2\]](mailto:City of Ryde [EX:/O=COREX/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=B10238AD-EA5F1DA7-CA256F68-7740E2])  
**Cc:**  
**Sent:** 14/6/2012 at 9:52 PM  
**Received:** 14/6/2012 at 9:52 PM  
**Subject:** Form data received

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Dearr ,

Form data has been submitted for form Draft Four Year Delivery Plan

Field Label Field Data

Name: Jasmina Moltter

Address: 43 Edmondson Street Nth Ryde

Contact: 0411 405 884

Comments: The community including myself is agains high rise and high and medium desity developments. North Ryde shopping centre needs to be saved from greedy developers who are door knocking around the area pushing people to sign in support of their development. Some less educated people coud sign up by mistake!

Submit: Submit

Form data can be accessed from the WCM admin site

This is an automated message; please do not reply to this email.

file://C:\Documents and Settings\JohnT\Local Settings\Temporary Internet Files\OLK... 19/06/2012

ITEM 13 (continued)

ATTACHMENT 2

City of Ryde - Fees and Charges		Proposed Draft Scheduled Fees 2012/13							
Description	2011/2012		2012/2013		Additional Information	Fee Category	GST Included		
	Fee	Non CoR/ Commercial	Calculated Cost	Fee				Non CoR/ Commercial	% Change
<b>PUBLIC TREES</b>									
a) i) Tree Permit Applications under DCP Part 9.6 - Tree Preservation Residential dwellings (non strata)	50.00			60.00	20.0%		per tree	G	N
ii) Tree Permit Applications under DCP Part 9.6 - Tree Preservation Residential dwellings (non strata)	129.00			150.00	16.3%		2 - 3 trees	G	N
iii) Tree Permit Applications under DCP Part 9.6 - Tree Preservation Residential dwellings (non strata)				20.00			per additional tree (more than 3) per property	G	N
iii) Tree Permit Applications under DCP Part 9.6 - Tree Preservation Residential dwellings (non strata) 50% pensioner discount				10.00			per additional tree (more than 3) per property Proof of pensioner status must be provided	G	N
c) i) Tree Permit Applications under DCP Part 9.6 - Tree Preservation Commercial and other properties including strata properties.				120.00			per tree	G	N
ii) Tree Permit Applications under DCP Part 9.6 - Tree Preservation Commercial and other properties including strata properties.				300.00			2 - 3 trees	G	N
iii) Tree Permit Applications under DCP Part 9.6 - Tree Preservation Commercial and other properties including strata properties.				80.00			per additional tree (more than 3) per property	G	N
d) Tree Permit Applications under DCP Part 9.6 - Tree Preservation Residential dwellings (non-commercial) - Urgency Permit Application Request for additional inspection by Tree Management Officer				400.00			For permit determination within 3 working days, in addition to the application fee	G	N
e) Request for additional inspection by Tree Management Officer				110.00			* Subject to availability per visit	G	N
f) Arboricultural consultation fee				140.00			per hour	G	N
g) Non-refundable charges for Tree Permit Applications under DCP Part 9.6 - Tree Preservation				40.00			per application	G	N
h) Non-refundable charges for Tree Permit Applications under DCP Part 9.6 - Tree Preservation Pensioner discount				20.00			per application	G	N
i) Request for review of decision of Tree Permit Applications	50.00			60.00	20.0%			G	N

ITEM 13 (continued)

ATTACHMENT 2

City of Ryde - Fees and Charges		Proposed Draft Scheduled Fees 2012/13				Additional Information	Fee Category	GST Included
		2011/2012	2012/2013	Non CoR/ Commercial	% Change			
Description	Fee	Calculated Cost	Fee	Non CoR/ Commercial	CSO			
<b>POLLUTION REGULATION</b>								
<b>Public Safety</b>								
a) Boarding house - inspection	443.00		323.00			per inspection, where full board and lodging is provided, single accommodation	D	N
			538.00			per inspection, where full board and lodging is provided, family or shared accommodation		
			215.00			per inspection, where less than full board and lodging is provided, single accommodation		
			359.00			per inspection, where less than full board and lodging is provided, family or shared accommodation		
<b>Outdoor Dining Areas</b>								
c) Lodgement processing fee for Roads Act approval	144.00		250.00		73.6%	per application	G	Y

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**14 CARRYOVER FUNDS/PROJECTS 2011/2012 TO 2012/2013**

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**Report prepared by:** Chief Financial Officer**Report dated:** 13/06/2012**File No.:** FIM/07/6/2/2/4 - BP12/709

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**REPORT SUMMARY**

This report details the funds/projects that are recommended to Council to be carried over from the 2011/2012 budget and to carry forward the expenditure, associated income and reserve funding into the 2012/2013 financial year. The carryover funds/projects are either substantially commenced, funding/grant notification confirmed late in the financial year, delayed due to circumstances beyond Council's control or the projects will not be completed by the 30<sup>th</sup> June 2012.

Of the works sought to be carried forward \$4.78 million is from Council's General Revenue.

Council started the year with \$22.07 million in projects (\$20.01 million in capital and \$2.06 million in non-capital) and have added some \$18.69 million in projects (\$17.15 million in capital and \$1.5 million in non-capital) through the three quarterly reviews, plus carryovers from last year, which means we are on track to either deliver a total of \$29.67 million in projects (\$27.35 million in capital and \$2.32 million in non-capital) or 134% of the original amount budgeted in the delivery and operational plan.

**RECOMMENDATION:**

- (a) That Council endorse the following proposed carryovers and include them in the 2012/2013 Budget
  - a. \$0.44 million for projects previously approved by Council,
  - b. \$0.27 million for projects that will benefit from broader scope for efficiencies,
  - c. \$0.01 million for projects that have contract disputes
  - d. \$5.54 million for projects that have been delayed for reasons detailed in this report
  - e. \$1.31 million for projects that were only added to the Delivery Plan as part of the March Quarterly Review
  - f. \$1.71 million for projects that were reported in March Quarterly Review as a carryover
- (b) That the proposed transfer to reserve for the public art component of projects, included in this report totalling \$0.16 million be endorsed for transfer to a Public Art Reserve.
- (c) That the proposed transfers to and from Reserves as detailed in the report, and included as budget adjustments, totalling a net increase in Reserves of \$8.16 million be adopted.

**ITEM 14 (continued)****ATTACHMENTS**

- 1 Carryover Expenditure 2011-2012
- 2 Carryover Net Amount 2011-2012

Report Prepared and Approved By:

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

**ITEM 14 (continued)****Background carryover funds/projects**

Under Section 405 of the Local Government Act, Councils are required to adopt an Operational Plan (or Management Plan during the transitional period). Under clause 201(1)(a) of the Local Government Regulation councils are required, as part of that operational plan, to estimate its income and expenditure, for the specific financial year of the Operational Plan.

Under clause 211 of the Local Government Regulation all votes lapse at the end of the financial year, with the following exceptions:

- Works carried out or started or contracted to be carried out
- Services, goods or materials provided or contracted to be provided
- Facilities provided or started or contracted to be provided

What this means is that the budget for a specific year ends at the 30<sup>th</sup> June. Should there be projects or funding that a council has committed to in a financial year, but has not had them provided or contracted or has not finalised the expenditure by the 30<sup>th</sup> June, there is a need for Council to resolve for those funds to be spent in the next financial year, commonly called carryovers.

Those contracted, started, provided or contracted are included in this process to ensure completeness and transparency of the amounts carried from one year to the next and to facilitate a clear distinction of that expenditure.

**Report****Carryover funds/projects**

This report details the funding for projects that was approved in the 2011/2012 financial year budget and which are required to be carried forward into the 2012/2013 financial year.

A dissection of the categories of the reason for the requested carryover is shown in the table below. Approval is sought to carry forward the expenditure and associated income and reserve funding into the 2012/2013 financial year.

The total amount of works sought to be carried forward is \$11.09 million with a complete listing of all expenditure detailed in **ATTACHEMENT 1**, which are recommended to be carried forward and the detailed reason for the carryover. A dissection of the source of funding is shown below. A listing including funding sources to be carried over is detailed in **ATTACHMENT 2**.

The greater percentage of which is funded from external sources and reserves, with \$4.78 million of Council's General Revenue to be carried forward. Carryovers will be considered in this report and minor adjustments made in the June Quarterly Budget Review. It should also be noted that as part of the March Quarterly Review, all projects that had a likelihood of an amount that would need to be carried over were identified as such.



**ITEM 14 (continued)**

The categories of the reasons for seeking the carryover are detailed below.

Already approved by a Council Resolution	444
Broader Scope for Efficiencies	273
Contract Dispute	15
Delayed - Community Consultation	1,851
Delayed - Council Resolution	345
Delayed - RTA/Other Departments Approval	210
Delayed - Staff Changes	74
Delayed - Supply of Materials	2,904
Delayed - Wet Weather	160
Only added in March Quarterly Review	1,312
Reported in QBR3 as delayed/identified as Carryover	1,711
Substantially Commenced, Tendered, and/or Contracts Signed	1,638
Transfer to Reserve (Public Art)	155

It is recommended that Council endorse the expenditure, the supporting sources of funding and the transfers to/from reserves be carried over to the 2012/2013 budget.

Out of its capital works projects funds are allocated for Public Art components, and as part of these carryovers it is recommended to transfer these amounts to a specific internal reserve for Public Art and when the works are due to commence, that these be brought back from the reserve when Council considers the Public Art component.

The following are the sources of funding for the recommended carryovers.

Government Grants	845
Stormwater Management Charge	80
Macquarie Park Special Rate	327
Ryde Aquatic Leisure Centre	2,700
Asset Replacement Reserve	347
Investment Property Reserve	1,637
Sec 94 - Open Space & Recreation Facilities	176
Sec 94 - Stormwater Management	40
General Revenue	4,786
Public Arts Reserve	155

Council's Capacity to undertake works

Each year when Council considers the level of carryovers, Council's capacity to undertake the level of work in the Delivery Plan plus the carryovers is raised and questioned as to whether Council does or does not have the capacity to do the works.

**ITEM 14 (continued)**

The following table shows 2011/2012 in relation to the amount of project work (capital and non-capital) that has been budgeted and either done or anticipated to be completed.

	<b>Capital</b>	<b>Non-Capital</b>	<b>Total</b>
Original Budget	20,014	2,057	22,071
Carryover Budget	6,872	966	7,837
Quarter 1 Review	7,969	98	8,067
Quarter 2 Review	186	494	680
Quarter 3 Review	2,120	(11)	2,109
<b>Approved Budget</b>	<b>37,160</b>	<b>3,603</b>	<b>40,764</b>
<b>Carryovers sought</b>	<b>9,808</b>	<b>1,284</b>	<b>11,092</b>
Amount expected to be completed	27,353	2,319	29,672
<b>% of original budget</b>	<b>137%</b>	<b>113%</b>	<b>134%</b>

What can be seen from this is that Council is on track to deliver, taking into account carryovers, approximately 134%, in value of the original budgeted amount that was included in the 2011/2012 Operational Plan.

Council started the year with \$22.07 million in projects (\$20.01 million in capital and \$2.06 million in non-capital) and have added some \$18.69 million in projects (\$17.15 million in capital and \$1.5 million in non-capital) through the three quarterly reviews, plus carryovers from last year.

It is recommended to carryover \$11.09 million (\$9.81 million in capital and \$1.28 million in non-capital), which means we are on track to either deliver a total of \$29.67 million in projects (\$27.35 million in capital and \$2.32 million in non-capital).

**Financial Implications**

By Council resolving to carryover the funds/projects from 2011/2012 to 2012/2013 together with the supporting funding, there will be no detrimental impact on the available Working Capital, as the funds were already committed in the 2011/2012 budget and had been taken into account when calculating Council's available Working Capital.

**Other Options**

Council has the option of not adopting any or all of the proposed carryovers, unless they fall into the exceptions within clause 211 of the Local Government Regulation.

**ITEM 14 (continued)****Conclusion**

This report is produced for Council to consider the proposed carryover of funds/projects from the 2011/2012 financial year to the 2012/2013 financial year and it is recommended to carryover \$11.09 million of expenditure. This expenditure is funded in part by the use of \$4.78 million of General Revenue, together with external income sources and reserves which had been budgeted to in 2011/2012 financial year.

ITEM 14 (continued)

ATTACHMENT 1

Cost Centre	Project	Current approved budget	YTD Actuals	Amount Requested	Council Carryovers	Review
10.30084	Performance Review Process	150,000	39,325	22,000		Funding to be carried over for the post pilot - pre-implementation phase
10.30086	Council's Corporate Plan	20,000	276	17,000		Funding to be carried over for completion of the project
10.30112	Corporate Documentation of Corporate Process	50,000	8,625	40,000		Funding to be carried over for completion of the project
10.30113	Internal Communication (Intranet)	70,000	36,240	33,000		Funding to be carried over for completion of the project
10.30338	GM Perf. Management Review & Development	40,000	6,250	30,000		Funding to be carried over for completion of the project
11.30072	Building Security Arrangements	40,000	-	26,000		Funds to meet consultants cost for preparation/evaluation of tender
16.30083	Enterprise Risk Management Plan	65,000	52,369	7,000		Project delayed due to vacant position
18.11424	Country Council Partnership	20,000	-	20,000		Future activities for the partnership are to be developed with the recently appointed General Manager - Central Darling Shire
20.11431	Community Engagement Program	287,080	159,922	120,000		Delayed - Council Resolutor
20.30121	Customer Survey	70,000	-	20,000		Reported in QBR3 as delayed/identified as Carryover
22.30114	Er:Job - Online Recruitment Module	5,000	-	5,000		This is to be carried over as the system will not be implemented until 12/13 once the BVR of recruitment and selection has been completed.
24.11409	High Speed Scanner/OCR matching software	44,000	480	43,520		This project has been delayed due to selection of a suitable supplier. It will be completed in 2012/13.
24.40102	Upgrade Technology One System	80,000	58,522	20,000		This is to complete the implementation of the Debt Recovery Module
39.40005	Transport/Parking Technology	350,000	54,526	225,474		Delay in the Tender Process
41.11041	Centres Strategy	43,611	28,030	15,520		Funds will allow the completion of the planning controls for Cox's Road centre
41.11087	Eastwood Master Plan	130,000	75,820	44,180		Funds will allow the completion of the planning controls (LEP and DCP) for Eastwood
41.11284	Meadowbank Master Plan	60,000	23,065	36,935		Funds allow the completion of the traffic study for MEA which commenced in April
41.11374	Aboriginal Heritage Office Partnership	34,711	25,616	9,090		The funds are required to be carried over to match the annual funding schedule which commenced in March
41.30003	Feasibility for Macquarie Park Shopfront	97,000	-	97,000		This project is a combination of the marketing plan and shopfront project, which commenced late in April and will be completed in 2012/2013.
41.30021	Heritage Identification	46,500	23,580	22,920		Funds will allow the completion of stage 2 of the project and will allow the project to be completed. Project commenced in later April. The deliverables of this project support at 12/13 project under Local Neighbourhood Project
41.30041	Bennelong Bicentenary Exhibition	15,000	-	15,000		The funds will allow the completion of stage 1 of the project. Stage 2 preparation of the LEP and DCP is funded in 12/13.
41.30062	Macquarie Park DCP	200,000	7,693	60,000		The project for the construction of the footpath commenced in late April
41.40260	Watson Road/Byfield Road	180,000	27,000	153,000		The completion of this project is impacted by the actions of the University
42.30063	Macquarie University Development	75,000	45,488	29,557		The completion of this project is impacted by the actions of the University
46.40109	Boronia Park Centre	615,300	105,195	509,400		The funds have been carried over to allow the construction of foot path upgrade at Boronia Park at Agintourt
46.40263	Church Street	137,250	22,500	114,750		Funding to be carried over for construction cost:
46.40264	Rowe Street	137,250	22,500	114,750		Funding to be carried over for construction cost:
47.24074	Eastwood Town Centre	25,120	10,377	14,743		Project delayed due to pending court action.
47.24283	Pitwater Road (Coxs to Carramar Stage 2 and	463,206	316,024	147,000		Delay due to additional community consultation. Delay in approval from Council meeting.
47.40183	Monash Rd (Ryde Rd	184,000	43,397	90,000		Design and Wet Weather Delays. Construction to be completed after end of financial year
47.40269	Hillview Road Culvert at Eastwood Park	100,000	15,000	40,000		Project delayed due to the late COR approval
47.40274	Erping Rd SUP (Lyon Park Rd to Ped Overbr	210,000	33,751	105,000		Delays in receiving RTA funding and designs
47.40275	Marsden Road SUP (Fir Tree Ave to Cobham	124,000	18,600	105,000		This project was swapped by Byron St during the financial year (previous report to Council) with : commensurate late start on design and quotations, and the delay compounded by wet weather. Although commenced
51.40147	Bill Mitchell Park	65,000	22,507	38,000		Complicated design and construction may not take place till 12/13
51.40151	Flood & Floodplain Risk Management Study	140,000	-	110,000		Project planned over 3 years
51.40152	Flood & Floodplain Risk Management Study	220,000	-	110,000		Project planned over 2 years
51.40214	Champion Road, Tennyson Point	65,000	21,172	43,000		Project delayed due to the changes in scope
51.40278	Lovell St Bus Stop	118,150	38,553	79,597		Project delayed due to changes in scope

ITEM 14 (continued)

ATTACHMENT 1

Cost Centre	Project	Current approved budget	YTD Actuals	Amount Requested	Council Carryovers	Comment
54.22014	Ryde Parramatta River Walk (POT p.43/57)	1,425,482	106,136	1,319,300	Review	Delay due to additional community consultation.
54.40090	Charly Creek Cascades	450,000	304,151	105,759		Project substantially underway, delay due to report to Council
55.23004	RALC Air Handling Units (Leisure Pool)	450,000	17,028	432,972		DA for location of units has been approved, tender for Council approval in Jun
55.40113	RALC Asset Renewal	120,000	-	120,000		Delay in sourcing suitable product
55.40135	Signage Upgrade for Halls and Libraries	20,000	3,305	10,000		Project delayed due to the changes in scope
55.40281	Installation Cogeneration Plant	964,000	144,600	819,400		Project tendered in May, due for completion 2nd Quarter 2012/1
55.40533	Air Conditioning Replacement at Civic Centre	400,000	227,606	140,000		Funding to be carried over for completion of the project
55.40534	Power Generator at Civic Centre	190,000	2,160	185,000		Funding to be carried over for completion of the project
55.40735	Re-location Algyline Centre	1,355,000	211,650	1,143,350		Council resolution 10 April 2012.
55.40736	Urgent Sewer Works	150,000	-	75,000		Funding was allocated in March Quarter Review and unspent fund will be carried over to 2012/2013
56.20014	West Ryde Community Facility	997,241	553,181	300,000		Delays in fitout and leasing
56.30343	Land Register & CT System Review	100,000	6,000	94,000		Funding to be carried over for completion of the project, brought forward in this repo
65.30058	Branding & Marketing Plan City of Ryde	300,000	72,484	90,000		Stage 1 was for Development-Straiforms, further development of Smartforms
69.30031	Community Hubs Identification study	80,000	8,505	20,000		This project in underway, draft study is expected by end of June. The final payment will be made in July.
69.30045	Live Neighbourhood Project	20,000	-	10,000		The EOJ process has been finalised and a local arts organisation has been engaged to deliver an outdoor exhibition project. It is expected that the final payment of the contract will be made in August 2012.
69.30047	Ryde Youth Theatre Group	102,000	42,200	40,000		It is expected that suitable venue will be finalised by end of May. Part of funding allocated for set up may need to be carried over to the next financial year.
69.30068	Community Garden & Nursery	25,000	7,950	17,050		The project is anticipated to be finalised next financial year
71.40009	Wifi for Libraries	25,000	3,750	18,300		Delay with installation of Wifi at Top Ryde Library due to uncertainty over the cost and provision of the data line.
75.30035	Urban & Street Tree Master Plan	65,000	-	65,000		Consultant engaged and project commenced but project may not be completed by Jun
75.40027	Park & Open Space Tree Planting Program	25,000	3,750	21,250		Funds to be used for tree planting in Yamba Reserve, resolved by Council on 22 May 2011
75.40262	Tree Planting in Macquarie Park	20,000	3,000	17,000		Delays have occurred due ensuring project is undertaken within the budget.
76.11020	Brush Farm Park	89,232	16,633	72,599		Brush Farm Park Masterplan project commenced and the project is anticipated to be completed in 2012/2013.
76.11107	Field of Mars Initiation of Action Plan	80,792	56,626	22,944		The project is anticipated to be completed in 2012/2013
76.30030	Access Audit	43,000	-	18,000		Project delayed due to staff change.
76.30049	Brush Farm Park Archaeological Plan	50,000	-	25,000		Consultant engaged and project commenced and project will be completed in 2012/2011
76.40088	Aboriginal Heritage	100,000	15,000	85,000		Delay due to consultation with Aboriginal community
77.40141	Yamba Reserve	350,000	62,698	286,332		Project delayed due to procurement issues, resolved by Council on 22 May 2011
77.40142	Blenheim Park	125,000	36,453	88,467		Project commenced but funds may not be expended by Jun
77.40157	Pidding Park	120,000	30,445	29,555		Funding to be carried over to complete the project
77.40158	Magdala Park	152,000	32,471	119,523		Project delayed due to revised quotation.
77.40230	Magdala Park	250,000	125,728	124,270		Works substantially completed, awaiting delivery of stainless steel benches to complete the project
77.40231	Brush Farm Amenities Upgrade	150,000	22,500	127,500		Approved by a Council Resolution, resolved by Council on 22 May 2011
77.40232	Condition Assessment	10,000	1,500	8,500		Subject to development of Asset Management Plan
77.40235	Sportfield Renewal & Upgrade	228,500	158,931	69,569		Project substantially completed, delayed due to wet weather
77.50015	Sportground Amenities Upgrades Renewal	40,000	-	40,000		Project delayed due to staff change.
84.11038	Surf Attraction Equipment	3,500,000	364,488	1,946,608		Project Architect appointed and attraction selected - detailed designed to follow
84.11358	Business Audit Program	92,422	51,042	38,000		Grant funded project extending into 2012/1.
84.11358	River to River Corridors Project	103,990	32,269	59,210		Grant project extending into 2012/1.
87.40109	Boronia Park Centre	129,710	-	129,710		Funding to be transferred to Public Art Reserve
87.40263	Church Street	12,750	-	12,750		Funding to be transferred to Public Art Reserve
87.40264	Flowe Street	12,750	-	12,750		Funding to be transferred to Public Art Reserve

ITEM 14 (continued)

ATTACHMENT 1

Cost Centre	Project	Current approved budget	YTD Actuals	Amount Requested	Council Comment Carryovers Review
	Already approved by a Council Resolution			444	
	Broader Scope for Efficiencies			273	
	Contract Dispute			15	
	Delayed - Community Consultation			1,851	
	Delayed - Council Resolution			345	
	Delayed - RTA/Other Departments Approval			210	
	Delayed - Staff Changes			74	
	Delayed - Supply of Materials			2,904	
	Delayed - Wet Weather			160	
	Only added in March Quarterly Review			1,312	
	Reported in QBR3 as delayed/identified as Carryover			1,711	
	Substantially Commenced, Tended, and/or Contracts Signed			1,638	
	Transfer to Reserve			155	
	Carryover Government Grants			845	
	Carryover Stormwater Management			80	
	Carryover Macquarie Park Special Rate			327	
	Carryover Ryde Aquatic Leisure Centre			2,700	
	Carryover Asset Replacement Reserve			347	
	Carryover Investment Property Reserve			1,637	
	Carryover Sec 94 - Open Space & Recreation Facilities			176	
	Carryover Sec 94 - Stormwater Management			40	
	Carryover Works Reserve - General Revenue			4,786	
	Transfer to Public Arts			155	

ITEM 14 (continued)

ATTACHMENT 2

Cost Centre	Project	Current approved budget	YTD Actuals	YTD Amount Requested	Council Comment Carryovers Review
10.30084	Performance Review Process	150,000	39,325	22,000	Funding to be carried over for the post pilot - pre-implementation phase
10.30086	Council's Corporate Plan Processes	20,000	276	17,000	Funding to be carried over for completion the project
10.30112	Corporate Documentation of Corporate Processes	50,000	8,625	40,000	Funding to be carried over for completion the project
10.30113	Internal Communication (Incl Intranet) Development	70,000	36,240	33,000	Funding to be carried over for completion the project
10.30338	GM Perf. Management Review & Development	40,000	6,250	30,000	Funding to be carried over for completion the project
11.30072	Building Security Arrangements	40,000	-	26,000	Funds to meet consultants costs in preparation/evaluation of tenders.
16.30083	Enterprise Risk Management Plan	65,000	52,369	7,000	Project delayed due to vacant position
18.11424	Country Council Partnership	20,000	-	20,000	Future activities for the partnership are to be developed with the recently appointed General Manager - Central Darling Shire
20.11481	Community Engagement Program	287,080	159,922	120,000	Reported in OBR13 as delayed. Identified as Carryover
20.30121	Customer Survey	70,000	-	20,000	Recruitment and selection has been completed.
22.30114	EzJob - Online Recruitment Module	5,000	-	5,000	This project has been delayed due to selection of a suitable supplier. It will be completed in 2012/13.
24.11409	High Speed Scanner/OCR matching software	44,000	480	43,500	This is to be carried over as the system will not be implemented until 12/13 once the BVR of recruitment and selection has been completed.
24.40102	Upgrade Technology One System	80,000	88,522	20,000	This is to complete the implementation of the Debt Recovery Module
39.40005	Transport/Parking Technology	350,000	54,526	225,474	Delay in the Tender Process
41.11041	Centres Strategy	43,611	28,090	15,520	Funds will allow the completors of the planning controls for Cows Road centre
41.11087	Eastwood Master Plan	130,000	25,820	44,180	Funds will allow the completor of the planning controls (LEP and DCP) for Eastwood
41.11284	Meadowbank Master Plan	60,000	23,085	36,935	Funds allow the completion of the traffic study for MEA which commenced in April
41.11374	Aboriginal Heritage Office Partnership	34,711	25,616	9,090	The funds are required to be carried over to match the annual funding schedule which commenced in March
41.30003	Feasibility for Macquarie Park Shopfront	97,000	-	97,000	This project is a combination of the marketing plan and shopfront project, which commenced late in April and will be completed in 2012/2013.
41.30021	Heritage Identification	46,500	23,580	22,920	Funds will allow the completor of stage 2 of the project and will allow the project to be completed. Project commenced in later April. The deliverables of this project support at 12/13 project under Love Neighbourhood Project
41.30041	Bennelong Bicentenary Exhibition	15,000	-	15,000	The funds will allow the completion of stage 1 of the project. Stage 2 preparation of the LEP and DCP is funded in 12/13.
41.30062	Macquarie Park DCP	200,000	7,693	60,000	The project for the constructor of the footpath commenced in late April
41.40260	Waterloo Road/Byfield Road	180,000	27,000	163,000	The completion of this project is impacted by the actions of the University.
42.30063	Macquarie University Development	75,000	45,488	29,057	The funds have been carried over to allow the construction of foot path upgrade at Boronia Park and Agincourt
46.40109	Boronia Park Centre	615,300	105,195	509,400	Funding to be carried over for construction costs
46.40263	Church Street	137,250	22,500	114,750	Funding to be carried over for construction costs
46.40264	Rowe Street	137,250	22,500	114,750	Funding to be carried over for construction costs
47.24074	Eastwood Town Centre	25,120	10,377	14,743	Project delayed due to pending court actions
47.24233	Pittwater Road (Coxs to Carramar Stage 2 and High St	463,208	316,024	147,000	Delay due to additional community consultation. Delay in approval from Council meetings.
47.24233	and High St	67,000	-	(67,000)	Delay due to additional community consultation. Delay in approval from Council meetings.
47.40183	Monash Rd (Ryde Rd	184,000	43,397	90,000	Design and Wet Weather Delays. Construction to be completed after end of financial
47.40269	Hillview Road Culvert at Eastwood Park	100,000	15,000	40,000	Project delayed due to the late COR approval
47.40274	Opening Rd SUP (Lyon Park Rd to Ped	210,000	33,751	105,000	Delays in receiving RTA funding and designs.
47.40274	Overbridge)	(105,000)	-	(105,000)	Delays in receiving RTA funding and designs.
47.40275	Marsden Road SUP (Fir Tree Ave to Cobham Lane)	124,000	18,600	105,000	This project was swapped for Byron St during the financial year (previous report to Council) with a commensurate late start on design and quotations, and the delay compounded by wet weather. Although commenced
51.40147	Bill Mitchell Park	65,000	22,507	38,000	Completed design and construction may not take place till 12/13.
51.40151	Flood & Floodplain Risk Management Study	(80,000)	-	110,000	Project planned over 3 years.
51.40151	Flood & Floodplain Risk Management Study	(80,000)	-	(80,000)	Project planned over 3 years.
51.40152	Flood & Floodplain Risk Management Study	220,000	-	110,000	Project planned over 2 years
51.40152	Flood & Floodplain Risk Management Study	(100,000)	-	(100,000)	Project planned over 2 years
51.40214	Champion Road, Tenmyson Point	65,000	21,172	43,000	Project delayed due to the changes in scope

ITEM 14 (continued)

ATTACHMENT 2

Cost Centre	Project	Current approved budget	YTD Actuals	YTD Amount Requested	Council Comment Carryovers Review
51.40278	Lovell St Bus Stop	118,150	98,553	79,957	Project delayed due to changes in scope
54.22014	Ryde Parramatta River Walk (FOT p.43/57)	1,425,482	106,136	1,319,300	Delay due to additional community consultation
54.22014		(1,249,300)	-	(49,300)	Delay due to additional community consultation
54.22014		(1,249,300)	-	(1,200,000)	Delay due to additional community consultation
54.40090	Charley Creek Cascades	450,000	304,151	105,759	Project substantially underway, delay due to report to Council
55.23004	RALC Air Handling Units (Leisure Pool)	450,000	17,028	432,972	DA for location of units has been approved, tender for Council approval in June
55.40113	RALC Asset Renewal	120,000	-	120,000	Delay in sourcing suitable product
55.40135	Signage Upgrade for Halls and Libraries	20,000	3,305	10,000	Project delayed due to the changes in scope
55.40281	Installation Cogeneration Plant	964,000	144,600	819,400	Project tendered in May, due for completion 2nd Quarter 2012/13
55.40633	Air Conditioning Replacement at Civic Centre	400,000	227,606	140,000	Funding to be carried over for completion of the project
55.40634	Power Generator at Civic Centre	190,000	2,160	185,000	Funding to be carried over for completion of the project
55.40735	Re-location Argyle Centre	1,955,000	211,650	1,143,350	Council resolution 10 April 2012.
55.40736	Urgent Sewer Works	150,000	-	75,000	Funding was allocated in March Quarter. Review and unspent fund will be carried over to 2012/2013.
56.20014	West Ryde Community Facility	997,241	553,181	300,000	Delays in fitout and leasing
56.30343	Land Register & CT System Review	0	-	94,000	Funding to be carried over for completion of the project
65.30058	Branding & Marketing Plan City of Ryde	300,000	72,464	90,000	Stage 1 was for Development Smartforms, further development of Smartforms.
69.30031	Community Hubs Identification study	80,000	8,505	20,000	This project is underway, draft study is expected by end of June. The final payment will be made in July.
69.30045	Live Neighbourhood Project	20,000	-	10,000	The EOJ process has been finalised and a local arts organisation has been engaged to deliver an outdoor exhibition project. It is expected that the final payment of the contract will be made in August 2012.
69.30047	Ryde Youth Theatre Group	102,000	42,200	40,000	It is expected that suitable venue will be finalised by end of May. Part of funding allocated for set up may need to be carried over to the next financial year.
69.30068	Community Garden & Nursery	25,000	7,950	17,050	The project is anticipated to be finalised next financial year.
71.40009	Wifi for Libraries	25,000	3,750	18,300	Delay with installation of Wifi at Top Ryde Library due to uncertainty over the cost and provision of the data line.
75.30035	Urban & Street Tree Master Plan	65,000	-	65,000	Consultant engaged and project commenced but project may not be completed by June
75.40027	Park & Open Space Tree Planting Program	25,000	3,750	21,250	Funds to be used for tree planting in Yamba Reserve, resolved by Council on 22 May 2012
75.40262	Tree Planting in Macquarie Park	20,000	3,000	17,000	Delays have occurred due ensuring project is undertaken within the budget
76.11020	Brush Farm Park	89,232	16,633	72,599	Brush Farm Park Masterplan project commenced and the project is anticipated to be completed in 2012/2013.
76.11107	Field of Mays Initiation of Actor Plan	80,792	56,626	22,344	The project is anticipated to be completed in 2012/2013.
76.30030	Access Audit	45,000	-	18,000	Project delayed due to staff changes
76.30030		(25,000)	-	(18,000)	Project delayed due to staff changes
76.30049	Brush Farm Park Archaeological Plan	50,000	-	25,000	Consultant engaged and project commenced and project will be completed in 2012/2013
76.40049		(25,000)	-	(25,000)	Consultant engaged and project commenced and project will be completed in 2012/2013
76.40088	Aboriginal Heritage	100,000	15,000	85,000	Delay due to consultation with Aboriginal community
77.40141	Yamba Reserve	350,000	62,698	286,332	Project delayed due to procurement issues, resolved by Council on 22 May 2012
77.40142	Blenheim Park	125,000	36,453	88,467	Project commenced but funds may not be expended by June
77.40157	Pidding Park	120,000	90,445	29,555	Funding to be carried over to complete the project
77.40157		(69,000)	13,616	(29,555)	Funding to be carried over to complete the project
77.40158	Magdala Park	152,000	32,471	119,529	Project delayed due to revised quotation
77.40158		(60,000)	-	(60,000)	Project delayed due to revised quotation
77.40230	Magdala Park	250,000	125,728	124,270	Works substantially completed awaiting delivery of stainless steel benches to complete the project
77.40231	Brush Farm Amenities Upgrade	150,000	22,500	127,500	Approved by a Council Resolution, resolved by Council on 22 May 2012
77.40232	Condition Assessment	10,000	1,500	8,500	Subject to development of Asset Management Plan
77.40256	Sportsfield Renewal & Upgrade	228,500	158,931	69,569	Project substantially complete, delayed due to wet weather
77.50015	Sportsground Amenities Upgrades Renewal	40,000	-	40,000	Project delayed due to staff changes
78.40282	Surf Attraction Equipment	3,500,000	364,498	1,946,608	Project Architect appointed and attraction selected - detailed designed to follow
78.40282		(1,200,000)	-	(1,200,000)	Project Architect appointed and attraction selected - detailed designed to follow
84.11338	Business Audit Program	92,422	51,042	38,000	Grant funded project extending into 2012/13



ITEM 14 (continued)

ATTACHMENT 2

Cost Centre	Project	Current approved budget	YTD Actuals	YTD Amount Requested	Council Comment Carryovers Review
84.11358	River to River Corridors Project	103,390	32,269	59,210	Grant project extending into 2012/13
87.40709	Boronia Park Centre	129,710	-	129,710	Funding to be transferred to Public Art Reserve
87.40263	Church Street	12,750	-	12,750	Funding to be transferred to Public Art Reserve
87.40264	Rowe Street	12,750	-	12,750	Funding to be transferred to Public Art Reserve
<b>Total</b>		<b>13,870,843</b>	<b>4,437,473</b>	<b>8,158,155</b>	
	Already approved by a Council Resolution			444	
	Broader Scope for Efficiencies			273	
	Contract Dispute			15	
	Delayed - Community Consultation			535	
	Delayed - Council Resolution			345	
	Delayed - RTA/Other Departments Approval			105	
	Delayed - Staff Changes			56	
	Delayed - Supply of Materials			1,704	
	Delayed - Wet Weather			160	
	Only added in March Quarterly Review			1,312	
	Reported in OBR3 as delayed/identified as Carryover			1,441	
	Substantially Commenced, Tendered, and/or Contracts Signed			1,613	
	Transfer to Reserve			155	
	<b>Total</b>			<b>8,158</b>	
	Carryover Government Grants			845	
	Carryover Stormwater Management			80	
	Carryover Macquarie Park Special Rate			327	
	Carryover Ryde Aquatic Leisure Centre			1,500	
	Carryover Asset Replacement Reserve			347	
	Carryover Investment Property Reserve			1,637	
	Carryover Sec 94 - Open Space & Recreation Facilities			176	
	Carryover Sec 94 - Stormwater Management			40	
	Carryover Works Reserve - General Revenue			3,052	
	Transfer to Public Arts			155	
	<b>Total</b>			<b>8,158</b>	

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**15 INVESTMENT REPORT - May 2012**

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**Report prepared by:** Chief Financial Officer**Report dated:** 7/06/2012**File No.:** GRP/09/3/2/7 - BP12/695

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**REPORT SUMMARY**

This report details Council's performance of its investment portfolio for the month of May 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 5.77%, 0.98% above benchmark. Income from interest on investments and proceeds from sale of investments totals \$4.93 million, which is \$397,000 above budget projections.

**RECOMMENDATION:**

- (a) That Council endorse the report of the Chief Financial Officer dated 7 June 2012 on Investment Report – May 2012.
- (b) That Council endorse joining the legal proceedings against the Commonwealth Bank of Australia for the Synthetic Collateralised Debt Obligation as a third party as per the funding agreement provided.

**ATTACHMENTS**

There are no attachments for this report.

Report Prepared and Approved By:

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

**ITEM 15 (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:

Investment	Rating	Maturity	Face Value	Book Value
• Grange IMP - Merimbula CDO	N/R	20/06/2013	\$0.20m	\$0.00m
- Global Bank Note CDO	N/R	20/09/2014	\$0.50m	\$0.00m
• Oasis CDO *	CC	04/09/2014	\$1.00m	\$0.00m
• FOCUS Note	AA	20/12/2012	\$0.50m	\$0.50m

(\* 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.

**Investment Performance Commentary**

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

	May 2012	12 Mth	Fin YTD
<b>Council Return</b>	5.59	5.79	5.77
<b>Benchmark</b>	4.54	4.83	4.79
<b>Variance</b>	1.05	0.96	0.98

Council’s investment portfolio as at the end of May was as follows:

Cash/Term Deposits	\$56.0M
Floating Rate Notes	\$18.9M
Fixed Rate Bonds	\$2.0M
Other Financial Products	\$0.5M
<b>Total Cash Investments</b>	<b>\$77.4M</b>
Property	\$15.1M
<b>Total Investment Portfolio</b>	<b>\$92.5M</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.

**ITEM 15 (continued)**

This guarantee is in a transitory period, where term deposits made before 10 September 2011 continue to be covered at the current \$1 million 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 May 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**

Greek elections resulted in a deadlock, with none of the parties able to form a government. With a new vote in June, and opinion polls showing that this could be won by opponents of the bailout program, the future for Greece's continued presence in the European Monetary Union would appear cloudy. Greece exiting the Eurozone and the subsequent hard, default would probably leave the European Central Bank in need of capitalising by the remaining member nations.

In Spain, the Spanish government took control of Bankia, the nations 4<sup>th</sup> largest bank, after rising bad loans threatened its solvency, and Bankia's board later advised the Spanish government they would need another €19B to remain solvent. In Italy, Moodys slashed the credit ratings of 26 Italian banks by up to 4 notches, citing their vulnerability to more trouble in the Eurozone. Banks have been told they need to raise another \$40B to provision against bad property loans.

Data out of China showed the economy continued to weaken, posting its slowest quarter of growth in 3 years, with fixed asset investment hitting its lowest point in almost a decade. Bloomberg reported that "China's biggest banks may fall short of loan targets for the first time in at least seven years as an economic slowdown crimps demand for credit."

The RBA reduced the official cash rate to 3.50% in its June meeting, with the board citing continuing adverse sentiment and continuing problems in Europe as a potential source of shocks, and noted the risk of slower Chinese growth.

## **ITEM 15 (continued)**

### **Legal Issues**

As previously reported to Council, the LGFS Rembrandt CDO Investment and the Grange (Lehman Brothers) IMP Investment are currently before the Courts. Council has been approached to be a third party to an action against the CBA for the Oasis CDO investment. 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. No further information has been received on this matter since last reported to Council.

#### LGFS – Rembrandt

Preparation of final submissions continued, with the hearing commencing in late March in the Federal Court. No further update has been received on this matter and when advised it will be reported to Council.

#### CBA – Oasis

Council has been approached by Piper Alderman, Council's solicitors in the other matters, with an offer of funding for Council to become a third party to an action against CBA in relation to the Oasis CDO investment for \$1.0 million that Council has written down to zero.

It is recommended that we join in this action for the following reasons:

- Council is a group member
- Council will not be required to give evidence
- Council will not incur any legal costs. Under the funding agreement we will not even if the case is lost, based on advice from our Legal Counsel.
- It provides an opportunity to gain a return if the case proves successful due to other factors.

### **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.

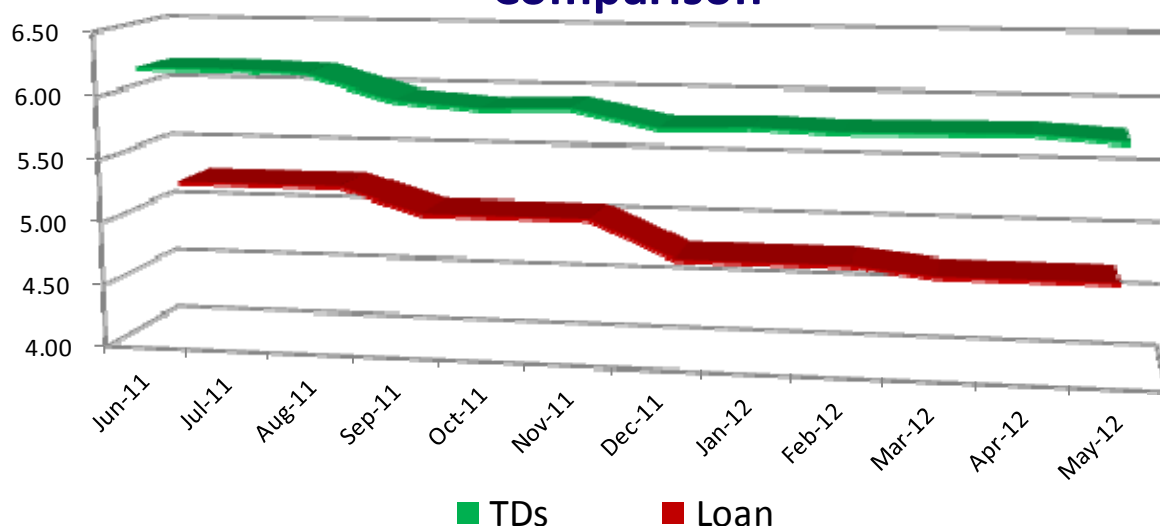
**ITEM 15 (continued)**

**Loan Liability**

Council’s loan liability as at 31 May 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 gap between the average interest rate earned on Council’s term deposits (top line) compared to the interest rate applying to this loan (bottom line).

**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 15 (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 15 (continued)**
**INVESTMENT SUMMARY AS AT 31 MAY 2012**

Issuer	Investment Name	Investment Rating	Invested at 31-May-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	6.38	6.70	6.67	0.00	0	0.00%
Westpac	2. Focus	AA-	500	0.00	0.00	0.00	0.65	495	99.06%
Grange	3. Grange IMP	Unrated	0	0.00	10.05	10.00	0.00	0	100.00%
Westpac	4. Westpac At Call	AA-	5,443	3.77	4.54	4.51	7.04	5,443	100.00%
CBA	5. CBA TCD 5 Yr (Floating)	AAA	1,000	5.75	5.99	5.97	1.29	1,016	101.62%
Bank of Queensland	6. Bank of Queensland TD	BBB	750	6.00	6.34	6.32	0.97	750	100.00%
Bankwest	7. Bankwest Term Deposit	AA-	1,000	5.62	6.10	6.10	1.29	1,000	100.00%
St George	8. St George Term Deposit	AA-	1,000	5.63	5.63	5.63	1.29	1,000	100.00%
NAB	9. NAB Term Deposit	AA-	1,000	5.49	6.01	5.97	1.29	1,000	100.00%
Westpac	10. Westpac Term Deposit	AA-	1,000	5.15	5.15	5.15	1.29	1,000	100.00%
NAB	11. NAB Term Deposit	AA-	1,000	6.60	6.60	6.60	1.29	1,000	100.00%
AMP	12. AMP TD	A	1,000	6.08	6.08	6.08	1.29	1,000	100.00%
MyState CU	13. MyState CU TD	BBB	500	5.76	6.03	6.00	0.65	500	100.00%
NAB	14. NAB Term Deposit	AA-	1,000	5.32	5.91	5.84	1.29	1,000	100.00%
Police & Nurses Credit Union	15. Police & Nurses Credit Union	Unrated	500	5.67	5.89	5.85	0.65	500	100.00%
Bankwest	16. Bankwest Term Deposit	AA-	1,000	5.63	5.99	5.96	1.29	1,000	100.00%
Bankwest	17. Bankwest TD	AA-	1,000	5.24	6.02	6.01	1.29	1,000	100.00%
Bankwest	18. Bankwest TD	AA-	1,000	5.93	6.05	6.05	1.29	1,000	100.00%
Bankwest	19. Bankwest Term Deposit	AA-	1,000	5.67	6.04	6.03	1.29	1,000	100.00%
NAB	20. NAB Term Deposit	AA-	1,000	5.73	5.86	5.84	1.29	1,000	100.00%
Defence Bank	21. Defence Bank TD	Unrated	500	5.89	6.15	6.14	0.65	500	100.00%
Railways CU	22. Railways CU	Unrated	500	5.94	6.09	6.07	0.65	500	100.00%
Qld Police CU	23. Qld Police CU TD	Unrated	500	5.72	6.01	5.94	0.65	500	100.00%
Qld Country CU	24. Qld Country Credit Union	Unrated	500	5.42	6.09	6.01	0.65	500	100.00%
Community CPS	25. Community CPS TD	Unrated	500	5.82	5.79	5.79	0.65	500	100.00%
Bendigo and Adelaide Bank	26. Bendigo Bank TD	A-	1,000	5.78	5.86	5.84	1.29	1,000	100.00%
Hunter United Credit Union	27. Hunter United Credit Union TD	Unrated	500	5.51	5.51	5.51	0.65	500	100.00%
CUA	28. Credit Union Australia TD	BBB+	1,000	5.82	6.08	6.06	1.29	1,000	100.00%
Coastline CU	29. Coastline Credit Union TD	Unrated	500	5.72	5.93	5.72	0.65	500	100.00%
Peoples Choice CU	30. Peoples Choice CU	Unrated	500	5.65	6.02	5.99	0.65	500	100.00%
Bank of Cyprus (Aust)	31. Bank of Cyprus (Aust) TD	Unrated	250	5.97	6.52	6.43	0.32	250	100.00%
Australian Defence Credit Union	32. Australian Defence CU TD	Unrated	500	5.68	6.09	6.06	0.65	500	100.00%
Rural Bank	33. Rural Bank	A-	1,000	6.48	6.48	6.48	1.29	1,000	100.00%
Banana Coast CU	34. Banana Coast CU TD	Unrated	500	5.85	6.07	6.02	0.65	500	100.00%
Southern Cross CU	35. Southern Cross CU TD	Unrated	500	6.04	6.18	6.17	0.65	500	100.00%
B&E Ltd	36. B & E Building Soc TD	Unrated	500	5.56	5.88	5.84	0.65	500	100.00%
Victoria Teachers CU	37. Victoria Teachers CU	Unrated	500	5.91	6.14	6.13	0.65	500	100.00%
CBA	38. CBA TD	AA-	2,000	5.76	5.76	5.76	2.59	2,000	100.00%
Me Bank	39. ME Bank TD	BBB	1,000	5.60	6.03	6.01	1.29	1,000	100.00%
Macquarie Bank	40. Macquarie Bank Term Deposit	A	500	5.73	5.73	5.73	0.65	500	100.00%
Bankwest	41. Bankwest Term Deposit	AA-	1,000	7.00	7.00	7.00	1.29	1,000	100.00%
IMB	42. IMB TD	BBB	1,000	4.90	6.08	6.08	1.29	1,000	100.00%
Summerland CU	43. Summerland CU TD	Unrated	500	5.68	5.91	5.89	0.65	500	100.00%
Wide Bay CU	44. Wide Bay CU TD	BBB	500	5.83	6.04	6.01	0.65	500	100.00%
Queenslanders CU	45. Queenslanders CU TD	Unrated	500	5.58	5.93	5.90	0.65	500	100.00%
Warwick CU	46. Warwick CU TD	Unrated	500	5.88	5.93	5.93	0.65	500	100.00%
Maitland Mutual	47. Maitland Mutual Bldg Soc TD	Unrated	500	5.63	5.86	5.86	0.65	500	100.00%
AMP	48. AMP eASYSaver	A	922	5.01	5.49	5.45	1.19	922	100.00%
CBA	49. CBA Term Deposit	AA-	1,000	5.58	5.49	5.49	1.29	1,000	100.00%
Gateway CU	50. Gateway CU TD	Unrated	500	5.83	6.17	6.15	0.65	500	100.00%



**ITEM 15 (continued)**
**INVESTMENT SUMMARY AS AT 31 MAY 2012**

Issuer	Investment Name	Investment Rating	Invested at 31-May-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
Rabobank	51. Rabobank TD	AA	500	6.04	6.05	6.04	0.65	500	100.00%
QT Mutual Bank	52. QT Mutual Bank	Unrated	500	5.83	5.86	5.86	0.65	500	100.00%
ING	53. ING TD	A	1,000	6.62	6.62	6.62	1.29	1,000	100.00%
Greater Bldg Soc	54. Greater Bldg Soc TD	BBB	1,000	5.63	5.94	5.91	1.29	1,000	100.00%
Holidaycoast CU	55. Holidaycoast CU TD	Unrated	500	5.32	6.01	5.94	0.65	500	100.00%
The Rock Bldg Soc	56. The Rock Bldg Soc TD	BBB-	500	4.96	5.86	5.84	0.65	500	100.00%
Police CU (SA)	57. Police CU - SA	Unrated	500	5.45	5.96	5.91	0.65	500	100.00%
Bank of Queensland	58. BoQ TCD	BBB+	2,000	5.51	6.20	6.17	2.59	2,003	100.14%
Suncorp-Metway	59. Suncorp Metway FRN	A+	1,000	5.60	5.85	5.83	1.29	1,001	100.14%
Intech CU	60. Intech CU TD	Unrated	500	5.82	5.83	5.81	0.65	500	100.00%
Beirut Hellenic Bank (Aust)	61. Beirut Hellenic Bank TD	Unrated	250	5.90	6.13	6.11	0.32	250	100.00%
AMP	62. AMP TD	A	1,000	7.14	7.14	7.14	1.29	1,000	100.00%
Rabobank	63. Rabobank TD	AA	500	5.88	6.12	6.08	0.65	500	100.00%
Bendigo and Adelaide Bank	64. Bendigo and Adelaide Bank FRN	A-	1,000	5.99	6.28	6.26	1.29	1,000	100.00%
Community First CU	65. Community First CU TD	Unrated	500	5.80	5.95	5.91	0.65	500	100.00%
Heritage Bank	66. Heritage Bank	BBB-	1,000	5.56	5.94	5.90	1.29	1,000	100.00%
Rabobank	67. Rabodirect At-call	AA	597	4.75	5.24	5.19	0.77	597	100.00%
Me Bank	68. ME Bank At Call Account	BBB	1,002	4.73	5.38	5.35	1.30	1,002	100.00%
NAB	69. NAB FRN	AA-	1,001	5.69	5.94	5.93	1.29	991	99.03%
NAB	70. NAB FRN	AA-	997	5.81	5.99	5.99	1.29	987	99.03%
CBA	71. CBA FRN	AA-	999	5.18	5.88	5.88	1.29	991	99.21%
Westpac	72. Westpac FRN	AA-	996	5.22	5.91	5.91	1.29	985	98.86%
CBA	73. CBA FRN	AA-	997	5.25	5.93	5.93	1.29	989	99.21%
CBA	74. CBA FRN	AA-	999	5.37	5.78	5.78	1.29	996	99.74%
NAB	75. NAB FRN	AA-	991	6.01	6.17	6.17	1.28	981	99.03%
Westpac	76. Westpac FRN	AA-	998	5.15	5.82	5.82	1.29	995	99.68%
NAB	77. NAB FRN	AA-	992	5.98	6.10	6.10	1.28	982	99.03%
CBA	78. CBA FRN	AA-	992	5.42	6.02	6.02	1.28	984	99.23%
NAB	79. NAB Flexi Deposit	AA-	1,000	5.72	5.92	5.92	1.29	1,000	100.00%
ANZ	80. ANZ FRN	AA-	990	5.43	6.06	6.06	1.28	984	99.36%
Northern Beaches CU	81. Northern Beaches CU TD	Unrated	500	5.93	6.20	6.20	0.65	500	100.00%
Rabobank	82. Rabobank FRN	AA	987	5.71	6.12	6.12	1.28	969	98.16%
Police CU (SA)	83. Police CU - SA	Unrated	500	5.70	5.64	5.64	0.65	500	100.00%
NAB	84. NAB FRN	AA-	1,001	5.82	5.82	5.82	1.29	1,008	100.71%
Investec	85. Investec TD	BBB-	250	6.17	6.17	6.17	0.32	250	100.00%
Territory Insurance Office	86. TIO Term Deposit	AA+	1,000	5.73	5.73	5.73	1.29	1,000	100.00%
NAB	87. NAB Fixed MTN	AA-	993	6.30	6.30	6.30	1.28	1,045	105.25%
Suncorp-Metway	88. Suncorp - Metway TD	A+	1,000	6.04	6.04	6.04	1.29	1,000	100.00%
Bankstown City CU	89. Bankstown City CU TD	Unrated	250	5.83	5.83	5.83	0.32	250	100.00%
Westpac	90. Westpac Fixed MTN	AA-	996	6.20	6.20	6.20	1.29	1,038	104.23%
ING	91. ING Direct	A	1,000	6.22	6.22	6.22	1.29	1,000	100.00%
Macquarie Bank	92. Macquarie Bank TD	A	500	6.50	6.50	6.50	0.65	500	100.00%
CBA	93. CBA Retail Bond	AA-	952	6.02	5.55	5.55	1.23	933	98.00%
B&E Ltd	94. B & E Building Society TD	Unrated	500	5.88	5.88	5.88	0.65	500	100.00%
Bank of Cyprus (Aust)	95. Bank of Cyprus TD	Unrated	250	6.05	6.05	6.05	0.32	250	100.00%
			<b>77,345</b>	<b>5.59</b>	<b>5.92</b>	<b>5.90</b>	<b>100</b>	<b>77,339</b>	

\*Monthly returns when annualised can appear to exaggerate performance

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

**Return including Matured/Traded Investments**
**Weighted Average Return**

**5.59      5.79      5.77**

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

**4.54      4.83      4.79**

**Variance From Benchmark (%)**

**1.05      0.96      0.98**

**Investment Income**

**\$000's**

This Period

**345**

Financial Year To Date

**4,939**

Budget Profile

**4,542**

Variance from Budget - \$

**397**

**ITEM 15 (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: 07/06/2012

**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 Council on this investment. Council impaired this investment to a nominal value

**ITEM 15 (continued)**

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 2 August 2012.
- 7. Bankwest Term Deposit (AA-):** This investment is a 105 day term deposit, paying 5.51% (5.62% annualised), and matures on 29 August 2012.
- 8. St George Term Deposit (AA-):** This investment is a 181 day term deposit, paying 5.55% p.a. (5.63% annualised), and matures 5 November 2012.
- 9. NAB Term Deposit (AA-):** This investment is a 180 day term deposit, paying 5.42% p.a. (5.49% annualised), and matures 7 November 2012.

**ITEM 15 (continued)**

- 10. Westpac Term Deposit (AA-):** This investment is a one year term deposit, paying 5.15% % (5.15% annualised, and matures 30 May 2013.
- 11. NAB Term Deposit (AA-):** This investment is a three year term deposit, paying 6.60% p.a., and matures 4 April 2014.
- 12. AMP TD (A):** This investment is a 209 day term deposit, paying 6.00% (6.08% annualised, and matures 6 September 2012.
- 13. MyState CU (BBB):** This investment is a 182 day term deposit paying 5.68% (5.76% annualised) and matures 20 August 2012.
- 14. NAB Term Deposit (AA-):** This investment is a 179 day term deposit, paying 5.25% p.a. (5.32% annualised), and matures 16 November 2012.
- 15. 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.
- 16. Bankwest Term Deposit (AA-):** This investment is a 105 day term deposit paying 5.52% (5.63% annualised) and matures on 28 August 2012.
- 17. Bankwest Term Deposit (AA-):** This investment is a 120 day term deposit, paying 5.15% p.a. (5.24% annualised), and matures 27 September 2012.
- 18. Bankwest Term Deposit (AA-):** This investment is a 91 day term deposit, paying 5.80% p.a. (5.93% annualised), and matures 14 June 2012.
- 19. Bankwest Term Deposit (AA-):** This investment is a 90 day term deposit, paying 5.55% p.a. (5.67% annualised), and matures 9 August 2012.
- 20. NAB Term Deposit (AA-):** This investment is a 180 day term deposit, paying 5.65% p.a. (5.73% annualised), and matures 26 November 2012.
- 21. Defence Bank Term Deposit (Unrated):** This investment is a 180 day term deposit paying 5.80% (5.89% annualised) and matures on 8 October 2012.
- 22. 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.
- 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.
- 24. Queensland Country Credit Union Term Deposit (Unrated):** This investment is a 182 day term deposit, paying 5.35% (5.42% annualised), and matures 19 November 2012.
- 25. Community CPS Term Deposit (Unrated):** This investment is a 90 day term deposit paying 5.70% (5.82% annualised) and matures on 2 July 2012.

**ITEM 15 (continued)**

- 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. Hunter United Credit Union (Unrated):** This investment is a 90 day term deposit paying 5.40% (5.51% annualised) and matures on 15 August 2012.
- 28. 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.
- 29. 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.
- 30. Peoples Choice Credit Union Term Deposit (Unrated):** This investment is a 62 day term deposit paying 5.52% (5.65% annualised) and matures on 25 June 2012.
- 31. 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.
- 32. 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 June 2012.
- 33. Rural Bank Term Deposit (A-):** This investment is a five year term deposit, paying 6.48% p.a., and matures on 21 March 2017.
- 34. 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.
- 35. 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.
- 36. B & E Ltd Building Society Term Deposit (Unrated):** This investment is a 90 day term deposit paying 5.45% (5.56% annualised) and matures on 8 August 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.
- 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. ME Bank Term Deposit (BBB):** This investment is a 120 day term deposit paying 5.50% (5.60% annualised) and matures on 5 September 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.

**ITEM 15 (continued)**

- 41. Bankwest TD (AA-):** This investment is a four year term deposit paying 7.00% (7.00% annualised) and matures on 13 February 2015.
- 42. IMB Term Deposit (BBB):** This investment is a 61 day term deposit paying 4.80% (4.90% annualised) and matures on 30 July 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 90 day term deposit paying 5.75% (5.88% annualised), and matures 9 June 2012.
- 47. Maitland Mutual Building Society (Unrated):** This investment is a 180 day term deposit paying 5.55% (5.63% annualised) and matures on 30 October 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 180 day term deposit paying 5.50% (5.58% annualised) and matures on 30 October 2012.
- 50. 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.
- 51. Rabodirect Term Deposit (AA):** This investment is a 181 day term deposit, paying 5.95% (6.04% annualised), and matures on 10 September 2012.
- 52. QT Mutual Bank (Unrated):** This investment is a 181 day term deposit paying 5.75% (5.83% annualised) and matures on 15 October 2012.
- 53. ING Term Deposit (A):** This investment is a two year term deposit paying 6.84% (6.62% annualised) and matures on 18 February 2013.
- 54. Greater Building Society (Unrated):** This investment is a 182 day term deposit paying 5.55% (5.63% annualised) and matures on 10 July 2012.
- 55. Holidaycoast CU Term Deposit (Unrated):** This investment is a 183 day term deposit, paying 5.25% (5.32% annualised), and matures on 30 November 2012.
- 56. The Rock Building Society (BBB-):** This investment is a 30 day term deposit paying 4.85% (4.96% annualised) and matures on 29 June 2012.

**ITEM 15 (continued)**

- 57. 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.
- 58. 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.
- 59. 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.
- 60. Intech CU Term Deposit (Unrated):** This investment is a 90 day term deposit paying 5.70% (5.82% annualised) and matures on 9 July 2012.
- 61. 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.
- 62. AMP Term Deposit (A):** This investment is a four year term deposit paying 7.14% which matures on 16 February 2015.
- 63. Rabobank Term Deposit (AA):** This investment is a 182 day term deposit paying 5.80% (5.88% annualised) and matures on 3 September 2012.
- 64. Bendigo & 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.
- 65. Community First CU Term Deposit (Unrated):** This investment is a 90 day term deposit paying 5.68% (5.80% annualised), and matures on 9 July 2012.
- 66. Heritage Bank Term Deposit (BBB-):** This investment is a 90 day term deposit paying 5.45% (5.56% annualised), and matures on 6 August 2012.
- 67. 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.
- 68. 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.
- 69. 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.
- 70. 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.
- 71. 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.

**ITEM 15 (continued)**

- 72. 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.
- 73. 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.
- 74. 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.
- 75. 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.
- 76. 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.
- 77. 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.
- 78. 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.
- 79. 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.
- 80. 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.
- 81. Northern Beaches Credit Union Term Deposit (Unrated):** This investment is a 91 day term deposit paying 5.80% (5.93% annualised) and matures on 9 July 2012.
- 82. 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.
- 83. Police CU (SA) Term Deposit (Unrated):** This investment is a two year TD paying 5.70% (5.70% annualised) and matures 18 April 2014.
- 84. 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.

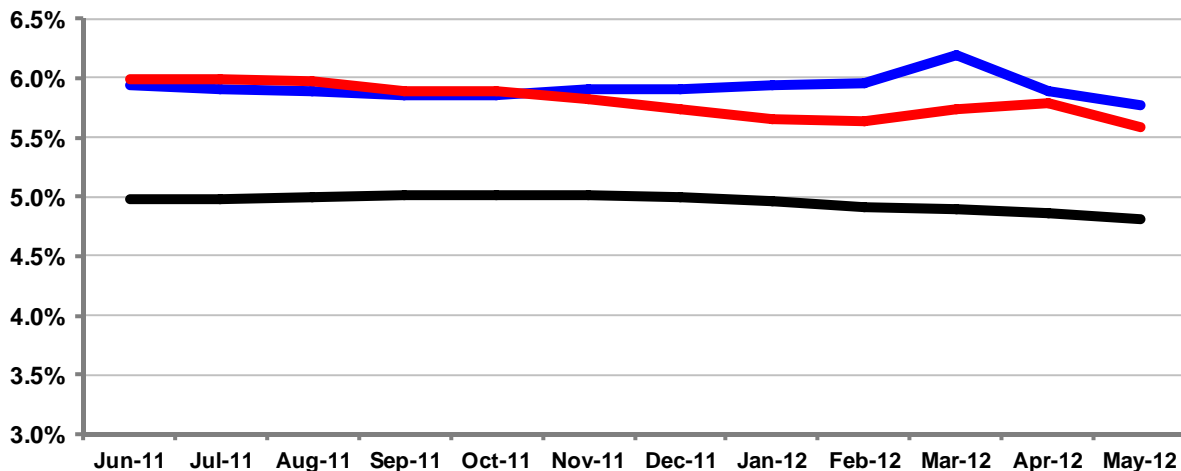


**ITEM 15 (continued)**

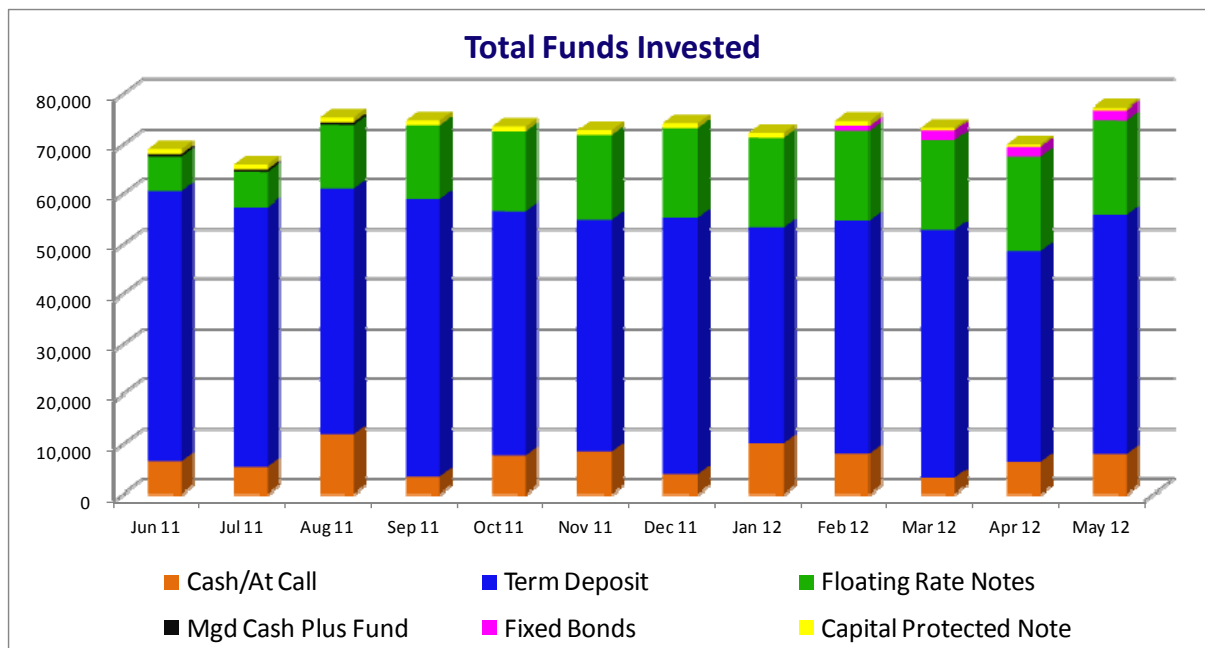
- 85. Investec Term Deposit (BBB-):** This investment is a 180 day TD paying 6.08% (6.17% annualised) and matures 10 July 2012.
- 86. TiO Term Deposit (AA+):** This investment is a 152 day TD paying 5.64% (5.73% annualised) and matures 12 June 2012. These funds are not covered by the Federal Government Guarantee, but are guaranteed by the NT State Government.
- 87. NAB Fixed MTN (AA-):** This is a fixed rate bond paying 6.18% (6.30% annualised) and matures 15 February 2017.
- 88. Suncorp Metway Term Deposit (A+):** This investment is a 180 day term deposit paying 5.95% (6.04% annualised) and matures 15 August 2012.
- 89. 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.
- 90. Westpac Fixed MTN (AA-):** This is a fixed rate bond paying 6.00% (6.14% annualised) and matures 20 February 2017.
- 91. ING Direct Term Deposit (A):** This is a 210 day term deposit paying 6.14% (6.22% annualised) and matures 22 October 2012.
- 92. Macquarie Bank Term Deposit (A):** This is a five year term deposit paying 6.50% (6.50% annualised) and matures 3 April 2017.
- 93. CBA Retail Bond (AA-):** This is a senior, unsecured floating rate note purchased at a yield of 160 above BBSW. This investment matures 24 December 2015.
- 94. B & E Ltd Building Society Term Deposit (Unrated):** This investment is a 182 day term deposit paying 5.80% (5.88% annualised) and matures on 22 October 2012.
- 95. Bank of Cyprus Term Deposit (Unrated):** This investment is a five year term deposit paying 6.05% p.a. and matures on 15 May 2017.

ITEM 15 (continued)

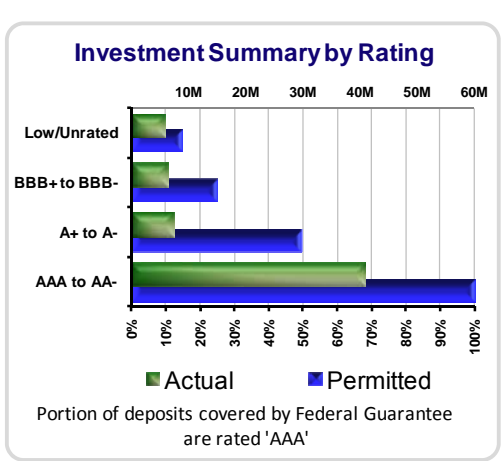
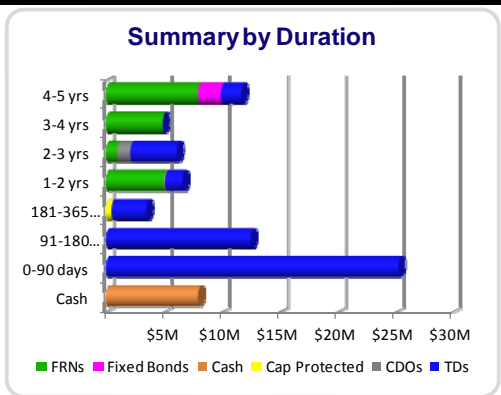
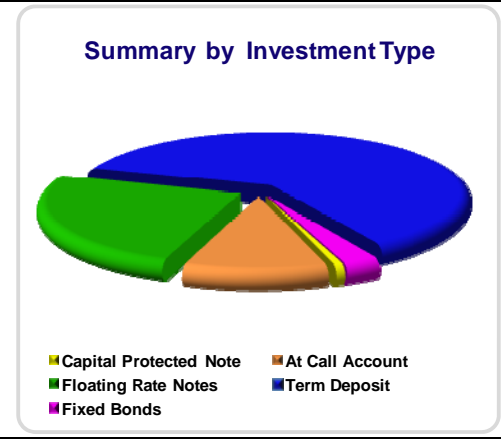
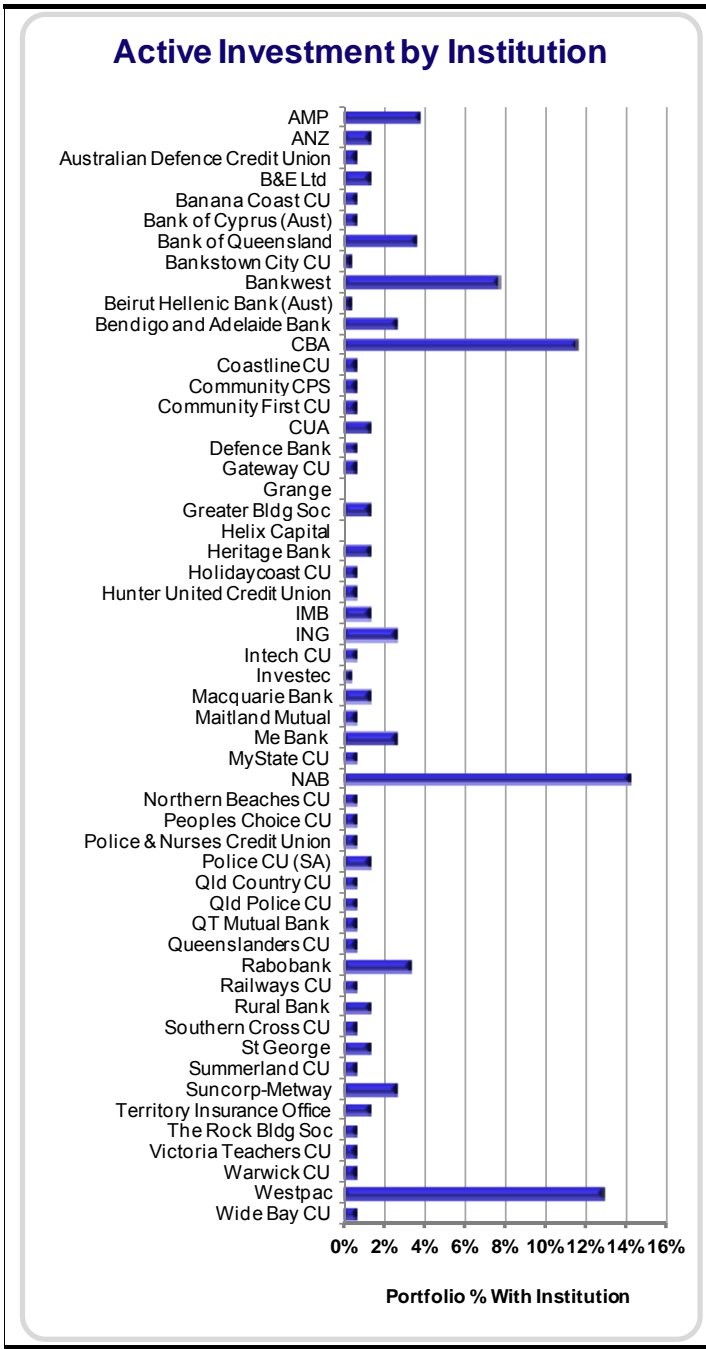
Performance - All Investments



— 12 Mth W Avg    — 12 Mth Avg Benchmark    — Monthly W Ave Incl Expired



ITEM 15 (continued)

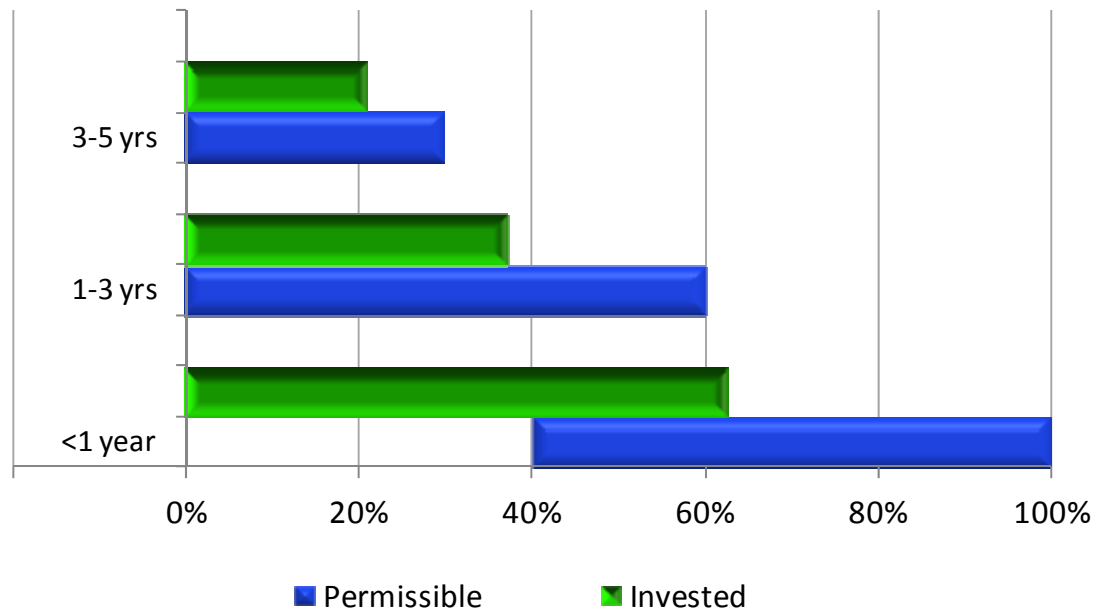


	>365 days	<365 days
Cash/TDs	\$7.3M	\$48.7M
FRNs	\$18.9M	\$0.0M
Fixed Bonds	\$2.0M	\$0.0M
Mgd Funds	\$0.0M	\$0.0M
Other	\$0.0M	\$0.5M
CDO's	\$0.0M	\$0.0M
<b>Total</b>	<b>\$28.1M</b>	<b>\$49.2M</b>

**ITEM 15 (continued)**

**Context**

**Policy Limits on Maturities**



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 \$4.93M, being \$397K above budget projections as per the Delivery and Operational Plan.

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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**16 REQUEST FOR TENDER - COR-RFT-04/12 - Implement Technology to Assist Transport - Parking Availability and Monitoring**

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**Report prepared by:** Service Unit Manger - Project Development**Report dated:** 31/05/2012**File No.:** GRP/11/3/6/7 - BP12/664

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**REPORT SUMMARY**

Request for Tender (COR-RFT-04/12) for the project "*Implement Technology to Assist Transport – Parking Availability and Monitoring*" closed on 3 April 2012.

The tender was for the installation of an integrated traffic management system that governs data captured by in-ground vehicle sensors which are to communicate with both hand held devices and traffic guidance system/s. The selected supplier will provide sensors and handheld devices, training and maintenance for the period of the contract (five years post implementation).

It is proposed that the system will "go live" and infringements are to be issued from early October 2012 after a grace period.

The Tender Evaluation Panel assesses all conforming tenders and recommended that Council accept the tender from Reino International Pty Ltd (trading as Duncan Solutions) for the sum of \$500,000.

Due to the complex nature of this project, the budgets for these works are spread over two financial years.

The integrated parking management system supports the current resolution of Council not to introduce parking metres into the local retail centres or outside residential properties in the City of Ryde (see **ATTACHMENT 2**).

**RECOMMENDATION:**

- (a) That Council accept the tender from Reino International Pty Ltd (trading as Duncan Solutions) for the project "*Implement Technology to Assist Transport - Parking Availability and Monitoring*", to the amount of \$500,000 as recommended in the Tender Evaluation Report.
- (b) That Council delegate to the General Manager the authority to enter into a contract with Reino International Pty Ltd (trading as Duncan Solutions) on the terms contained within the tender and for minor amendments to be made to the contract documents that are not of a material nature.
- (c) That Council advise all the respondents of Council's decision.

**ITEM 16 (continued)****ATTACHMENTS**

- 1 COR-RFT-4/12 Formal Tender Evaluation Report for Implement Technology to Assist Transport/Parking Availability and Monitoring - CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL
- 2 Resolution from Council Meeting 21/08 held on 9 December 2008 regarding Notice of Motion from Councillor Yedelian - No Parking Meters within Local Retail Centres or outside Residential Properties

Report Prepared By:

**Peter Nguyen**  
**Service Unit Manger - Project Development**

Report Approved By:

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

**ITEM 16 (continued)****Discussion**

The Request for Tender was advertised on 13 March 2012 in the Sydney Morning Herald and through Council's on-line tendering portal – Tenderlink. A mandatory pre-tender meeting and presentations were held on 20 and 22 January 2012.

The Request for Tender closed on Tuesday, 3 April 2012 at 2pm.

Tender submissions were received from the following contractors (in alphabetical order):

- Car Parking Technologies Limited
- Database Consultants Australia
- Reino International Pty Ltd trading as Duncan Solutions
- Tenix Solution Pty Ltd

The Tender Evaluation Committee comprising of four Council officers assessed all tenders against the following criteria:

- Conforming tender
- Project Price
- Proven experience and company capacity
- Project program
- Occupational Health & Safety
- Sustainability considerations Project program

A Tender Evaluation Report is provided to Councillors **UNDER SEPARATE COVER – CONFIDENTIAL** (Attachment 1).

The Tender Evaluation Committee evaluated the tender submitted by Reino International Pty Ltd trading (as Duncan Solutions) as the best value submission when compared against the evaluation criteria. Reino International Pty Ltd (trading as Duncan Solutions) has undertaken similar works over a number of years in Australia and internationally.

Reference checks of past projects show demonstrated capabilities to carry out these works.

**Financial Implications**

Due to the complex nature of this project, these works were spread over two financial years. In-ground sensor works are covered under the current Capital Works Program 2011-2012 (\$350,000) and handheld devices under the Capital Works Program for 2012-2013 (\$150,000).

**ITEM 16 (continued)**

This project will result in an initial financial impact of \$500,000 (excluding GST) and this is within the current budget of \$500,000. If successful, Council proposes (subject to satisfactory performance) to award a further \$350,000 per year for the next three years.

**History**

Council proposes to install an Integrated Parking Management System to govern data captured by in-ground vehicle sensors and communicate with both hand held Personal Data Assistants and traffic guidance system/s and that the supplier and that the supplier to provide fit for purpose in-ground vehicle sensors and handheld devices and training and maintenance for the period of the contract.

The technology will improve compliance through the use of real time data to ensure regular turnover of parking spaces in time restricted parking areas. This will achieve fair and equitable access to available parking spaces.

**Context**

All tender submissions have been assessed in compliance with Council's procurement policy. The process was reviewed by the Risk and Audit Manager and the Tender and Contract Manager. Following the assessment process, it was determined that Reino International Pty Ltd trading as Duncan Solutions provided the best realistic price against the selection criteria to Council and is recommended for acceptance.

**Consultation**

Internal Council business units consulted included:

**Public Works -**

- Project Development Unit
- Infrastructure Integration
- Traffic & Governance
- Asset Systems

**Environment and Planning -**

- Regulatory Services
- Urban Planning
- Group Managers Office

**Corporate Services -**

- Information Systems
- Legal Services



**ITEM 16 (continued)**

External Consultation:

- Joint Chambers of Commerce meeting City of Ryde.
- Address to Eastwood Chamber of Commerce Breakfast. Meeting with Peter Sullivan (President).
- West Ryde Chamber of Commerce. Meeting with David Tompkins (President).
- Ryde / Macquarie Park Chamber of Commerce. Meeting with Tony Abboud (President).
- Meeting with Managers from Coles and Woolworths at West Ryde.
- Meeting with West Ryde Retail spokesperson (John Cichini).

**Community Consultation Plan**

Council has developed a community consultation plan and has undertaken considerable consultation with Chambers of Commerce, businesses and retail groups by the Business Manager as part of the project evaluation.

Written feedback has been received from Chambers of Commerce:

- West Ryde
- Eastwood
- Ryde / Macquarie Park

This feedback overwhelmingly supports the vision & direction of the project team. The tender documents proposed a staged rollout of sensors over a three to four year period. The priority staging of the in-ground vehicle sensor locations has been researched and consulted through the Chambers of Commerce.

**Proposed Trial Period**

It is proposed that a paid trial be undertaken for twelve weeks in Council's carpark in Glen and Lakeside Street in Eastwood.

This trial will be undertaken with a grace period and will not include the issuing of infringement notices until the end of September 2012.

During the first part of the trial period sensor information will not be used to issue infringements and the current chalking practices would be used to gain data against occupancy turnover and overstay rate for the first six weeks prior to the system going live, and will then revert to using the new technology.

This trial period will allow for the bedding down of the system, the training of staff and provide adequate time to further undertake community consultation. This will further allow Council to make a full assessment of whether the system should be expanded to off-street parking.

**Work Place Health and Safety**

The current method of chalking is causing losses of time to staff through injury, which can be reduced significantly by the application of new technology. It will likely significantly reduce the very high workers compensation premium with associated injuries.

**ITEM 16 (continued)**

Further this will reduce the risk of assault of parking officers and rangers during the course of their duties. This has been a growing problem in Ryde and other parts of NSW during recent years.

**Vandalism**

Limited exposure to vandalism by the use of in ground vehicle sensors and car-park assets as the devices are subterranean. The only exposed infrastructures are the relay units which are proposed to be located on poles and buildings at heights that will deter vandals.

**Security**

Reino International Pty Ltd trading as Duncan Solutions tender provided information that demonstrated that they could fulfil the City of Ryde record keeping requirements to ensure that parking records are kept and archived properly and provided appropriate responses regarding data security and privacy of council and community records - issues of great concern to both Council and the community.

The tenderer propose to host the Integrated Parking Management System that will be independent of Council's Information Systems infrastructure.

**Productivity**

It is estimated that the system shall allow for a significant increase in the productivity of parking offices by giving them access to live overstay information. Further it has the potential to provide the community with the same live information via mobile phone and computer based applications and visual sign boards.

**Summary**

Duncans Solutions Technology will greatly assist the management of parking in the Council. Their system is the most efficient and effective solution available to Council to free up parking within our civic centres, by increasing parking turnover and availability to residents and visitors to our city, providing enhanced opportunities to access our retail and commercial businesses.

The proposed technology is proven best practice for addressing turnover of parking spaces which meet the needs of our community now and into the future and replaces the outmoded work practice of chalking and significantly reduces Work Place Health and Safety issues and risks.

The panel recommends acceptance of the tender from Reino International Pty Ltd (trading as Duncan Solutions) and approval to enter into a contract.

The integrated parking management system supports the current resolution of Council not to introduce parking metres into the local retail Centres or outside residential properties in our City (see **ATTACHMENT 2**).

**ITEM 16 (continued)**

**ATTACHMENT 2**



**OFFICIAL RECORDS COPY**

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**NOTICES OF MOTION**

**2 NO PARKING METERS WITHIN LOCAL RETAIL CENTRES OR OUTSIDE RESIDENTIAL PROPERTIES – Councillor Yedelian**

Note: Councillor B Pickering disclosed a non-pecuniary interest in this item for the reason that in a previous position the company that he worked with was involved with the provision of parking meters.

MOTION: (Moved by Councillors Yedelian and Petch)

“That Council reaffirms its resolution of 25 July 2006 that parking meters will not be installed within local retail centres or outside residential properties in the suburbs of:

Chatswood West

Denistone

Denistone East

Denistone West

East Ryde

Eastwood

Gladesville

Marsfield

Meadowbank

Melrose Park

North Ryde

Putney

Ryde

Tennyson Point

West Ryde

It is Council's intention to only have parking meters in the Macquarie Park Business Corridor which is the second largest Commercial Business District in NSW.”

AMENDMENT: (Moved by Councillors Butterworth and Campbell)

That at the expiration of the management contract the existing parking meters be turned off and removed.

On being put to the meeting, the voting on the Amendment was 6-all and the Mayor gave his CASTING VOTE AGAINST THE AMENDMENT AND IT WAS DECLARED LOST.

**ITEM 16 (continued)**

**ATTACHMENT 2**

**Record of Voting**

For the Amendment: The Mayor, Councillor V Tagg and Councillors M Butterworth, N Campbell, J Li, R Maggio, and J Salvestro-Martin.

Against the Amendment: Councillors A Etmekdjian, G O'Donnell, T Perram, I Petch, B Pickering and S Yedelian.

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

That Council reaffirms its resolution of 25 July 2006 that parking meters will not be installed within local retail centres or outside residential properties in the suburbs of:

Chatswood West  
Denistone  
Denistone East  
Denistone West  
East Ryde  
Eastwood  
Gladesville  
Marsfield  
Meadowbank  
Melrose Park  
North Ryde  
Putney  
Ryde  
Tennyson Point  
West Ryde

It is Council's intention to only have parking meters in the Macquarie Park Business Corridor which is the second largest Commercial Business District in NSW.

**Record of Voting**

For the Motion: The Mayor, Councillor V Tagg and Councillors A Etmekdjian, R Maggio, G O'Donnell, T Perram, I Petch, B Pickering and S Yedelian.

Against the Motion: Councillors M Butterworth, N Campbell, J Li, and J Salvestro-Martin.

**ADOPTED**

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EXTRACT FROM GENERAL MANAGER'S REPORT NO. 21/08 DATED  
5 DECEMBER 2008 AND CONSIDERED BY COUNCIL AT ITS MEETING ON  
9 DECEMBER 2008.

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**17 DRAFT PART 3.4 MULTI DWELLING HOUSING DCP AND BANKSTOWN CITY COUNCIL BOARDING HOUSE CASES**

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**Report prepared by:** Strategic Planner**Report dated:** 15/06/2012**File No.:** GRP/11/6/3/3 - BP12/721

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**REPORT SUMMARY**

At its meeting on 12 June 2012, Council considered a report on Draft DCP 2011 – Part 3.4 Multi Dwelling Housing (Item 15). The report described the review of Council’s multi dwelling housing controls and the preparation of new development controls, and recommended that draft Development Control Plan (DCP) 2011 – Part 3.4 Multi Dwelling Housing be placed on public exhibition.

At that meeting a Media Release posted on 25 May 2012 from Bankstown City Council titled “Bankstown Wins Boarding House Test Case” was tabled in relation to Item 15. A copy is **ATTACHED** (Attachment 1). In relation to Item 15, Council subsequently resolved:

*That this matter be deferred to the next Council meeting on 26 June 2012 to allow for a report from the Group Manager – Environment and Planning regarding Bankstown Council and boarding houses and proposed amendments to the LEP.*

This report responds to this resolution (12 June 2012) and resubmits the report on the Draft DCP 2011 – Part 3.4 Multi Dwelling Housing (ATTACHMENTS 2 and 3).

**RECOMMENDATION:**

- (a) That Council authorise public exhibition of draft Development Control Plan (DCP) 2011 – Part 3.4 Multi Dwelling Housing in accordance with the requirements of the Environmental Planning and Assessment Act 1979.
- (b) That Council receive a further report on the outcomes of the exhibition of draft DCP 2011 - Part 3.4 Multi Dwelling Housing following the exhibition period.

**ATTACHMENTS**

- 1 Copy of Bankstown City Council Media Release and Land & Environment Court Judgements
- 2 Report for resubmission to Council titled DRAFT DCP 2011 - Part 3.4 Multi Dwelling Housing
- 3 Attachment to report for resubmission containing Draft Part 3.4 Multi Dwelling Housing

**ITEM 17 (continued)**

Report Prepared By:

**Melissa Burne**  
**Strategic Planner**

Report Approved By:

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

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

**ITEM 17 (continued)****Discussion**

The Local Planning Study which was adopted by Council in December 2010 recommended numerous amendments to Ryde LEP and DCP 2010. On 14 February 2011 Council resolved:

*That Council authorise that a Development Control Plan (DCP) to be known as DCP 2011 be prepared in line with the Council report of 27 September 2011.*

Specific amendments that were identified in the report of 27 September 2011 have been incorporated into Draft Ryde LEP and DCP 2011, both of which are on public exhibition from 30 May until 13 July 2012.

Part 3.4 – Multi Dwelling Housing of the draft DCP provides objectives and controls for villa development within the City.

In relation to Part 3.4, the exhibited draft DCP 2011:

- Deletes the linear separation requirements for multi dwelling housing. The linear separation controls require that only one property in every three can be multi dwelling housing.

The exhibited draft LEP 2011:

- Increases the minimum lot size for multi dwelling housing from 600sqm to 900sqm.
- Includes a control that the maximum height of any building without a street frontage is 5 metres and
- Permits a two storey dwelling at the street frontage.

The Local Planning Study also recommended that the DCP controls for villas be reviewed with a particular emphasis on streetscape compatibility. In accordance with this recommendation, a comprehensive review of Part 3.4 – Multi Dwelling Housing has been undertaken, which has resulted in the updating and/or deletion of some of the existing controls and the introduction of new controls.

At its meeting on 12 June 2012, Council considered a report on Draft DCP 2011 – Part 3.4 Multi Dwelling Housing (Item 15) which included the above background, a description of the review multi dwelling housing controls, and presented a revised draft DCP - Part 3.4 Multi Dwelling Housing with the following recommendation:

- (a) That draft Development Control Plan (DCP) 2011 – Part 3.4 Multi Dwelling Housing be placed on public exhibition in accordance with the requirements of the Environmental Planning and Assessment Act 1979.
- (b) That a report be prepared for Council's consideration following the exhibition period of draft DCP 2011 - Part 3.4 Multi Dwelling Housing.

**ITEM 17 (continued)**

At that meeting, a Media Release posted on 25 May 2012 from Bankstown City Council titled "Bankstown Wins Boarding House Test Case" was tabled in relation to Item 15, and Council resolved:

*That this matter be deferred to the next Council meeting on 26 June 2012 to allow for a report from the Group Manager – Environment and Planning regarding Bankstown Council and boarding houses and proposed amendments to the LEP.*

**Bankstown Court Cases**

The media release tabled at Council 12 June 2012 (Item 15) refers to judgements on two Class 1 appeals to the Land and Environment Court heard May 2012 (Chehade v Bankstown City Council [2012] NSWLEC 1122, and Chami v Bankstown City Council [2012] NSWLEC 1120).

Both appeals were held in May 2012 and were made by applicants against Bankstown City Council's refusal of two development applications for boarding house developments on land in the Residential 2(a) zone under the Bankstown Local Environmental Plan 2001 (Bankstown LEP). Both developments were for demolition of existing dwellings and construction of boarding house development, one of which was for a 10 room boarding house, and the other for a 12 room boarding house.

The question of whether the boarding house developments were permissible came up in both appeals. Another main issue of interest was whether development was compatible with the local area character (Chehade v Bankstown).

**Bankstown Planning Framework and Application of the ARHSEPP**

The Bankstown LEP includes a range of zones which are not the same as those in the Standard Instrument as the Bankstown LEP has not yet been converted into the Standard Instrument format. Under Bankstown's LEP, boarding houses are a "prohibited" land use in the Residential 2(a) land use zone. As a result both development applications which were the subject of appeal had been lodged relying on the provisions of the State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARHSEPP).

The ARHSEPP identifies zones within which boarding houses may be carried out with consent. The land use zones named in the ARHSEPP are those set out in the Standard Instrument. Clause 26 of the ARHSEPP states:

*26 Land to which Division applies*

*This Division applies to land within any of the following land use zones or within a land use zone that is equivalent to any of those zones:*

- (a) Zone R1 General Residential,*
- (b) Zone R2 Low Density Residential,*
- (c) Zone R3 Medium Density Residential,*



**ITEM 17 (continued)**

- (d) Zone R4 High Density Residential,*
- (e) Zone B1 Neighbourhood Centre,*
- (f) Zone B2 Local Centre,*
- (g) Zone B4 Mixed Use.*

As outlined in the above clause, the ARHSEPP may apply to zones which are “equivalent” to any of the zones identified. Clause 5 of the ARHSEPP allows the Director General or the relevant authority (such as the council or court) to determine “equivalent zone”.

Clause 27 of the ARHSEPP further qualifies requirements for the R2 Low Density Residential zone, stating:

*27 Development to which Division applies*

*(1) This Division applies to development, on land to which this Division applies, for the purposes of boarding houses.*

*(2) Despite subclause (1), this Division does not apply to development on land within Zone R2 Low Density Residential or within a land use zone that is equivalent to that zone in the Sydney region unless the land is within an accessible area.*

*(3) Despite subclause (1), this Division does not apply to development on land within Zone R2 Low Density Residential or within a land use zone that is equivalent to that zone that is not in the Sydney region unless all or part of the development is within 400 metres walking distance of land within Zone B2 Local Centre or Zone B4 Mixed Use or within a land use zone that is equivalent to any of those zones.*

Given that the proposals were prohibited in the Residential 2(a) zone under Bankstown LEP, a zone not specifically listed in the ARHSEPP, the court also formed an opinion as to the equivalence of the Residential 2(a) zone to the Standard Instrument zones for the purposes of the appeal. The Commissioners both reviewed the zones under the Bankstown LEP against the R1 General Residential and R2 Low Density Residential zones under the Standard Instrument.

The court found that there were no equivalent zones, therefore the ARHSEPP did not apply to the developments, and consequently development consent could not be granted as a boarding house is a prohibited use in the Residential 2(a) zone under the Bankstown LEP. In the judgement for the first appeal (the 10 room boarding house, appeal heard 2 and 3 May 2012) it was acknowledged that the question of “equivalence” was not universally applied, and the merits of the proposal were also considered. The second case (heard 9 May 2012) was based entirely on the issue of whether the land use was permissible or not in the Residential 2(a) land use zone under Bankstown’s LEP.

**ITEM 17 (continued)**

Both appeals were ultimately dismissed, finding in favour of Bankstown City Council. A copy of the media release and the two judgements is in **ATTACHMENT 1**.

**Compatibility with the Local Area Character**

Consideration of character has also been an issue in low density residential areas with respect to boarding houses. The judgement for the 10 room boarding house also addressed the issue of compatibility of the proposed development with the character of the local area. Clause 30A of the ARHSEPP (as amended 20 May 2011) requires that:

*A consent authority must not consent to development to which this Division applies unless it has taken into consideration whether the design of the development is compatible with the character of the local area.*

The Commissioner found the development to be compatible with the character of the local area, noting that:

- the development had been designed to appear as a single dwelling house and to fit within the existing streetscape
- bulk and scale, site layout, car parking provision, provision of open space and general presentation of the proposed development was compatible with the prevailing local character of the area.
- the occupancy of the development (number of bedrooms) would not be out of character as it could be similar to a dual occupancy development permissible on the site.

The finding did not have an impact on the outcome of the Bankstown appeal because the use was prohibited in the land use zone.

Assessment of the character of proposed development and impacts on the local area is amongst the usual matters for consideration in the evaluation of development applications. Further guidance affecting the character of built form is provided in development standards applicable to the R2 Low Density Residential zone including height, density, lot size, etc under Council's LEP, and Council's DCP.

A draft boarding house DCP under preparation has included controls and guidelines to assist applicants in designing boarding house developments compatible with local area character expectations in the City of Ryde in response to the SEPP requirement for compatibility with local area character. The controls for multi dwelling housing in City of Ryde have also been revised in the context of local area character considerations (report and draft Part 3.4 are resubmitted for Council's consideration – ref Conclusion and ATTACHMENTS 2 and 3).

**City of Ryde's Residential Zones, Multi Dwelling Housing and Boarding Houses**

Consideration has been given as to whether the findings for Bankstown could be applicable to the City of Ryde. The question of the equivalence of a zone is not applicable to development in land in the City of Ryde. This is explained below.

**ITEM 17 (continued)**

As the Bankstown LEP has not been converted into the standard instrument format, it includes a range of zones which are not the same, or “equivalent” to those in the Standard LEP Instrument. The vast majority of land in City of Ryde is zoned in accordance with the Standard Instrument zones under City of Ryde’s current LEP controls (Ryde LEP 2010 and Ryde LEP (Gladesville Town Centre and Victoria Road Corridor) 2010). A few sites in the City of Ryde are deferred from Ryde LEP 2010. The ARHSEPP does not apply to these sites as they are in Macquarie Park and residential land uses are not permitted on the subject sites.

The discussion in this report is restricted to residential zones because boarding houses are residential land use types and the Bankstown court cases apply to the low density residential zone. There are four residential zones under Ryde LEP 2010 and Draft Ryde LEP 2011:

- R1 General Residential
- R2 Low Density Residential
- R3 Medium Density Residential
- R4 High Density Residential

Boarding houses are land uses which are identified as “permitted with consent” under the land use tables for all four residential land use zones under Ryde LEP 2010. The same applies under Draft Ryde LEP 2011 currently on public exhibition until 13 July 2012.

Under the Standard Instrument (Local Environmental Plans) Order 2006 and Standard Instrument—Principal Local Environmental Plan it is compulsory for Councils preparing LEPs in the Standard Instrument format to include boarding houses as “permitted with consent” in the land use tables in all the abovementioned residential zones. This means that City of Ryde has had no choice with respect to permissibility or otherwise of boarding houses in the residential land use zones under the provisions of the Ryde LEP.

Whilst Bankstown Council has won the opportunity by appeal, at this stage, to prohibit boarding houses in its low density residential zone, until such time as it adopts the standard instrument there are no such options for City of Ryde.

City of Ryde decisions relating to boarding house developments have been subject to a small number of appeals without success. The main issues have related to character and merit assessment, and impacts of operation of unauthorised boarding house developments within the context of the relevant sites.

No opportunity exists for Council to prohibit boarding houses in any of its residential zones, and on this basis there is no option to make such a change to draft LEP 2011 currently on exhibition.

**ITEM 17 (continued)****Financial Implications**

The recommendation to endorse the draft DCP – Part 3.4 Multi Dwelling Housing for exhibition will not have a financial impact. The exhibition process is funded through the operational budget of the Urban Planning Unit.

**Conclusion**

Boarding houses are a land use which is mandated to be included as “permitted with consent” in the residential zones under the Standard Instrument format for LEPs. Due to the NSW government requirement for councils to prepare Local Environmental Plans in accordance with Standard Instrument, the results of the appeals discussed above appear to be a short lived loophole for Bankstown City Council.

The report titled “DRAFT DCP 2011 – Part 4.3 Multi Dwelling Housing” (Item 15) and its attachment, being Draft Part 3.4 Multi Dwelling Housing DCP are **ATTACHED** (Attachments 2 and 3 respectively) and resubmitted for Council’s consideration.

**ITEM 17 (continued)**

**ATTACHMENT 1**



**Media Releases - 2012**

Posted on: May 25, 2012

**BANKSTOWN WINS BOARDING HOUSE TEST CASE**

Bankstown has become the first council in NSW to win a court case in relation to the proper application of the State's Affordable Rental Housing SEPP, as it applies to boarding houses.

Mayor of Bankstown, Councillor Khal Asfour, said the proposed projects involved a 12-room boarding house at 78 South Terrace in Punchbowl and a 10-room boarding house at 172 Hillcrest Avenue in Mount Lewis.

"In both cases, the applications were submitted under the State Environmental Planning Policy (Affordable Rental Housing) 2009," Mayor Asfour said.

"These projects were refused by council because the Affordable Rental Housing SEPP does not apply to these developments and therefore are prohibited under council's LEP.

"The Land and Environment Court subsequently agreed and dismissed the appeals lodged by the proponents.

"Council's position on these types of applications has consistently been that they have the potential to have significant negative impacts on the character and amenity of our low density residential areas.

"These decisions represent a positive outcome for our local residents living in the vicinity of these locations.

"They are also consistent with council's own planning policies."

The decisions of the court follow last month's refusal of a 144-unit residential flat building in a low density 2(a) residential area in the Bankstown Local Government Area, again lodged under the provisions of the Affordable Rental Housing SEPP.

That development application for 81-95 Boronia Road Greenacre was refused by the Sydney West Joint Regional Planning Panel.

**ITEM 17 (continued)**

**ATTACHMENT 1**

Judgment - Default - NSW Caselaw

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**Land and Environment Court  
New South Wales**

Medium Neutral Citation	Cehade v Bankstown City Council [2012] NSWLEC 1122
Hearing Dates	2-3 May 2012
Decision Date	18/05/2012
Jurisdiction	Class 1
Before	Morris C
Decision	Appeal dismissed
Catchwords	Affordable rental housing, equivalent land use zone, compatibility with character of the local area.
Legislation Cited	State Environmental Planning Policy (Affordable Rental Housing) 2009; Bankstown Local Environmental Plan 2001; Standard Instrument - Principal Local Environmental Plan; Civil Procedure Act 2005
Cases Cited	Chami v Bankstown City Council NSWLEC 1311; Segal & Anor v Waverley Council [2005] NSWCA 310; (2005) 64 NSWLR 177; Huang & Lei v Parramatta City Council [2012] NSWLEC 1077
Category	Principal judgment
Parties	Chady Cehade (Applicant)  Bankstown City Council(Respondent)
Representation	Solicitors Mr P Rigg Norton Rose Australia (Applicant)  Mr M Bonanno Lindsay Taylor Lawyers (Respondent)
File Number(s)	11218 of 2011

**JUDGMENT**

- 1 This is an appeal against the refusal by Bankstown City Council of Development Application DA192/2011 which proposed the demolition of an existing dwelling and associated outbuildings and construction of a 10 room boarding house at 172 Hillcrest Avenue, Mount Lewis.
- 2 The issues in the appeal are whether the development is compatible with the character of the local area, whether the proposal is permitted on the site and whether the Court should apply the current or previous provisions of *State Environmental Planning Policy (Affordable*

<http://www.caselaw.nsw.gov.au/action/pjudg?jgmtid=158651>

12/06/2012

## ITEM 17 (continued)

## ATTACHMENT 1

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*Rental Housing) 2009 (SEPPARH).*

### Background and the proposal

- 3 The original development application was lodged with the council on 11 March 2011 and was refused on 2 September 2011. The reasons for refusal are summarised as the development is prohibited under the provisions of Bankstown Local Environmental Plan 2001 and is inconsistent with the residential 2(a) zone objectives under that plan; does not provide sufficient car parking; has not satisfactorily addressed stormwater management and is not in the public interest.
- 4 Mr Chehade is appealing the council's decision and was granted leave by the Court to rely on amended plans. Those plans form Exhibits A and B and now resolve the council's contention in relation to stormwater drainage. A Plan of Management (POM) has also been prepared in an attempt to address the council's concerns in relation to the operation of the development.
- 5 The proposed building is partly one and partly two storeys with a face brick finish and tiled roof and follows the fall of the land from the street to the rear. It would be erected on an alignment of 5.5 m to Hillcrest Avenue. The main entry addresses the street and adjoins a garage that would accommodate one car, 2 motor cycles and four bicycles. Eight boarding rooms would be located on this upper level. A further two boarding rooms and common room would be provided at the rear, lower level. Each room is self-contained with private kitchens and bathrooms although laundry facilities would be shared. All rooms are identical in size however the application is for 9 double and one single rooms with a maximum occupancy of 19 persons at any one time.

### The site and its context

- 6 The site is rectangular in shape and falls from the front to the rear by approximately 4 m and contains a single storey brick dwelling house with attached carport on its southern side, a garage accessed by a driveway to the north of the dwelling and a free standing shed in the south-western portion of the allotment.
- 7 Dwellings immediately adjoining the site are single storey dwelling houses with a two-storey dual occupancy development currently under construction opposite and a newer two storey dwelling to its immediate south. It is apparent that the area was developed with post war housing of brick and tile construction with large setbacks to the side and rear and that form of housing remains the dominant built form. The area is undergoing transition with evidence of larger two storey single dwellings and a number of dual occupancy developments also of two stories with villa and townhouse development further to the west. Due to the slope of the land, the single storey dwellings step down the site and have a greater bulk at the low point. There is a group home further to the north within a public reserve where Hillcrest Avenue is closed to traffic.
- 8 The site is approximately 800 m to the east of the Bankstown CBD, 450 m from Mount Lewis Infants School and a small group of shops on Wattle Street. The site is 328 m from a bus stop on the northern side of Wattle Street providing access to Punchbowl, Riverwood,

**ITEM 17 (continued)**

**ATTACHMENT 1**

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Narwee, Beverley Hills, Hurstville and Penshurst Stations and 365 m from a stop on the southern side of that road connecting to Bankstown Station and bus interchange.

**The planning controls**

- 9 The site is zoned Residential 2(a) under *Bankstown Local Environmental Plan 2001* (the LEP). Boarding houses are prohibited in that zone.
- 10 The application was lodged under the provisions of SEPPARH that provide for boarding house development within various residential zones or a land use zone that is equivalent to any of those zones. That policy was amended by *State Environmental Planning Policy (Affordable Rental Housing) 2011* (the amending SEPP) on 20 May 2011. Clause 26 did not change and states:
- 26 Land to which Division applies  
This Division applies to land within any of the following land use zones or within a land use zone that is equivalent to any of those zones:
- (a) Zone R1 General Residential,
  - (b) Zone R2 Low Density Residential,
  - (c) Zone R3 Medium Density Residential,
  - (d) Zone R4 High Density Residential,
  - (e) Zone B1 Neighbourhood Centre,
  - (f) Zone B2 Local Centre,
  - (g) Zone B4 Mixed Use.
- 11 Clause 5 provides for the interpretation of the *equivalent zone* provisions where a site is not within those zones specified in clause 26 and states:
- 5 Interpretation-references to equivalent land use zones
- (1) A reference in this Policy to a land use zone that is equivalent to a named land use zone is a reference to a land use zone under an environmental planning instrument that is not made as provided by section 33A (2) of the Act:
- (a) that the Director-General has determined under clause 1.6 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* is a land use zone in which equivalent land uses are permitted to those permitted in that named land use zone, or
  - (b) if no such determination has been made in respect of the particular zone, is a land use zone in which (in the opinion of the relevant authority) equivalent land uses are permitted to those permitted in that named land use zone.
- (2) An assessment made by a relevant authority under subclause (1) (b) applies only in respect of the particular development that is proposed to be carried out and more than one such assessment may be made in respect of the same land use zone.
- (3) In this clause, *relevant authority* means:
- (a) the public authority proposing to carry out the development, or on whose behalf the development is proposed to be carried out, or
  - (b) if the development is to be carried out by or on behalf of a person other than a public authority, the consent authority.
- Note. Land use zones that are named in this Policy are those set out in the standard instrument.
- 12 It is common ground that the Director-General has not issued a determination referred to in clause 5(1)(a) and therefore, the Court must form an opinion as to the equivalence of the zone. If the site is not in an "equivalent zone" the policy would not apply and the



**ITEM 17 (continued)**

**ATTACHMENT 1**

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development would be prohibited under the LEP.

- 13 The amending SEPP introduced new clauses that have the effect of requiring additional considerations in the determination of the application and limiting the areas where boarding houses can be located to an *accessible area* if in the R2 zone or a zone equivalent to that zone. In particular, Clauses 27, 30A and 54A are relevant and state:

27 Development to which Division applies

(1) This Division applies to development, on land to which this Division applies, for the purposes of boarding houses.

(2) Despite subclause (1), this Division does not apply to development on land within Zone R2 Low Density Residential or within a land use zone that is equivalent to that zone in the Sydney region unless the land is within an accessible area.

(3) Despite subclause (1), this Division does not apply to development on land within Zone R2 Low Density Residential or within a land use zone that is equivalent to that zone that is not in the Sydney region unless all or part of the development is within 400 metres walking distance of land within Zone B2 Local Centre or Zone B4 Mixed Use or within a land use zone that is equivalent to any of those zones.

30A Character of local area

A consent authority must not consent to development to which this Division applies unless it has taken into consideration whether the design of the development is compatible with the character of the local area.

54A Savings and transitional provisions-2011 amendment

(1) Division 1 of Part 2, as in force before its amendment by *State Environmental Planning Policy Amendment (Affordable Rental Housing) 2011* (the *amending SEPP*), continues to apply to development, if:

(a) the land on which the development is situated is owned by the Land and Housing Corporation and was owned by that Corporation immediately before the amendment, and

(b) the development is commenced not later than 2 years after the amendment.

(2) If a development application (an *existing application*) has been made before the commencement of the amending SEPP in relation to development to which this SEPP applied before that commencement, the application may be determined as if the amending SEPP had not been made.

(3) If an existing application relates to development to which Division 1 or 3 of Part 2 applied, the consent authority must not consent to the development unless it has taken into consideration whether the design of the development is compatible with the character of the local area.

(4) Despite subclause (2), clause 13 (2) (as in force before the amendments made by the amending SEPP) does not apply to development the subject of an existing application and any such application is to be determined by applying instead clause 13 (2) and (3) as inserted by the amending SEPP.

- 14 An *accessible area* is defined as being:

*accessible area* means land that is within:

(a) 800 metres walking distance of a public entrance to a railway station or a wharf from which a Sydney Ferries ferry service operates, or

(b) 400 metres walking distance of a public entrance to a light rail station or, in the case of a light rail station with no entrance, 400 metres walking distance of a platform of the light rail station, or

(c) 400 metres walking distance of a bus stop used by a regular bus service (within the meaning of the *Passenger Transport Act 1990*) that has at least one bus per hour servicing the bus stop between 06.00 and 21.00 each day from Monday to Friday (both days inclusive) and between 08.00 and 18.00 on each Saturday and Sunday.

- 15 The parties agree that the application is an *existing application* for the purposes of clause 54A(2) and that the Court has discretion to apply the provisions of the original SEPPARH or

**ITEM 17 (continued)**

**ATTACHMENT 1**

Judgment - Default - NSW Caselaw

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the amending SEPP due to the savings and transitional provisions in clause 54A.

- 16 From the evidence provided and in particular a bus timetable for Route 940 (Exhibit C), the site would not be within an accessible area as defined in the amending SEPP because the last bus that runs on Sundays and public holidays would pick up at the northern bus stop prior to 5 pm so the site would not be serviced by bus between 17.00 and 18.00 on Sundays and any day that was a public holiday. The Court notes the variation to this clause is by, according to the planning evidence, between 2-6 minutes on one occasion only with hourly services available at all other times in accordance with the definition. Despite this fact, the effect of the servicing would be the site is not within an accessible area and its development as a boarding house under the amending SEPP would be prohibited in the event the 2(a) zone was found to be a zone equivalent to the R2 residential zone.
- 17 Division 3 of Part 2 of SEPPARH applies boarding houses and the parties agree that the standards contained in the SEPPARH are met and the council raises no contentions in regard to those controls contained in the amending SEPP.

**The evidence**

- 18 Expert town planning evidence was heard from Mr Bushby for the council and Mr Rowan for the applicant. In relation to the issue of permissibility, their expert report addresses three scenarios, whether the application is permissible under the LEP, secondly, without reliance upon the transitional provisions referred to in clause 54A of the amending SEPP, and thirdly, relying on those transitional provisions as it is agreed the application is an *existing application*.
- 19 The experts agree that the proposed use would be characterised as a *boarding house* and is a prohibited form of development within Zone 2(a) under the LEP and therefore, an application relying on scenario 1 could not be made. As the site is not within an *accessible area*, development could not be approved under scenario 2 unless the 2(a) zone was found to be equivalent to the R1, R3 or R4 zones. Consideration of the equivalent zone issue is discussed below. They agree that scenario 3, that is, applying the savings and transitional provisions to SEPPARH allow the application to be made, determined and consent can be granted, but only if the 2(a) zone is an *equivalent zone* and the design of the development is compatible with the character of the local area.
- 20 The planning experts agree that the local area includes both sides of Hillcrest Avenue and extends to the north, at least to the public reserve, to the west to Stacey Street, to the east to an undefined point but within the visual catchment of the site and to the south to Wattle Street. They also agree that the floor space ratio (FSR) of the development satisfies the standard for floor space under clause 29 of both SEPPs and cannot be used as a reason for refusal and that the bulk and scale, site layout, carparking provision, provisions of open space and general presentation of the proposed development is compatible with the prevailing local character of the locality.
- 21 They disagree on whether the development is compatible in terms of use and occupancy. Mr Bushby says the prevailing development in the local area is detached single storey dwellings with examples of contemporary two storey development and a youth centre at the

**ITEM 17 (continued)**

**ATTACHMENT 1**

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periphery of the site's visual catchments with low ambient noise levels. He says the highest density that occurs in the local area is dual occupancy development at a rate of 1 dwelling per 200 sqm land area and that it would be reasonable to expect that most residents are familiar or at least have an informal knowledge of who their neighbours are and that this familiarity is an element that defines the character of the area. He says the boarding house would accommodate up to 20 adults (19 under the POM) and equates that occupancy to a density of 1 room per 68 sqm of land area. He submits that there is a likelihood of a higher turnover of residents due to the affordable or short-term nature of boarding house accommodation, that this occupancy profile is not characteristic of the local area and concludes that, whilst the form of development is satisfactory, its function is not. He is not satisfied that the POM would address his concerns in relation to occupancy and impact on character and says that any form or design of boarding house, even one resulting from the conversion of the existing dwelling on the site with no external change to its built form, would not be compatible in the local area for that reason.

- 22 Mr Rowan disagrees and says that the occupation of single dwellings by a number of different family units such as extended families is not unusual. He says this doesn't change the character of the area and that provided the boarding house is well managed, it wouldn't be any different to the single dwellings in the local area. He is satisfied that the implementation of the matters included in the POM would ensure the function of the boarding house is compatible with the character of the local area, particularly having regard to the more recent development that includes dual occupancy development and also the existing group home to the north of the site. He cites other non-residential uses contemplated by the council in the 2(a) zone that would result in similar impacts such as bed and breakfast establishments, home based family day care centres and housing for older people or people with a disability and says that these are likely to have similar characteristics to the proposed boarding house but would all be acceptable in the zone and are unlikely to impact upon the amenity of the residential area.
- 23 Mr Bushy contends, despite the provisions contained within the POM, that the boarding house has the capacity to accommodate 20 or more lodgers because all of the rooms are of similar size. He says that a boarding house accommodating 20 lodgers requires an on-site manager, associated parking and open space and no such facilities are incorporated in the design of the development. Mr Rowan says the POM limits occupancy and the agreed consent conditions also limit the number of lodgers to a maximum of 19. The experts agree that the development meets all of the relevant controls for such an establishment under SEPPARH however, if the provisions of the amending SEPP are applied, there would be a deficiency in parking of three spaces and to comply, the design of the development would have to be amended.
- 24 Contentions in relation to stormwater drainage have been resolved and a deferred commencement condition agreed that requires the registration of a stormwater drainage easement prior to the consent becoming operative. During the site view, the experts agreed that the sill height of windows of the adjacent property to the south were such that it is likely the rooms in the northern elevation of that dwelling would retain access to three hours sunlight during mid winter. Mr Bushby expressed a desire that elevational solar diagrams were prepared to verify this fact.

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- 25 The planners agree that the contention regarding character of the locality addresses the contention of public interest.

**Conclusion and findings**

- 26 Determination of whether the site is within an *equivalent zone* for the purposes of SEPPARH is a pre-condition to the grant of consent. The Director-General of the Department of Planning has not made a determination in relation to this issue and had that been the case, the applicant, council, the community and the Court would be well placed to understand the application of the policy. As this has not occurred, each application has to have regard to the provisions of clause 5. Clause 5(1)(b) requires the Court to form an opinion whether the 2(a) zone is a land use zone in which equivalent land uses are permitted to those zones named in clause 26. This requires a review of the land uses permitted in the four residential zones contained within the *Standard Instrument - Principal Local Environmental Plan* (the Standard Instrument) and those uses permitted in the 2(a) zone under the LEP, having particular regard to the definitions as these vary between the instruments. I have undertaken this review and have excluded the Medium Density R3 and High Density R4 zones as being equivalent to the 2(a) zone, particularly because dwelling houses are not permitted in the R3 zone, other than as attached housing which is three or more dwellings and the R4 zone permits residential flat buildings, neighbourhood shops and shoptop housing, uses prohibited in the 2(a) zone and uses that suggest higher density development than that permitted in that zone. Similarly, I have excluded the B1, B2 and B3 zones due to the considerable differences in permitted uses.
- 27 A more detailed review of the R1 and R2 zones was undertaken and compared to those uses permissible in the 2(a) zone. Those permissible uses are determined from the table included in clause 11 of the LEP and the uses permitted in the R1 and R2 zones added as follows:

Development for the purpose of:	BLEP	Standard Instrument	
	Residential 2 (a)	R1	R2
Bed and breakfast establishments	•		
Boarding- houses		•	•
Car parks	•		

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Centre based child care centres	•	•	
Communications facilities		•	
Community facilities	•		
Dams	•		
Dual occupancies	•		
Dwelling houses	•	•	•
Educational establishments	•		
Family day care centres	•		
Family housing	•		
Health consulting rooms	•		
Home based child care centres	•		
Home businesses	•		•
Home offices	•		•
Hospitals	•		

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Housing for older people or people with a disability	•	
Landfilling	•	
Marinas	•	
Places of public worship	•	•
Public buildings	•	
Recreation areas	•	
Residential flat buildings		•
Rowhouses	•	•
Sanctuaries	•	
Shops		Neighbourhood Shops only
Utility installations	•	
Vehicle repair stations		
Villas	•	•

28 In addition, group homes are permitted with consent in both the R1 and R2 zones and multi-dwelling housing, hostels, and respite day care centres are uses permitted with consent in the R1 zone.

29 The only use common to all three zones is that of a dwelling house and it is clear that the 2

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(a) zone permits a greater number of land uses (25 in total) than that prescribed in the Standard Instrument in either the R1 (15) or R2 (3) zones. Comparing the R1 and 2(a) zones, uses common to both zones are childcare centres, community facilities, dwelling houses, places of public worship, rowhouses and villas (attached dwellings). A comparison of the R2 and 2(a) zones shows dwelling houses and home offices/businesses/occupations are common however the variation in the number of permitted uses is wide. The Court accepts that it is likely that any council, when adopting its local environmental plan, would add uses to those uses mandated by the Standard Instrument however, that is not a matter that I need to consider. My consideration is limited to that required under clause 5(1)(b).

30 That consideration takes into account the land uses (plural) that are permitted and therefore, regard must be had of the set of uses rather than a direct comparison with individual uses. I have also considered the number of uses, and the nature of those uses however, in my opinion, either manner of assessment would lead to the same conclusion that the 2(a) zone is not equivalent to either the R1 or R2 zones under the Standard Instrument.

31 Mr Rigg, for the applicant, relied on the decision of Tuor C in *Chami v Bankstown City Council* NSWLEC 1311 in which the precise question of equivalent zone was considered. On that occasion, the Commissioner concluded the 2(a) zone was equivalent to the R2 zone and, after merit review of the application, upheld the appeal. Mr Rigg urges the Court to have regard to that decision for the sake of comity.

32 Consistency in approach is an important consideration in any proceedings and has been considered on a number of occasions. *Segal & Anor v Waverley Council* [2005] NSWCA 310; (2005) 64 NSWLR 177 provides some guidance and in particular, relevant considerations are:

95 Furthermore, I am in no way convinced that in the context of adversarial proceedings in the Land and Environment Court, there is any place for the so-called principle of consistency in administrative decision-making. As I have observed in [51] above, that concept is more appropriately applied to true administrative decision-making at the level of executive or local government. It has no application to adversarial proceedings where the merits of any particular application depend upon the facts and circumstances of the case and the substantive issues joined between the parties.

96 My only qualification to the foregoing, at least in the context of environmental planning, is that consistency in the application of planning principles is, clearly, a desirable objective. This has been recognised by the Commissioners of the Land and Environment Court (see [16] above) and is reflected in the planning principles articulated by Commissioner Watts in [81] of his judgment (see [15] above). In the present case, the planning principles in question were common to both appeals and were duly taken into consideration by each Commissioner. But it does not follow that a consistent application of those principles results in the same outcome. That would depend upon the particular facts of each case as well as upon the evidence called by the parties to support the outcome, based on those principles, for which each contends. This is particularly so when dealing with heritage issues such as the acceptability or otherwise of the impact of a particular proposal upon the heritage significance of a heritage item which clearly involves a value judgment of a particularly subjective kind. Commissioner Watts made that judgment in the present case and his reasons for coming to that conclusion were more than adequately expressed.

33 In this appeal, the Court is obliged to undertake a review of the issue of equivalence. I have reviewed the decision in *Chami* and note that the Commissioner has undertaken a thorough and comprehensive review of the issues, particularly having regard to proper planning principles. However, I consider that, as required under clause 5(2) of SEPPARH, the assessment under subclause (1)(b) applies only in respect of the particular development that is proposed to be carried out and more than one such assessment may be made in

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respect of the same land use zone. There is an obligation to consider the matter on each occasion an application is before a consent authority. In making my determination on the issue, I do not consider that it is necessary to go beyond considering the permitted uses within the two zones. Accordingly, I am of the view that what is required is that I must form an opinion as to whether the 2(a) zone is a land use zone in which equivalent land uses are permitted, in this case the Residential zones in the Standard Instrument. For the reasons stated above, I have found that they are not. This finding means the development application must fail as the proposed use is prohibited in the 2(a) zone and the provisions of SEPPARH do not apply to the land to which the application relates.

34 However, if I am wrong, I provide a merit assessment of the remaining contentions on the contingency that the matter should be able to be dealt with between the parties by bringing orders back to me (if I am found to be incorrect and there is a remitter), that being consistent with the objectives of the *Civil Procedure Act 2005* for the just, quick and cheap resolution of the issues in dispute between the parties. In this regard, the application meets all of the relevant controls under SEPPARH. The application is an existing application for the purposes of the amending SEPP and, apart from the parking requirement, would also comply with the controls contained in that policy.

35 Having regard to the local area, I find the design of the development is compatible with that character. Firstly, because the development has been designed to appear as a single dwelling house and fits within the existing streetscape. I agree with the experts that the bulk and scale, site layout, car parking provision, provision of open space and general presentation of the proposed development is compatible with the prevailing local character of the area. Whilst the issue of function also plays a role in determining the character of an area, I do not accept Mr Bushby's evidence that because lodgers will stay for short periods of time and may not be known to neighbours that this contributes to a different character in the area. I also do not accept the comparison of density as he is comparing dwelling units to what are essentially bedrooms. It was agreed between the experts that the council's planning controls would permit the construction of a dual occupancy development on the site and that such a development could, subject to compliance with all relevant controls, contain a total of 10 bedrooms. Accordingly, the occupancy of the development could be similar.

36 I am satisfied that the final Plan of Management and the agreed conditions of consent are appropriate and that consent could be granted if the land was found to be in an equivalent zone and the provisions of SEPPARH were applied. I consider that the savings and transitional provisions should be applied consistent to the reasons provided by Tuor C in *Huang & Lei v Parramatta City Council* [2012] NSWLEC 1077 where the Commissioner says:

24In exercising the discretion, I acknowledge that the normal purpose of a saving clause is to have a savings effect on an 'existing application' by not introducing retrospective controls that are determinative. It preserves a developments permissibility while enabling a consideration of an application's consistency with the planning approach sought by the new controls. It would appear to be fair and reasonable that an application, which was permissible at the time of lodgement, should not be rendered impermissible by a new instrument. Rather a consideration of the merits of the application, under the Original SEPP ARH, including an assessment of the compatibility of the design with the local area, should be undertaken.

25In the circumstances of this case and in exercising the discretion under cl 54A(2), I find



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that the *application should be determined as if the amending SEPP had not been made.*

- 37 The fact that the site would not be within an *accessible area* as defined in the amending SEPP due to the fact that on Sundays and public holidays, the requisite bus would arrive around 6 minutes earlier than required is not, in my opinion, reason to reject the application and the discretion to apply the provisions of SEPPARH should apply.
- 38 Despite my findings on the merits of the application, consent cannot be granted as a boarding house is prohibited in the Residential 2(a) zone under the provisions of the LEP and the provisions of SEPPARH do not apply to the land.
- 39 The Orders of the Court are:
- (1) The appeal is dismissed.
  - (2) Development Application DA192/2011, which proposed the demolition of an existing dwelling and associated outbuildings and construction of a 10 room boarding house at 172 Hillcrest Avenue, Mount Lewis, is refused consent.
  - (3) The exhibits, other than exhibits A and 4 are returned.

**Sue Morris**

**Commissioner of the Court**

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Last updated 1 November 2011

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**Land and Environment Court  
New South Wales**

Medium Neutral Citation	Chami v Bankstown City Council [2012] NSWLEC 1120
Hearing Dates	9 May 2012
Decision Date	16/05/2012
Jurisdiction	Class 1
Before	O'Neill C
Decision	1. The appeal is dismissed. 2. Development Application No. 248/2011 is refused. 3. The exhibits are returned.
Catchwords	DEVELOPMENT APPLICATION: Boarding house, permissibility, equivalence of Residential 2(a) Zone and the named land use zones.
Legislation Cited	Environmental Planning and Assessment Act 1979 Land and Environment Court Act 1979
Cases Cited	Chami v Bankstown City Council [2011] NSWLEC 1311
Category	Principal judgment
Parties	Rabih Chami (Applicant)  Bankstown City Council (Respondent)
Representation	Solicitors Lindsay Taylor Lawyers (Respondent)  Counsel Stuart Simington (Solicitor) (Respondent)  Rabih Chami (Self-represented) (Applicant)
File Number(s)	10043 of 2012

**JUDGMENT**

- 1 **COMMISSIONER:** This is an appeal pursuant to the provisions of s 97 of the *Environmental Planning and Assessment Act 1979* (EPA Act) against the refusal of Development Application No. 248/2011 (the application) by Bankstown City Council (the Council) for the demolition of an existing dwelling and construction of a twelve room boarding house at 78 South Terrace, Bankstown (the site).
- 2 The key issue between the parties is whether the application is permissible.

<http://www.caselaw.nsw.gov.au/action/pjudg?jgmid=158582>

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- 3 The parties requested a preliminary finding on the issue of permissibility, on the basis that if the Court finds that the proposal is not permissible, it would not be necessary to go to the evidence regarding the merits of the proposal.

**The planning framework**

- 4 The site is within the 2(a) Residential Zone under *Bankstown Local Environment Plan 2001* (BLEP). Boarding houses are prohibited within the 2(a) zone.

- 5 The application was lodged pursuant to the provisions of *State Environmental Planning Policy (Affordable Rental Housing) 2009* (SEPP ARH).

- 6 Clause 8 of SEPP ARH provides that if there is an inconsistency between the policy and an environmental planning instrument, SEPP ARH prevails to the extent of the inconsistency.

- 7 Clause 26 of SEPP ARH specifies the land to which 'Division 3 Boarding Houses' applies, as follows:

This Division applies to land within any of the following land use zones or within a land use zone that is equivalent to any of those zones:

- (a) Zone R1 General Residential,
- (b) Zone R2 Low Density Residential,
- (c) Zone R3 Medium Density Residential,
- (d) Zone R4 High Density Residential,
- (e) Zone B1 Neighbourhood Centre,
- (f) Zone B2 Local Centre,
- (g) Zone B4 Mixed Use.

- 8 Clause 4(2) of SEPP ARH adopts the definitions in the *Standard Instrument (Local Environment Plans) Order 2006* (Standard Instrument).

- 9 References to equivalent land use zones are defined in clause 5(1) of SEPP ARH, as follows:

A reference in this Policy to a land use zone that is equivalent to a named land use zone is a reference to a land use zone under an environmental planning instrument that is not made as provided by section 33A (2) of the Act:

- (a) that the Director-General has determined under clause 1.6 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* is a land use zone in which equivalent land uses are permitted to those permitted in that named land use zone, or
- (b) if no such determination has been made in respect of the particular zone, is a land use zone in which (in the opinion of the relevant authority) equivalent land uses are permitted to those permitted in that named land use zone.

- 10 As there has not been a determination by the Director-General as described by clause 5(1) (a), clause 5(1)(b) applies to the appeal.

**Contention**

- 11 The parties disagree on whether SEPP ARH applies to the development and therefore whether the proposed boarding house is permissible.

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- 12 According to the Council, as the site does not fall within any of the named land use zones, the issue is whether the 2(a) Residential Zone of BLEP is equivalent to any of the zones in the Standard Instrument. The Council contends that, while there is some commonality between the land uses permitted in both the 2(a) Residential (BLEP) and R1 Zone (Standard Instrument), the extent of the disjunction is such that a consent authority would reasonably conclude the zones are not equivalent. The Council contends that the fact that boarding houses are prohibited in the 2(a) Residential Zone (BLEP) and are permissible in the R1 Zone (Standard Instrument) is significant in determining the permissibility issue.

**Comparison between Zones 2(a) BLEP and R1 and R2 of Standard Instrument**

- 13 Schedule 1 BLEP Dictionary, defines 'rowhouses', 'housing for older people or people with a disability', 'home business' and 'home office' as:

**rowhouses** means three attached dwellings erected on a corner allotment of a public road with each having a common wall or walls with the adjoining dwelling or dwellings.

**housing for older people or people with a disability** means residential accommodation which may take any building form, which is or is intended to be used as housing for the permanent accommodation of older people (persons 55 years old or older) or people with a disability.

**villas** means three or more dwellings on a site sharing part of the site for access or open space or site facilities.

**home business** means a business carried on in a dwelling or a building erected within the curtilage of a dwelling where:

- (a) the use does not involve the employment of persons other than residents of the site and a maximum of 1 non-resident, and
- (b) the use does not involve the retailing of goods or the display of goods whether in a window or otherwise, and
- (c) the use does not involve the exhibition of any notice, advertisement or sign (other than a notice, advertisement or sign exhibited on that building to indicate the name and occupation of the resident or residents), and
- (d) the use does not involve a brothel, and
- (e) the use does not involve manufacturing or processing of any kind, and
- (f) the use does not have a detrimental impact on the amenity of adjoining residences.

**home office** means a home business undertaken in a single room (with a maximum area of 30 square metres) of a dwelling house, where the use:

- (a) only involves the employment of persons who are residents of the dwelling or dwelling house, and
- (b) does not have a detrimental impact on the amenity of adjoining residences, and
- (c) does not involve any retailing, manufacturing or processing of any kind, and
- (d) does not involve a brothel.

- 14 The Standard Instrument defines 'attached dwelling', 'seniors housing' and 'home occupation' as:

**attached dwelling** means a building containing 3 or more dwellings, where:

- (a) each dwelling is attached to another dwelling by a common wall, and
- (b) each of the dwellings is on its own lot of land, and
- (c) none of the dwellings is located above any part of another dwelling.

**seniors housing** means a building or place that is:

- (a) a residential care facility, or
- (b) a hostel within the meaning of clause 12 of *State Environmental Planning Policy*

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*(Housing for Seniors or People with a Disability) 2004, or*

- (c) a group of self-contained dwellings, or
  - (d) a combination of any of the buildings or places referred to in paragraphs (a)-(c), and that is, or is intended to be, used permanently for:
  - (e) seniors or people who have a disability, or
  - (f) people who live in the same household with seniors or people who have a disability, or
  - (g) staff employed to assist in the administration of the building or place or in the provision of services to persons living in the building or place,
- but does not include a hospital.

**home occupation** means an occupation that is carried on in a dwelling, or in a building ancillary to a dwelling, by one or more permanent residents of the dwelling and that does not involve:

- (a) the employment of persons other than those residents, or
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise, or
- (c) the display of goods, whether in a window or otherwise, or
- (d) the exhibition of any signage (other than a business identification sign), or
- (e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail,

but does not include bed and breakfast accommodation, home occupation (sex services) or sex services premises.

- 15 On the basis of the definitions, I have taken 'rowhouses' and 'villas' in BLEP as being the same as 'attached houses' in the Standard Instrument; 'housing for older people or people with a disability' in BLEP as the same as 'seniors housing' in the Standard Instrument and 'home business' and 'home office' in BLEP as being sufficiently similar to 'home occupation' in the Standard Instrument. In the following table, the Standard Instrument term is included in brackets following the BLEP term when they have been taken to be the same use.
- 16 The comparison between the zones in the following table is confined to a comparison between the 2(a) Residential Zone in BLEP and the Standard Instrument zones, R1 General Residential Zone and R2 Low Density Residential Zone. The remaining zones identified by Division 3 of SEPP ARH (clause 26) as being land on which a boarding house is permissible, Zones R3 Medium Density Residential; R4 High Density Residential; B1 Neighbourhood Centre; B2 Local Centre and B4 Mixed Use are so different in their nature and uses to the 2(a) Residential Zone in BLEP, that they can be eliminated as being potentially equivalent.
- 17 The following table is a comparison of Permissible Uses in the 2(a) Residential (BLEP), R1 General Residential Zone and R2 Low Density Residential Zone (Standard Instrument). Permissible uses (with or without consent) in each zone are marked by a dot.

USE	2 (a)	R1	R2
Bed and breakfast establishments	•		
Boarding houses		•	•

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Car parks	•		
Centre based child care centres	•	•	
Community facilities	•	•	
Dams	•		
Dual occupancies	•		
Dwelling houses	•	•	•
Educational establishments	•		
Family day care centres	•		
Family housing	•		
Group home		•	•
Health consulting rooms	•		
Home based child care centres	•		
Home businesses (Home occupations)	•		•
Home offices (Home occupations)	•		•
Hospitals	•		
Hostels		•	
Housing for older people or people with a disability (Seniors housing)	•	•	
Landfilling	•		
Marinas	•		
Multi-dwelling housing		•	
Neighbourhood shops		•	
Places of public worship	•	•	
Public buildings	•		

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Recreation areas	•	
Residential flat building		•
Respite day care centres		•
Rowhouses (Attached dwellings)	•	•
Sanctuaries	•	
Semi-detached dwellings		•
Shop top housing		•
Utility installations	•	
Villas (Attached dwellings)	•	•

**Findings**

- 18 Clause 5(1)(b) of SEPP ARH requires the Court to form an opinion as to whether 2(a) Residential BLEP is a land use zone in which equivalent land uses are permitted to those in the named land use zone, which in this appeal is confined to either R1 or R2 of the Standard Instrument.
- 19 Clause 5(1)(b) does not distinguish between permissible uses with or without consent.
- 20 Clause 5(1)(b) refers to 'land uses' in the plural. It is therefore necessary to make determine whether the set of permissible land uses within a zone is equivalent to the set of permissible land uses in another. It is also necessary to take into consideration the land uses that are not common between the 2(a) Residential Zone BLEP and the named land use zone in order to form an opinion as to the equivalence of the two zones.
- 21 Comparing the 2(a) Residential Zone (BLEP) to the R1 Zone (Standard Instrument), uses common to both zones are centre based child care centres, community facilities, dwelling houses, places of public worship, rowhouses (attached dwellings) and villas (attached dwellings). There are 17 additional uses permissible in the 2(a) Residential Zone BLEP, which are not permissible in the R1 Zone (Standard Instrument), including uses as diverse as hospitals, health consulting rooms, educational establishments, landfilling and marinas.
- 22 Comparing the 2(a) Residential Zone (BLEP) to the R2 Zone (Standard Instrument), uses common to both zones are dwelling houses, home businesses (home occupations) and home offices (home occupations). The R2 Zone (Standard Instrument) permits, in addition, boarding houses and group homes, which are prohibited in the 2(a) Residential Zone (BLEP). There are 22 additional uses permissible in the 2(a) Residential Zone BLEP, which are not permissible in the R2 Zone (Standard Instrument).

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**Conclusion**

- 23 In considering the set of permissible uses in the 2(a) Residential Zone (BLEP) and the set of permissible uses in either the R1 or R2 Zones (Standard Instrument), there are significant differences, not only in the numerical tally of shared and exclusive uses, but also in terms of the nature of the uses permissible in the 2(a) Residential Zone, when compared to the permissible uses in either the R1 or R2 Zones. In my view, this is sufficient to conclude that the zones are not 'equivalent' for the purposes of SEPP ARH.
- 24 I therefore find that the 2(a) Residential Zone (BLEP) is not equivalent to the R1 General Residential Zone (Standard Instrument), nor is it equivalent to the R2 Low Density Residential Zone (Standard Instrument) and consequently the proposed development is prohibited.
- 25 This judgment reaches a different conclusion to *Chami v Bankstown City Council* NSWLEC 1311, where the Commissioner addressed a broader set of considerations in determining that the zones were equivalent. It is unclear whether the same arguments were raised during those proceedings.

**Orders**

- 26 The orders of the Court are:
1. The appeal is dismissed.
  2. Development Application No. 248/2011 is refused.
  3. The exhibits are returned.

**Susan O'Neill**

**Commissioner of the Court**

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Last updated 1 November 2011



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**ATTACHMENT 2**

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**15 DRAFT DCP 2011 - PART 3.4 MULTI DWELLING HOUSING**

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**Report prepared by:** Team Leader - Design and Development

**Report dated:** 16/05/2012

**File No.:** PM2010/116 - BP12/599

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**REPORT SUMMARY**

Part 3.4 – Multi Dwelling Housing of Ryde DCP 2011 provides objectives and controls for villa development within the City of Ryde. The Local Planning Study which was adopted by Council in December 2010 recommended that the DCP controls for villas be reviewed with a particular emphasis on streetscape compatibility. In accordance with this recommendation, a comprehensive review of Part 3.4 – Multi Dwelling Housing has been undertaken, which has resulted in the updating and/or deletion of some of the existing controls and the introduction of new controls.

This report recommends that draft Development Control Plan (DCP) 2011 – Part 3.4 Multi Dwelling Housing be placed on public exhibition.

**RECOMMENDATION:**

- (a) That draft Development Control Plan (DCP) 2011 – Part 3.4 Multi Dwelling Housing be placed on public exhibition in accordance with the requirements of the Environmental Planning and Assessment Act 1979.
- (b) That a report be prepared for Council’s consideration following the exhibition period of draft DCP 2011 - Part 3.4 Multi Dwelling Housing.

**ATTACHMENTS**

- 1 Draft Part 3.4 Multi Dwelling Housing DCP

Report Prepared By:

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

Report Approved By:

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

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

## ITEM 17 (continued)

## ATTACHMENT 2

### Background

The Local Planning Study which was adopted by Council in December 2010 recommended numerous amendments to Ryde LEP and DCP 2010. On 14 February 2011 Council resolved:

*That Council authorise that a Development Control Plan (DCP) to be known as DCP 2011 be prepared in line with the Council report of 27 September 2011.*

Specific amendments that were identified in the report of 27 September 2011 have been incorporated into Draft Ryde LEP and DCP 2011, both of which are on public exhibition from 30 May until 13 July 2012.

Part 3.4 – Multi Dwelling Housing of the draft DCP provides objectives and controls for villa development within the City. In relation to Part 3.4, the exhibited draft DCP 2011:

- Deletes the linear separation requirements for multi dwelling housing. The linear separation controls require that only one property in every three can be multi dwelling housing.

The exhibited draft LEP 2011:

- Increases the minimum lot size for multi dwelling housing from 600sqm to 900sqm.
- Includes a control that the maximum height of any building without a street frontage is 5 metres and
- Permits a two storey dwelling at the street frontage.

The Local Planning Study also recommended that the DCP controls for villas be reviewed with a particular emphasis on streetscape compatibility. In accordance with this recommendation, a comprehensive review of Part 3.4 – Multi Dwelling Housing has been undertaken, which has resulted in the updating and/or deletion of some of the existing controls and the introduction of new controls.

### Review of Part 3.4 Multi Dwelling Housing

The approach applied to reviewing Part 3.4 involved:

- Removing controls covered elsewhere in DCP 2010.
- Deleting controls that can be addressed in conditions of consent - e.g. lighting
- Amending or deleting controls no longer considered relevant – e.g. non preferred locations
- Introducing new controls to improve design outcomes

The key controls deleted or introduced are outlined below:

## ITEM 17 (continued)

## ATTACHMENT 2

### Deleted controls

#### 2.3 Non-preferred locations

Section 2.3 of Part 3.4 currently includes a control that only allows multi dwelling housing in suitable locations. Schedule 2 lists those areas that are unsuitable for multi dwelling housing and includes six maps. The unsuitable areas are either on busy roads, waterfront land, bushland or heritage or character precincts.

The draft Plan deletes Control 2.3a and Schedule 2 because this provision creates a “sub zone” in a DCP which is not compliant with the Department’s directions. It is considered that the control may be difficult to defend in court as multi dwelling housing is a permissible use in all residential zoned land. Further, merit assessment would address any issues relating to traffic and the environment. New controls have been added to the draft Plan to ensure the significance of heritage conservation areas and character areas is retained.

#### 2.5 Retention of existing buildings

Part 3.4 currently includes the following control:

- 2.5(a) *Retention of an existing dwelling as part of a new Multi dwelling housing (attached) development will not be approved. Exception to this may occur if the site contains a heritage significant building or a building identified as a contributing item.*

The draft Plan deletes control 2.5a because it discourages the adaptive reuse of existing buildings and could cause the demolition of a character building. It is noted that there are numerous contributory buildings throughout the Ryde LGA that have not been heritage listed and their retention as part of a multi dwelling housing development would be of benefit to local character.

#### 3.1 Slope of site

Part 3.4 currently includes the following controls at Section 3.1

- a. *Dwellings must have presentation to the street. The front entrance of at least one dwelling must be clearly seen from the street.*
- b. *Sites with a down slope of more than 1:6 will not be acceptable.*
- c. *Sites that slope up from the street with a slope of more than 1:6 will not be acceptable.*
- d. *Sites with a cross fall of more than 1:14 will not be acceptable.*

The draft Plan deletes controls 3.1(b), (c) and (d) because these controls are superfluous as other controls throughout the DCP deal with resulting impacts of slope on streetscape or the neighbouring property. Careful site planning can accommodate slope and access.

#### 3.3.1 Storey and height controls

Part 3.4 currently includes the following controls at Section 3.3.1 a.

- a. *Multi dwelling housing (attached) development must be contained within a single storey building. However, a dwelling with frontage to the street can be two storeys provided:*

**ITEM 17 (continued)**

**ATTACHMENT 2**

- I. The two storey dwelling is not attached to any other two storey dwelling; and*
- II. Council is satisfied that a two storey dwelling is suitable in terms of the surrounding streetscape*

Height controls in draft LEP 2011 allow for a maximum height of 9.5 metres (two storeys) and 5 metres (one storey) for any dwelling without a street frontage. The standard template LEP definition of multi dwelling housing allows for both detached and attached dwellings within a multi dwelling housing development. This means that two storey townhouse developments facing the street are permissible under draft LEP 2011. Hence, the draft Plan deletes control 3.3.1a to ensure the DCP is consistent with draft Ryde LEP 2011.

4.3 Roof scape and roof materials and 4.4 Building Materials

Part 3.4 currently includes highly prescriptive controls for roofs and building materials. Controls in Section 4.3 nominate roof pitch, eave length, mandatory inclusion of gables at the street frontage and suitable materials. Controls in Section 4.4 require that traditional materials only are to be used and define the proportions of windows and openings. These controls would not permit many contemporary design solutions including an environmental design response.

It is not necessary for Council to be so prescriptive in this area. By removing the control will enable greater design flexibility and will allow for contemporary design, the draft Plan deletes these controls.

**New controls**

Streetscape and Safer by Design

Section 5.1 of the draft Plan strengthens the streetscape controls and introduces controls that respond to crime prevention through environmental design principles. For example there is the requirement that dwellings adjacent to the street must address the street by having the front door and/or living room or kitchen window addressing the street. The frontage of buildings and their entries are to be readily apparent from the street. The controls assist in maintaining the rhythm of the street.

Side setback control

Part 3.4 currently requires a minimum side setback of 4.5m and up to 50% of the side wall of any dwelling to be a minimum of 3.5m. The draft Plan introduces a new control to allow a minimum side setback of 1.5m where a dwelling has a street frontage and no private open space along the side boundary for that dwelling only. The justification for this new control is that the 1.5m side setback is the same as for the Dwelling Houses and Dual Occupancy DCP and it will assist in maintaining the typical side setbacks and development patterns that characterise the residential areas.

Prohibition of dormer windows

The current DCP is silent on dormer windows. The draft Plan prohibits dormer windows in roof forms, the reason being that dwellings with dormer windows, especially at the rear of the development can cause issues associated with visual privacy.

## ITEM 17 (continued)

## ATTACHMENT 2

### Heritage controls

Section 3.1 of the draft Plan provides new controls to ensure multi dwelling housing development does not have an adverse impact upon the heritage significance of heritage items, Heritage Conservation Areas or Character Areas.

A copy of the draft DCP – Draft Part 3.4 Multi Dwelling Housing is **ATTACHED**.

### **Consultation**

#### Internal consultation

For the preparation of the draft controls, consultation occurred with staff from the Assessment Unit who had undertaken a detailed review of Part 3.4 – Multi Dwelling Housing (Attached) as part of their Best Practice Review process. Recommendations from the Best Practice Review have been incorporated into the draft DCP.

#### External consultation

Public consultation will occur during the exhibition of the draft DCP.

As required under the Regulations to the Environmental Planning and Assessment Act the draft Plan will be required to be exhibited for a period of not less than 28 days, by notice in the local newspaper.

It is noted that draft controls for Part 3.3 Dwelling Houses and Dual Occupancy, Part 3.6 Boarding Houses and Part 7.1 Energy Smart, Water Wise of Ryde DCP 2011 will be reported to Council over the next two months with a recommendation that the draft Plans be placed on public exhibition. It is recommended that the draft Plans be exhibited concurrently and that the exhibition period commence in September/October 2012 at which time the public exhibition and adoption of Draft Ryde LEP and DCP 2011 are likely to be finalised.

As part of the formal exhibition process the following will occur:

- Notification in the Northern District Times
- Hard copies of the draft DCP available for viewing at Customer Service Centre, Ryde Planning and Business Centre and all Council Libraries.
- Letters to relevant State authorities and Local Members of State and Federal Government.
- Website – material on the draft DCP.
- Workshop with the local industry, real estate agents and small scale developers.

### **Financial Implications**

The recommendation to endorse the draft DCP – Part 3.4 Multi Dwelling Housing for exhibition will not have a financial impact. The exhibition process is funded through the operational budget of the Urban Planning Unit.

**ITEM 17 (continued)**

**ATTACHMENT 3**



ITEM 17 (continued)

ATTACHMENT 3

3.4 Multi Dwelling Housing

Translation

ENGLISH

If you do not understand this document please come to Ryde Civic Centre, 1 Devlin Street, Ryde Monday to Friday 8.30am to 4.30pm or telephone the Telephone and Interpreting Service on 131 450 and ask an interpreter to contact the City of Ryde for you on 9952 8222.

ARABIC

إذا تعذر عليك فهم محتويات هذه الوثيقة، نرجو للحضور إلى مركز بلدية رايد Ryde Civic Centre على العنوان: 1 Devlin Street, Ryde من الاثنين إلى الجمعة بين الساعة 8.30 صباحاً والساعة 4.30 بعد الظهر، أو الاتصال بمكتب خدمات الترجمة على الرقم 131 450 لكي نطلب من أحد المترجمين الاتصال بمجلس مدينة رايد، على الرقم 9952 8222، نيابة عنك.

ARMENIAN

Եթե այս փաստաթուղթը չէք հասկանալ, խնդրում ենք Ձեր Բայրը Միավոր Մենթրոյ, 1 Տեյվլին փողոց, Բայրը, (Ryde Civic Centre, 1 Devlin Street, Ryde) երկուշաբթի, և ուրբաթ կառ ժամը 8.30 – կես ժամը 4.30, կամ հեռաձայնելով՝ Տեղափոխվել և թարգմանության Ազատությունը 131 450, եւ խնդրելով որ թարգմանիչ մը Բայրը Բարդաստեղծարարական հար կապ հասարակ: ձեզի համար, հեռաձայնելով՝ 9952 8222 թիվին:

CHINESE

如果您看不懂本文，請在周一至周五上午 8 時 30 分至下午 4 時 30 分前往 Ryde 市政中心詢問 (Ryde Civic Centre, 地址: 1 Devlin Street, Ryde)。你也可以打電話至電話傳譯服務中心，電話號碼是: 131 450。接聽後你可以要求一位傳譯員為你打如下電話和 Ryde 市政廳聯繫，電話是: 9952 8222。

FARSI

اگر این مدرک یا نامه فهمید لطفاً از 8.30 صبح تا 4.30 بعد از ظهر دوشنبه تا جمعه به مرکز شهرداری رايد، Ryde Civic Centre, 1 Devlin Street, Ryde مراجعه کنید یا به سرویس مترجم تلفنی شماره 131 450 تلفن کنید و از یک مترجم بخواهید که از طرف شما با شهرداری رايد شماره 9952 8222 تلفن کند.

ITALIAN

Se non capite il presente documento, siete pregati di rivolgervi al Ryde Civic Centre al n. 1 di Devlin Street, Ryde, dalle 8.30 alle 16.30, dal lunedì al venerdì; oppure potete chiamare il Telephone Translating and Interpreting Service al 131 450 e chiedere all'interprete di contattare a vostro nome il Municipio di Ryde presso il 9952 8222.

KOREAN

이 문서가 무슨 의미인지 모르실 경우에는 1 Devlin Street, Ryde 에 있는 Ryde Civic Centre 로 오시거나 (월 – 금, 오전 8:30 – 오후 4:30), 전화 131 450 번으로 전화 통역 서비스에 연락하셔서 통역사에게 여러분 대신 Ryde 시청에 전화 9952 8222 번으로 연락을 부탁드립니다.

Amend. No.	Date approved	Effective date	Subject of amendment

**ITEM 17 (continued)**

**ATTACHMENT 3**

Multi Dwelling Housing  
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# 3.4

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**ATTACHMENT 3**

**3.4** Multi Dwelling Housing  
1.0 Introduction

**1.0 INTRODUCTION**

**1.1 Background**

Multi dwelling housing developments assist in meeting the housing needs of present and future residents within the City of Ryde, including young families, single person households and older couples. Multi dwelling housing is typically a form of infill development that allows increased residential densities within existing suburban areas. Multi dwelling housing in the City of Ryde is generally provided as single storey villa development. However, two storey villas can also be provided for dwellings that have a street frontage.

Multi dwelling housing is desirable because it:

- Is cost effective to build
- Does not need major site amalgamation
- Can deliver a greater mix of affordable housing
- Can fit into existing streets and neighbourhoods
- Suits a wide range of demographic groups

This Part sets out objectives and controls for multi dwelling housing development within the City of Ryde.

**1.2 Objectives**

The objectives of this Part are:

1. To ensure multi dwelling housing developments complement existing development and the streetscape;
2. To ensure the dispersal of multi dwelling housing developments occurs within neighbourhoods throughout the City of Ryde;
3. To provide a high level of residential amenity for the occupants of multi dwelling housing developments;
4. To meet the needs of all households;
5. To promote design that achieves the security and safety of residents and the public domain;
6. To ensure that the amenity of occupants of adjoining land is not adversely affected by any multi dwelling housing development;
7. To retain heritage significant buildings.

**ITEM 17 (continued)**

**ATTACHMENT 3**

Multi Dwelling Housing  
2.0 Site Analysis

3.4

**2.0 SITE ANALYSIS**

A site analysis is necessary to ensure that the development is of high quality, sensitive to its environment and positively contributes to its context. A thorough site analysis will ensure that site layout and building design addresses existing and possible future opportunities and constraints of both the site and its surrounds.

An analysis of the site and context is a fundamental stage of the design process, and should support many key design decisions relating to the proposal. The site analysis is to assist in minimising issues relating to noise, overshadowing, safety, access views and privacy.

The applicant must demonstrate to Council that the site analysis has been used in preparing the design for the site and for the dwellings. The analysis may then be used to critically assess the success of the proposal in its response to the features of the site and its context.

A site analysis drawing must be based on a survey drawing produced by a qualified surveyor and contain a reference number and date. The drawing is to be drawn to a scale of either 1:100 or 1:200 and must include the following information.

**With regard to the site:**

- Site dimensions, site area and north point;
- Street trees, identified by size, botanical and common names (if relevant);
- Topography, showing spot levels and contours 0.5 metre intervals for the site, adjoining streets and land adjoining the site;
- Views to and from the site;
- Prevailing winds;
- Geotechnical characteristics of the site and suitability of development;
- Pedestrian and vehicular access points; existing and proposed;
- Location of utility services, including electricity poles, stormwater drainage lines, natural drainage, kerb crossings and easements;
- Overland stormwater flow;
- Site drainage

**With regard to the land surrounding the site:**

- Form and character of adjacent and opposite buildings in the streetscape and adjacent sites; architectural character, front fencing, garden styles;
- Neighbouring properties (those both at the sides of the allotment and to the rear); location, use and overall height (in storeys and metres), important parapet/datum lines, location of key features such as windows.
- Privacy; adjoining private open space, living room windows overlooking the site,
- Location of any facing doors, windows and external living areas;
- Walls built to the site's boundary; location, height, materials;
- Difference in ground levels between the site and adjacent properties;
- Views enjoyed by neighbouring properties;

ITEM 17 (continued)

ATTACHMENT 3

3.4 Multi Dwelling Housing  
2.0 Site Analysis

- Views enjoyed from public areas;
- Solar access enjoyed by neighbouring properties;
- Major trees on adjacent properties, within 9 metres of the subject site;
- Street frontage features; poles, trees, kerb crossovers, bus stops, other services;
- Heritage features of the surrounding locality and landscape, (if relevant);
- Public open space, (if relevant);
- Adjoining bushland or environmentally sensitive land;
- Sources of nuisance; flight paths, noisy roads or other significant noise sources, polluting operations (if relevant).

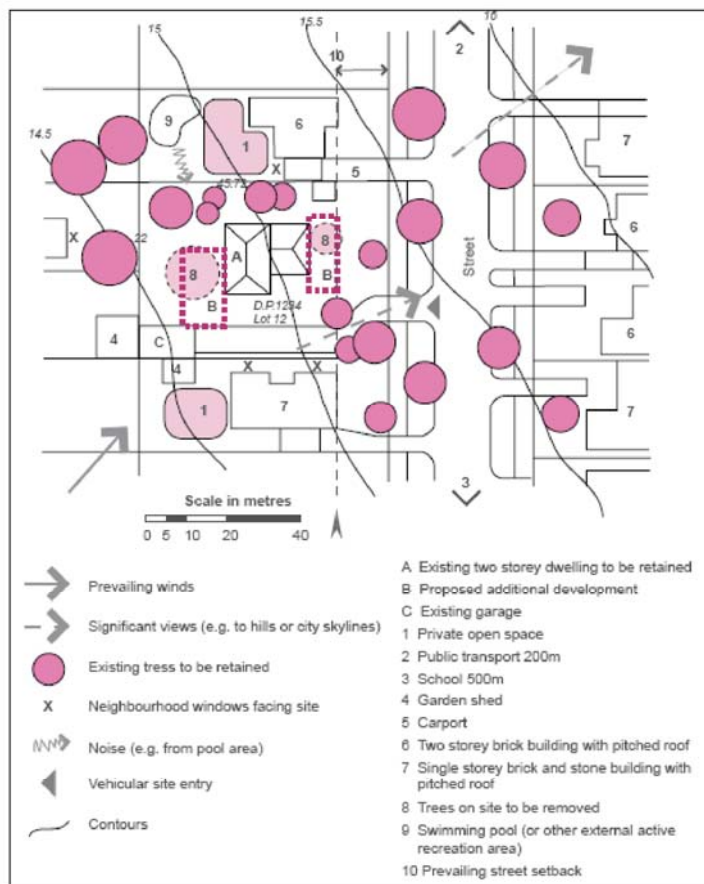


Figure 3.4.1 Example of Site Analysis Plan

**ITEM 17 (continued)**

**ATTACHMENT 3**

Multi Dwelling Housing  
3.0 General Provisions

**3.4**

**3.0 GENERAL PROVISIONS**

**3.1 Heritage Significant Buildings**

**Objectives**

1. To ensure new development does not have an adverse impact upon the heritage significance of heritage items

**Controls**

- a. A heritage impact statement prepared by a suitably qualified heritage consultant must be submitted with the lodgement of a development application that seeks consent for development of a heritage item or a site adjacent to a heritage item. The heritage impact statement must address the following:
  - i. impact of the proposed development on the significance of the item
  - ii. measures to mitigate negative impact
  - iii. Why alternate uses are not viable
  - iv. Cartilage issues and measures to protect the item
  - v. Conservation and restoration schedule
- b. The proposed development must conserve the setting of the heritage item and the significant views to and from the heritage item
- c. Development of a heritage item must ensure that the scale, form, materials, finishes and fenestration of the new work does not have an adverse impact upon the heritage significance of the item.
- d. Additions to a built heritage item must be located at the rear. Additions or alterations to the front are not permitted unless for the purpose of restoration or reconstruction. Second storey additions to the principal building form are not permitted; however rooms in the roof with rear facing dormer windows appropriate to the building style may be acceptable.
- e. Original face brick work or stone must not be rendered or painted.
- f. Original finishes and materials must be retained. Some examples of original materials are: tessellated tiles on paths and verandahs; gable ends decorated with timber battens and shingles.
- g. Development of a heritage item must conserve original landscape features of significance such as original fences, sandstone retaining walls and sandstone walls. The original level of front yards must not be raised to the same height as the front verandah.
- h. Where off street car parking is required elsewhere in this plan it may not be a requirement if the property is a heritage item and the provision of parking would have a detrimental impact upon the significance of the item.
- i. New garages are to be located behind the rear building line of the principal building form.
- j. Where new development is proposed adjacent to a heritage item in a street of buildings similar to the heritage item or in a Heritage Conservation Area or in a Character Area, then the new development must maintain the historic streetscape pattern

**ITEM 17 (continued)**

**ATTACHMENT 3**

**3.4** Multi Dwelling Housing  
3.0 General Provisions

- k. Development in a Heritage Conservation Area or Character Area must pay particular attention to the design elements that are characteristic of the area including style and pitch of roofs, parapet walls, proportions of window and door openings and external materials and windows.

**3.2 Dwelling Mix**

**Objectives**

- 1. To ensure multi dwelling developments contain a mix of dwelling sizes to meet the needs of different household groups.

**Controls**

- a. In developments containing 4 or more dwellings not more than 75% of dwellings should have the same number of bedrooms. Where 75% is not a whole number, the number should be rounded down.

Note: For example in a 6 dwelling development 4 dwellings can have 3 bedrooms and two dwellings can have 2 bedrooms.

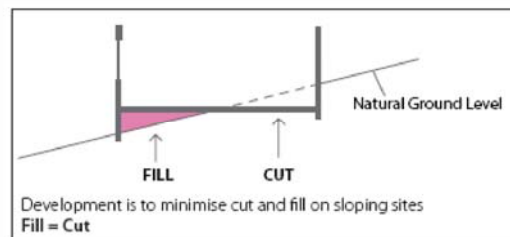
**3.3 Altering the Levels of the Site**

**Objectives**

- 1. To limit site excavation and minimise disturbance to natural landform
- 2. To ensure that building form relates to topography
- 3. To protect the amenity of adjoining properties

**Controls**

- a. The building footprint is designed to minimise cut and fill allowing the building mass to step in accordance with the slope of the land.



**Figure 3.4.2 Development on Sloping Sites**

- b. Fill is not allowed in areas of overland flow.
- c. The levels of the site should not be altered by more than 300 mm. This relates to all areas of the site not covered by the building floor envelope e.g. driveways, courtyards, setback areas, landscaped areas.

**ITEM 17 (continued)**

**ATTACHMENT 3**

Multi Dwelling Housing  
3.0 General Provisions

# 3.4

## 3.4 Accessibility

### Objectives

1. To ensure that multi dwelling housing developments meet the needs of all households including older persons and people with disabilities.

### Controls

- a. Pedestrian access should be provided throughout the development using a continuous accessible path of travel to all dwellings where the level of the land permits. Such access where practicable should be separate from vehicle access.
- b. Developments of 6 or more dwellings must be designed so that not less than 35% of the dwellings provide access to all indoor areas and outdoor living areas for people with disabilities in accordance with the Australian Standards for Adaptable Housing AS4299.
- c. Developments of 6 or more dwellings will be required to provide an access audit that has been conducted by a qualified and accredited access auditor.

## 3.5 Number of Dwellings

### Objectives

1. To ensure that multi dwelling housing developments are not the dominant form of development in an open area and do not dramatically change the character of the location.

### Controls

- a. No development shall contain more than 12 dwellings.

## 3.6 Hatchet shaped allotments

### Objectives

1. To ensure adequate visual and acoustic privacy for the occupants of the development and nearby residents.

### Controls

- a. Hatchet-shaped allotments are not suitable for multi dwelling development.

**ITEM 17 (continued)**

**ATTACHMENT 3**

**3.4** Multi Dwelling Housing  
4.0 Building Size and Location

**4.0 BUILDING SIZE AND LOCATION**

Numeric controls for building size and location are contained in Ryde LEP 2011 and this DCP. The Ryde LEP 2011 provides controls for density and maximum height in metres.

This section contains the following elements:

- maximum building height in storeys
- front, side and rear setback controls; and
- site coverage

Applicants may choose where to locate the building footprint, provided that it occurs within the front, side and rear setback controls and provided that it satisfies all other relevant controls that apply to the land. Important considerations that relate to the building's scale and location are the protection of privacy, access to sunlight and views, the protection of existing trees and the establishment of future plantings.

**Controls**

Developments for multi dwelling housing are to comply with the following controls:

Provision	Controls
Density	Refer to Clause 4.5A of Ryde LEP 2011 for minimum site area requirements for multi dwelling housing development in Zone R2 Low Density Residential.  In other zones where multi dwelling housing is permissible Ryde LEP 2011 provides maximum floor space ratio requirements.
Site coverage	Maximum 40% of the site
Site frontage	Minimum 20 metres, including each street frontage on a corner site
Maximum height in storeys	Maximum height is shown on the Ryde LEP 2011 Height of Building Map.  In the R2 Zone - Low Density Residential a maximum height of two storeys is permissible for buildings with a street frontage. All other buildings must be single storey with a maximum height of 5 metres.
Maximum wall plate height	7.5 metres or 8 metres for a roof which has a continuous parapet
Front setback	The same distance as one of the buildings on an adjoining allotment, if the difference between the setbacks of the building on the adjoining allotments is not more than 2m, <b>or</b>  If the difference between the setbacks of the adjoining buildings is more than 2m, the development must be set back the average of the average of the front setbacks of the two adjoining dwellings.
Secondary street setback	Minimum 4.5m

**ITEM 17 (continued)**

**ATTACHMENT 3**

Multi Dwelling Housing

4.0 Building Size and Location

**3.4**

Provision	Controls
Side setbacks	<p>Minimum 4.5m. To promote articulation, Council may allow up to 50% of the side wall of any multi dwelling housing to be not less than 3m from the side boundary. Note: The maximum 50% requirement is calculated unit-by-unit and is not for the whole development.</p> <p>Minimum 1.5m where a dwelling has a street frontage and no private open space along the side boundary.</p> <p>Minimum 6m where setback includes a driveway</p>
Rear setback	Minimum 4.5m
Building separation	Minimum 9m separation should be provided between the windows of habitable rooms of facing dwellings within the development
Deep soil zone	Minimum 35% of site area. Note: Deep soil zone means that area of a site with no above ground, ground level or subterranean development. Paved surfaces, driveways or pathways do not constitute deep soil landscape area.



ITEM 17 (continued)

ATTACHMENT 3

3.4 Multi Dwelling Housing  
5.0 Building Design

5.0 BUILDING DESIGN

5.1 Streetscape

**Objectives**

1. To ensure development achieves a cohesive streetscape that responds to the predominant qualities of the street
2. To ensure a safe environment by promoting crime prevention through environmental design

**Controls**

- a. The building design and use of materials, roof pitch and architectural features and styles must have regard to those of surrounding buildings.
- b. Buildings on corner sites are to be articulated to address each street frontage and are to define prominent corners.
- c. Dwellings adjacent to the street must address the street by having the front door and/or living room or kitchen window addressing the street. The frontage of buildings and their entries are to be readily apparent from the street.



**Figure 3.4.3**  
Villa development with good street address

- d. Buildings are designed to overlook streets and other public areas to provide casual surveillance. Buildings adjacent to a public area must have at least one habitable room window with an outlook to this area.
- e. Attention must be given to the roof as an important architectural element in the street which can provide continuity and character.
- f. Dwellings that face the street must have individual and direct pedestrian access off the street (separate to the driveway where possible).
- g. Clotheslines are not permitted within the front setback area.



**Figure 3.4.4**  
Terrace housing with direct pedestrian access off the street

## ITEM 17 (continued)

## ATTACHMENT 3

Multi Dwelling Housing  
5.0 Building Design

# 3.4

### 5.2 Ceiling Height

#### Objectives

1. To ensure dwellings have sufficient light, space and ventilation to all rooms.

#### Controls

- a. The floor to ceiling height of any habitable room must not be less than 2.7m.

### 5.3 Solar Access

#### Objectives

1. To ensure buildings are sited and designed to maximise access to daylight to habitable rooms;
2. To ensure daylight to habitable rooms in adjacent dwellings is not significantly reduced; and
3. To maximise winter sunlight to courtyards within the development and the open space areas of neighbouring dwellings.

#### Controls

- a. Building form, separation and plan layout facilitates good solar access to internal and external living spaces
- b. Habitable room windows should face a courtyard or other outdoor space open to the sky. Habitable room windows should be no closer than 1.5 m (horizontal distance) from the wall of a building.
- c. Sunlight to at least 50% of each courtyard within the development and the principal area of ground level private open space of adjacent properties must not be reduced to less than two hours between 9 am and 3 pm on June 21.
- d. Where existing overshadowing by buildings and fences is greater than 50% on adjoining properties, sunlight must not be further reduced by more than 20%.
- e. Shadow diagrams are to be submitted to Council indicating solar access within the development and to adjoining properties. Fences and existing vegetation may be required to be shown on the shadow diagram where Council considers it necessary.

### 5.4 Visual and Acoustic Privacy

#### Objectives

1. To site and design buildings to ensure acoustic and visual privacy for occupants and neighbours

#### Controls

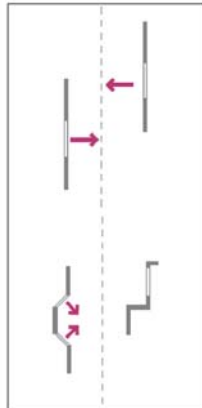
- a. The windows of a habitable room with a direct sightline to the windows of a habitable room of an adjacent dwelling and located within 9.0m:
  - i. are sufficiently off-set to preclude views into the windows of the adjacent building; or
  - ii. have sill heights of 1.7m above floor level; or
  - iii. have fixed obscure glazing in any part of the window below 1.7m above floor level

**ITEM 17 (continued)**

**ATTACHMENT 3**

**3.4** Multi Dwelling Housing  
5.0 Building Design

- b. Balconies, terraces and the like should be located to minimise overlooking of an adjoining property's open space or windows. Techniques such as recessing, screens or landscaping may be used to prevent direct views into habitable rooms or private open space of adjacent dwellings.



**Figure 3.4.6 Privacy Sensitive Zone**

- c. Dormer windows are not permitted on roof forms and the use of roof space for habitable purposes is prohibited. Roof space is to be used for storage only
- d. Site layout and building design should protect the internal living and sleeping areas from high levels of external noise. Building design and layout should minimise transmission of structural-borne sound.
- e. The operating noise level of air conditioners, swimming pool pumps and other mechanical services must not exceed the background noise level by more than 5dB(A).

**ITEM 17 (continued)**

**ATTACHMENT 3**

Multi Dwelling Housing  
6.0 Landscape Design

3.4

**6.0 LANDSCAPE DESIGN**

**6.1 Private Outdoor Space**

Private outdoor space is an important component of any residential development. Sydney's climate allows for outdoor living areas to be utilised for much of the year, making it essential that private outdoor spaces are functional and relate to the activity areas of the dwelling.

**Objectives**

1. That private outdoor spaces are functional and relate to the activity areas of the dwelling;
  - i. That all courtyards gain satisfactory access to sunlight.

**Controls**

- a. Each dwelling at ground level is to provide the following minimum private open space requirements:
  - i. 30m<sup>2</sup> for 1 and 2 bedroom dwelling
  - ii. 35m<sup>2</sup> for 3 or more bedroom dwelling
- b. All private outdoor space must have a minimum dimension of 4.5 metres and be contiguous with the ground floor of the unit
- c. Private open space areas are to act as extensions of indoor living areas and are not to be covered;
- d. Private open space is to be located to maximise solar access
- e. Access other than through the dwelling must be provided to each private outdoor space for maintenance purposes. This access must not be less than 1m wide and may be provided through the garage.

**6.2 Landscape Design**

**Objectives**

- a. To ensure the landscaping of the site within the multi dwelling housing development complements or enhances the desired future neighbourhood character by:
  - i. Providing sufficient open space for planting trees and shrubs;
  - ii. Retaining, protecting, or replacing, existing vegetation where possible;
  - iii. Protecting neighbouring trees from damage to their root systems.
  - iv. Landscaping designs must seek to:
    - v. Enhance the urban forest and promote a scale and density of planting that is appropriate to the surrounding built form;
    - vi. Provide privacy and enhance environmental amenity;
    - vii. Be easily maintained;
    - viii. Use native plant material, particularly material indigenous to the area; and
    - ix. Provide for sufficient depth of soil to support the long term viability of the landscaping.

**ITEM 17 (continued)**

**ATTACHMENT 3**

**3.4** Multi Dwelling Housing  
6.0 Landscape Design

**Controls**

**Landscape plans**

- a. The development site must be landscaped to the Council's satisfaction. A Landscape Concept Plan must be submitted with the Development Application. A final Landscape plan is to be submitted and approved prior to the issue of the Construction Certificate. The potential size of a proposed or existing tree is to be provided to Council as a separate schedule on the Landscape Plan.

**Protection and Retention of Trees**

- b. The development should be designed so that existing substantial trees are retained and preferably located within common areas. The design of the development should provide adequate separation between such trees and the building.



**Figure 3.4.5**  
**Development has been sited to retain significant trees**

- c. An arboriculture assessment will be required with any application where significant trees are affected.

**Planting Design**

- d. Planting design is to:
  - i. provide shaded areas in summer, especially to west facing windows
  - ii. provide screening for visually obtrusive land uses or building elements
  - iii. provide visual privacy between buildings
  - iv. not cause overshadowing of solar collectors on rooftops
  - v. incorporate plant species in locations and in densities appropriate for their expected size at maturity
  - vi. ensure vegetation and tree selection is appropriate to the scale of development at maturity
  - vii. rely primarily on plants that have a low water demand and nil or low fertilizer requirements
  - viii. use appropriate indigenous plant species wherever possible.
- e. At least 20% of the front setback area is to be provided as a deep soil zone and be landscaped with turf of planting areas.

ITEM 17 (continued)

ATTACHMENT 3

- f. A landscape strip not less than 1.2 metres wide should be provided between the driveway and the adjoining property boundary
- g. A landscape strip of not less than 1 metre must be provided between the driveway and the wall of the dwellings.

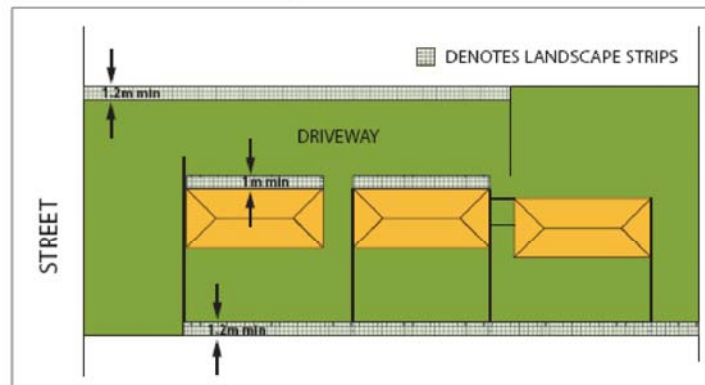


Figure 3.4.11 Privacy and Amenity Planting

6.3 Fences

Objectives

1. To define the boundaries between public and private land.
  - i. To define the boundaries between neighbouring properties.
  - ii. To contribute to the streetscape appearance.
  - iii. To enhance the usability of private open space.
  - iv. To offer acoustic and visual privacy on noisy roads.

6.3.1 Front and return fences

Controls

- a. Front and return fences are to reflect the design of the dwelling.
- b. Front and return fences and walls are to be constructed of materials compatible with the building and with other fences and walls within the streetscape.
- c. A solid front or return fence is to be no higher than 900 mm. An open lightweight fence, such as a timber picket fence may be up to 1 metre high.
- d. A return fence is to be no higher than the front fence.
- e. Fences may have a maximum height of 1.8 metres so long as the fence is an open fence with an openness ratio of at least 50%. The fence may have a solid base so long as the base is no higher than 900 mm.
- f. Fences along arterial roads may be solid masonry up to a maximum height of 1.8m.
- g. Front and return fences are not to be Colorbond or timber paling.

**ITEM 17 (continued)**

**ATTACHMENT 3**

**3.4** Multi Dwelling Housing  
6.0 Landscape Design

- h. Retaining walls which are part of a front or return fence are to have a maximum height of 900 mm.
- i. In areas of overland flow, fencing shall be of open construction so that it does not impede the flow of water.
- j. Fence piers are to have a maximum width of 350 mm.
- k. Boundary fences which face a second street or abut a public space must be of similar materials and construction as front fences



**Figure 3.4.5**  
Terrace housing with low front fencing and gardens that contribute to the streetscape

**6.3.2 Side and rear fences**

**Controls**

- a. The maximum height for side and rear fences is to be 1.8 metres.
- b. In areas of overland flow, all fencing shall be of open construction so that it does not impede the flow of water.
- c. Barbed wire, broken glass and other dangerous elements must not be used in the construction of fences.
- d. Any fencing located forward of the foreshore building line shall be of open, permeable construction.

**Calculation Rules**

The height of a fence on the street alignment is to be measured above the level of the adjacent footpath or verge. The level of the footpath or verge may be obtained from Council's Development Engineers.

**ITEM 17 (continued)**

**ATTACHMENT 3**

Multi Dwelling Housing  
7.0 Car Parking

**3.4**

**7.0 CAR PARKING**

**7.1 Car Parking and vehicular access**

**Objectives**

1. To provide sufficient car parking on site to satisfy the needs of the residents and visitors to the site.
2. To minimise the impact of driveway crossings on the flow of pedestrian movements and landscaping of the development.

**Controls**

Refer to Part 9.3 of this DCP for on-site parking provisions.

- a. Garages and parking spaces must not be located between the dwellings and the street frontage.
- b. Garages and parking spaces should not dominate the development when viewed from the street or any other public area.
- c. Garages doors should be detailed to reduce their visual impact and add interest when viewed from the street.
- d. Where traffic conditions are suitable, the width of a driveway crossing is to meet the following minimum standards:

Size of Development	Width of Crossing
Up to 10 car parking spaces	4 metres
More than 10 car parking spaces	Not more than 6 metres

- e. Two vehicular crossings will not be permitted where the width of the driveway openings is more than 30% of the frontage.

**7.2 Manoeuvrability**

**Objectives**

1. To provide convenient and safe turning areas that will permit all vehicles to enter and leave the site in a forward direction. This requires adequate width of driveways, garages and turning areas.

**Controls**

1. All parking areas and access therein must be designed in accordance with Australian Standard AS2890.1.
2. For corner allotments council may allow vehicles to leave the site by reversing where the traffic conditions allow this to occur safely and where there is not more than 3 dwellings and not more than 2 crossovers.
3. For corner allotments vehicle access points must be no closer than 6 metres from the property boundary or kerb tangent at the intersection of the two roads whichever is the greater.



**ITEM 17 (continued)**

**ATTACHMENT 3**



City of Ryde  
Civic Centre  
1 Devlin Street  
Ryde NSW 2112

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

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**18 DRAFT DEVELOPMENT CONTROL PLAN 2010 - PART 9.6 TREE PRESERVATION - SUBMISSIONS**

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**Report prepared by:** Open Space Planner**Report dated:** 14/05/2012**File No.:** GRP/09/4/6 - BP12/564

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**REPORT SUMMARY**

At the Council meeting of 28 February 2012, Council resolved to place the draft Development Control Plan (DCP) Part 9.6 Tree Preservation on public exhibition. This Part of Council's DCP provides specific controls aimed towards the preservation of trees across the City of Ryde.

In 2011, a comprehensive review of the DCP Part 9.6 Tree Preservation was undertaken and the results of this comprehensive review included:

- Revised DCP Part 9.6 Tree Preservation
- Revised DCP Part 9.6 Tree Preservation companion Technical Manual

To reinforce the City of Ryde's commitment to the management of trees across the City, the draft Urban Forest Policy was also developed providing guidance on the sustainable management of the City's urban forest.

The draft DCP 2010 Part 9.6 Tree Preservation, Technical Manual and draft Urban Forest Policy were placed on public exhibition from 21 March 2012 until 4 May 2012. During this period, Council received 12 submissions.

**RECOMMENDATION:**

- (a) That Council adopt draft DCP 2010 Part 9.6 Tree Preservation and Technical Manual with changes outlined in the body of this report and that a public notice of Council's decision be placed in a local newspaper under the term of the Regulations of the Environment Planning and Assessment Act so the Plan may come into effect.
- (b) That Council adopt draft Urban Forest Plan.

**ATTACHMENTS**

- 1 Submission Analysis - CIRCULATED UNDER SEPARATE COVER
- 2 DCP Part 9.6 Tree Preservation – CIRCULATED UNDER SEPARATE COVER
- 3 Urban Forest Technical Manual - CIRCULATED UNDER SEPARATE COVER
- 4 Urban Forest Policy - CIRCULATED UNDER SEPARATE COVER

**ITEM 18 (continued)**

Report Prepared By:

**Fiona Morrison**  
**Open Space Planner**

Report Approved By:

**Tatjana Domazet**  
**Service Unit Manager - Open Space**

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

**ITEM 18 (continued)****Background**

The Development Control Plan (DCP) 2010 Part 9.6 Tree Preservation was drafted to provide specific development controls aimed towards the preservation of trees across the City of Ryde. During its initial implementation, it became apparent that DCP 2010 Part 9.6 Tree Preservation:

- Contained inconsistencies,
- Failed to provide clear direction to the community about the management of trees on their land
- Created unnecessary paperwork for Council staff that contributed to delays in resolving tree management applications submitted by the community, and
- Maintained a lengthy and complicated assessment and approval processes that included a slow and inconsistent review process for tree management applications.

Following a Council resolution 7 December 2010 a comprehensive review of DCP 2010 Part 9.6 Tree Preservation was undertaken with the aim of resolving these issues and to formulate a strategic approach to the management of trees in the City. This included the following:

- A comprehensive review of DCP 2010 Part 9.6 Tree Preservation and companion Technical Manual which is the companion document to the Plan containing all technical Arboricultural information, and
- Preparation of an Urban Forest Policy.

At the Council Meeting of 28 February 2012, Council resolved to place the revised DCP 2010 Part 9.6 Tree Preservation, Technical Manual and draft Urban Forest Policy on public exhibition.

The public exhibition period commenced on 21 March 2012 and concluded on 4 May 2012.

**Discussion**

The revised DCP 2010 Part 9.6 Tree Preservation, Technical Manual and draft Urban Forest Policy were exhibited from 21 March 2012 to 4 May 2012. The exhibition involved the following:

- A public notice of the exhibition in the Ryde City View on 21 March 2012 and 18 April 2012.
- Copies of the revised DCP 2010 Part 9.6 Tree Preservation, Technical Manual and draft Urban Forest Policy sent to environmental groups including the Ryde Hunters Hill Flora and Fauna Preservation Society, Brush Farm Park Preservation Group and Ryde Environmental Group,

**ITEM 18 (continued)**

- Use of Council Kiosks in each of Council's libraries to provide internet access to the DCP 2010, LEP 2010 and the draft DCP;
- Hard copies of LEP 2010, DCP Part 9.6 Tree Preservation were placed at each of Council's libraries, Customer Service Centre and Ryde Planning and Business Centre.

By the close of business on the 4 May 2012, a total of 12 submissions were received from the community. Many of the submissions raised issues that were beyond the scope of the DCP and Policy, however this feedback will be used to inform the City's future management of the Urban Forest.

A summary of the submissions is provided below with a detailed response to each of the submissions provided in **ATTACHMENT 1**.

<i>Level of Support</i>	<i>Number of Submissions</i>	<i>Key Issues Raised</i>
<b>Support</b>	1	
<b>Opposition</b>	5	<ul style="list-style-type: none"> <li>• The definition of a "Tree"</li> <li>• Removed reference to urban bushland mapping</li> <li>• Ongoing management of noxious weeds</li> <li>• The need for a Biodiversity Strategy for the City of Ryde</li> <li>• Proposed management of trees in Heritage areas</li> <li>• The need for compliance and ongoing management of the DCP</li> </ul>
<b>Neutral</b>	6	

The key issues raised by the submissions are discussed in further detail below:

***The definition of a "Tree"***

To enable the community to understand what trees are covered by the controls of the DCP Part 9.6 Tree Preservation, it is necessary to define what a tree is. In the Draft DCP, as tree was defined as

***Tree means:***

- trees as defined in Part 10 Dictionary of DCP 2010 where the tree has a height of 5 metres and a stem circumference of 450mm at a height of 1.4 metres above ground level. This includes palm trees; and*
- trees described as "major", "substantial" and "significant" in other Parts of DCP 2010.*

The community raised concerns that this definition would reduce the number of trees across the City that would be subject to the controls with the DCP. Many native trees have a slender trunk while being tall and there were concerns that many native tree species would be not covered by the definition of a "Tree".

**ITEM 18 (continued)**

In light of these concerns, the definition of a tree has been modified to be as follows.

Please note - All changes to the content of the DCP is shown below with the new wording shown with an underline.

**Tree means:**

- a. trees as defined in Part 10 Dictionary of DCP 2010 where the tree has a height of 5 metres or a stem circumference of 450mm at a height of 1.4 metres above ground level. This includes palm trees; and
- c. trees described as “major”, “substantial” and “significant” in other Parts of DCP 2010.

This change to the definition will simplify the definition of a “Tree” for the community and will result in more trees being controlled under the draft DCP.

**Removal of references to urban bushland mapping**

The community raised concerns about the removal of references to Urban Bushland mapping from the draft DCP.

The definition of Urban Bushland was established in the 2001 Oculus report *Urban Bushland in the Ryde LGA* however during the review of the DCP the Urban Bushland mapping layer was shown to be outdated and in need of a review and update. Due to these identified deficiencies in the existing mapping, all references to the Urban Bushland mapping has been removed from the DCP. (Please note – it is proposed that a review of this will be undertaken as a part of Council’s broader GPMS Project).

It is important to note that the Urban Bushland mapping will still be used as one of the assessment criteria by Council when assessing applications under the draft DCP.

Despite the deletion of the Urban Bushland mapping references from the draft DCP, the preservation of areas of remnant vegetation and significant vegetation communities has not been not diluted as the Plan provides that:

- A tree is not exempt if it is listed as vulnerable, threatened or within ecological communities
- A tree is not exempt if it is or is on land upon which there is potential for habitation provision for fauna species classified as vulnerable, threatened or endangered under the Threatened Species Conservation Act (1995) or Environmental Protection and Biodiversity Conservation Act (1999).

**Ongoing management of noxious weeds**

The City of Ryde manages noxious weeds in accordance with the NSW Noxious Weeds Act 1993 and Council’s website provides details on the responsibilities of landholders, both Council and private, in the eradication of noxious weeds.

**ITEM 18 (continued)**

The draft DCP Part 9.6 Tree Preservation does not restrain the eradication of noxious weeds within the City.

***The ongoing need of a Biodiversity Strategy for the City of Ryde***

A Biodiversity Plan is proposed to be prepared for the City in 2013/14. The intention of this Plan is to develop a strategic direction to biodiversity management and to build on the flora and fauna surveys conducted since 2006.

The Biodiversity Plan will apply the principles of adaptive management and collate and coordinate current and past efforts with the direction of prioritising future actions in order to achieve the best possible outcomes for Ryde's biodiversity. Furthermore, it will include a ten year biodiversity plan and review the 2006 flora and fauna survey of 54 significant bushland to ascertain biodiversity enhancement and health and to inform future bushland management works.

***Heritage Trees***

Concerns have been raised on the management of trees on heritage sites and heritage conservation areas. While there is a need to ensure the management of heritage sites in a sustainable way, there is also a need to enable the community to manage trees on their land in a fair and equitable manner.

It was suggested that the draft DCP was too rigid in the management of trees on heritage sites and in heritage conservation areas, where by a Development Application was needed for both removal and pruning of a tree.

The DCP has been modified to enable residents who own a heritage property or live in a heritage conservation area to apply for a Tree Permit to prune a tree but are still required to submit a development application to remove a tree.

Please note - All changes to the content of the DCP is shown below with the new wording shown with an underline.

***3.0 Tree Permits***

- b. *A Tree Permit is required for any pruning: a) of the crown of a Tree, (including deadwood) and / or b) pruning or removal of roots (greater than 40mm in diameter) from a Tree inside its Tree Protection Zone that is or forms part of a heritage item or is within one of the five heritage conservations areas within the City of Ryde.*

*Note: If you want to remove a Tree which is is or forms part of a heritage item or is within one of the five heritage conservations areas within the City of Ryde you must apply for a Development Application under Section 4 of this Part*

**ITEM 18 (continued)****4.0 Development Applications****a. Development Application approval must be obtained before any removal of a Tree if either the Tree or the site upon which the Tree is located:**

- *is or forms part of a heritage item. Heritage items are identified in Schedule 5 of LEP 2010 and are shown on the Heritage Map*
- *is within one of the five heritage conservation areas within the City of Ryde. You can check whether your property is within one of these areas by looking at the Heritage Map*

***The need for compliance and ongoing management of the DCP***

Enforcement and compliance issues are a focus area for the Natural Areas and Urban Forest Team. The changes to the draft DCP have removed many redundant processes and this will enable the staff to effectively administer and enforce the DCP. Staffing delegations are being modified to enable staff to enforce and where necessary, issue Penalty Infringement Notices and / or progress towards legal action for breaches of the DCP.

***Urban Forest Policy***

The intention of the Urban Forest Policy was generally supported by the community with one minor wording modification made in response to the community's suggestions.

In response to the community submissions, the following documents have been modified and represent the final draft for adoption by Council:

- DCP 2010 Part 9.6 Tree Preservation (**ATTACHMENT 2**)
- DCP Part 9.6 Tree Preservation companion Technical (**ATTACHMENT 3**)
- Urban Forest Policy (**ATTACHMENT 4**)

**Exhibition**

As required under the Regulations of the Environmental Planning and Assessment Act, the draft DCP was exhibited for a period of not less than 28 days, by notice in the local newspaper.

**Implementation of the DCP**

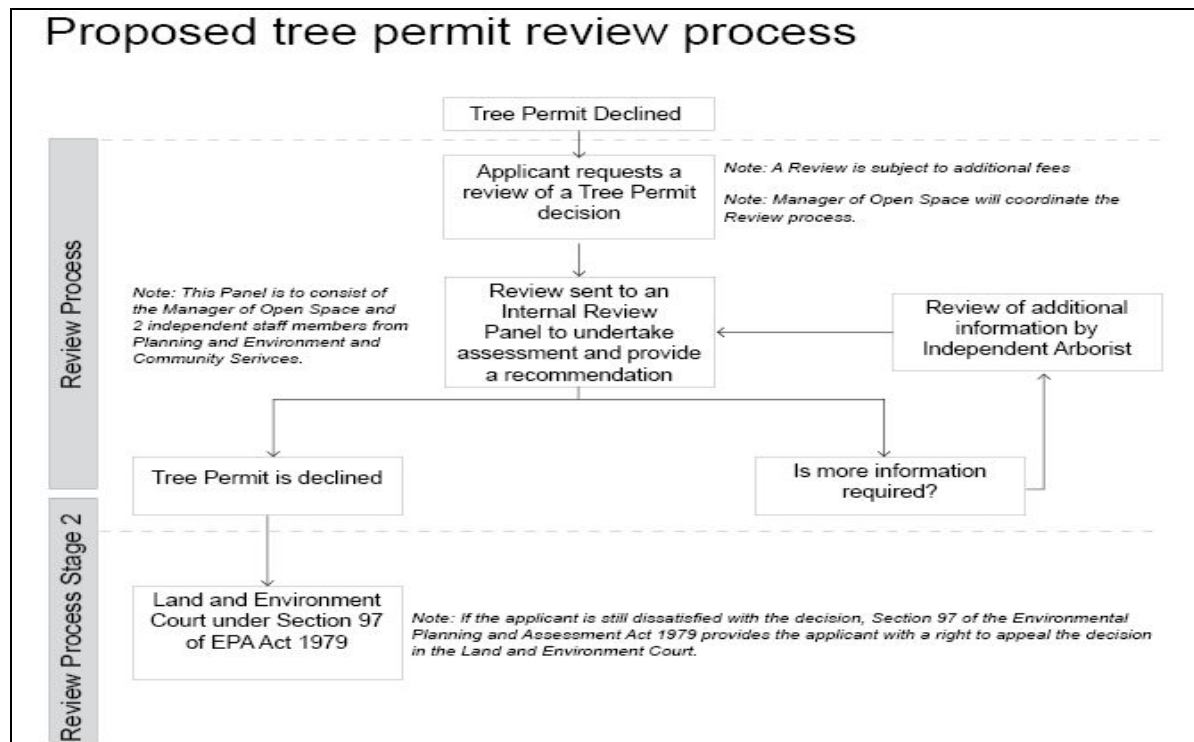
The implementation of the draft DCP Part 9.6 Tree Preservation, should Council resolve to adopt the draft, will require amendments to applications forms, processes and essential community education. In addition to this, there is a need to resolve all Tree Permit applications submitted under the existing DCP.

To manage this effectively, it is proposed that the revised DCP will come into effect from Monday 1 October 2012. This will ensure a smooth transition in addition to allowing time for the Natural Areas and Urban Forest Team to engage and educate the community on DCP and how these changes impact the management of trees on their land.



## ITEM 18 (continued)

*Tree Permit Review Process* – Following Councils discussion of the Report of 28 February 2012, a modified review process was defined and proposed for a 12 month trial (as shown below). It is intended that this trial will commence from Monday 1 October 2012 in parallel with the revised DCP and Technical Manual.



*Tree Permit Assessment Scorecard* – Transparency of assessment of Tree Permits is a vital and important part of ensuring Council offers to the community a responsive and equitable approach to tree management across the City. The aim of the Scorecard is to formalise Council's assessment process while continuing Council's commitment to replacement tree planting.

The Tree Permit Assessment Scorecard is currently being developed will clearly articulate how the Natural Areas and Urban Forest Team assesses and determines Tree Permits and any requirements for compensatory tree planting.

The use of the Tree Permit Assessment Scorecard will commence October 1 2012 as a part of the revised DCP implementation.

### **The Next Steps in Ryde's Urban Forest Management**

The draft DCP Part 9.6 Tree Preservation, companion Technical Manual and Urban Forest Policy are the first documents in a suite of Urban Forest Management Tools that the City of Ryde is preparing. Currently under development are:

**ITEM 18 (continued)**

**Urban Forest Plan – What is the Urban Forest Plan about?** It is easy to take the trees in our environment for granted however, with the increasing demands on “green” spaces, the tree population within the City is becoming vulnerable. The management of trees in an urban environment is increasingly challenging. The issues of urban consolidation, overhead and underground infrastructure, managing the actual and perceived risks associated with trees, planning controls and deliberate tree vandalism are increasing the pressures on the tree population. To respond to these challenges, the City of Ryde needs to think strategically about the preservation and management of the urban forest.

Trees are essential to our landscape. Individually and collectively trees contribute to the appeal and quality of life within the City of Ryde. Trees have many environmental, economic and social benefits and the urban forest is a community asset.

The City of Ryde is committed to becoming an ecologically sustainable City through the professional management of the City’s natural and physical environment and the conservation of natural resources to ensure the health, diversity and productivity of the local environment is maintained or enhanced for the benefit of future generations. The Environment Strategy 2007 set out the following vision of sustainability:

*“A vibrant City that values and protects the natural environment and enriches the living environment by promoting ecological integrity, economic security and social well-being for the benefit of current and future generations”.*

The City of Ryde recognises the importance of trees in achieving this vision. The Urban Forest Plan provides strategic direction for the preservation, management and enhancement of the urban tree canopy into the future.

**Street Tree Masterplan** – The Street Tree Masterplan will provide a strategic framework for the development and management of the City’s streetscapes. The street trees of the City of Ryde play an important role in the livability and identity of the City. Council believes that this contribution should be enhanced through the protection and maintenance of existing street trees and the planting of new street trees. Council views the streetscapes of the City as contributors to the identity of the City and its biodiversity and need to be sustainability managed to ensure a legacy is provided for future generations.

The aims of the Street Tree Masterplan are to provide direction for future street tree plantings in the City of Ryde that will:

- Strengthen the landscape character of the City of Ryde;
- Reinforce the long term objectives of the Ryde Community Strategic Plan;
- Be consistent with and reinforce the objectives of the Urban Forest Policy;
- Enhance vegetation corridors across the City as identified in the Integrated Open Space Plan;
- Minimise the life cycle costs of managing street trees through the selection of suitable tree species and planting in appropriate locations;

**ITEM 18 (continued)**

- Provide direction for the selection of tree species and planting guidelines and methods;
- Provide for consistent management of street trees across the City;
- Educate the community on the value of street trees;
- Include the community in the implementation of the Street Tree Masterplan;
- Ensure public safety; and
- Develop a legacy that future generations can enjoy.

The community has been invited to participate in the development of the Masterplan. Three workshops have been planned and advertised in the recent Ryde City View.

These two documents are currently being drafted and will be presented to the Council and the wider community during 2012 for consideration and comment. Following these, additional documents listed for review or drafting include

1. A review of the Significant Tree Register,
2. Preparation of an Urban Forest Audit and canopy mapping.

**Financial Implications**

For the draft DCP Part 9.6 Tree Preservation to become effective, the Council decision to adopt the DCP must be advertised in a local newspaper. Should Council resolve to adopt the Draft DCP Part 9.6 Tree Preservation, the financial impact is approximately \$1,000 required for advertising costs. These costs can be accounted for in the Open Space Unit's base Budget.

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**19 GLADESVILLE VACATION CARE SERVICE- Transfer to Gladesville Public School P&C**

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**Report prepared by:** Manager - Community & Culture**Report dated:** 3/06/2012**File No.:** GRP/09/4/6 - BP12/670

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**REPORT SUMMARY**

Council operates a vacation care service in Gladesville Public School. This is the only vacation care service currently operated by Council.

Council has received a joint letter (**ATTACHED**) from the Gladesville School Parents and Citizens Association (P&C) and the School Principal informing Council that they intend to run a vacation care service in the school to complement the P&C current operation of Before and After School Hours services.

In their correspondence, the P&C has confirmed that the same level of service to parents will be provided and that they in particular have the support of the school community and the school management to provide the service.

This report recommends that Council support the not-for-profit venture of the Gladesville School P&C by ceasing its vacation care operation in the school and assist the P&C to provide this service. It further recommends that this arrangement be monitored and reviewed after 12 months to ensure that the level of service to parents currently using Council's service are not reduced.

This recommendation is informed by 1) Council staff's satisfaction (after discussions with the P&C representatives and the School Principal) that the proposed level of service to parents will remain the same, 2) the consideration of Council supporting local organisations and not operating services in competition with the not-for profit sector and 3) Council's previous experience in successfully transitioning its vacation care services to services operated by school P&Cs, most recently in Truscott Street Public School.

**RECOMMENDATION:**

- (a) That Council cease operating its Gladesville Vacation Care Service and transition parents using this Service to the new Service being operated by the Gladesville School Parent and Citizen Association from September 2012 school holiday period.
- (b) That Council communicates directly with parents and families to ensure their smooth transition to the Service operated by the Parent and Citizen Association.
- (c) That Council staff review and report to Council on the above arrangements (to ensure service continues to meet the needs of families) after 12 months.

**ITEM 19 (continued)****ATTACHMENTS**

- 1 Letter of Intent - Gladesville Public School P&C
- 2 Email Correspondence - Gladesville School P&C Intention to Provide Vacation care services

Report Prepared By:

**Baharak Sahebekhtiari**  
**Manager - Community & Culture**

Report Approved By:

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

**ITEM 19 (continued)****Report**

Council operates a Vacation Care service in Gladesville Public School and has received a joint letter (**ATTACHED**) from the Gladesville Public School Parents and Citizens Association (P&C) and the School principal, informing Council that the P&C intends to run a vacation care service in the school from September 2012.

They have the support of the school community and in a recent survey of parents 88.1% indicated their support for the P&C to deliver vacation care. The P&C already operates before and after school care services and will be adding vacation care to this suite of services, improving the viability of their total operations.

In their correspondence with Council (**ATTACHED**) and in discussions with the P&C representatives, the P&C have stated the following:

- The service will be open to the whole community (not just students at the School).
- Their current Before and After school services received High Quality rating in their validation process.
- Daily fee of \$37 for parents which is comparable with fees charged by Council and other local services.
  - Excursions will be a separate charge
  - As it is a registered service parents will be eligible to claim Childcare Benefit up-front
- Hours of operation will be 7am-6pm.

**Context**

Over the last 5-10 years there has been an increasing pattern of schools choosing their P&C to operate Out of School Hours Services (vacation care, before and after school care) as a means to provide a full complement of services to their families.

Over this same period Council has been progressively approached to transition its operations to the school community.

The most recent instance was in April 2011 when Council, at the request of Truscott Street school P&C, resolved to cease its North Ryde vacation care services in order to facilitate the Truscott Street School P&C to operate in the school. This arrangement started from July 2011 and has been very successful.

The current request from Gladesville Public School P&C is very similar to that of Truscott Street.

Council also resolved last year to support all vacation care services offered in Ryde LGA through promotion on Council website. The webpage has been available since last year and its use by the sector has progressively increased.

## ITEM 19 (continued)

### Usage pattern for Gladesville Vacation Care

Table below shows the usage pattern for Council's Gladesville vacation care service over the last five school holiday periods.

The average daily attendance has ranged from 68-71; the service has a capacity of 80 places.

Most of the enrolments are made up of Gladesville and Putney public schools with the rest from Boronia Park, Ryde and Hunters Hills public schools.

Holiday period	Enrolments Total	Enrolments from Gladesville	Enrolments from Putney	Average daily attendance
April 2011	136	56	36	71
July 2011	142	59	32	69
October 2011	132	55	29	78
January 2012	159	59	33	67
April 2012	126	42	32	68

### Options available to Council:

Council does not have a long term license for the use of school premises as the School has been exploring with the P&C their options to deliver vacation care. The school has for the past two years highlighted its strong support for one provider of OOSH services at the school.

1. Refuse to stop its service at the School  
 This approach will place Council in a position of conflict with the school community, the Principal and the School P&C. It may also have an adverse impact on the viability and long term planning for the P&C's existing services of Before and After School Care. Council has limited leverage in this case given the lack of a long term license with the school for the use of its premises.
2. Operate from another location in the area  
 It is possible for Council to operate a service from another location (pending availability), for example Putney Public School. However given the close proximity of the two schools and the fact that Gladesville vacation care viability currently depends on attendance from Putney families, this option would put Council in direct competition with the not-for-profit efforts of the Gladesville Public School P&C. This approach would jeopardise the viability of both services.
3. Transition service to the P&C  
 Council could support the P&C's operation of a vacation care service and take steps to transition families currently using Council's Gladesville Vacation care to the P&C run service. This option is recommended for Council's consideration.

**ITEM 19 (continued)**

Advantages of this approach are that Council will support the development of a local not-for-profit organisation and the school community. The level of service to families will not be reduced because the service offered remains accessible, and the organisation has a history of quality service delivery. Given that there will be no change in venue the transition for current families would be seamless.

Adoption of this option is consistent with Council's previous decisions in similar circumstances, most recently the successful transition of 2 services to Truscott Street Public School P&C in July 2011.

It is proposed that in the transition period and during the July school holiday period, Council staff will contact families to inform them of the arrangements through various means available, provide relevant enrolment forms on Council website and use other promotional tools available to ensure families are kept informed and transition smoothly.

Further it is proposed that Council review this arrangement after 12 months to ensure that the service continues to operate and remain available to the community.

**Impact on Council services (if Option 3 is adopted)**

Gladesville is the last vacation care service being operated by Council and adoption of this option will result in Council winding up its vacation care service.

One full time position is attached to Council's vacation care service which will be impacted by the decision to transition vacation care service. The staff member involved has been consulted fully as the discussions with the School have progressed over the last 12 months.

Should Council resolve to support the School's request, the impact on staff will be managed according to appropriate industrial guidelines and the Local Government Award 2010.

**Consultation Comments**

The Gladesville School's intention to operate its own parent-led vacation care service has been raised and discussed at the Vacation Care Working Group for the past 18 months.

The members' concerns have been (as with Truscott Street Public School):

- The impact on families using the Gladesville Vacation care service whose children do not attend Gladesville School and the assurance that the School run vacation care service would remain open to the community.

The agreement sought from the School P&C as well as the proposed 12 month review of the arrangements, are in response to the issue of Service not being available to families whose children do not attend Gladesville Public School.



**ITEM 19 (continued)****Critical Dates**

The Gladesville School P&C would like to start their service from September 2012 and require adequate time to allow a smooth transition.

**Financial Impact**

Council has subsidised provision of the vacation care service and therefore adoption of the recommendation from this report will result in a saving. Based on 2011-12 approved budget the annual savings to Council will be approximately \$75,000. It is intended that savings resulting from adoption of the report's recommendation will be redirected to improving staffing to other community programs within the Community and Culture Service Unit.

**ITEM 19 (continued)**

**ATTACHMENT 1**



## GLADESVILLE PUBLIC SCHOOL

PHONE 9817 2388

FAX 9817 3209

Paul Graham

Manager Community & Culture

City of Ryde Council

Dear Sir,

### Gladesville Public School -Vacation Care

In the course of the last 12 months, discussion has taken place at the Vacation Care Working Group meetings regarding the proposal that the existing City of Ryde Vacation Care Program at Gladesville Public School come under the auspices of the Gladesville Out of School Hours (GOOSH). The GOOSH is currently run by a parent committee.

In this regard we note the following:

- The current licence with City of Ryde has expired
- The majority of students attending Vacation Care are from Gladesville Public School
- The parent GOOSH committee currently operates a 70 place OOSH service
- The GOOSH parent committee employs a qualified Director who is committed to operating Vacation Care
- Approval has been obtained from DEC to operate 70+ Vacation Care places
- It is proposed that vacation care be offered to the community as a whole
- Hours of operation would be 7.00am – 6.00pm
- This service would commence from the September / October vacation 2012

We would like to work in collaboration with City of Ryde Council in communicating this to the wider public to reassure families that this service will still be available to them.

Yours Sincerely

Judith Partland  
Principal

Jen Blaylock  
P&C President

Allison Dummett  
GOOSH President

**ITEM 19 (continued)**

**ATTACHMENT 2**

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**From:** Melanie Richter [mailto:melanie.a.richter@gsk.com]  
**Sent:** Wednesday, 23 May 2012 1:33 PM  
**To:** Baharak Sahebkhari; Yolla Karnib  
**Cc:** Partland, Judith; jimallie@bigblue.net.au; Gladesville Putney Before & After School Care Inc  
**Subject:** Gladesville Primary School- Vacation care service

Dear Baharak,

Please find attached the Gladesville Public School Letter of Intent for Vacation Care for the change from a Ryde Council run vacation care program to a Gladesville Out of School Hours run vacation care program.

Note the following:-

- GOOSH Service fees for Vacation Care will be comparable to Ryde Council & alternate surrounding Vacation Care providers (\$37 - \$60, on-site & external excursions, respectively);
- GOOSH currently employs qualified staff committed to providing quality vacation care (3 x full time, 2 x permanent part time, 2 x casual);
- Current approved DEC licence for GOOSH services;
- A recent school survey indicates strong support for a GOOSH run Vacation Care program (88.1%); and
- GOOSH policies & procedures will reflect the legislation changes & will be in place for September Vacation Care.

As outlined in the Gladesville Public School Letter of Intent for Vacation Care:-

- DWEER Approval, CCB #1-V7MP18, is for 80 places;
- Vacation Care places at the GOOSH centre will be open to the community as a whole;
- Hours of operation would be 7.00am – 6.00pm;

We look forward to the endorsement & collaboration with the City of Ryde Council.

Please contact me If you require any further information.

Best Regards,  
Melanie  
GOOSH Secretary

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**Melanie Richter**  
QA Release Associate

GlaxoSmithKline (Aust) Pty Ltd  
Consumer Healthcare  
82 Hughes Ave Ermington, NSW, 2115

Ph: +61 2 96840768 | Fax: +61 2 9684 0898 | Email: [Melanie.A.Richter@gsk.com](mailto:Melanie.A.Richter@gsk.com) |  
Website: [www.gsk.com.au](http://www.gsk.com.au)

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**20 CITY OF RYDE - SYDNEY OVER THE NEXT 20 YEARS - DISCUSSION  
PAPER DRAFT RESPONSE**

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**Report prepared by:** City Urban Designer**Report dated:** 13/06/2012**File No.:** URB/08/1/1 - BP12/714

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**REPORT SUMMARY**

This report provides information on the NSW Government document 'Sydney over the next 20 years - a discussion paper'. The City of Ryde's draft submission on the discussion paper is **ATTACHED**. Recommendation is sought to send the submission to the Department of Planning and Infrastructure.

**RECOMMENDATION:**

That Council endorse the City of Ryde submission on the NSW Government 'Sydney over the next 20 years - a discussion paper' to the Department of Planning and Infrastructure.

**ATTACHMENTS**

- 1 Draft Response to the Sydney over the next 20 years discussion paper

Report Prepared By:

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

Report Approved By:

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

## ITEM 20 (continued)

### History

The current Metropolitan Strategy for Sydney was put in place by the NSW Government in 2005. The strategy includes housing target of 12,000 dwellings and an employment target of 21,000 additional jobs for the City of Ryde generally and 23,100 for Macquarie Park. The City of Ryde is preparing for these extra dwellings and jobs through planning, infrastructure, social and cultural strategies and programs. These are being delivered under the umbrella of the City of Ryde Community Strategic Plan and Four Year Delivery Plan.

The NSW Government is currently reviewing the strategy and has release a discussion paper entitled *Sydney over the next 20 years*. The paper is the first step in the development of a new Metropolitan Strategy for Sydney. The discussion paper is will be followed by a draft strategy due for completion by the end of 2012.

The new strategy has the potential to transform Sydney over the next 20 years.

The City of Ryde through the exhibition process, has been asked to respond to the paper outlining priorities for the area and Sydney as a whole. The response will inform the outcomes of this review.

### Discussion

The discussion paper nominates a number of areas for review as outlined below:

- High level principles to guide planning in Sydney
- Housing
- Jobs and the economy
- Transport networks
- Infrastructure
- Equitable access
- Environment
- Protecting productive rural and resource lands
- Connecting with the regions
- Delivering the strategy

These areas have been addressed in the City of Ryde response to the Discussion Paper.

The response to the Discussion Paper is **ATTACHED**.

### Financial Implications

There is no financial impact state involved with the submission. The final outcomes of the strategy may have significant financial impacts on the City of Ryde.

**ITEM 20 (continued)**

Adoption of the recommendation will have no financial impact.

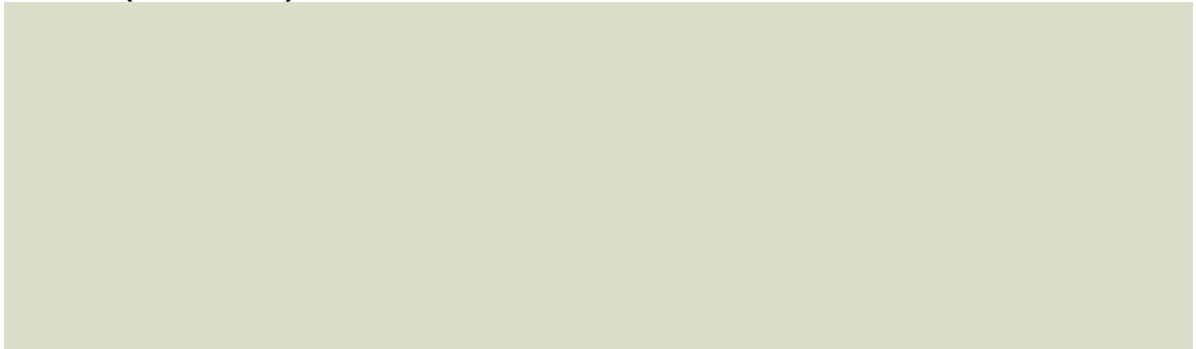
Further assessment of financial impact should be considered once a draft of the strategy exhibited.

**Consultation**

The City of Ryde's submission has been prepared in consultation from all business units through the Executive Team.

**ITEM 20 (continued)**

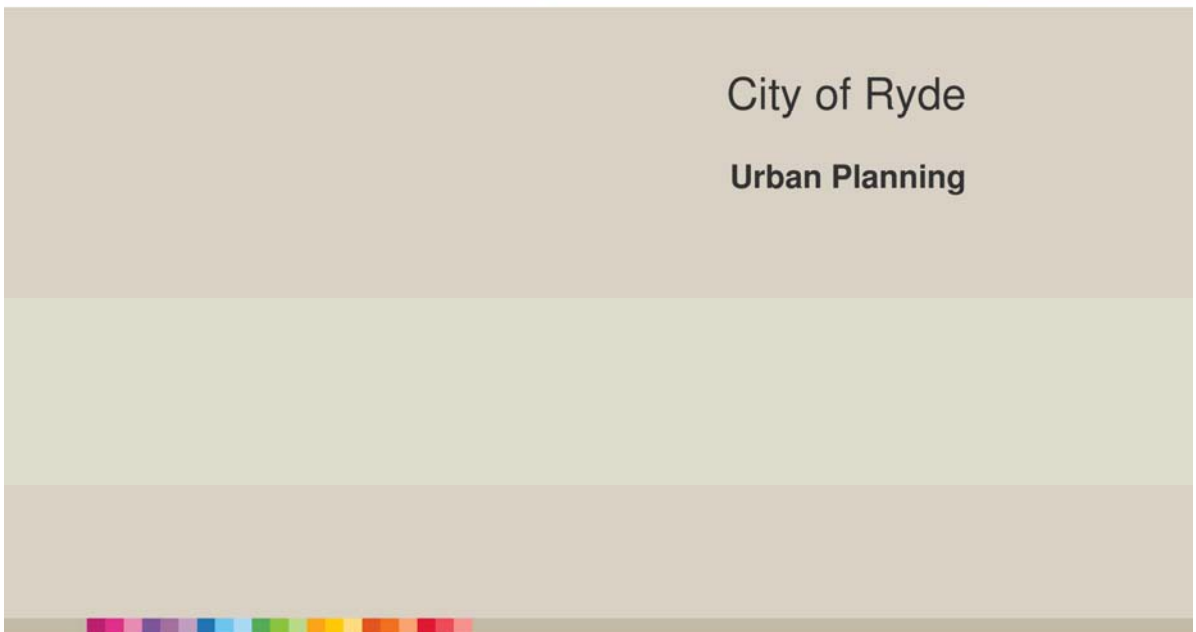
**ATTACHMENT 1**



Draft Response to the  
*Sydney over the next 20 years*  
discussion paper

City of Ryde

Urban Planning



**ITEM 20 (continued)****ATTACHMENT 1****City of Ryde**

The City of Ryde has a rich history with the traditional Aboriginal owners of the land being the Wallumedegal clan of the Dharug people. Our city is located in Sydney's north-western suburbs 12 kilometres from the Sydney CBD. Set in scenic surrounds between the Parramatta and Lane Cover River, we are connected to other parts of metropolitan Sydney via major road systems, rail, bus and ferry services and bounded by neighbouring councils.

The City of Ryde neighbours Hornsby Shire and the Ku-ring-gai council area in the north, Willoughby City, the Lane Cove River and the Hunters Hill Municipality in the east and Parramatta City in the west. Our city includes 16 suburbs; Chatswood West (part), Denistone, Denistone East, Denistone West, East Ryde, Eastwood (part), Gladesville (part), Macquarie Park, Marsfield, Meadowbank, Melrose Park (part), North Ryde, Putney, Ryde, Tennyson Point and West Ryde.

We encompass a total land area of about 40 square kilometres, including waterways and parklands, within this sits the Macquarie Park Corridor, our Specialist Centre Macquarie Park, four town centres and 29 neighbourhood centres, Macquarie University, Ryde and Meadowbank Colleges of TAFE, which enrol 13,000 students each year, over 33,000 businesses, five public libraries, 24 primary schools, five high schools and five hospitals.

Global, national and metropolitan trends and issues present both opportunities and challenges in the way that communities, such as the City of Ryde, are planned and supported. The City of Ryde is an integrated and integral major centre of Sydney and faces the same challenges as detailed in the Sydney's metropolitan planning framework. Our city is part of an ever changing dynamic global market, and our economic development, particularly the Macquarie Park Corridor, contributes significantly to New South Wales' Global Economic Corridor.

**Key facts about Ryde**

- There are 102,850 residents in the LGA (2010 Census estimate), a figure projected to rise to 117,000 by 2030.
- The majority (45%) of the City's population are between 25 and 54 years, with the population of residents aged 55 years and older increasing.
- The Ryde LGA is culturally diverse with approximately 45% of residents born outside Australia. This diversity in country of birth contributes to the 42% of residents speaking another language

**City of Ryde – Community Strategic Plan**

**Vision: City of Ryde - The place to be for lifestyle and opportunity @ your doorstep.**

Our Community Strategic Plan is our long term strategy for our whole community. It aims to ensure that the City of Ryde lives up to the aspirations of our community, while meeting the challenges of the future. In doing so, our city will be recognised by residents and investors as the place to be, where lifestyle and opportunities are available close to where people live, work and play.



**ITEM 20 (continued)**

**ATTACHMENT 1**



The key challenges facing our City over the next 10 years are:

- Meeting the needs of a growing and changing population
- Offering suitable housing options while maintaining the characteristics of our suburbs
- Creating a strong economy and employment closer to home
- Managing the pressure of population growth on our amenity
- Adapting to Climate Change
- Remaining competitive - in particular in Macquarie Park

The City of Ryde Community Strategic Plan and Four Year Delivery Plan have a series of Outcomes, Goals and Strategies, supported by programs and projects, which are aimed at meeting these challenges.

Council is seeking partnerships with the Government, Business sector and the Not for Profit sector to address the needs and requirements of our community.

**Draft Response to the Sydney over the next 20 years discussion paper**

The City of Ryde's response to and comments on the issues raised in the Discussion Paper are outlined below.

**Principles**

Additional principles should be added to encourage a comprehensive set of principles to guide planning for Sydney. The principles should address:

- Communities and people
- Reinforcing the potential of the cities major and local centres
- Provision of infrastructure in line with future growth
- The public benefits to be achieved from planning outcomes
- Linking the metro area with the regional areas

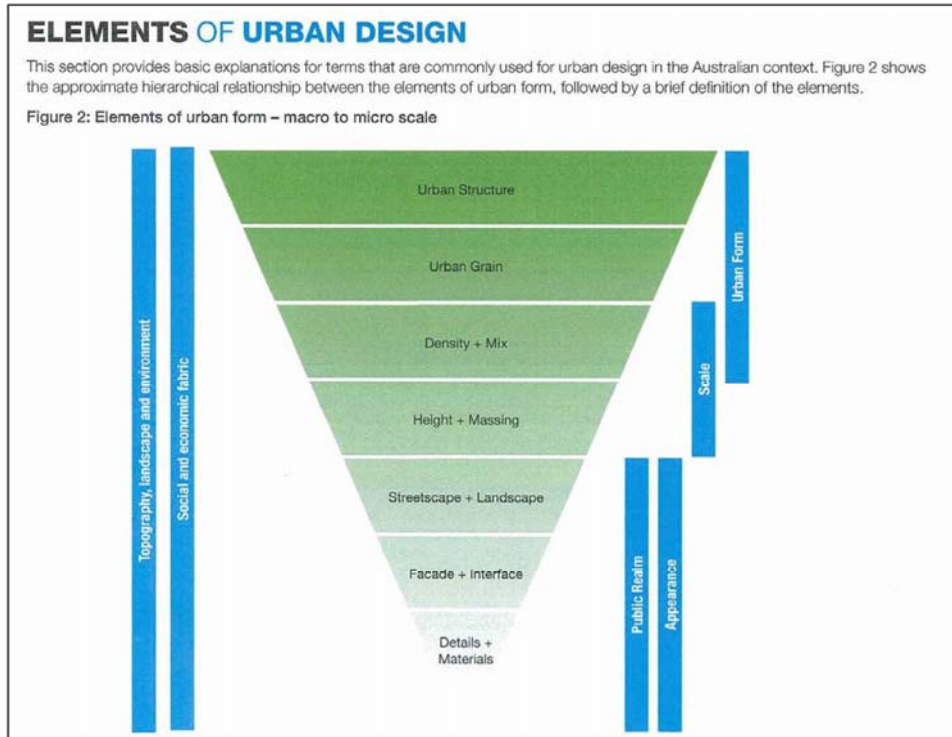
**Shaping Sydney**

The Commonwealth Government's Urban Design Protocol sets up a frame work on which to base the strategy. It provides a hierarchy table shown below.



ITEM 20 (continued)

ATTACHMENT 1



At the top of the table is Urban Structure followed by Urban Grain. The definitions as given by the Urban Design Protocol are shown:

*Urban structure defines the overall framework of a region, town or precinct, showing relationships between zones of built forms, land forms, natural environments, activities and open spaces. It encompasses broader systems including transport and infrastructure networks.*

*Urban grain is the balance of open space to built form, and the nature and extent of subdividing an area into smaller parcels or blocks. For example a 'fine urban grain' might constitute a network of small or detailed streetscapes. It takes into consideration the hierarchy of street types, the physical linkages and movement between locations, and modes of transport.*

The Protocol does not provide a delivery mechanism. The strategy should address both the planning and delivery firstly of the Urban Structure then Urban Grain for the future growth of the Sydney Metropolitan area before considering other issues.

Greenfield verses urban renewal:

It is recommended that the strategy re-introduces the concept of a city boundary to contain NW and SW sprawl.

**ITEM 20 (continued)**

**ATTACHMENT 1**



**Housing**

Housing is an important issue for Sydney as it grows. The location and type of housing chosen to meet future growth has a major impact on transport, infrastructure and service delivery

Specific comments

- A clear methodology on how housing targets are determined needs to be documented
- Further direction on how these targets are to be achieved to meet the housing requirements need and provide housing choice.
- Work should be undertaken with Local Government to determine where and how the housing is to be provided.
- Increases in housing density should be linked to improvements in infrastructure and public amenity.
- Define a range of typologies suitable for urban and green field areas such as:
  - smaller lot sizes or extend the land available for residential flat buildings in middle ring suburbs and centres.
  - a terrace style typology can be considered for Greenfield or very large Brownfield sites (It is very difficult to introduce this into existing lot patterns)
- suggested locations on where the housing types should be provided at a regional level.
- Prohibit rezoning, appeal mechanisms or bargaining on development controls that undermine a Local Government strategy or plan.
- A traditional 'grid' street pattern may provide better opportunities for housing diversity such as small allotments over the long term. As well it provides improved access for pedestrians, cyclists and those seeking to use public transport.

Broader outcomes

- Diversification of housing stock to allow opportunities for a demographic mix and an inclusive community
- Creating communities should be a starting point for planning for housing growth
- Housing stock and communities should be developed close to infrastructure and employment areas.
- Consider the need to plan future centres and employment areas in conjunction with new housing stock and allowing greater diversity. Greenfield sites should be designed with this in mind.
- Development must be simultaneously accompanied by complementary public infrastructure such as transport, community services and open space.
- Local Government needs support to provide this infrastructure concurrently with delivery of development to support housing and employment growth.

**Housing Flexibility**

Given the population and urban renewal targets already in place increased high and medium density housing will be required. Councils anticipate that the residents of such density will become more diverse. For example the number of families living in apartments is likely to increase. The Metropolitan Strategy should attempt to examine how design and strata laws may need to be changed to fit the profile of future residents. There is a long term need for greater flexibility in rezoning and land title laws to allow effective redevelopment of large strata blocks.



**ITEM 20 (continued)****ATTACHMENT 1****Job and Economic Opportunities**

The follow is recommended:

- Employment on transport nodes
- Housing close to employment nodes
- The strategy should focus on specific well serviced and connected centres to focus growth (existing or new) Growth being:
  - Employment
  - Residential
  - Service provisions
  - Transport networks
  - Urban infrastructure and public places
- Establishing criteria for how these 'growth centres' are identified particularly at local centres level. Stating all local centres as suitable for growth is not sufficient
- Technology / infrastructure to assist:
  - Small business owner
  - Home based business
  - Shift in work place practises

An example may be the NBN which could allow working from home.
- Strategies and actions to protect industrial lands in inner and middle ring suburbs.

Such actions could include:

- Consideration of a new range of approved uses in the land use table for industrial zones that support the objectives of the zone
- Protection of employment areas in specialised centres. For example a directive from the State Government that the commercial core within Macquarie Park is protected from residential development to ensure the economic significance of the global arc is maintained.
- Infrastructure provided by the State government to promote employment areas such as Macquarie Park.
- State Government actively supporting approved local strategies through provision of open space, infrastructure, social services and housing diversity.
- In middle ring suburbs provide guidance to Local Government in local centres on:
  - Dealing with small lots and fragmented ownership to activate redevelopment.
  - Mechanisms for the provision of infrastructure which is beyond the capability of Local Government. For example new open space, public domain areas, laneways, traffic upgrades which are essential for the growth and function of an employment centre

**Transport**

Transport is a major issue for all residents in the City of Ryde. Broader outcomes include:

- Transport connections need to be refocused to promote growth away from the eastern seaboard. Large cities such as Parramatta and Liverpool should have a dedicated light rail system which feeds into the existing rail system.
- The plan needs to reinforce that housing growth is close to employment nodes and employment is near transport nodes.
- Transport connections need to be planned before housing and employment growth areas can be identified and planned

**ITEM 20 (continued)**

**ATTACHMENT 1**



- Missing in the transport strategy are:
  - Need for additional north south links across Parramatta River towards Macquarie Park forming the tail of the global arc.
  - The detailed relationship between, rail, road, ferry and freight services
  - Greater focus on the use of waterways
- Focus should be given to improving the current road/rail networks to improve efficiency. For example Lane Cove Road and the Pacific Highway.
- New centres (Greenfield sites) should be planned to allow for future rail and road corridors.
- In new centres (Greenfield sites) the street pattern should be established to encourage alternative forms of transport. A traditional 'grid' street pattern provides better outcomes for pedestrians and cyclist.
- Public transport – the standard and services of public transport; rail, buses and ferries needs to be considered.
  - Effective transport systems which actively reduce car use have a service frequency of 10 minutes or less.
  - coordination of services and ticketing is needed
  - Cross city links need to be considered.
  - Separate transport networks for large centres and the global dragon need to be considered
  - Infrastructure to support public transport needs to be considered. For example the new rail station in North Ryde has no commuter parking or access to the wider area and is poorly patronised.

Specific outcomes are:

- Of the 46 strategic transport corridors the Pacific Highway, Lane Cove Road and Rhodes should be identified as a congested corridor.
- For example Macquarie Park (as part of the global arc) needs to be connected with efficient transport links to ensure its long term viability
  - In Macquarie Park the surrounding road network is
    - Crippled with through traffic with affects traffic entering or leaving the area.
    - Buses and Rail links are in place however neither system is sufficiently frequent or connected to areas where employees working in the area live.
    - The internal road network fails promote cycle and pedestrian use
  - Such factors mean the long term viability of the centre could suffer as businesses seek more accessible locations for business operations.
  - The outcomes the City of Ryde seek are:
    - Reduction of car usage to 60/40 split
    - Improve employment opportunities around rail transport.
    - Reduce the parking rates for development
  - The high level actions required to achieve these outcomes area
    - M2/F3 ling to reduce congestion of Lane Cove Road in Ryde
    - M2 link from Lane Cove Road
    - A bus/ rail interchange at Herring Road
    - Extension of the rail system from Epping to Parramatta as originally proposed.
    - Links into regional transport such as the proposed Parramatta light rail.
    - Greater frequency of rail services



**ITEM 20 (continued)****ATTACHMENT 1****Infrastructure**

Infrastructure has been identified in the discussion paper as critical and insufficient. A process for the delivery of infrastructure at all level of Government is critical for any planning strategy.

Specific issues are:

- The paper is missing a statement and detail on service delivery to be undertaken on a 'place based' approach outlined in 'liveable local neighbourhoods'
- Infrastructure should be identified and then implemented to support growth in an area (see Shaping Sydney above)
- The provision of State responsibilities such as police, health, education and transport could have a link to Community Strategic Plans preparation and delivery.
- However, such an alignment could be difficult to achieve given the limited capacity, capabilities and resources available under the current Local Government framework.
- The paper needs to cross reference and coordinate the provisions of state service delivery. As part of this strategy the roles of the State and Local Governments in the provision of infrastructure need to be clearly identified. Particularly identifying who pays for the infrastructure.
- Where Local Government is funding infrastructure the mechanisms for funding and costing need to be identified in the strategy.

**Infrastructure Implementation**

Growth of housing and employment requires additional infrastructure. The provision and payment of infrastructure to support growth is a major issue for Local Government. Funds from development (growth) are limited. Rate capping is a major inhibitor to the provision of infrastructure and services.

The plan needs to provide details on how infrastructure can be funded. Options include:

- Remove restrictions on S94 development contributions limit for residential development
- Provision of a growth tax for example Local Government receiving their proportion of the GST
- Review rates methodology. For example base rates on an improved value or for residential by the number of bedrooms.
- Lift rate caps to reflect the capital and maintenance costs of new infrastructure.

In urban areas Local Government finds it particularly difficult to meet the provision of additional open space and community/social facilities to cater for population growth. The plan needs to consider how additional open space community facilities are provided for:

- Within centres through the redevelopment process
- Purchase of land to create new or expand existing open space.
- Better use of existing state owned facilities e.g. school grounds or vacant sites
- An obligation for State Government to first consider open space before sale of assets is proposed. Examples with in the City of Ryde the disposal of land used for open space currently used by the community include the sale of Cudal Reserve and the Smalls Road school property.

**ITEM 20 (continued)****ATTACHMENT 1****Equitable Access to a Great Lifestyle**

Specific issues are:

- The paper requires a greater emphasis on the community
- The strategy needs to address the concept of building communities
- Social inclusion targets are not supported as they are difficult to implement and measure
- Physical planning solutions for creating public places for gathering within local and neighbourhood centres.
- Greater connection between Federal, State and Local Governments in delivery of services. For example making migrant settlement programs adequately resourced at local level with support services including language, health employment and training.
- Cultural opportunities within an area are best lead at a local level. This needs to be funded and suggested options include:
  - Federal, State Governments funding for staff and cultural programmes
  - Programs linked to state based programs such as the TAFE Outreach Program
  - Work with local chambers of commerce and economic development programs.
- Urban renewal must be undertaken around centres. Key services that should be grouped around centres include transport, community services and open space. These must be a priority for urban renewal to be effective and deliver on its promise. Local Government does not have the capacity to deliver these. In particular open space and new facilities are difficult to realize and maintain. The Strategy should contain a specific action to identify how and where additional regional and district active recreation areas will be provided.

**Heritage**

The value of heritage conservation needs to be promoted.

Subsides for adaptive reuse of buildings in areas away from major centres or where there is limited commercial demand should be considered. In the City of Ryde Brush Farm House is of national significance was saved from dilapidation. However, there are major problems in finding a viable use for the site due to its location.

**Environment and Natural Hazards****Land planning for waste management**

An emerging issue in the metropolitan region is the enabling of regional or localised waste management options for growing communities. Various initiatives, direct and indirect such as the NSW Waste Levy and costs of transportation, are pushing residents and councils to minimise waste and its impacts.

The Metropolitan Strategy needs to include the examination of land use planning instruments to enable effective planning of collection points, alternative waste technologies (AWT), and energy to waste facilities, should this be the most environmentally and economically sound approach.

**Rural and Resource Lands**

Effective measures to maintain diversity of land holdings and protect local food production are supported. History shows that government has been ineffective in achieving this over the last 200 years as the metropolitan population grows.

## ITEM 20 (continued)

## ATTACHMENT 1

### Connecting with the Regions

The City of Ryde agrees that connections with regions must be examined in the Metropolitan Strategy. Planning for Sydney cannot be made in isolation.

#### Delivery

The strategy needs to set a delivery framework and this comes down to funding mechanisms. In the past various strategies have found this to be difficult.

Broad issues are:

- Delivery requires a scope of work, a program and a funding mechanism. At a strategy level these can be high level.
- Delivery requires an integrated strategy covering planning, transport, service delivery and infrastructure.
- Delivery needs to include provision for future infrastructure and service delivery to meet the long term needs of an area.
- It needs acknowledging change is not popular a local level and is difficult to implement. Consultation is required throughout the process of planning an implementing the strategy. The strategy needs set consistent standards for consultation as well as articulating the reasons for future changes. The advantages and disadvantages at local level need addressed.
- An annual update would be useful however a major review every 5 years is more realistic in terms of reviewing on the ground outcomes.
- Delivery requires agreement at Federal level.

Specific issues are:

- The introduction of a standard E-planning framework within all Councils to ensure the community have online access to:
  - Planning controls
  - Lodgement of Development Applications
  - Development Application tracking
- State Government funding is required to assist Councils in developing and implementing this tool.



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**21 EMPLOYMENT OPPORTUNITIES FOR PEOPLE WITH A DISABILITY**

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**Report prepared by:** Manager - Strategy and Organisational Development**Report dated:** 31/05/2012**File No.:** PM2011/105/001 - BP12/687

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**REPORT SUMMARY**

This report responds to Council's resolution of 14 February 2012 to report to investigate ways to improve the employment opportunities for people with a disability within Council.

As part of the Resourcing strategy documents for the Integrated Planning and Reporting framework, Council is preparing a Workforce Plan. Within the workforce plan, there will be a number of ways that the City of Ryde, as an employer will address employment opportunities for people with a disability. This report lists the numerous action areas that are proposed to be included in the workforce plan.

In addition in 2012/13, Council is reviewing its recruitment process to ensure they are inclusive and accessible to all applicants.

**RECOMMENDATION:**

That Council endorse the proposed ways to improve the employment opportunities for people with a disability within the organisation for inclusion in the draft Workforce Plan.

**ATTACHMENTS**

There are no attachments for this report.

Report Prepared By:

**Beki Boulet****Manager - Strategy and Organisational Development**

Report Approved By:

**John Neish****General Manager**

**ITEM 21 (continued)****Discussion**

Council has prepared a draft workforce plan as part of a resourcing strategy under the Integrated Planning and Reporting framework. This will ensure that our workforce is skilled and positioned to deliver the services and projects described and budgeted for in the 4 year Delivery Plan. This plan has clear focus on diversity and inclusiveness for all minority groups including people with a disability.

Draft actions that will address the employment of people with a disability will be:

- (a) Provision of a service that will assist people, who want or need assistance, to navigate through our recruitment process.
- (b) An action to build relationships with not for profit agencies who can provide placement services for disadvantaged people looking for work, these will include people with a disability
- (c) Undertake a review of our current and future workplace facilities and layouts to ensure that we accommodate people with a disability, providing them with accessibility.
- (d) Internally become more aware and identify positions that can be made accessible for people with a disability or disadvantaged so that City of Ryde can alert the not for profit organisations to put candidates forward for those positions.
- (e) Conduct a best value review of our recruitment process, to take place in 2012-2013 and from which further actions may be identified to enhance the employment prospects of people with a disability with the City of Ryde and ensure our practices are inclusive.

The actions related to the above points will be included in the draft Workforce plan. Each action will have a responsible staff member allocated with a timeline for delivery.

Most of the related actions can be included within the existing budget and will be added to the appropriate Service Unit Business Plans during the July August business plan review period.

**Financial Implications**

There may be some financial implications for Council where special access for wheelchairs needs to be provided and therefore some works. At the present time, the only area identified where works might be required are the depot office area, as there is limited wheelchair access. At this point in time, the financial implications have not yet been quantified.

## **PRECIS OF CORRESPONDENCE**

### **1 DEFERRED PRECIS OF CORRESPONDENCE: FUNDING FOR THE POSITION OF ABORIGINAL EDUCATION OFFICER AT MARSDEN HIGH SCHOOL**

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**Report prepared by:** Meeting Support Coordinator

**Report dated:** 27 April 2012

**File No.:** CLM/12/1/4/11 - BP12/480

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**This Precis of Correspondence is deferred from the Council Meetings held on 8 May, 22 May and 12 June 2012.**

#### **CORRESPONDENCE:**

Submitting correspondence from The Honourable Adrian Piccoli MP, Minister for Education dated 16 April 2012 regarding funding for the position of Aboriginal Education Officer at Marsden High School.

#### **RECOMMENDATION:**

That the correspondence be received.

#### **ATTACHMENTS**

- 1 Letter from The Honourable Adrian Piccoli MP, Minister for Education dated 16 April 2012

**Precis of Correspondence 1 (continued)**

**ATTACHMENT 1**



**The Hon. Adrian Piccoli MP**  
Minister for Education

Ms D Dickson  
Group Manager Community Life  
City of Ryde  
Locked Bag 2069  
NORTH RYDE NSW 1670

RML 12/1355

16 APR 2012

Dear Ms Dickson

Thank you for your letter of 5 March 2012 regarding the funding for the position of Aboriginal Education Officer at Marsden High School.

Whilst a permanent Aboriginal Education Officer position is currently not available for Marsden High School, the school continues to have the discretion to allocate general grants and other operational funds to provide additional support to Aboriginal students.

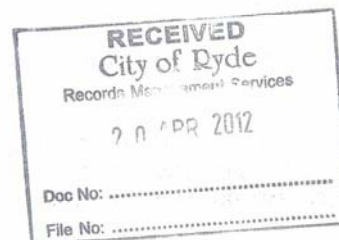
Students and staff at the school also have access to the Northern Sydney Regional Aboriginal Education team which includes a Quality Teaching Indigenous Engagement Officer, Aboriginal Education Consultants and Aboriginal Community Liaison Officer. All of these positions play a key role in supporting Aboriginal students and families in overcoming barriers in school attendance and retention and strengthening the capacity of students to improve their educational outcomes.

The Department of Education and Communities, in partnership with the NSW Aboriginal Education Consultative Group Inc., is currently reviewing the spread of Aboriginal Education Officer positions throughout New South Wales.

The NSW Government is strongly committed to supporting Aboriginal children and young people to achieve educational success and is taking action to bridge the educational achievement gap between Aboriginal and non-Aboriginal students.

Yours sincerely

  
**Adrian Piccoli MP**  
Minister for Education



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**2 DEFERRED PRECIS OF CORRESPONDENCE: AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA NSW)**

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**Report prepared by:** Meeting Support Coordinator

**Report dated:** 9 May 2012

**File No.:** CLM/12/1/4/11 - BP12/547

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**This Precis of Correspondence is deferred from the Council Meetings held on 22 May and 12 June 2012.**

**CORRESPONDENCE:**

Submitting correspondence from Councillor Julie Griffiths, President, Australian Local Government Women's Association (ALGWA NSW) dated 7 May 2012.

**RECOMMENDATION:**

That the correspondence be received.

**ATTACHMENTS**

- 1 Letter from Councillor Julie Griffiths, President, Australian Local Government Women's Association (ALGWA NSW) dated 7 May 2012

Precis of Correspondence 2 (continued)

ATTACHMENT 1



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## ALGWA NSW BRANCH INC.

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7 May 2012

Councillor Artin Etmekdjian  
Mayor  
City of Ryde  
c/o Locked Bag 2069  
NORTH RYDE NSW 1670

Dear Councillor Etmekdjian

I write to you in my capacity as President, Australian Local Government Women's Association (ALGWA NSW) to convey in the strongest possible terms ALGWA's extreme disappointment at the public comments attributed to Cllr Butterworth regarding the 2012 ALGWA NSW Conference (Dubbo, 22-25 March 2012).

ALGWA NSW considers the comments made in the attached article to be an unprovoked and insulting attack on a volunteer organisation that has worked tirelessly to support women in local government for over sixty years. Given that Cllr Butterworth has never attended an ALGWA State Conference, it is unclear on what credible basis he dismissed ALGWA's 2012 Conference as a 'junket'. ALGWA NSW rejects absolutely the ill-informed comments on the content of the ALGWA 2012 Conference.

It takes close to a year of detailed planning and hard work by the ALGWA Executive and our host Council to deliver the ALGWA State Conference. It is the flagship event for ALGWA each year and also includes our Annual General Meeting. The Conference is a high profile event that recognises the efforts by Councils across NSW to increase the participation by women in local government decision making – as a Councillor, a member of staff or an engaged member of the community.

As indicated in the formal Program, the ALGWA 2012 Conference in Dubbo included keynote addresses on planning and infrastructure for local government; gender equity issues in male dominated industries (in this case, the mining sector);

**Precis of Correspondence 2 (continued)**

**ATTACHMENT 1**

leadership skills for women; techniques on marketing and branding strategies; using social media technologies; and a discussion on superannuation – highlighting the significant financial gap that exists between men and women at the end of their working lives.

The Conference also included “Hot-Spot” sessions, which provide an opportunity for delegates to address the Conference on specific issues relevant to women in local government. In addition to the formal presentations, a key aspect of the ALGWA State Conference is the networking opportunities provided to delegates to share experiences, promote issues of significance for women and most importantly, provide mentoring, encouragement and support.

Given the extensive work that went into preparing the program for the ALGWA 2012 Conference, the public ridicule of the Conference is extremely offensive to ALGWA's Executive and to our members.

ALGWA considers that it has a strong and constructive relationship with the City of Ryde.

We acknowledge the significant efforts by the City of Ryde to embed gender equity principles into its organisational culture and the work Council is undertaking to achieve the Silver Award under ALGWA's *Vision 50:50 Councils for Gender Equity Program*. Our members still frequently refer to the inspiring keynote address given by your General Manager, Mr John Neish, at ALGWA's National Conference, which was hosted by the City of Ryde in November 2010.

As such, ALGWA NSW is extremely disappointed with the action taken by Councillors at the Council meeting held on 13 March 2012 in voting to deny the request from Deputy Mayor Councillor Gabrielle O'Donnell to attend the ALGWA 2012 State Conference.

As you would be aware, Deputy Mayor Councillor O'Donnell was a member of the ALGWA NSW Executive and her efforts to highlight gender equity are well recognised and strongly supported by the ALGWA Executive and our broader membership. The City of Ryde has previously supported both Councillor O'Donnell and Councillor Campbell in carrying out their responsibilities as ALGWA Executive members and that is why the denial of Councillor O'Donnell's request to attend the ALGWA 2012 Conference is so disappointing.

ALGWA was deeply concerned by the additional motion carried at the Council meeting on 13 March 2012, *“That no Councillors attend the Australian Local Government Women's Association (NSW) 59th Annual Conference to be held in Dubbo from 22 to 24 March 2012”*. I would be interested to hear Ryde Council's reasons for such a motion in today's climate.

**Precis of Correspondence 2 (continued)**

**ATTACHMENT 1**

Whilst ALGWA recognises that the opportunity to attend conferences is a decision for individual Councils, we consider the above-mentioned motion carried relating to the ALGWA 2012 Conference adversely impacts on our reputation as a reputable association which is recognised at all levels of Government.

We ask that this matter is placed on Ryde Council's agenda for discussion and feedback.

Yours sincerely



Councillor Vicki Scott  
Secretary  
ALGWA (NSW)

*for*  
Councillor Julie Griffiths  
President  
ALGWA (NSW)

CC: John Neish, General Manager City of Ryde – please circulate to all Councillors



Precis of Correspondence 2 (continued)

ATTACHMENT 1



ce to be this Saturday as O.

**aturday**

il this Saturday in Rhodes eg Paterson Park. For more information visit [www.canadabay.nsw.gov.au](http://www.canadabay.nsw.gov.au) or contact Canada Bay Council on 9911 6555.

Rhodes Foreshore Park is located just off Shoreline Drive, at the western end of Mary Street.

The Mayor encourages local people to walk to Neighbour Day and there is a railway station at Rhodes for visitors from Ryde.

The City of Canada Bay courtesy bus will be available from 2 to 5pm to transport visitors to and from the train station, Rhodes Shopping Centre and Rhodes Foreshore Park.



Cracks usually close up as the house is raised



rotek.com.au  
**neering**  
nce 41231. Using Uretex.



**Cardinal to bless school**

The head of the Catholic Church in Australia, His Eminence Cardinal George Pell, will open and bless the new buildings at St Charles School in Ryde this Sunday March 25.

Cardinal Pell will bless both the new and refurbished build-

ings at 11am following a Mass in neighbouring, historic St Charles Borromeo Church at 10am.

Parish Priest Father Paul Monkerud will celebrate Mass with Cardinal Pell and speeches will be given at the opening by local dignitaries.

The buildings were funded by the Federal Government's Building the Education Revolution project in cooperation with the school and the parish.

Supporters of St Charles School can place a Message of Congratulations in the paper by phoning June on 9807 6666.

**Anger as fee hike debate shut down**

Debate about the proposed 25 per cent fee hike to hire sports grounds in Ryde was shut down by an unprecedented political decision taken by Acting Mayor Cllr Gabrielle O'Donnell last week.

Last week's edition revealed parents' anger at the fee hike and Ryde's four independent councillors and Labor's Cllr Jeff Salvestro-Martin had lodged a rescission motion against it.

General Manager John Neish deemed this motion "to have missed the deadline for this meeting" prompting the independent councillors to move to have the issue heard as an urgency motion.

The three Liberals and one female Labor councillor opposed it.

The Acting Mayor then shut down debate.

"My ruling is it is not a matter of urgency, it is a matter of fees and charges and I rule it out of order," she said.

The majority six councillors were stunned.

"In the eight years I've been here on this Council I'm not aware of one urgency motion, not one, that has been ruled out of order by the Chair," former Mayor Cllr Michael Butterworth said.

**Political Motive**

Cllr Butterworth then sought an explanation from the Acting Mayor but was stopped on a point of order from a Liberal councillor.

Former Mayor Cllr Ivan Petch also attempted to lodge a notice of "dissent" against the Acting Mayor's ruling but Legal Counsel Bruce McGinn advised that General Regulations and the Council's Code of Conduct gave the Acting Mayor the right to determine if a matter is urgent or not.

Her actions ensure the issue will not be debated until the return of the Mayor ensures the Liberals will win a debate on the Mayor's casting vote.

Sports Association representatives were nonetheless granted permission to make a three minute speech on why they opposed the fee hike.

The Acting Mayor's ruling also shut down debate relating to these speeches.

Eastwood Ryde Netball Association President Anne Doring conceded the fee hike would pay for ground improvements but argued that a 25 per cent rise was more than families could afford.

"We are astounded and we were not consulted," Ms Doring said "We don't want to price sport out of the reach of families and we want you (councillors) to consult with sporting groups."

"We know we need to look at increasing fees but please, please, not by 25 per cent."

North West Sydney Womens Soccer Association spokesperson Buckley Finlay endorsed Ms Doring's objections to the fee hike.

"It was never put to us and the point (made by the Liberals) that we are happy with it I take umbrage with because at no time was my association happy with the fee increase," Mr Findlay said.

Parents who attended the Council meeting said the issue highlights the Liberals' lack of concern for struggling families.

The Acting Mayor later felt the wrath of the four Independent and two male Labor MPs when Cllr Vic Tagg successfully moved a motion to oppose funding her attendance at the March 22-24 Australian Local Government Womens Association in Dubbo.

The Liberals and female Labor Councillor Nicole Campbell

described the motion as sexist and shameful.

Cllr Butterworth said ratepayers shouldn't fund a junket.

"Apparently the highlights of the conference are a tour of Dubbo golf, a concert by Petula Clarke and a speech by Local Government Minister, Don Page," he said.

**Will you ride to school on Friday?**

Denistone East and Meadowbank Public are two of the many local schools taking part in this Friday's Ride2School Day.

Bennelong MP John Alexander will be at Meadowbank Public from 8.30 to welcome students arriving to school by bike or on foot and will present them with a Ride2School sticker.

The event is being organised across Sydney by the Bicycle

Network to promote the benefits of exercise although at Denistone East it also helps to reduce traffic congestion.

"We hope that many of our students at Denistone East will continue to ride or walk throughout the year," the school's traffic coordinator Jean Clifton said.

"It will do a lot to reduce traffic congestion at and around our school."

**Benji Marshall TRAINING DAY II**

**Friday 30th March**

**ALL WELCOME**

**From 4:30pm**

**TG Milner**

**Vimiera Rd**

**Eastwood**

**Come meet Benji Marshall and the Wests Tigers players**

**Training drills and activities for the kids**

**Buy a Benji ball & get it signed**

**Enquiries: [northrydehawks@bigpond.com](mailto:northrydehawks@bigpond.com)**

**Bookings at WINGS Restaurant essential**

**Phone Brenda 9868 5212**

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**3 DEFERRED PRECIS OF CORRESPONDENCE: SYDNEY AIRPORT - THE RIGHT FUTURE, STARTING NOW**

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**Report prepared by:** Meeting Support Coordinator

**Report dated:** 9 May 2012

**File No.:** CLM/12/1/4/11 - BP12/548

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**This Precis of Correspondence is deferred from the Council Meetings held on 22 May and 12 June 2012.**

**CORRESPONDENCE:**

Submitting correspondence from Sally Fielke, General Manager Corporate Affairs from Sydney Airport dated 30 April 2012 regarding Sydney Airport – The right future, Starting now.

**RECOMMENDATION:**

That the correspondence be received.

**ATTACHMENTS**

- 1 Letter from the General Manager Corporate Affairs - Sydney Airport dated 30 April 2012

**Precis of Correspondence 3 (continued)**

**ATTACHMENT 1**

30 April 2012

Clr Artin Etmekdjian  
Mayor - Ryde City Council  
Locked Bag 2069  
North Ryde NSW 1670

email: [cityofryde@ryde.nsw.gov.au](mailto:cityofryde@ryde.nsw.gov.au)



Dear Mayor

**Sydney Airport – The right future. Starting now.**

You may recall that Kerrie Mather, Sydney Airport's Chief Executive Officer, wrote to you last December about an exciting new vision for Sydney Airport.

The new vision would see the phased development of Sydney Airport, transforming it into two common-use terminal precincts, integrating international, domestic and regional airline services under the one roof.

It would deliver a better travel experience for the more than 35 million airline passengers who use Sydney Airport every year as well as ensure Sydney Airport remains Australia's national gateway into the future, improve the efficiency of airport operations, deliver additional capacity and improve traffic flow around the airport.

To be implemented, the new vision would require no change to existing operating restrictions like Sydney Airport's curfew or noise sharing arrangements. Sydney residents will also continue to benefit from new generation quieter and cleaner aircraft like the A380 and B787.

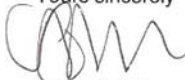
Throughout 2012, Sydney Airport will be consulting and engaging with the Sydney community about the new vision. The Sydney Airport Community Forum has been briefed, as have a number of other council representatives and Members of Parliament.

Regular community updates will be provided in local newspapers and community open days will be held in areas around the airport to give members of the public an opportunity to find out more about the new vision.

To hear any feedback or suggestions your council may have, I would appreciate the opportunity to meet with your councillors. As Sydney Airport has done on previous occasions, this could occur at an appropriate meeting of council or one of its committees.

If you would like me to brief your Council, or if you need any further information, please feel free to call Ted Plummer, Sydney Airport's Manager Government and Community Relations on 9667 6182 or email on [sydney.airport@syd.com.au](mailto:sydney.airport@syd.com.au).

Yours sincerely



**Sally Fielke**  
General Manager Corporate Affairs

**Sydney Airport  
Corporation Limited**  
ABN 62 082 578 809

Locked Bag 5000  
Sydney International  
Airport NSW 2020

Central Terrace Building  
10 Arrivals Court  
Sydney International  
Airport NSW 2020  
Australia

T 61 2 9667 9111  
[www.sydneyairport.com](http://www.sydneyairport.com)

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**4 DEFERRED PRECIS OF CORRESPONDENCE: 50:50 VISION - COUNCILS FOR GENDER EQUITY PROGRAM**

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**Report prepared by:** Meeting Support Coordinator

**Report dated:** 25/05/2012

**File No.:** CLM/12/1/4/11 - BP12/632

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**This Precis of Correspondence is deferred from the Council Meeting held on 12 June 2012.**

**CORRESPONDENCE:**

Submitting Ministerial Circular M12-04 dated 24 May 2012 from The Honourable Don Page MP, Minister for Local Government, Minister for the North Coast regarding 50:50 Vision – Councils for Gender Equity Program.

**RECOMMENDATION:**

That the correspondence be received.

**ATTACHMENTS**

- 1 Ministerial Circular M12-04 dated 24 May 2012 regarding 50:50 Vision - Councils for Gender Equity Program

**Precis of Correspondence 4 (continued)**

**ATTACHMENT 1**



Circular No. M12-04  
Date 24 May 2012  
Doc ID. A277140

**Ministerial Circular**

**50:50 VISION – COUNCILS FOR GENDER EQUITY PROGRAM**

The purpose of this circular is to encourage all NSW councils to participate in the '50:50 Vision' – Councils for Gender Equity Program.

The '50:50 Vision' - Councils for Gender Equity Program is a national initiative and encourages councils across Australia to address gender equity issues within the organisation and among their elected representatives.

The Program is an accreditation and awards program which will make it easier for councils to attract and keep quality women candidates and officers.

Achieving greater diversity in the candidates and councillors elected to local government is an ongoing priority for our sector, and the under-representation of women in elected positions in local government is well known.

In addition, women are under-represented in leadership roles within the ranks of council employees. This Gender Equity Program seeks to address this issue by having councils 'sign up' to take steps to improve women's access to these important local government roles.

In 2010 only 21% of mayors and 27% of councillors were women, and women made up only about 20% of senior staff in NSW councils, and only 5% of general managers. Ideally the proportion of women in such positions would reflect the proportion of women in our community, i.e. at least 50%.

As we prepare for the next local government elections in September 2012, it is timely to give some focus to gender equity both across the sector and within individual councils. The '50:50 Vision' – Councils for Gender Equity Program is a tool to support councils to achieve this, so I encourage councils to register for the Program and work towards the achievement of its goals.

More information about the Gender Equity Program and how to register to get involved can be found at: <http://5050vision.com.au>

ALGWA representatives will be participating in the Election Funding Authority Candidate Information Seminars to be held across NSW from May to July this year.

NSW Government  
Governor Macquarie Tower  
1 Farrer Place  
SYDNEY NSW 2000

**Precis of Correspondence 4 (continued)**

**ATTACHMENT 1**

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This is a fantastic level of commitment from ALGWA and I thank all of the women involved in this important work



The Hon Don Page MP  
Minister for Local Government  
Minister for the North Coast

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**5 DEFERRED PRECIS OF CORRESPONDENCE: SYDNEY OVER THE NEXT 20 YEARS**

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**Report prepared by:** Meeting Support Coordinator

**Report dated:** 30/05/2012

**File No.:** CLM/12/1/4/11 - BP12/657

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**This Precis of Correspondence is deferred from the Council Meeting held on 12 June 2012.**

**CORRESPONDENCE:**

Submitting Ministerial Circular M12-05 dated 25 May 2012 from The Honourable Don Page MP, Minister for Local Government, Minister for the North Coast and The Honourable Brad Hazzard MP, Minister for Planning and Infrastructure, Minister Assisting the Premier on Infrastructure NSW regarding Sydney over the next 20 years.

**RECOMMENDATION:**

That the correspondence be received and a further report be provided to Council attaching a draft submission.

**ATTACHMENTS**

- 1 Ministerial Circular M12-05 dated 25 May 2012 regarding Sydney Over the Next 20 Years

**Precis of Correspondence 5 (continued)**

**ATTACHMENT 1**



**Ministerial Circular**

Circular No. M12-05  
Date 25 May 2012  
Doc ID. A282396

**SYDNEY OVER THE NEXT 20 YEARS**

Sydney local councils and their communities are encouraged to respond to *Sydney Over the Next 20 Years - a new 20-year Metropolitan Strategy*.

The Minister for Planning and Infrastructure, the Hon Brad Hazzard MP, has released a Discussion Paper on the key principles to underpin a new 20-year Metropolitan Strategy. The Government wants to hear from Sydneysiders on the housing and infrastructure needed to meet Sydney's growth challenge.

This Discussion Paper is the first step in the development of a new Metropolitan Strategy for Sydney. It will be followed by a draft Strategy for consultation, and a final Strategy by the end of 2012. The new Strategy has the potential to transform Sydney. Community, council and stakeholder involvement will set the groundwork for a vision for how Sydney will be in the next 20 years.

The Paper considers projected population growth and important issues relating to housing, jobs and economic opportunities, transport and infrastructure, liveability, the natural environment, rural and resources lands and connection with regional NSW.

It is important that all Sydneysiders have their say about this important initiative. This will help the Government define the key principles to underpin the new plan for Sydney and consider how these principles can be met. Community members can make formal submissions and participate in an on-line forum. The Discussion Paper and on-line forum can be accessed at [www.haveyoursay.nsw.gov.au](http://www.haveyoursay.nsw.gov.au)

NSW councils are also encouraged to participate in the discussion. Community Strategic Plans will be an important source of information. Later this year councils will have further opportunity to participate in development of the draft Strategy for consultation, and the final Strategy.

NSW Government  
Governor Macquarie Tower  
1 Farrer Place  
SYDNEY NSW 2000



**Precis of Correspondence 5 (continued)**

**ATTACHMENT 1**

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The active participation of community members and councils in this discussion is critical to developing a long-term vision for how Sydney will develop.



The Hon Don Page MP  
Minister for Local Government  
Minister for the North Coast



The Hon Brad Hazzard MP  
Minister for Planning and Infrastructure  
Minister Assisting the Premier on  
Infrastructure NSW

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**6 DEFERRED PRECIS OF CORRESPONDENCE: FUTURE REZONING OF CUDAL RESERVE, RYDE TO RE1 PUBLIC RECREATION**

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**Report prepared by:** Executive Assistant to Group Manager**Report dated:** 29/05/2012**File No.:** GRP/09/6/5 - BP12/645

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**This Precis of Correspondence is deferred from the Council Meeting held on 12 June 2012.****CORRESPONDENCE:**

Submitting correspondence from The Hon Brad Hazzard MP, received on 5 April 2012 in relation to the future of Cudal Reserve. The correspondence notifies when to lodge a separate Planning Proposal to rezone Cudal Reserve, Ryde to RE1 Public Recreation without delaying the comprehensive draft local environmental plan making process.

**RECOMMENDATION:**

That the correspondence be received.

**ATTACHMENTS**

- 1 Brad Hazzard letter regarding Cudal Reserve

Report Prepared By:

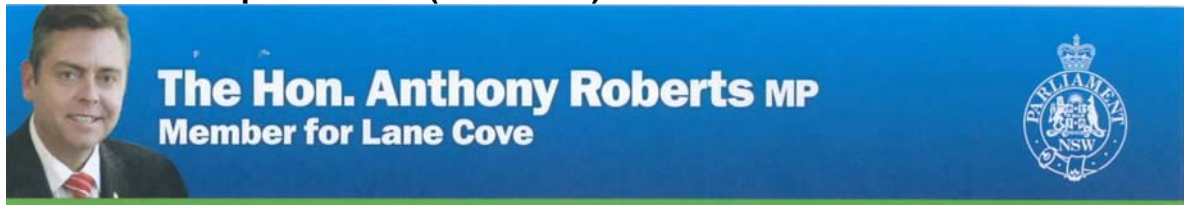
**Sandra Warbrick**  
**Executive Assistant to Group Manager**

Report Approved By:

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

**Precis of Correspondence 6 (continued)**

**ATTACHMENT 1**



5<sup>th</sup> March 2012

Clr Artin Etmekdjian  
Mayor, Ryde City Council  
Locked Bag 2069  
North Ryde NSW 1670

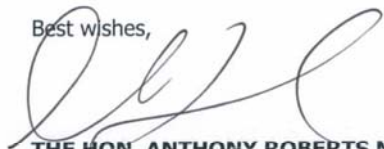
Dear Mr Mayor,

I am enclosing a letter received from the Minister for Planning replying to my representation on your behalf.

I trust the information is of assistance.

Please do not hesitate to contact me, should you require assistance in the future.

Best wishes,



**THE HON. ANTHONY ROBERTS MP**  
**MEMBER FOR LANE COVE**  
**MINISTER FOR FAIR TRADING**  
AR:SF  
Visit [www.anthonyrobertsmp.com.au](http://www.anthonyrobertsmp.com.au)

*Dominic*

Precis of Correspondence 6 (continued)

ATTACHMENT 1



**The Hon Brad Hazzard MP**  
Minister for Planning and Infrastructure  
Minister Assisting the Premier on Infrastructure NSW

12/02535

05 APR 2012

The Hon. Anthony Roberts MP  
Minister for Fair Trading  
Member for Lane Cove  
Level 3 Suite 302  
230 Victoria Road  
GLADESVILLE NSW 2111

  
Dear Minister

I refer to your representations on behalf of Councillor Artin Etmekdjian, Mayor of Ryde, concerning the zoning of Cudal Reserve, Ryde to RE1 Public Recreation.

I am aware that on 20 March 2012 a meeting between Council and Sydney Water was held to discuss the future of Cudal Reserve.

I am advised that an in principle way forward was agreed and that each party would continue to negotiate toward retaining Cudal Reserve as open space.

Once these negotiations have been resolved, Council may lodge a separate Planning Proposal to rezone the site without delaying the comprehensive draft local environmental plan making process. I have directed the Department of Planning and Infrastructure to work with Council and Sydney Water toward resolving this matter as soon as practicable.

Should you or Councillor Etmekdjian have any further enquiries about this matter, I have arranged for Juliet Grant, Regional Director Sydney East of the Department of Planning and Infrastructure to assist you. Ms Grant can be contacted on telephone number 02 9228 6113 or via email on [juliet.grant@planning.nsw.gov.au](mailto:juliet.grant@planning.nsw.gov.au).

Yours sincerely

  
**HON BRAD HAZZARD MP**  
Minister

30 MAR 2012

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**7 DEFERRED PRECIS OF CORRESPONDENCE: BOARDING HOUSE  
TARIFFS FOR RESIDENTIAL RATING AND FEE FOR SECTION 603  
CERTIFICATES FOR 2012/13**

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**Report prepared by:** Meeting Support Coordinator

**Report dated:** 5 June 2012

**File No.:** CLM/12/1/4/11 - BP12/679

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**This Precis of Correspondence is deferred from the Council Meeting held on 12 June 2012.**

**CORRESPONDENCE:**

Submitting Circular No. 12-15 dated 29 May 2012 from Ross Woodward, Chief Executive, Local Government, A Division of the Department of Premier and Cabinet regarding Boarding House Tariffs for Residential Rating and Fee for Section 603 Certificates for 2012/13.

**RECOMMENDATION:**

That the correspondence be received.

**ATTACHMENTS**

- 1 Circular from the Division of Local Government dated 29 May 2012 regarding Boarding House Tariffs for Residential Rating and Fee and Section 603 Certificates for 2012/13

**Precis of Correspondence 7 (continued)**

**ATTACHMENT 1**



**Circular to Councils**

Circular No. 12-15  
Date 29 May 2012  
Doc ID. A277025, A277029 & A278958

Contact Helen Pearce  
02 4428 4131  
helen.pearce@dlg.nsw.gov.au

**BOARDING HOUSE TARIFFS FOR RESIDENTIAL RATING AND FEE FOR SECTION 603 CERTIFICATES FOR 2012/13**

**Boarding House Tariffs**

In accordance with section 516(1A) of the *Local Government Act 1993*, the Minister for Local Government, the Hon Don Page MP, has determined that for the purpose of the definition of 'boarding house' and 'lodging house' in that section, the maximum tariffs, excluding GST, that a boarding house or lodging house may charge tariff-paying occupants are:

- (a) Where full board and lodging is provided –  
**\$323** per week per room for single accommodation, or  
**\$538** per week per room for family or shared accommodation.
- (b) Where less than full board and lodging is provided –  
**\$215** per week per room for single accommodation, or  
**\$359** per week per room for family or shared accommodation.

A notice giving effect to this decision was published in the Government Gazette 11 May 2012.

**Fee for Section 603 Certificates**

I have determined that the fee for a Section 603 Certificate for 2012/13 will be \$65.00.

The determination applies to the issuing of a certificate for the matters specified in section 603(3) of the *Local Government Act 1993* (the Act). Where a council offers to provide other information as an optional service, the council is not prevented from separately determining an approved fee for that additional service. Furthermore, a council is not prevented from determining approved fees for additional services required by an applicant for the expedited processing of a Section 603 Certificate.



**Ross Woodward**  
**Chief Executive, Local Government**  
**A Division of the Department of Premier and Cabinet**

Division of Local Government  
5 O'Keefe Avenue NOWRA NSW 2541  
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E dl@dlg.nsw.gov.au W www.dlg.nsw.gov.au ABN 99 567 863 195

**8 CARBON TAX**

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**Report prepared by:** Chief Financial Officer

**Report dated:** 15/06/2012

**File No.:** GRP/11/7/1/6 - BP12/720

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**CORRESPONDENCE:**

Submitting correspondence from The Hon Tony Abbott MHR, Leader of the Opposition dated 24 May 2012 regarding Carbon Tax.

**RECOMMENDATION**

That the correspondence be received.

**ATTACHMENTS**

- 1 Letter from the Hon Tony Abbott MHR, Leader of the Opposition dated 24 May 2012 regarding Carbon Tax

Report Prepared and Approved By:

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

**Precis of Correspondence 8 (continued)**

**ATTACHMENT 1**



The Hon Tony Abbott MHR  
Leader of the Opposition

24 May 2012

Clr Artin Etmekdjian  
Mayor  
Ryde City Council  
Locked Bag 2069  
NORTH RYDE NSW 1670

Dear Councillor

The carbon tax, which begins on 1 July, will add to the operating costs of councils across Australia.

The Australian Local Government Association estimates the cost of the carbon tax (excluding landfill operations) on local government will be \$200 million nationwide. After taking into account increases in Local Government Financial Assistance Grants, the first order impact will be a minimum \$185 million.

In addition, councils across Australia will pay, directly or indirectly, carbon tax on the landfill operations they run or use.

Collecting and disposing of household rubbish is a core responsibility of local government -- and, under the carbon tax, councils will be slugged for undertaking this responsibility.

The carbon tax will make it more expensive to take rubbish to the tip, more expensive to run council trucks, more expensive to run local swimming pools and community centres. This increase in costs will result in local councils increasing rates or cutting services to local communities.

These impacts are just the start as the carbon tax is legislated to go up and up. The longer this tax is in place, the worse the consequences for the economy, jobs and families. It will drive up the cost of living, threaten jobs and do nothing for the environment.

Your council will pay the price for Julia Gillard's broken promise. It was Julia Gillard who promised days before the last election "there will be no carbon tax under the government I lead".

Parliament House Canberra ACT 2600  
Tel (02) 6277 8622 Fax (02) 6277 8562  
[www.tonyabbott.com.au](http://www.tonyabbott.com.au)

*APL 2012/05/24*  
*0441312*



**Precis of Correspondence 8 (continued)**

**ATTACHMENT 1**

-2-

Julia Gillard has no mandate from the people for this new tax. At the next election, I will seek a mandate from the Australian people to repeal this tax.

**Repealing the carbon tax will be the first order of business for the next Coalition government.**

I encourage council to publicly detail the impact of the carbon tax on its operations so that the community is fully informed about the damage inflicted by this toxic tax.

Yours sincerely



TONY ABBOTT

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## **NOTICES OF MOTION**

### **1 DEFERRED NOTICE OF MOTION: GLADESVILLE HORNSBY FOOTBALL ASSOCIATION - Councillor Roy Maggio**

**File Number:** CLM/12/1/4/6 - BP12/671

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**This Notice of Motion is deferred from the Council Meeting held on 12 June 2012.**

#### **MOTION:**

That Council endorses a Commemorative Plaque acknowledging the Gladesville Hornsby Football Association 60<sup>th</sup> Year anniversary celebration in the City of Ryde.

That the presentation of the plaque to the Gladesville Hornsby Football Association committee be at the next SRAC meeting with all Councillors invited.

### **2 RECOGNITION OF NAIDOC WEEK - Councillor Gabrielle O'Donnell**

**File Number:** CLM/12/1/4/6 - BP12/692

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#### **MOTION:**

In recognition of NAIDOC Week 1 – 7 July, Council fly the Aboriginal and Torres Strait Islander Flag and organise a book display in the library celebrating aboriginal culture.

### **3 DCP 2011 - LINEAR SEPARATION FOR THE DEVELOPMENT OF MULTI UNIT DEVELOPMENTS - Councillor Gabrielle O'Donnell**

**File Number:** CLM/12/1/4/6 - BP12/693

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#### **MOTION:**

That in view of the proposed changes to the DCP 2011 Council advises the assessment team to no longer assess linear separation as a constraint for the development of multi unit developments.

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## **NOTICES OF RESCISSION**

### **1 DEFERRED NOTICE OF RESCISSION - CITY OF RYDE PROCUREMENT PROCESSES - Councillor Nicole Campbell, Councillor Sarkis Yedelian OAM, Councillor Roy Maggio**

**File Number:** CLM/12/1/4/7 - BP12/623

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**This Notice of Rescission is deferred from the Council Meeting held on 12 June 2012.**

That Council rescind the previous resolution in relation to NOTICE OF MOTION 2 – CITY OF RYDE PROCUREMENT PROCESSES, passed at the Council Meeting held on 22 May 2012, namely:

*That the General Manager conduct a detailed and thorough review of City of Ryde Procurement processes with particular emphasis on the Tendering Process and to ensure that all future Tender Evaluations include and clearly identify and report Tender Risks associated with potential contracts, thereby ensuring that Council has met all obligations with respect to minimising risk to resident and public safety as a consequence of Sub-Contractor activity within City of Ryde. The output of this Notice of Motion is a report for Council consideration.*

### **2 NOTICE OF RESCISSION - CITY OF RYDE PRECINCT REDEVELOPMENT TENDER - Councillor Ivan Petch, Councillor Jeff Salvestro-Martin, Councillor Victor Tagg, Councillor Justin Li**

**File Number:** CLM/12/1/4/7 - BP12/715

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That Council rescind the previous resolution in relation to ITEM 5 (PART 2) – CITY OF RYDE PRECINCT REDEVELOPMENT TENDER, passed at the Council Meeting held on 12 June 2012, namely:

- 1. That Council note the report from the General Manager, and the report from the tender evaluation panel (**ATTACHMENT E – CIRCULATED UNDER SEPARATE COVER – CONFIDENTIAL**), in relation to responses received from Lend Lease Development Pty Limited and Billbergia Pty Limited/Frasers Property Australia Pty Limited to the Request for Tenders.*

*That Council adopts the recommendation from the tender evaluation panel as reviewed and approved by the General Manager and not accept either tender on the basis that whilst the tenders received demonstrated substantial compliance with Council's project objectives of community benefit, revitalisation, design, sustainability, financial viability and traffic, the tenders displayed deficiencies in the following areas:*

**Notices of Rescission (continued)**

- (a) *Council's preferred financial objectives were not fully achieved;*
- (b) *the proposed risk allocations were not fully in accordance with Council's preferred risk profile;*
- (c) *certain elements of Council's performance brief were not fully complied with; and*
- (d) *the form of the tenders submitted were not sufficiently legally certain and complete as to enable Council to accept them.*

**And that Council resolves** that having regard to clause 178(1) of the Local Government (General) Regulation 2005 and having regard to the tenders received in response to the Request for Tenders, the recommendations of the General Manager and the recommendations from the tender evaluation panel, no tender be accepted.

2. That Council notes the recommendations of the General Manager and the tender evaluation panel that Council (subject to confirmation of Lend Lease board approval) enter into negotiations with Lend Lease Development Pty Limited with a view to concluding a contract, on the basis of the reasons set out in the confidential report from the tender evaluation panel:

**And that Council resolves** that having regard to clause 178(3)(e) of the Local Government (General) Regulation 2005 and having regard to the recommendations of the General Manager and the tender evaluation panel, to further the procurement process for the selection of an appropriate development partner (subject to confirmation of Lend Lease board approval) by entering into negotiations with Lend Lease Development Pty Limited with a view to entering into a Project Delivery Agreement (and all documents referred to as Project Documents in the Project Delivery Agreement) preferably by August 2012 in relation to the Ryde Civic Redevelopment for the reasons that:

- (a) *the tender submitted by Lend Lease Development Pty Limited achieved a superior ranking by the tender evaluation panel and subsequent meetings with both proponents to appreciate areas where negotiations might result in improvements to Council's position confirmed this ranking; and*
- (b) *other options available to Council such as inviting fresh tenders or fresh applications from other persons or Council implementing one of several options ie: 'Do Nothing' or 'Refurbishment' or carrying out the redevelopment itself would not achieve a more satisfactory result for the following reasons:*
  - (i) *the procurement process involving an expressions of interest and request for tenders has fully tested the market and any new tender process would be unlikely to produce a better result;*

**Notices of Rescission (continued)**

- (ii) *any new tender process would involve Council in substantial additional costs without any certainty of a better result;*
  - (iii) *any new tender process would involve a reputation risk to Council with tenderers being exposed to the substantial costs of tendering and having potentially lacking confidence in Council's process;*
  - (iv) *the 'Do Nothing' option would lead to ultimate building failure over the next five to seven years;*
  - (v) *the 'Refurbishment Option' will incur considerable additional costs to Council over the next ten years which would be significantly greater than the final net cost of proceeding with a Project Delivery Agreement with Lend Lease Development Pty Limited and in doing so would leave Council significantly disadvantaged; and*
  - (vi) *as previously advised to Council, Council does not have the experience, capability, risk appetite or the cash available to undertake the project itself.*
3. *That Council note the recommendations of the General Manager that Council enter into a Project Development Agreement (and all documents referred to as Project Documents in the Project Delivery Agreement) with Lend Lease Development Pty Limited on terms the General Manager approves and is reasonably satisfied are substantially consistent with or more favourable to Council than, the Commercial and Risk Principles set out in Confidential Attachment G.*

***And that Council resolves*** *that Council enter into a Project Delivery Agreement (and all documents referred to as Project Documents in the Project Delivery Agreement) on terms approved by the General Manager and which he is reasonably satisfied are substantially consistent with or more favourable to Council than, the Commercial and Risk Principles set out in ATTACHMENT G - CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL.*

4. *That Council notes the recommendation that Council delegates to the General Manager the authority to negotiate with Lend Lease Development Pty Limited with a view to finalising and executing the Project Delivery Agreement (and all documents referred to as Project Documents in the Project Delivery Agreement) on terms approved by the General Manager and which he is reasonably satisfied are substantially consistent with or more favourable to Council than, the Commercial and Risk Principles set out in Confidential Attachment G.*

***And that Council resolves*** *that pursuant to section 377(1) of the Local Government Act 1993, Council delegates to the General Manager the authority to finalise and execute the Project Delivery Agreement (and all documents referred to as Project Documents in the Project Delivery Agreement) with Lend*

**Notices of Rescission (continued)**

*Lease Development Pty Limited once he has approved the final form of that documentation and is reasonably satisfied the documentation is substantially consistent with or more favourable to Council than, the Commercial and Risk Principles set out in Confidential Attachment G.*

*That Council notes that a funding option offered by Lend Lease Development Pty Limited provides the best financial return to Council through the delivery of a low cost of capital solution by utilising Council's ability to borrow funds at a much lower levels than Lend Lease's cost of capital.*

***And that Council resolves*** that it prefers the Lend Lease funding option and authorises the General Manager to undertake a tender process to provide the most advantageous outcome for Council for a \$35 million loan over a six year period, where the principal and interest is guaranteed by Lend Lease to Council and the funding is provided at no net cost to Council, the details of which will form part of the Project Delivery Agreement.

5. *That Council notes that Stage 3 of the Civic Precinct project will be achieved upon the completion of negotiations with a preferred development partner.*

***And that Council Resolves:***

- (a) *to implement Stage 4 in accordance with these recommendations and the indicative program provided in this report and maintain the Civic Precinct development team of contractors/consultants to do so and extend the delegation of the General Manager pursuant to section 377(1) of the Local Government Act 1993, to negotiate extensions of procurement arrangements and execute all relevant documentation with external providers for Stage 4, where Council's commitment to those providers will exceed \$150,000 over all 4 stages of the project; being:*
  - (i) *Forbrook Group Pty Ltd;*
  - (ii) *Kathy Jones and Associates; and*
  - (iii) *Michael Collins and Associates, and*
- (b) *that pursuant to section 55(3) of the Local Government Act 1993, that a satisfactory result would not be achieved by inviting tenders for the services to be provided by the external providers (as listed above) because of extenuating circumstances, by reason that a costly tender process to procure new external providers would not achieve a satisfactory result having regard to:*
  - (i) *the whole of life costs for the project when taking into account the amount of time, risks and resources that may be required to brief new consultants;*

**Notices of Rescission (continued)**

- (ii) *Council's desire for continuity in the project and the intellectual property held by those external providers in relation to the project; and*
- (iii) *the timetable adopted by Council to progress to Stage 4,*

*and accordingly, that Council will not be inviting tenders for the services to be provided by the external providers (as listed above).*

6. *That Council notes that until such time as Council resolves to proceed with the Civic Precinct redevelopment, or commits to a 'Do Nothing' approach, that Council is unable to integrate the financial models relating to this report into its Four Year Delivery Plan and its Long Term Financial Plan.*

***And that Council Resolves:*** *to adjust its Four Year Delivery Plan and its Long Term Financial Plan to reflect the impacts of the Lend Lease funding option as outlined in the confidential attachments to this report and finalised by negotiation with the General Manager.*

7. *That Council enter into a legally enforceable Memorandum of Understanding with Lend Lease Development Pty Limited, consistent with the Project Delivery Agreement referred to in Parts 4 and 5 above, on terms approved by the General Manager, and which he is reasonably satisfied are substantially consistent with, or more favourable to Council than, the Commercial and Risk Principles set out in Confidential Attachment G, and that, pursuant to Section 377(1) of the Local Government Act 1993, Council delegates to the General Manager the authority to finalise and execute that Memorandum of Understanding should the General Manager deem it commercially appropriate to do so.*

## **CONFIDENTIAL ITEMS**

### **22 DEFERRED REPORT: 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 - BP12/423

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### **23 DEFERRED REPORT: 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.

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

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

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

**Report dated:** 16 April 2012

**File No.:** GRP/11/7/1/6 - BP12/424

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## 24 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.

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- (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:** 15 June 2012

**File No.:** GRP/11/7/1/6 - BP12/725

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