

**Meeting Date:** Tuesday 28 February 2012  
**Location:** Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde  
**Time:** Following the conclusion of the adjourned Council Meeting of 14 February 2012

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

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**1 CONFIRMATION OF MINUTES - Council Meeting held on 13 December 2011**

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**Report prepared by:** Meeting Support Coordinator**Report dated:** 16/02/2012**File No.:** GRP/12/5/5/5 - BP12/131

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

**RECOMMENDATION:**

That the Minutes of the Council Meeting 21/11, held on 13 December 2011, be confirmed.

**ATTACHMENTS**

- 1 Minutes - Ordinary Council Meeting - 13 December 2011

**ITEM 1 (continued)**

**ATTACHMENT 1**



City of Ryde

**Council Meeting**

**MINUTES OF MEETING NO. 21/11**

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**Meeting Date:** Tuesday 13 December 2011  
**Location:** Council Chambers, Level 6  
**Time:** 7.30pm

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

**Apologies:** Councillors Butterworth, Li, Perram, Salvestro-Martin and Tagg.

**Leave of Absence:** Councillor Petch.

**Staff Present:** General Manager, Group Manager – Community Life, Group Manager - Corporate Services, Group Manager – Environment & Planning, Group Manager - Public Works, General Counsel, Manager – Governance, Manager – Customer Service, Manager Community Relations & Events and Meeting Support Coordinator.

**PRAYER**

Reverend David Yue of St Phillip's Anglican Church was present and offered prayer prior to the commencement of the meeting.

**ADJOURNMENT**

In accordance with Clause 2.5.1 of the Code of Meeting Practice, The Mayor, Councillor Etmekdjian adjourned the Council Meeting as a quorum was not present, the time being 7.35pm. The Council Meeting was adjourned to:

Wednesday, 14 December 2011 at 7.30pm in the Council Chambers, Level 6 of the Civic Centre, 1 Devlin Street, Ryde.

The following Councillors were present:

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

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

A Leave of Absence had been received from Councillor Petch.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**MEETING RECONVENED**

The Meeting reconvened at 7.30pm on Wednesday, 14 December 2011 in the Council Chambers, Level 6 of the Civic Centre, 1 Devlin Street, Ryde.

The following Councillors were present:

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

Apologies had been received from Councillors Perram and Tagg.

A Leave of Absence had been received from Councillor Petch.

**ADJOURNMENT**

In accordance with Clause 2.5.1 of the Code of Meeting Practice, The Mayor, Councillor Etmekdjian adjourned the Council Meeting as a quorum was not present, the time being 7.34pm. The Council Meeting was adjourned to:

Wednesday, 14 December 2011 at 8.04pm in the Council Chambers, Level 6 of the Civic Centre, 1 Devlin Street, Ryde.

The following Councillors were present:

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

Apologies had been received from Councillors Perram and Tagg.

A Leave of Absence had been received from Councillor Petch.

**MEETING RECONVENED**

The Meeting reconvened at 8.04pm on Wednesday, 14 December 2011 in the Council Chambers, Level 6 of the Civic Centre, 1 Devlin Street, Ryde.

The following Councillors were present:

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

Apologies had been received from Councillor Perram.

A Leave of Absence had been received from Councillor Petch.

The Mayor, Councillor Etmekdjian assumed the Chair.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**Staff Present:** General Manager, Group Manager – Community Life, Acting Group Manager – Corporate Services, Group Manager – Environment and Planning, Acting Group Manager – Public Works, General Counsel, Manager – Urban Planning, Manager – Customer Service, Manager – Community Relations & Events, Community Engagement & Social Media Manager, Section Manager – Projects Delivery and Meeting Support Coordinator.

**DISCLOSURES OF INTEREST**

There were no disclosures of interest.

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

The following persons addressed the Council:-

| <b>Name</b>   | <b>Topic</b>  |
|---|---|
| Ms Megan Poole (representing the Friends of Crowle Homes Inc.)    | <b>NOTICE OF MOTION 1 – Crowle Homes</b>  |
| Ms Angela Penklis (representing the Friends of Crowle Homes Inc.) |   |
| Ms Mary Roberts   |   |
| Ms Jenny Rollo (representing the Friends of Crowle Homes Inc.)    |   |
| Ms June Madden  |   |
| Mrs Rosemary Lavery   | <b>ITEM 5 – AMENDED PLANNING PROPOSAL RESULTS OF COMMUNITY CONSULTATION – Ryde Civic Precinct</b> |
| Ms Jill Hartley   |   |

**SUSPENSION OF STANDING ORDERS**

Note: Councillor Butterworth left the meeting at 8.29pm and was not present for consideration or voting on the Suspension of Standing Orders.

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

That Standing Orders be suspended to allow all speakers to address Council, with new speakers addressing Council first, followed by speakers that have previously addressed Council, the time being 8.30pm.

**Record of Voting:**

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

Against the Motion: Councillor Pickering

Note: Councillor Butterworth returned to the meeting at 8.36pm.

**ITEM 1 (continued)**

**ATTACHMENT 1**

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

The following persons addressed the Council:-

| <b>Name</b>   | <b>Topic</b>  |
|---|---|
| Mrs Beth Kosnik<br>Mr Roustam Akhmetov  | <b>ITEM 5 – AMENDED PLANNING PROPOSAL RESULTS OF COMMUNITY CONSULTATION – Ryde Civic Precinct</b>                                   |
| Ms Sheryl Barton<br>Mr Kevin Page   | <b>ITEM 7 – Draft Ryde Local Environmental Plan 2011 – Council Workshop Outcomes</b>  |
| Ms Jennie Minifie (representing the Ryde Environment Group and The Friends of Kitty’s Creek)  | <b>ITEM 8 – UPGRADE OF PITTWATER ROAD (HIGH STREET TO EPPING ROAD) – Review of Environmental Factors and Community Consultation</b> |
| Ms Julie Worsley<br>Mr Noel Plumb (representing the Ryde Environment Group and Ryde Community Alliance)<br>Ms Denise Pendleton (representing the Residents for Ryde)<br>Mr Ping Tan | <b>ITEM 5 – AMENDED PLANNING PROPOSAL RESULTS OF COMMUNITY CONSULTATION – Ryde Civic Precinct</b>                                   |
| Mr Noel Plumb (representing the Ryde Environment Group and Ryde Community Alliance)   | <b>ITEM 7 – Draft Ryde Local Environmental Plan 2011 – Council Workshop Outcomes</b>  |
| Mr Noel Plumb (representing the Ryde Environment Group and Ryde Community Alliance)   | <b>ITEM 8 – UPGRADE OF PITTWATER ROAD (HIGH STREET TO EPPING ROAD) – Review of Environmental Factors and Community Consultation</b> |
| Mr Noel Plumb (representing the Ryde Environment Group and Ryde Community Alliance)   | <b>ITEM 14 – CODE OF MEETING PRACTICE – Results of Public Exhibition</b>  |
| Mr Noel Plumb (representing the Ryde Environment Group and Ryde Community Alliance)   | <b>NOTICE OF RESCISSION – Creation of a City of Ryde Property Trust</b>   |

**SUSPENSION OF STANDING ORDERS – PUBLIC PARTICIPATION**

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

That Standing Orders be suspended to allow the speaker listed to address the meeting on Items not on the Agenda, the time being 9.25pm.

**Record of Voting:**

For the Motion: Unanimous

Note: Mr Bob Selinger was called to address Council, however was not present in the Chamber.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**SUSPENSION OF STANDING ORDERS**

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

That Standing Orders be suspended to allow consideration of the Notice of Motion and Items 5, 6, 7, 8, 14 and the Rescission Motion, the time being 9.27pm.

**Record of Voting:**

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

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

**NOTICE OF MOTION**

**1 CROWLE HOMES - Councillor Sarkis Yedelian OAM**

Note: Ms Megan Poole (representing the Friends of Crowle Homes Inc), Ms Angela Penklis (representing the Friends of Crowle Homes Inc), Ms Mary Roberts, Ms Jenny Rollo (representing the Friends of Crowle Homes Inc) and Ms June Madden addressed the meeting in relation to this Item.

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

- (a) That, in response to community concerns, the General Manager write to the CEO of Achieve Australia regarding the proposed Concept Plan for the Crowle Homes site at 76 Belmore Street, Meadowbank currently being assessed by the State Government as a Part 3A Development to identify the future plans for the current residents living in the facilities on the site.
- (b) That the General Manager contact the Minister of Planning and pass the concern of the residents.
- (c) That the General Manager prepare a social impact statement based on the comprehensive social impact assessment prepared by Dr Judith Stubbs on behalf of the Friends of Crowle Homes to submit to the Department of Planning and that the outcome be reported back to Council.
- (d) That any correspondence (in relation to Crowle Homes only) from Achieve Australia to Council be reported to Council.

**Record of Voting:**

For the Motion: Unanimous



**ITEM 1 (continued)**

**ATTACHMENT 1**

**5 AMENDED PLANNING PROPOSAL RESULTS OF COMMUNITY CONSULTATION - Ryde Civic Precinct**

Note: Mrs Rosemary Lavery, Ms Jill Hartley, Mrs Beth Kosnik, Mr Roustam Akhmetov, Ms Julie Worsley, Mr Noel Plumb (representing the Ryde Environment Group and Ryde Community Alliance), Ms Denise Pendleton (representing the Residents for Ryde) and Mr Ping Tan addressed the meeting in relation to this Item.

Note: A Memorandum from the Group Manager – Environment & Planning dated 14 December 2011 was tabled in relation to this Item and a copy is ON FILE.

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

- (a) That Council approve the amended Planning Proposal for the land known as the Ryde Civic Precinct being 1 and 1A Devlin Street and 150 – 156 Blaxland Road Ryde to:
- a. Amend the maximum height of buildings allowed to be built on 1 and 1A Devlin Street Ryde from RL91AHD to a maximum height of:
    - 0m for the width of the proposed realignment of Blaxland Road
    - 21.5m along the eastern side of the realigned Blaxland Road and also across the south–western corner and at the northern end of the site
    - RL130 (75m) AHD along Devlin Street frontage to a depth of approximately 45m measured from the eastern Devlin Street frontage; and
  - b. Reduce the total amount of floor space that can be built on the Precinct from 100,000sqm to 60,000sqm.
- (b) That the request for a public hearing under Section 57(5) of the EP&A Act 1979 be denied on the grounds that the concerns raised in the submission have be considered by Council and many of the issues will be addressed through the proposed amendment to the draft DCP for the site.
- (c) That the Director General of the Department of Planning and Environment be request to draft and finalise the legal instrument amending the Ryde LEP 2010 and to forward the LEP to the Minister for the making of the Plan.

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

That Council defer consideration of this Item until Council resumes in February 2012 on the following grounds:-

1. Two Councillors are absent and cannot participate in this critical decision.

**ITEM 1 (continued)**

**ATTACHMENT 1**

2. Submissions received by Council show that 99.8% of residents consulted are opposed to the development.
3. Some residents have been told they could not speak at Council's meeting tonight despite new information being presented from the public consultation.
4. Council's independent consultants have recommended a public hearing but their recommendation has not been followed.

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 Butterworth, Li, Salvestro-Martin and Tagg

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

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

- (a) That Council approve the amended Planning Proposal for the land known as the Ryde Civic Precinct being 1 and 1A Devlin Street and 150 – 156 Blaxland Road Ryde to:
  - a. Amend the maximum height of buildings allowed to be built on 1 and 1A Devlin Street Ryde from RL91AHD to a maximum height of:
    - 0m for the width of the proposed realignment of Blaxland Road
    - 21.5m along the eastern side of the realigned Blaxland Road and also across the south–western corner and at the northern end of the site
    - RL130 (75m) AHD along Devlin Street frontage to a depth of approximately 45m measured from the eastern Devlin Street frontage; and
  - b. Reduce the total amount of floor space that can be built on the Precinct from 100,000sqm to 60,000sqm.
- (b) That the request for a public hearing under Section 57(5) of the EP&A Act 1979 be denied on the grounds that the concerns raised in the submission have be considered by Council and many of the issues will be addressed through the proposed amendment to the draft DCP for the site.
- (c) That the Director General of the Department of Planning and Environment be request to draft and finalise the legal instrument amending the Ryde LEP 2010 and to forward the LEP to the Minister for the making of the Plan.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**Record of Voting:**

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

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

Note: A Notice of Rescission was lodged during the meeting by Councillors Pickering, O'Donnell and Campbell in relation to this Item. This Notice of Rescission was subsequently withdrawn by Councillors Pickering, O'Donnell and Campbell at 10.21pm on Wednesday, 14 December 2011.

Note: A Notice of Rescission in relation to this Item was received from Councillors Butterworth, Salvestro-Martin, Tagg and Li at 9.05am on Thursday, 15 December 2011 and was dealt with later in the meeting as detailed in these Minutes.

**6 DRAFT DEVELOPMENT CONTROL PLAN - Part 4.4 Ryde Town Centre**

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

- (a) That draft Development Control Plan (DCP) 2010 - 4.4 Ryde Town Centre 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 2010 - 4.4 Ryde Town Centre.

**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, Salvestro-Martin and Tagg

Note: A Notice of Rescission was lodged during the meeting by Councillors Campbell, Pickering and O'Donnell in relation to this Item. This Notice of Rescission was subsequently withdrawn by Councillors Campbell, Pickering and O'Donnell at 12.20pm on Tuesday, 10 January 2012.

**7 DRAFT RYDE LOCAL ENVIRONMENTAL PLAN 2011 - COUNCIL WORKSHOP OUTCOMES**

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

**ITEM 1 (continued)**

**ATTACHMENT 1**

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

- (a) That the Director General of the Department of Planning and Infrastructure be requested to amend the Section 65 Certificate issued on 5 September 2011 for draft LEP 2011 in accordance with the following:
- i) 158 – 194 Blaxland Road Ryde - Add a new condition reverting the zoning, height and floor space controls for 158 – 194 Blaxland Road Ryde to those that apply under LEP 2010 i.e. zoning 158 – 180 Blaxland Road R2 Low Density Residential and 182 – 194 Blaxland Road R4 High Density Residential.
  - ii) Cudal Reserve - Delete Condition 12 (b) rezoning Cudal Reserve from SP2 to R2 Low Density Residential and that a new condition requiring the rezoning of the land to RE1 Public Recreation.
  - iii) 390 Pittwater Road North Ryde - Delete Condition 12(d) rezoning of 390 Pittwater Road from E2 and R2 to SP2 Classified Road.
- (b) That a submission is made to the Department of Planning and Infrastructure and State Property Authority expressing Council's concern about the possible sale of land associated with Small's Road Ryde School and requesting that the Small's Road Ryde School land be retained either as a school site or dedicated open space.
- (c) That the rezoning of Kitty's Creek Reserve adjacent to 46 Jeanette Street, Ryde from an E2 zone to an R2 zone not proceed.

**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, Salvestro-Martin and Tagg

**ORDER OF BUSINESS**

The Notices of Rescission signed by Councillors Pickering, Campbell and O'Donnell received during the meeting for Items 5 and 6 were considered urgent by the Mayor and he indicated his intention to put them to the meeting.

At this stage of the meeting, Councillors Butterworth, Li, Salvestro-Martin and Tagg left the meeting at 10.20pm. Due to a lack of a quorum, the meeting was adjourned.

**ADJOURNMENT**

In accordance with Clause 2.5.1 of the Code of Meeting Practice, The Mayor, Councillor Etmekdjian adjourned the Council Meeting as a quorum was not present, the time being 10.20pm. The Council Meeting was adjourned to:

**ITEM 1 (continued)**

**ATTACHMENT 1**

Tuesday, 20 December 2011 at 7.30pm in the Council Chambers, Level 6 of the Civic Centre, 1 Devlin Street, Ryde.

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

The following Councillors were not present: Councillors Butterworth, Li, Salvestro-Martin and Tagg.

Apologies had been received from Councillor Perram.

A Leave of Absence had been received from Councillor Petch.

**MEETING RECONVENED**

The Meeting reconvened at 7.30pm on Tuesday, 20 December 2011 in the Council Chambers, Level 6 of the Civic Centre, 1 Devlin Street, Ryde.

The following Councillors were present:

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

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

The Mayor, Councillor Etmekdjian assumed the Chair.

**Staff Present:** General Manager, Group Manager – Community Life, Group Manager – Corporate Services, Group Manager – Environment and Planning, Group Manager – Public Works, Manager – Governance, Manager – Customer Service, Community Engagement & Social Media Manager, Section Manager – Projects Delivery and Meeting Support Coordinator.

**ORDER OF BUSINESS**

Councillor Petch attempted to move a Motion for Council to complete the business in order as listed on the Agenda with the Rescission Motions to be considered at the end of the Meeting. However, the Motion lapsed as there was no seconder.

At this stage of the meeting, Councillor Petch left the meeting at 7.39pm. Due to a lack of a quorum, the meeting was adjourned.

**ADJOURNMENT**

In accordance with Clause 2.5.1 of the Code of Meeting Practice, The Mayor, Councillor Etmekdjian adjourned the Council Meeting as a quorum was not present, the time being 7.39pm. The Council Meeting was adjourned to:

**ITEM 1 (continued)**

**ATTACHMENT 1**

Tuesday, 17 January 2012 at 7.30pm in the Council Chambers, Level 6 of the Civic Centre, 1 Devlin Street, Ryde.

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

The following Councillors were not present: Councillor Petch.

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

**MEETING RECONVENED**

The Meeting reconvened at 7.30pm on Tuesday, 17 January 2012 in the Council Chambers, Level 6 of the Civic Centre, 1 Devlin Street, Ryde.

The following Councillors were present:

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

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

**ADJOURNMENT**

In accordance with Clause 2.5.1 of the Code of Meeting Practice, The Mayor, Councillor Etmekdjian adjourned the Council Meeting as a quorum was not present, the time being 7.31pm. The Council Meeting was adjourned to:

Tuesday, 14 February 2012 at 7.30pm in the Council Chambers, Level 6 of the Civic Centre, 1 Devlin Street, Ryde.

The following Councillors were present:

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

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

**MEETING RECONVENED**

The Meeting reconvened at 7.30pm on Tuesday, 14 February 2012 in the Council Chambers, Level 6 of the Civic Centre, 1 Devlin Street, Ryde.

The following Councillors were present:

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

**ITEM 1 (continued)**

**ATTACHMENT 1**

The Mayor, Councillor Etmekdjian assumed the Chair.

Councillor Butterworth arrived at 7.39pm and was not present for voting on the Leave of Absence.

**Staff Present:** General Manager, Group Manager – Community Life, Group Manager – Corporate Services, Group Manager – Environment and Planning, Group Manager – Public Works, Manager – Governance, Manager – Customer Service, Community Engagement & Social Media Manager, Manager – Urban Planning, Chief Financial Officer, General Counsel and Meeting Support Coordinator.

**DISCLOSURES OF INTEREST**

Councillor Tagg disclosed a less than significant non-pecuniary interest in Item 17 of Council Meeting 21/11 – Tender for the Provision of Advertising Services for the reason that Life Education which he is involved in, advertises with the TWT.

**LEAVE OF ABSENCE**

Councillor Perram requested a Leave of Absence for the period Friday, 17 February 2012 until Monday, 27 February 2012.

Councillor Li requested a Leave of Absence for the period Wednesday, 15 February 2012 until Thursday, 1 March 2012.

Note: Councillor Butterworth was not present for voting on this Item.

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

That Councillor Perram's Leave of Absence for the period from Friday, 17 February 2012 until Monday, 27 February 2012 be approved and that Councillor Li's Leave of Absence for the period Wednesday, 15 February 2012 until Thursday, 1 March 2012 be approved.

**Record of Voting:**

For the Motion: Unanimous

**MAYORAL MINUTE – MATTER OF URGENCY**

**MM19/11 CORRESPONDENCE FROM THE DEPARTMENT OF LOCAL GOVERNMENT, DIVISION OF THE DEPARTMENT OF PREMIER AND CABINET**

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

- (a) That the correspondence from Mr Ross Woodward, Chief Executive, Local Government, Division of the Department of Premier and Cabinet dated 2 February 2012 be received.

**ITEM 1 (continued)**

**ATTACHMENT 1**

(b) That Council accordingly advise the Department of Local Government.

(c) That the document be made publicly available.

**Record of Voting:**

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

Against the Motion: Councillors Butterworth and Salvestro-Martin

**MATTER OF URGENCY - QUESTION**

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

That Council consider the following Question as a Matter of Urgency:-

Has the General Manager proceeded with Item 5 from 14 December since the Rescission Motion was sent to Council at 11.30pm by facsimile which we are debating tonight.

**Record of Voting:**

For the Motion: Unanimous

**TABLING OF DOCUMENTATION**

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

That correspondence titled Reclaiming Ryde for Residents: Creating a sustainable and inclusive community dated February 2012 and prepared by Residents for Ryde be tabled.

**Record of Voting:**

For the Motion: Unanimous

As a result, Councillor Tagg provided correspondence to the General Manager and a copy is ON FILE.

**8 UPGRADE OF PITTWATER ROAD (HIGH STREET TO EPPING ROAD) - Review of Environmental Factors and Community Consultation.**

Note: Ms Jennie Minifie (representing the Ryde Environment Group and the Friends of Kitty's Creek) and Mr Noel Plumb (representing the Ryde Environment Group and Ryde Community Alliance) addressed the meeting in relation to this Item.



**ITEM 1 (continued)**

**ATTACHMENT 1**

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

- (a) That Council approves the concept plan and detail design plan for Carramar Avenue to Bronhill Avenue prepared by the Council.
- (b) That Council notes the Review of Environmental Factors and Report prepared by Cardno after exhibition for Public Comment for a period of 21 days.
- (c) That Council approves the construction of Pittwater Road upgrade works south from Carramar Avenue to Bronhill Avenue and also Shared User Path for pedestrian and cyclists. In addition, the necessary drainage works, water quality improvement works including Gross Pollutant Trap (GPT) and landscaping works be completed. The allocated funding for these works is \$947,000.

**Record of Voting:**

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

Against the Motion: Councillors Butterworth and Salvestro-Martin

**14 CODE OF MEETING PRACTICE - Results of Public Exhibition**

Note: Mr Noel Plumb (representing the Ryde Environment Group and Ryde Community Alliance) addressed the meeting in relation to this Item.

Note: A Memorandum from the Group Manager – Corporate Services dated 13 February 2012 was tabled in relation to this Item and a copy is ON FILE.

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

- (a) That Council adopt the **ATTACHED** Code of Meeting Practice including the replacement pages as tabled in the Group Manager, Corporate Services' memo dated 13 February 2012.
- (b) That Council adopt the revised schedule of Meetings for 2012 as **ATTACHED**.

**Record of Voting:**

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

Against the Motion: Councillor Salvestro-Martin

**ITEM 1 (continued)**

**ATTACHMENT 1**

**NOTICE OF RESCISSION**

**1 NOTICE OF RESCISSION - CREATION OF A CITY OF RYDE PROPERTY TRUST - Councillor Pickering, Councillor Campbell, Councillor Maggio**

Note: Mr Noel Plumb (representing the Ryde Environment Group and Ryde Community Alliance) addressed the meeting in relation to this Item.

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

That Council rescind the previous resolution in relation to ITEM 19, passed at the Council Meeting held on 22 November 2011, namely:

*That no further action be taken in relation to this matter.*

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

**Record of Voting:**

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

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

**MAYORAL MINUTES**

**MM17/11 RECOGNITION OF DIAMOND JUBILEE OF QUEEN ELIZABETH II –  
The Mayor, Councillor Artin Etmekdjian**

Note: Councillor Butterworth left the meeting at 9.04pm and was not present for voting on this Item.

Note: Councillor Campbell left the meeting at 9.06pm and was not present for voting on this Item.

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

That the Diamond Jubilee of Queen Elizabeth II in February 2012 be celebrated in all four areas as set out in the report.

**Record of Voting:**

For the Motion: Unanimous

Note: Councillor Campbell returned to the meeting at 9.08pm.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**MM18/11 CHARITY GOLF DAY – LIVVI'S PLACE YAMBLE RESERVE – The Mayor, Councillor Artin Etmekdjian**

Note: Councillor Butterworth was not present for voting on this Item.

**RESOLUTION:** (Moved by The Mayor, Councillor Etmekdjian and Councillor O'Donnell)

- (a) That a Charity Golf Day be held at the end of March with proceeds raised going to the Livvi's Place – Yamble Reserve project.
- (b) That Council promote this event by advertising in the Ryde CityView and Mayor's Column.
- (c) That Council report to the community regarding the funds raised by providing details on Council's website, Ryde CityView and the Mayor's column.

**Record of Voting:**

For the Motion: Unanimous

**COUNCIL REPORTS**

**1 CONFIRMATION OF MINUTES - Council Meeting held on 22 November 2011**

Note: Councillor Butterworth was not present for voting on this Item.

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

That the Minutes of the Council Meeting 20/11, held on Tuesday 22 November 2011, be confirmed.

**Record of Voting:**

For the Motion: Unanimous

**2 REPORT OF PLANNING AND ENVIRONMENT COMMITTEE MEETING 16/11 held on 6 December 2011**

Note: Councillor Butterworth was not present for voting on this Item.

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

That Council note that Items 1, 2, 3, 4, 5 and 6 of the Planning and Environment Committee report were dealt with by the Committee within its delegated powers.

**Record of Voting:**

For the Motion: Unanimous

**ITEM 1 (continued)**

**ATTACHMENT 1**

**3 REPORT OF WORKS AND COMMUNITY COMMITTEE MEETING 18/11 held on 6 December 2011**

Note: Councillor Butterworth was not present for voting on this Item.

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

That Council note that Items 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of the Works and Community Committee report were dealt with by the Committee within its delegated powers.

**Record of Voting:**

For the Motion: Unanimous

**4 2011/2012 CHRISTMAS NEW YEAR ARRANGEMENTS - DELEGATIONS TO THE MAYOR AND GENERAL MANAGER**

Note: Councillor Butterworth was not present for voting on this Item.

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

That Council receive and note the report.

**Record of Voting:**

For the Motion: Unanimous

**5 AMENDED PLANNING PROPOSAL RESULTS OF COMMUNITY CONSULTATION – Ryde Civic Precinct**

This Item was considered earlier in the meeting as set out in these Minutes.

**6 DRAFT DEVELOPMENT CONTROL PLAN – Part 4.4 Ryde Town Centre**

This Item was considered earlier in the meeting as set out in these Minutes.

**7 DRAFT RYDE LOCAL ENVIRONMENTAL PLAN 2011 – COUNCIL WORKSHOP OUTCOMES**

This Item was considered earlier in the meeting as set out in these Minutes.

**8 UPGRADE OF PITTWATER ROAD (HIGH STREET TO EPPING ROAD) – Review of Environmental Factors and Community Consultation**

This Item was considered earlier in the meeting as set out in these Minutes.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**9 TENDER FOR SURVEYING AND ASSESSMENT OF CITY OF RYDE'S CUSTOMER SERVICES**

Note: Councillor Butterworth returned to the meeting at 9.13pm.

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

- (a) That Council accept no tenders on this matter.
- (b) That Council be provided with a further report exploring online and other options with costs that are available in the market place.

**Record of Voting:**

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

Against the Motion: Councillor Campbell

**10 TENDER - PROVISION OF INFORMATION TECHNOLOGY DISASTER RECOVERY SUPPORT FOR CITY OF RYDE**

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

- (a) That the report of the Group Manager Corporate Services dated 2 December 2011 on the Provision of Information Technology Disaster Recovery Support for the City of Ryde be endorsed.
- (b) That the tender from Interactive Pty Ltd be accepted for a 12 month period, then reviewed on an annual basis to ensure the City of Ryde's requirements are being met.

**Record of Voting:**

For the Motion: Unanimous

**11 STATE OF ENVIRONMENT REPORT 2010/11**

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

- (a) That NSROC Regional State Of The Environment Report (supplementary) 2010/11 be received and noted.
- (b) That the Draft 2010/11 State Of The Environment Report Community Newsletter for Ryde be endorsed.
- (c) That the NSROC Regional State of the Environment Report (supplementary) 2010/11 and associated Ryde Community Newsletter be placed on the Ryde website and promoted in the Ryde CityView.

**ITEM 1 (continued)**

**ATTACHMENT 1**

- (d) That Council libraries and all secondary and tertiary educational institutions in the Ryde LGA be provided with two copies of the NSROC RSoE Report (supplementary) 2010/11 for their reference sections.

**Record of Voting:**

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

Against the Motion: Councillor Salvestro-Martin

**12 LEGAL ACTION - LGFS Rembrandt Investment and Funding Agreement**

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

- (a) That Council endorse the actions to settle this matter as detailed in the report.
- (b) That Council endorse the variation to the IMF (Australia) Ltd funding agreement as detailed in the report.

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

- (a) That Council note the actions to settle this matter as detailed in the report.
- (b) That Council endorse the variation to the IMF (Australia) Ltd funding agreement as detailed in the report.
- (c) That an updated report on the settlement discussions be provided to the next Council meeting.

The Amendment was put and **CARRIED** with seven (7) votes For and five (5) votes Against, thereby becoming the Motion.

**Record of Voting:**

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

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

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

- (a) That Council note the actions to settle this matter as detailed in the report.
- (b) That Council endorse the variation to the IMF (Australia) Ltd funding agreement as detailed in the report.

**ITEM 1 (continued)**

**ATTACHMENT 1**

- (c) That an updated report on the settlement discussions be provided to the next Council meeting.

**Record of Voting:**

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

Against the Motion: Councillors Maggio and O'Donnell

**13 SKATEBOARD CLINICS FOR ALL AGES AND ABILITIES IN THE CITY OF RYDE**

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

- (a) That Council run three skate clinics as outlined in the body of this report, in a venue in the City of Ryde during the school holiday periods of July, September and December 2012.
- (b) That Council fund the costs of running these clinics from an adjustment in the next quarterly review to the maximum of \$19,000 (inc GST).
- (c) Should Council support the recommendation that a fee of \$10/child be placed on public exhibition for 28 days as an addition to the approved Council Fees and Charges to offset Council's costs.
- (d) That if no submissions are received, the fee be implemented as at the next business day of the exhibition period.
- (e) That a further report be presented to Council in February 2013 at the conclusion of the series of skate clinics.

**Record of Voting:**

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

Against the Motion: Councillors Butterworth and Tagg

**14 CODE OF MEETING PRACTICE – Results of Public Exhibition**

This Item was considered earlier in the meeting as set out in these Minutes.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**15 CONNECTING COMMUNITIES TO EASTWOOD AFTER THE FIRE**

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

That Councillors nominate any priority projects that they wish to have considered in the 2012 – 16 delivery plan in a Councillor workshop.

**Record of Voting:**

For the Motion: Unanimous

**16 CYCLEWAY CAPITAL WORKS PROGRAM 2011/2012 - Review of List of Priorities**

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

- (a) That Council accepts the Roads & Maritime Services (RMS) Cycleway Project Grant funding, comprising the 100% funded project of Waterloo Road and the 50:50 funded project for Epping Road Cycleway (missing link), as follows:

Epping Road SUP (Lyon Park Road to the Pedestrian Overbridge at Optus) - \$105,000 (RMS contribution).

- (b) That Council defer the following Capital Cycleway Projects for 2011/2012 as tabulated below, to allow for funds to be reallocated to facilitate the construction of alternative cycleway projects as detailed in (c) below:

- (i) Vimiera Road SUP - \$92,500.
- (ii) Pittwater Road SUP - \$164,000.

- (c) That Council re-allocate the available funds in (b) above, to facilitate the construction of the following cycleway projects (the reallocation of funds does not require Council to increase its current capital works funding contribution):

- (i) Eastwood Bike Locker.
- (ii) Epping Road SUP (Lyon Park Road to the Pedestrian Overbridge at Optus).
- (iii) Marsden Road SUP (Fir Tree Avenue to Cobham Avenue).

**Record of Voting:**

For the Motion: Unanimous



**ITEM 1 (continued)**

**ATTACHMENT 1**

**17 TENDER FOR THE PROVISION OF ADVERTISING SERVICES**

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

That this matter be considered in Closed Session to discuss the Confidential Tender Evaluation Panel's Report.

**Record of Voting:**

For the Motion: Unanimous

This Item was considered later in the meeting in Closed Session as set out in these Minutes.

**18 ANNUAL TENDERS - Tender for Hire of Plant**

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

- (a) That the tenders for hiring of plant until 31 December 2012 from the following tenderers be accepted on an "as required " basis for the indicated category of plant:

| TENDERER                         | CATEGORY OF PLANT          |
|----------------------------------|----------------------------|
| A & A Hire Services              | 1, 4, 6, 7                 |
| A & C Plant Hire Pty Ltd         | 4, 5, 6, 7, 8, 10          |
| Acclaimed Excavations Pty Ltd    | 1, 3, 4, 5, 6, 7, 8        |
| Action Recovery Services Pty Ltd | 12                         |
| Allards Plan Hire Pty Ltd        | 1, 2, 3, 4, 5, 6, 7, 8, 11 |
| AMA Plant Hire                   | 4, 5, 6, 7, 8              |
| Aquarius Transport Group Pty Ltd | 5, 8                       |
| Australian Grader Hire Pty Ltd   | 1, 3, 4, 5                 |
| Barren Transport Pty Ltd         | 6, 7, 8                    |
| Building NSW Pty Ltd             | 4, 8                       |
| Coates Hire Operations Pty Ltd   | 11                         |
| Compete Hire                     | 11                         |
| Conplant Pty Ltd                 | 11                         |
| Earthmoving Hire Australia       | 4                          |
| G & RD Chong Pty Ltd             | 9                          |
| Hickeys Earthmoving Pty Ltd      | 4, 8                       |
| Matthews Contracting Pty Ltd     | 4                          |
| MJK Earthmoving Pty Ltd          | 4, 5                       |
| R & K Johnson Excavations        | 4                          |
| Raygal Pty Ltd                   | 5, 6, 7, 8                 |
| Stanton Corporation              | 13                         |
| Sullivans Constructions          | 4, 6, 8                    |
| Tutt Bryant Hire                 | 3, 6                       |

- (b) That the preferred contractors be advised that the work will be allocated to them on an "as required" basis, following consideration at the time of the following factors: type of work, price, availability, previous workmanship, relevant expertise, previous service provided to the residents and previous compliance to safety requirements.

**ITEM 1 (continued)**

**ATTACHMENT 1**

- (c) That the non-complying tenderers be advised of the Council's decision.

**Record of Voting:**

For the Motion: Unanimous

**SUSPENSION OF STANDING ORDERS**

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

That Standing Orders be suspended to allow Councillor Petch to inform the Council of some sad news. The time being 10.10pm.

**Record of Voting**

For the Motion: Unanimous

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

- (a) That Council send a letter to the former Mayor of the City of Ryde, Mr Peter Graham expressing Council's condolences on the passing of his wife.
- (b) That Councillors are advised of any funeral arrangements through the Councillors Information Bulletin.

**Record of Voting:**

For the Motion: Unanimous

**PRECIS OF CORRESPONDENCE FOR CONSIDERATION**

There were no Precis of Correspondence for Consideration.

**NOTICES OF MOTION**

**1 CROWLE HOMES – Councillor Sarkis Yedelian OAM**

This Notice of Motion was considered earlier in the meeting as set out in these Minutes.

**NOTICES OF RESCISSION**

**1 NOTICE OF RESCISSION – CREATION OF A CITY OF RYDE PROPERTY TRUST – Councillor Pickering, Councillor Campbell, Councillor Maggio**

This Notice of Rescission was considered earlier in the meeting as set out in these Minutes.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**COMPLETION OF BUSINESS**

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

That the meeting time be extended to 11.30pm to allow completion of all remaining items on the Agenda, the time being 11.00pm.

**Record of Voting:**

For the Motion: Unanimous

**2 NOTICE OF RESCISSION - AMENDED PLANNING PROPOSAL RESULTS OF COMMUNITY CONSULTATION - Ryde Civic Precinct – Councillor Butterworth, Councillor Salvestro-Martin, Councillor Tagg, Councillor Li**

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

That Council rescind the previous resolution in relation to ITEM 5, passed at the Council Meeting held on 13 December 2011, namely:

- (a) That Council approve the amended Planning Proposal for the land known as the Ryde Civic Precinct being 1 and 1A Devlin Street and 150 – 156 Blaxland Road Ryde to:
  - a. Amend the maximum height of buildings allowed to be built on 1 and 1A Devlin Street Ryde from RL91AHD to a maximum height of:
    - 0m for the width of the proposed realignment of Blaxland Road
    - 21.5m along the eastern side of the realigned Blaxland Road and also across the south–western corner and at the northern end of the site
    - RL130 (75m) AHD along Devlin Street frontage to a depth of approximately 45m measured from the eastern Devlin Street frontage; and
  - b. Reduce the total amount of floor space that can be built on the Precinct from 100,000sqm to 60,000sqm.
- (b) That the request for a public hearing under Section 57(5) of the EP&A Act 1979 be denied on the grounds that the concerns raised in the submission have been considered by Council and many of the issues will be addressed through the proposed amendment to the draft DCP for the site.
- (c) That the Director General of the Department of Planning and Environment be requested to draft and finalise the legal instrument amending the Ryde LEP 2010 and to forward the LEP to the Minister for the making of the Plan.

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

**ITEM 1 (continued)**

**ATTACHMENT 1**

**Record of Voting:**

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

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

**QUESTIONS BY COUNCILLORS AS PER POLICY**

There were no Questions by Councillors as per Policy.

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

Mr Bob Selinger was called to address Council, however was not present in the Chamber.

**CLOSED SESSION**

**ITEM 17 – TENDER FOR THE PROVISION OF ADVERTISING SERVICES**

**Confidential**

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

**ITEM 19 - ADVICE ON COURT ACTIONS**

**Confidential**

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

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

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

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

**ITEM 1 (continued)**

**ATTACHMENT 1**

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

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

**Record of Voting:**

For the Motion: Unanimous

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

**COMPLETION OF BUSINESS**

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

That the meeting time be extended to 11.45pm to allow completion of all remaining items on the Agenda. The time being 11.32pm.

**Record of Voting:**

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

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

**17 TENDER FOR THE PROVISION OF ADVERTISING SERVICES**

Note: Councillor Tagg declared a less than significant non-pecuniary interest in this Item for the reason that Life Education which Councillor Tagg is involved in, advertises with the TWT.

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

- (a) That Council accept the tender from Newslocal a Division of Nationwide News Pty Limited (Northern District Times) for the provision of Advertising Services for the period 1 January 2012 till 31 December 2012 with a provision to extend a further 12 months if performance is deemed satisfactory.
- (b) That all companies who lodged a tender for the provision of Advertising Services be advised of Council's decision.

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

- (a) That Council accept the tender from the TWT for the provision of Advertising Services for the period 1 April 2012 till 31 March 2013 with a provision to extend a further 12 months if performance is deemed satisfactory. The reasons for acceptance are as follows:-

**ITEM 1 (continued)**

**ATTACHMENT 1**

1. Cheaper advertising rates.
  2. Extensive community engagement initiatives
- (b) That all companies who lodged a tender for the provision of Advertising Services be advised of Council's decision.

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

**Record of Voting:**

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

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

At this stage of the meeting, the General Manager cautioned the Council that it is an irregular practice for Councillors to meet with tenderers and override the recommendation of the Evaluation Panel. Council's General Counsel also recommended that Council reject all tenders and request the Tender Evaluation Panel to interview both tenderers.

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

- (a) That Council reject all tenders.
- (b) That both tenderers present their submissions at a Councillor workshop.
- (c) That a further report be presented to Council on the outcome of the workshop.

The Further Amendment was put and **CARRIED** with seven (7) votes For and five (5) votes Against, thereby becoming the Motion.

**Record of Voting:**

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

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

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

- (a) That Council reject all tenders.
- (b) That both tenderers present their submissions at a Councillor workshop.

**ITEM 1 (continued)**

**ATTACHMENT 1**

- (c) That a further report be presented to Council on the outcome of the workshop.

**Record of Voting:**

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

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

Note: A Notice of Rescission in relation to this Item was lodged at 11.55pm on 14 December 2012 by Councillors Campbell, O'Donnell and Pickering.

**19 ADVICE ON COURT ACTIONS**

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

That the report of the General Counsel be received.

**Record of Voting:**

For the Motion: Unanimous

**OPEN SESSION**

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

That Council resolve itself into open Council.

**Record of Voting:**

For the Motion: Unanimous

Note: Open Council resumed at 11.53pm.

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

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

**Record of Voting:**

For the Motion: Unanimous

**ITEM 1 (continued)**

**ATTACHMENT 1**

**NATIONAL ANTHEM**

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

The meeting closed at 11.56pm on 14 February 2012.

CONFIRMED THIS 28TH DAY OF FEBRUARY 2012

Chairperson



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**2 CONFIRMATION OF MINUTES - Council Meeting held on 14 February 2012**

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**Report prepared by:** Meeting Support Coordinator**Report dated:** 16/02/2012**File No.:** GRP/12/5/5/5 - BP12/132

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

**RECOMMENDATION:**

That the Minutes of the Council Meeting 1/12 (14 February 2012) be confirmed.

**ATTACHMENTS**

Minutes of the Council Meeting 1/12 (14 February 2012) will be circulated separately and tabled at the meeting.

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**3 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING  
2/12 held on 21 February 2012**

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**Report prepared by:** Meeting Support Coordinator**Report dated:** 16/02/2012**File No.:** GRP/12/5/5/5 - BP12/133

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**REPORT SUMMARY**

Attached are the Minutes of the Planning and Environment Committee Meeting 2/12 held on 21 February 2012. The Minutes will be listed for confirmation at the next Planning and Environment Committee Meeting.

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

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

**RECOMMENDATION**

That Council note that all items of the Planning and Environment Committee meeting 2/12 held on 21 February 2012 were dealt with by the Committee within its delegated powers.

**ATTACHMENTS**

- 1 Minutes - Planning and Environment Committee - 21 February 2012

**ITEM 3 (continued)**

**ATTACHMENT 1**

Planning and Environment Committee  
**MINUTES OF MEETING NO. 2/12**

**Meeting Date:** Tuesday 21 February 2012

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

**Time:** 4.03pm

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

**Apologies:** Councillor Salvestro-Martin

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

**DISCLOSURES OF INTEREST**

There were no disclosures of interest.

**1 CONFIRMATION OF MINUTES - Meeting held on 7 February 2012**

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

That the Minutes of the Planning and Environment Committee 1/12, held on Tuesday 7 February 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 7 DAYMAN PLACE, MARSFIELD. LOT 3 DP623320. Local Development Application for demolition of existing dwelling and erection of a new 3 storey boarding house containing 77 boarding rooms, 1 manager's residence and communal facilities. LDA2011/375.**

Report: The Committee inspected the property at 7 Dayman Place, Marsfield.

Note: Mrs Jan Foulcher (on behalf of Leisure Lea Gardens Retirement Village), Mr and Mrs Macris, Ms Kerry Gordon and Ms Natasha Wells (objectors) and Mr James Phillips (on behalf of the applicant) addressed the Committee in relation to this Item.

**ITEM 3 (continued)**

**ATTACHMENT 1**

Note: A letter from Ms Hazel Myers dated 18 February 2012 was tabled in relation to this item.

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

- (a) That Council defer consideration of Local Development Application No. 2011/375 at 7 Dayman Place Marsfield being LOT 3 DP623320 to enable the applicant to submit amended plans and details addressing the issues of concern regarding the current design of the development. The specific issues of concern are:
1. insufficient/unsatisfactory details regarding stormwater drainage;
  2. insufficient/unsatisfactory details regarding vehicular access;
  3. front, side and rear setbacks of the building;
  4. privacy/overlooking issues particularly from the "roof garden"/terrace on the 3<sup>rd</sup> floor of the building;
  5. garbage bin storage arrangements;
  6. the height of the building could also become an issue of concern if any design amendments addressing the concerns about stormwater drainage (such as raising floor levels) results in increase to the building height.
  7. the position of the Australia Post box, which would need to be relocated in accordance with the requirements of Australia Post as part of any design amendments.
  8. a revised Plan of Management needs to be provided that has regard for the specific location of the proposal within a residential zone; not on Macquarie University land.
- (b) That the amended plans and additional information referenced in (a) above shall be re-notified to the neighbouring properties and previous submitters to the original DA.
- (c) That a further report be prepared for the Planning & Environment Committee within two (2) months of the receipt of the information required in recommendation (a).

**Record of Voting:**

For the Motion: Unanimous

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

**3 35 BUENA VISTA AVENUE, DENISTONE. LOT 79 DP 16433. Local Development Application for Alterations and additions to dwelling including new inground swimming pool. LDA2011/0337.**

Report: The Committee inspected the property at 35 Buena Vista Avenue, Denistone.

Note: Mr Michael Nasr (applicant) addressed the Committee in relation to this Item.

**ITEM 3 (continued)**

**ATTACHMENT 1**

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

- (a) That Local Development Application No. 2011/337 at 35 Buena Vista Ave, Denistone being Lot 79 DP 16433 be approved subject to the **ATTACHED** conditions.
- (b) That the persons who made submissions be advised of Council's decision.

**Record of Voting:**

For the Motion: Unanimous

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

The meeting closed at 6.05pm.

CONFIRMED THIS 6TH DAY OF MARCH 2012.

Chairperson

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**4 REPORT OF THE CIVIC PRECINCT COMMITTEE MEETING 1/12 held on 21 February 2012**

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**Report prepared by:** Meeting Support Coordinator**Report dated:** 20/02/2012**File No.:** GRP/12/5/5/5 - BP12/145

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**REPORT SUMMARY**

Attached are the Minutes of the Civic Precinct Committee Meeting 1/12 held on 21 February 2012. The Minutes will be listed for confirmation at the next Civic Precinct Committee Meeting.

The following Committee recommendations for Items 1 and 2 are submitted to Council for determination in accordance with the delegations set out in the Code of Meeting Practice relating to Charters, functions and powers of Committees:

**1 CONFIRMATION OF MINUTES - Civic Precinct Committee Meeting held on 11 May 2011****RECOMMENDATION:** (Moved by Councillors Yedelian OAM and Petch)

That the Minutes of the Civic Precinct Committee Meeting 1/11, held on Wednesday 11 May 2011, be confirmed.

**Record of Voting:**

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

Against the Motion: Councillors Butterworth and Tagg.

Note: This matter will be dealt with at the Council Meeting to be held on **28 FEBRUARY 2012** in accordance with the Civic Precinct Terms of Reference in Council's Code of Meeting Practice.

**ITEM 4 (continued)****2 RYDE CIVIC PRECINCT REDEVELOPMENT STAGE 3 STATUS UPDATE**

Note: Ms Melissa Gennusa, Ms Rose Torossian and Mr George Kollias addressed the Committee in relation to this Item.

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

That the Ryde Civic Precinct Redevelopment Stage 3 Status report be received and noted.

**Record of Voting:**

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

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

Note: This matter will be dealt with at the Council Meeting to be held on **28 FEBRUARY 2012** in accordance with the Civic Precinct Terms of Reference in Council's Code of Meeting Practice

**ATTACHMENTS**

**1** Minutes - Civic Precinct Committee - 21 February 2012

**ITEM 4 (continued)**

**ATTACHMENT 1**

**Civic Precinct Committee  
MINUTES OF MEETING NO. 1/12**

**Meeting Date:** Tuesday 21 February 2012  
**Location:** Committee Rooms 2 and 3, Level 5, Civic Centre, 1 Devlin Street, Ryde  
**Time:** 7.31pm

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

**Apologies:** Nil

**Leave of Absence:** Councillors Li and Perram.

**Staff Present:** General Manager, Group Manager – Environment & Planning, Project Manager – Development, Development Director – Civic Precinct Project, Manager – Governance and Councillor Support Coordinator.

**DISCLOSURES OF INTEREST**

There were no disclosures of interest.

**1 CONFIRMATION OF MINUTES - Civic Precinct Committee Meeting held on 11 May 2011**

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

That the Minutes of the Civic Precinct Committee Meeting 1/11, held on Wednesday 11 May 2011, be confirmed.

**Record of Voting:**

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

Against the Motion: Councillors Butterworth and Tagg.

Note: This matter will be dealt with at the Council Meeting to be held on **28 FEBRUARY 2012** in accordance with the Civic Precinct Terms of Reference in Council's Code of Meeting Practice.



**ITEM 4 (continued)**

**ATTACHMENT 1**

**2 RYDE CIVIC PRECINCT REDEVELOPMENT STAGE 3 STATUS UPDATE**

Note: Ms Melissa Gennusa, Ms Rose Torossian and Mr George Kollias addressed the Committee in relation to this Item.

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

That the Ryde Civic Precinct Redevelopment Stage 3 Status report be received and noted.

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

- (a) That the Ryde Civic Precinct Redevelopment Stage 3 Status report be received and noted.
- (b) That tenderers be allocated 14 weeks to form and submit their tenders and that upon submission the tenders be assessed over a 10 week period.

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

**Record of Voting:**

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

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

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

That the Ryde Civic Precinct Redevelopment Stage 3 Status report be received and noted.

**Record of Voting:**

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

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

Note: This matter will be dealt with at the Council Meeting to be held on **28 FEBRUARY 2012** in accordance with the Civic Precinct Terms of Reference in Council's Code of Meeting Practice

The meeting closed at 10.25pm.

CONFIRMED THIS 3RD DAY OF APRIL 2012.

Chairperson

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**5 DECEMBER 2011 QUARTERLY REVIEW REPORT - 2011/2015 DELIVERY PLAN AND 2011/2012 OPERATIONAL PLAN**

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**Report prepared by:** Chief Financial Officer**Report dated:** 17/02/2012**File No.:** FIM/07/6/2/1 - BP12/135

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**REPORT SUMMARY**

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

The Quarterly Report includes details for each of the seven Outcome areas and the 21 Program areas detailing the targets adopted by Council and the performance to date in achieving these targets to 31 December 2011. Also shown is a financial performance summary for each key outcome area and a status report on all Capital and Non-Capital Projects by Program Area that are to be undertaken in 2011/2012 with information on how each Project is progressing.

Following this review, Council's Working Capital is projected to remain constant for the 30 June 2012 at \$4.02 million.

This Review also brings to account additional investment income, additional Sec 94 contributions received, contributions towards and running of the Top Ryder Community Bus Service and additional funding for maintenance.

**RECOMMENDATION:**

- (a) That the report of the Chief Financial Officer, dated 2 November 2011 on DECEMBER 2011 QUARTERLY REVIEW REPORT - 2011/2015 DELIVERY PLAN AND 2011/2012 OPERATIONAL PLAN be received and endorsed.
- (b) That the proposed budget adjustments included in this report, with no net change, 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 increase in Transfers from Reserves of \$0.09 million be endorsed.
- (d) That the Certificate of the Responsible Accounting Officer attached to the report of the Chief Financial Officer dated 17 February 2012 be endorsed.

**ITEM 5 (continued)****ATTACHMENTS**

- 1 Responsible Accounting Officer's Certificate - 31 December 2011
- 2 Quarterly Report on Four Year Delivery Plan 2011/2015 and One Year Operational Plan 2011/2012 - Quarter 2 (October to December 2011) - CIRCULATED UNDER SEPARATE COVER

Report Prepared By:

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

Report Approved By:

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

## ITEM 5 (continued)

### Discussion

#### Background

As required under section 407 of the Local Government Act, 1993 the quarterly review of the One Year Operational Plan 2011/2012 as at 31 December 2011 is presented to Council.

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

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

#### Report

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

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

- \$0.51 million additional investment income
- \$0.22 million in Sec 94 contributions received
- \$0.14 million contribution received from Optus
- \$0.20 million for Top Ryder Community Bus Service, offset by Optus' contribution (\$0.14 million)
- \$0.24 million additional funding required to maintain footpaths as per previous year's service levels

## ITEM 5 (continued)

### Working Capital Summary

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

Following completion of the Financial Statements for 2010/2011, the final Working Capital figure was determined at \$4.21 million, an increase of \$0.80 million over the original forecast result included in the Operational Plan, which allowed utilising \$0.31 million from Working Capital. At the September Quarterly Review, this was projected to be \$4.02 million.

In the December 2011 Quarterly Review, Council's Working Capital is projected to remain constant at \$4.02 million as at 30 June 2012.

A reconciliation of Working Capital is provided below.

|                                |              |
|--------------------------------|--------------|
| <b>Opening Working Capital</b> | <b>4,205</b> |
| Delivery Plan                  | (308)        |
| September Adjustments          | 125          |
| December Adjustments           | -            |
| March Adjustments              |              |
| Carryover Adjustments          |              |
| June Adjustments               |              |
| <b>Closing Working Capital</b> | <b>4,022</b> |

### Overview of December Review

Council's available Working Capital of \$4.02 million is a result of the December Quarterly Review and a better than expected outcome for 2010/2011. The following are the major changes to be made, with a complete listing provided in the circulated document, and more detailed explanations in each Outcome area of that document.

### Operating Budget

- The budget is projected to increase its operating income by \$1.07 million (0.97%) with the main areas being as follows:
  - \$0.51 million additional investment income
  - \$0.22 million in Sec 94 contributions received
  - \$0.14 million contribution received from Optus
  - \$0.09 million in insurance claim for replacement of fire panel at Aquatic Centre
  - \$0.04 million increase in pre-lodgement income
  - \$0.04 million increase income received in Community and Cultural program
  - \$0.01 million in developer contribution received

**ITEM 5 (continued)**

- The budget is projected to increase its operating expenses over budget by \$0.96 million (1.01%) with the main areas being as follows:
  - \$0.20 million for Top Ryder Community Bus Service as per Council's Resolution, offset by Optus' contribution (\$0.14 million)
  - \$0.24 million additional funding required to maintain footpaths as per previous year's service levels
  - \$0.13 million additional funding required for essential maintenance to ageing pits and gross pollutant traps infrastructure to mitigate flood risk
  - \$0.15 million for the development and staged implementation of the SmartForms project, over the next three to four years, funded from Asset Replacement Reserve. This was recommended from the Development Assessment Best Value Review, adopted by Council.
  - \$0.07 million increase costs for public Liability claims settlements, funded from the Insurance Fluctuation Reserve
  - \$0.06 million additional cost for undertaking the traffic study in Meadowbank
  - \$0.04 million for recognition of Local Priority Grant project costs, not previously recognised in the budget
  - \$0.03 million for Waste to Energy Study project, funded by Domestic Waste Reserve
  - \$0.03 million decrease in Macquarie Park Arts & Culture Plan project. The project is on hold. The need for the project will be reassessed upon completion of other projects currently under way or planned for Macquarie Park. Funding is transferred back to the reserve.
  - \$0.02 million decrease in Youth Engagement Partnership project. This was a partnership project with for grant funding with Macquarie University and the Council's contribution. The University ARC grant was not successful and the project will not be going ahead. The council's funding is transferred to State Heritage Inventory project.
  - \$0.02 million increase in Heritage Identification, funded by saving from Youth Engagement Partnership project.
  - \$0.02 million increase costs for postage for Instalment Notices
  - \$0.01 million additional cost for connection of multifunction pole and street light, funded by additional funding received from developer
  - \$0.05 million increase costs in Open Space program, funded by additional income received in the Community and Cultural program

In total, a projected increase in Operating Surplus of \$0.11 million, mainly which relates to the additional investment income received, the additional funding required to maintain footpaths, the additional cost for the development and the cost for Top Ryder Community Bus Service.

**ITEM 5 (continued)**Capital Budget

- The capital budget is projected to increase its capital expenses over budget by \$0.19 million (0.34%), with the main areas being as follows:
  - \$0.09 million for cost of replacement of fire panel system, offset by insurance claim
  - \$0.07 million additional funding required for urgent repair works at Argyle Centre
  - \$0.02 million additional funding required for upgrade the old Ryde Library premises project

Reserve Movements

- It is projected to increase its transfers from reserves over budget by \$0.30 million (0.68%) the main areas being as follows:
  - \$0.07 million from reserves for additional cost of public Liability claims settlements
  - \$0.15 million from reserve for the development and implementation of the SmartForms project
  - \$0.03 million decrease in Macquarie Park Arts & Culture Plan project. The project is on hold
  - \$0.07 million from reserve for the urgent repair works at Argyle Centre
  - \$0.03 million for balancing Domestic Waste Reserve
  - \$0.01 million from Home Modification Grant Reserve to fund the additional costs
- It is projected to increase its transfers to reserves over budget by \$0.21 million (0.91%), the main areas being as follows:
  - \$0.21 million for Sec 94 contributions received, transferred to reserve

The complete details are contained within the document circulated separately.

Consultation

Internal Council business units consulted included:-

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

Critical Dates

The following deadlines are required to be met:

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

**ITEM 5 (continued)**

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

**Financial Implications**

Council's available Working Capital is projected to remain constant at \$4.02 million as at 30 June 2012.

Council's Operating Result before depreciation is projected to increase by \$0.11 million to \$37.91 million.

Council's Capital Works Program is projected to increase by \$0.19 million as a result of additional costs for urgent repair works at Argyle Centre and cost of replacement of fire panel system at Aquatic Centre.



**ITEM 5 (continued)**

**ATTACHMENT 1**

**Certificate**

In accordance with the Local Government (Financial Management) Regulation 1999, Part 2, Clause 7, I report that the financial position of the Council was satisfactory as at 31 December 2011, having regard to the original estimates of income and expenditure. Variations in total income, operating and capital expenditure as at 31 December 2011 are of a quantum and nature that overall end of year financial targets will be achieved.



John Todd  
Chief Financial Officer  
Responsible Accounting Officer

16 February 2012

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**6 INVESTMENT REPORT - January 2012**

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**Report prepared by:** Chief Financial Officer**Report dated:** 7/02/2012**File No.:** GRP/09/3/2/7 - BP12/87

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**REPORT SUMMARY**

This report details Council's performance of its investment portfolio for the month of January 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 5.84%, 0.92% above benchmark. Income from interest on investments and proceeds from sale of investments totals \$2.55M, which is \$510K above budget projections.

**RECOMMENDATION**

That Council endorse the report of the Chief Financial Officer dated 7 February 2012 on Investment Report – January 2012.

**ATTACHMENTS**

There are no attachments for this report.

Report Prepared By:

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

Report Approved By:

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

**ITEM 6 (continued)**

**DISCUSSION**

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

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

| <b>Investment</b>            | <b>Rating</b> | <b>Maturity</b> |
|------------------------------|---------------|-----------------|
| • Alpha CDO *                | B-            | 20/03/2012      |
| • Grange IMP - Merimbula CDO | N/R           | 20/06/2013      |
| - Global Bank Note CDO       | N/R           | 20/09/2014      |
| • Oasis CDO *                | CC            | 04/09/2014      |
| • Camelotfund                | AA            | 01/03/2012      |
| • FOCUS Note                 | AA            | 20/12/2012      |

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

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

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

- Council's remaining CDO (Alpha) is still performing and paying interest as it becomes due. These amounts are transferred to the Financial Security Reserve as and when they are received.

**Investment Performance Commentary**

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

|                       | <b>Jan 2012</b> | <b>12 Mth</b> | <b>Fin YTD</b> |
|-----------------------|-----------------|---------------|----------------|
| <b>Council Return</b> | 5.65            | 5.95          | 5.84           |
| <b>Benchmark</b>      | 4.68            | 4.96          | 4.92           |
| <b>Variance</b>       | 0.97            | 0.99          | 0.92           |

**ITEM 6 (continued)**

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

|                                   |                |       |
|-----------------------------------|----------------|-------|
| Cash/Term Deposits                | \$53.4M        | 61.1% |
| Floating Rate Notes               | \$17.9M        | 20.5% |
| Other Financial Products          | \$1.0M         | 1.14% |
| <b>Total Cash Investments</b>     | <b>\$72.4M</b> |       |
| Property                          | \$15.1M        | 16.9% |
| <b>Total Investment Portfolio</b> | <b>\$87.5M</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 6 months maturity) where more competitive rates are available.

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

**Financial Security Reserve (FSR)**

The Financial Security Reserve has a balance of \$1.053M as at January 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>                            | 48              |
| Proceeds from Sales & Maturities <sup>(2)</sup><br>of Written Down CDO's | -               |
| <b>Balance of Financial Security Reserve</b>                             | <b>1,053</b>    |

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

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

**Economic Commentary**

The RBA left the official cash rate unchanged at 4.25% at the beginning of February, indicating that it was in a neutral setting. The mining sectors of the economy remain strong, but the rest of the economy is struggling. Manufacturing is reporting closures and redundancies across the sector, which is being impacted by the high Australian dollar.

China's economy grew by 8.9% last quarter with growth slowing slightly. China's growth is very dependent upon the continuing industrialisation and urbanisation of China.

In the US, the unemployment rate fell to 8.3%, the lowest in 2 years. Gross Domestic Product (GDP) also grew, up by 2.8% during the 4th quarter. The Federal Reserve has forecast low rates (under 1%) until 2014 to aid their slow recovery.

**ITEM 6 (continued)**

The Euro Zone is still experiencing economic woes which are unlikely to be easily resolved. Germany has been a consistently performing economy in the European Union (EU), but their economy is slowing and expected to shrink in Q1 2012.

Talks are continuing to avoid a Greek default. Elections are due across the Euro Zone through the year, which introduces more uncertainty across the zone. The Big 4 Australian banks are exposed to the issues in Europe and have started reacting to that exposure.

**Legal Issues**

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

Lehman / Grange IMP

Legal action in respect of this matter has been on going for some time with the matter to be determined by the Federal Court in the near future. There have been no major changes since the last report for December 2011. We have sought an update on the matter.

LGFS – Rembrandt

Hearings are progressing in the Federal Court in determining this matter. An update on this matter is the subject of a separate report to Council.

**Council's Property Investment Portfolio**

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

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

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

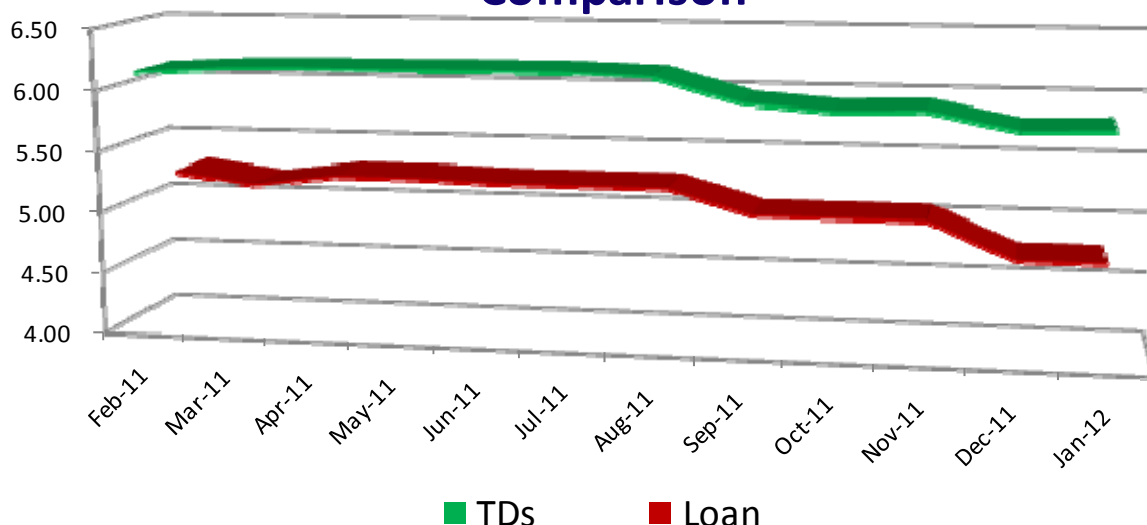
**Loan Liability**

Council's loan liability as at 31 January 2012 was \$4.1 million which represents the balance of one (1) loan taken out in 2004 for the Civic Centre Redevelopment and refinancing the West Ryde Tunnel. This loan was for 15 years and was negotiated at a very attractive rate for Council at 90 Day BBSW + 20 basis points and is reset every quarter.

**ITEM 6 (continued)**

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

**Term Deposits/Loan Interest Rate Comparison**



**Debt Service Ratio**

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

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

**Types of Investments:**

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

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

**ITEM 6 (continued)**

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 6 (continued)**
**INVESTMENT SUMMARY AS AT 31 JANUARY 2012**

| Issuer                          | Investment Name                  | Investment Rating | Invested at 31-Jan-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 |
|---------------------------------|----------------------------------|-------------------|-------------------------------|------------------------------|--|---------------------------|---------------------|------------------------------------|----------------|
| Alpha Financial Products        | 1. Alpha                         | B-                | 0                             | 0.00                         | 0.80   | 0.69                      | 0.00                | 0                                  | 0.00%          |
| Helix Capital                   | 2. OASIS                         | CC                | 0                             | 6.68                         | 6.85   | 6.82                      | 0.00                | 0                                  | 0.00%          |
| Westpac                         | 3. Focus                         | AA-               | 500                           | 0.00                         | 0.00   | 0.00                      | 0.69                | 488                                | 97.53%         |
| Westpac                         | 4. Camelotfund                   | AA-               | 500                           | 0.00                         | 0.00   | 0.00                      | 0.69                | 501                                | 100.25%        |
| Grange                          | 5. Grange IMP                    | Unrated           | 0                             | 0.00                         | 11.28  | 10.00                     | 0.00                | 0                                  | 100.00%        |
| Westpac                         | 6. Westpac At Call               | AA-               | 7,288                         | 4.18                         | 4.74   | 4.67                      | 10.07               | 7,288                              | 100.00%        |
| CBA                             | 7. CBA TCD 5 Yr (Floating)       | AAA               | 1,000                         | 5.75                         | 6.15   | 6.09                      | 1.38                | 1,019                              | 101.92%        |
| Bank of Queensland              | 8. Bank of Queensland TD         | BBB               | 1,000                         | 6.41                         | 6.49   | 6.41                      | 1.38                | 1,000                              | 100.00%        |
| Bankwest                        | 9. Bankwest Term Deposit         | AA-               | 1,000                         | 6.14                         | 6.07   | 6.13                      | 1.38                | 1,000                              | 100.00%        |
| NAB                             | 10. NAB Term Deposit             | AA-               | 1,000                         | 6.02                         | 6.19   | 6.12                      | 1.38                | 1,000                              | 100.00%        |
| NAB                             | 11. NAB Term Deposit             | AA-               | 1,000                         | 6.60                         | 6.60   | 6.60                      | 1.38                | 1,000                              | 100.00%        |
| NAB                             | 12. NAB Term Deposit             | AA-               | 1,000                         | 5.86                         | 6.18   | 5.96                      | 1.38                | 1,000                              | 100.00%        |
| Police & Nurses Credit Union    | 13. Police & Nurses Credit Union | Unrated           | 500                           | 5.67                         | 6.03   | 5.92                      | 0.69                | 500                                | 100.00%        |
| Bankwest                        | 14. Bankwest Term Deposit        | AA-               | 1,000                         | 5.94                         | 6.01   | 6.00                      | 1.38                | 1,000                              | 100.00%        |
| Bankwest                        | 15. Bankwest TD                  | AA-               | 1,000                         | 6.03                         | 6.03   | 6.01                      | 1.38                | 1,000                              | 100.00%        |
| Bankwest                        | 16. Bankwest TD                  | AA-               | 1,000                         | 6.09                         | 6.09   | 6.09                      | 1.38                | 1,000                              | 100.00%        |
| Bankwest                        | 17. Bankwest Term Deposit        | AA-               | 1,000                         | 5.89                         | 6.07   | 6.10                      | 1.38                | 1,000                              | 100.00%        |
| NAB                             | 18. NAB Term Deposit             | AA-               | 3,000                         | 5.76                         | 6.12   | 5.99                      | 4.15                | 3,000                              | 100.00%        |
| DefCredit                       | 19. Defence Credit Union TD      | Unrated           | 500                           | 6.09                         | 6.22   | 6.20                      | 0.69                | 500                                | 100.00%        |
| Railways CU                     | 20. Railways CU                  | Unrated           | 500                           | 5.48                         | 6.10   | 6.11                      | 0.69                | 500                                | 100.00%        |
| Qld Police CU                   | 21. Qld Police CU TD             | Unrated           | 500                           | 5.72                         | 6.26   | 6.09                      | 0.69                | 500                                | 100.00%        |
| Community CPS                   | 22. Community CPS TD             | Unrated           | 500                           | 5.77                         | 5.92   | 5.79                      | 0.69                | 500                                | 100.00%        |
| Bendigo and Adelaide Bank CUA   | 23. Bendigo Bank TD              | A-                | 1,000                         | 5.78                         | 5.97   | 5.87                      | 1.38                | 1,000                              | 100.00%        |
|                                 | 24. Credit Union Australia TD    | BBB+              | 1,000                         | 5.82                         | 6.25   | 6.21                      | 1.38                | 1,000                              | 100.00%        |
| Peoples Choice CU               | 25. Peoples Choice CU            | Unrated           | 500                           | 5.93                         | 6.17   | 6.05                      | 0.69                | 500                                | 100.00%        |
| Australian Defence Credit Union | 26. Australian Defence CU TD     | Unrated           | 500                           | 5.68                         | 6.24   | 6.17                      | 0.69                | 500                                | 100.00%        |
| Banana Coast CU                 | 27. Banana Coast CU TD           | Unrated           | 500                           | 5.85                         | 6.23   | 6.09                      | 0.69                | 500                                | 100.00%        |
| Southern Cross CU               | 28. Southern Cross CU TD         | Unrated           | 500                           | 6.04                         | 6.30   | 6.21                      | 0.69                | 500                                | 100.00%        |
| SGE CU                          | 29. SGE Credit Union TD          | Unrated           | 500                           | 5.66                         | 5.95   | 5.85                      | 0.69                | 500                                | 100.00%        |
| B&E Ltd                         | 30. B & E Building Soc TD        | Unrated           | 500                           | 5.60                         | 6.06   | 5.92                      | 0.69                | 500                                | 100.00%        |
| Victoria Teachers CU            | 31. Victoria Teachers CU         | Unrated           | 500                           | 6.21                         | 6.23   | 6.22                      | 0.69                | 500                                | 100.00%        |
| CBA                             | 32. CBA TD                       | AA-               | 2,000                         | 5.76                         | 5.88   | 5.76                      | 2.76                | 2,000                              | 100.00%        |
| Me Bank                         | 33. ME Bank TD                   | BBB               | 1,000                         | 5.93                         | 6.16   | 6.09                      | 1.38                | 1,000                              | 100.00%        |
| Macquarie Bank                  | 34. Macquarie Bank Term Deposit  | A                 | 500                           | 5.73                         | 5.73   | 5.73                      | 0.69                | 500                                | 100.00%        |
| Bankwest                        | 35. Bankwest Term Deposit        | AA-               | 1,000                         | 7.00                         | 7.00   | 7.00                      | 1.38                | 1,000                              | 100.00%        |
| IMB                             | 36. IMB TD                       | BBB               | 1,000                         | 5.98                         | 6.13   | 6.14                      | 1.38                | 1,000                              | 100.00%        |
| Summerland CU                   | 37. Summerland CU TD             | Unrated           | 500                           | 5.68                         | 6.05   | 6.01                      | 0.69                | 500                                | 100.00%        |
| Wide Bay CU                     | 38. Wide Bay CU TD               | BBB               | 500                           | 5.83                         | 6.13   | 6.08                      | 0.69                | 500                                | 100.00%        |
| Queenslanders CU                | 39. Queenslanders CU TD          | Unrated           | 500                           | 5.58                         | 6.09   | 5.99                      | 0.69                | 500                                | 100.00%        |
| Maitland Mutual                 | 40. Maitland Mutual Bldg Soc TD  | Unrated           | 500                           | 5.76                         | 5.91   | 5.91                      | 0.69                | 500                                | 100.00%        |
| AMP                             | 41. AMP eASYSaver                | A                 | 907                           | 5.76                         | 5.68   | 5.62                      | 1.25                | 907                                | 100.00%        |
| Big Sky CU                      | 42. Big Sky CU TD                | Unrated           | 500                           | 5.88                         | 6.08   | 5.99                      | 0.69                | 500                                | 100.00%        |
| Gateway CU                      | 43. Gateway CU TD                | Unrated           | 500                           | 5.83                         | 6.33   | 6.25                      | 0.69                | 500                                | 100.00%        |
| Suncorp-Metway                  | 44. Suncorp-Metway TD            | A+                | 1,000                         | 5.80                         | 6.05   | 5.92                      | 1.38                | 1,000                              | 100.00%        |
| Newcastle Perm Bldg Soc         | 45. Newcastle Perm Bldg Soc      | BBB+              | 1,000                         | 5.96                         | 6.06   | 6.00                      | 1.38                | 1,000                              | 100.00%        |
| QT Mutual Bank                  | 46. QT Mutual Bank               | Unrated           | 500                           | 5.88                         | 6.11   | 5.86                      | 0.69                | 500                                | 100.00%        |
| ING                             | 47. ING TD                       | A                 | 1,000                         | 6.62                         | 6.62   | 6.62                      | 1.38                | 1,000                              | 100.00%        |
| Greater Bldg Soc                | 48. Greater Bldg Soc TD          | Unrated           | 1,000                         | 5.63                         | 6.16   | 6.07                      | 1.38                | 1,000                              | 100.00%        |
| The Rock Bldg Soc               | 49. The Rock Bldg Soc TD         | BBB-              | 1,000                         | 5.93                         | 6.13   | 5.93                      | 1.38                | 1,000                              | 100.00%        |
| Police CU (SA)                  | 50. Police CU - SA               | Unrated           | 500                           | 5.45                         | 6.17   | 6.06                      | 0.69                | 500                                | 100.00%        |



**ITEM 6 (continued)**

|                            |                             |         |               |             |             |             |            |               |         |
|----------------------------|-----------------------------|---------|---------------|-------------|-------------|-------------|------------|---------------|---------|
| Bank of Queensland         | 51. BoQ TCD                 | BBB     | 2,000         | 6.22        | 6.41        | 6.35        | 2.76       | 2,003         | 100.17% |
| Suncorp-Metway             | 52. Suncorp Metway FRN      | A+      | 1,001         | 5.60        | 6.01        | 5.96        | 1.38       | 1,000         | 99.86%  |
| Intech CU                  | 53. Intech CU TD            | Unrated | 500           | 5.93        | 5.88        | 5.79        | 0.69       | 500           | 100.00% |
| AMP                        | 54. AMP TD                  | A       | 1,000         | 7.14        | 7.14        | 7.14        | 1.38       | 1,000         | 100.00% |
| Rabobank                   | 55. Rabobank TD             | AA      | 1,000         | 5.99        | 6.27        | 6.14        | 1.38       | 1,000         | 100.00% |
| Bendigo and Adelaide Bank  | 56. Adelaide Bank           | A-      | 1,000         | 6.08        | 6.43        | 6.39        | 1.38       | 985           | 98.50%  |
| Community First CU         | 57. Community First CU TD   | Unrated | 500           | 5.67        | 6.07        | 5.99        | 0.69       | 500           | 100.00% |
| Heritage Bank              | 58. Heritage Bank           | BBB-    | 1,000         | 5.71        | 6.12        | 6.03        | 1.38       | 1,000         | 100.00% |
| Rabobank                   | 59. Rabodirect At-call      | AA      | 985           | 4.91        | 5.39        | 5.33        | 1.36       | 985           | 100.00% |
| Me Bank                    | 60. ME Bank At Call Account | BBB     | 985           | 5.12        | 5.57        | 5.54        | 1.36       | 985           | 100.00% |
| NAB                        | 61. NAB FRN                 | AA-     | 1,001         | 5.70        | 6.07        | 6.06        | 1.38       | 978           | 97.71%  |
| NAB                        | 62. NAB FRN                 | AA-     | 997           | 5.82        | 6.12        | 6.12        | 1.38       | 974           | 97.71%  |
| CBA                        | 63. CBA FRN                 | AA-     | 999           | 5.94        | 6.14        | 6.14        | 1.38       | 976           | 97.74%  |
| Westpac                    | 64. Westpac FRN             | AA-     | 996           | 5.98        | 6.07        | 6.07        | 1.38       | 977           | 98.06%  |
| CBA                        | 65. CBA FRN                 | AA-     | 997           | 6.01        | 6.20        | 6.20        | 1.38       | 975           | 97.74%  |
| CBA                        | 66. CBA FRN                 | AA-     | 998           | 5.92        | 6.00        | 6.00        | 1.38       | 984           | 98.63%  |
| NAB                        | 67. NAB FRN                 | AA-     | 991           | 6.02        | 6.30        | 6.30        | 1.37       | 968           | 97.71%  |
| Westpac                    | 68. Westpac FRN             | AA-     | 998           | 5.92        | 5.99        | 5.99        | 1.38       | 981           | 98.33%  |
| NAB                        | 69. NAB FRN                 | AA-     | 991           | 5.99        | 6.22        | 6.22        | 1.37       | 968           | 97.71%  |
| CBA                        | 70. CBA FRN                 | AA-     | 991           | 6.18        | 6.29        | 6.29        | 1.37       | 969           | 97.74%  |
| NAB                        | 71. NAB Flexi Deposit       | AA-     | 1,000         | 5.85        | 6.06        | 6.06        | 1.38       | 1,000         | 100.00% |
| ING                        | 72. ING TD                  | A       | 1,000         | 5.69        | 6.04        | 6.04        | 1.38       | 1,000         | 100.00% |
| ANZ                        | 73. ANZ FRN                 | AA-     | 989           | 6.20        | 6.23        | 6.23        | 1.37       | 970           | 98.06%  |
| Northern Beaches CU        | 74. Northern Beaches CU TD  | Unrated | 500           | 6.30        | 6.30        | 6.30        | 0.69       | 500           | 100.00% |
| Rabobank                   | 75. Rabobank FRN            | AA      | 986           | 6.34        | 6.37        | 6.37        | 1.36       | 963           | 97.66%  |
| NAB                        | 76. NAB FRN                 | AA-     | 1,001         | 5.81        | 5.81        | 5.81        | 1.38       | 1,001         | 100.00% |
| Investec                   | 77. Investec TD             | BBB-    | 250           | 6.17        | 6.17        | 6.17        | 0.35       | 250           | 100.00% |
| Territory Insurance Office | 78. TIO Term Deposit        | AA+     | 1,000         | 5.73        | 5.73        | 5.73        | 1.38       | 1,000         | 100.00% |
| Territory Insurance Office | 79. TIO Term Deposit        | AA+     | 1,000         | 5.71        | 5.71        | 5.71        | 1.38       | 1,000         | 100.00% |
|                            |                             |         | <b>72,351</b> | <b>5.64</b> | <b>5.94</b> | <b>5.86</b> | <b>100</b> | <b>72,095</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**

**5.65      5.95      5.84**

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

**4.68      4.96      4.92**

**Variance From Benchmark (%)**

**0.97      0.99      0.92**

**Investment Income**

**\$000's**

|                           |            |
|---------------------------|------------|
| This Period               | 352        |
| Financial Year To Date    | 2,552      |
| Budget Profile            | 2,042      |
| Variance from Budget - \$ | <b>510</b> |

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 |
| ALPHA CDO   |                        | B- |
| Camelotfund |                        | AA |
| FOCUS Note  |                        | AA |



John Todd      Date: 16/02/2012

**ITEM 6 (continued)**

**Council's Investment Powers**

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

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

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

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

**Overview of Investments**

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

1. **FRN Alpha (Originally AA now B-):** This is a CDO that pays 250 bps above 180 day BBSW. This investment was purchased on 11 April 2006. The investment is for 6 years and matures on 20 March 2012. The CDO containing 2 separate portfolios, a capital portfolio and an income portfolio. The 2 portfolios are managed to maintain ratings stability. The CDO was previously downgraded to A- on 25 September 2008 and has now been downgraded to BBB watch negative on 31 October 2008, downgraded to B+ on 5 February 2009, to CCC in August 2009, and subsequently to CCC- in March 2010, and subsequently to CCC in October 2010. This investment has now been regraded to B-. No fees are payable by Council on this investment. Council impaired this investment to a nominal value at its meeting of 25 May 2010 with such being funded from the Financial Security Reserve.
2. **OASIS (Originally AA now CC):** This is a CDO that pays 140 bps above 90 day BBSW This investment was purchased on 4 September 2006. The investment is for 8 years and matures on 4 September 2014 .This is a CDO that is actively managed by Société Générale. The CDO was downgraded to BBB- on 29 September 2008 with advice being received in early April 2009 that this investment has been further downgraded to CCC-. Defaults within the portfolio have resulted in a capital loss of approximately 35%. No fees are payable by

**ITEM 6 (continued)**

Council on this investment. Council impaired this investment to a nominal value at its meeting of 25 May 2010 with such being funded from the Financial Security Reserve.

3. **FOCUS Note (AA-p):** This investment was purchased on 20 December 2006. This is a medium to long term investment (3-7 years) and matures on 20 December 2012. The capital of the investment is guaranteed by Westpac on maturity. This investment consists of a dynamically managed portfolio comprising investments in the BT Focus Australian Share Fund, and aims to outperform the S&P/ASX 300 Accumulation Index by 5% over a 3 to 5 year horizon. Westpac receive a principal protection fee of 0.90 p.a., an upfront structuring and distribution fee of 2.50%. BT Financial Group receives a management fee of 0.60% p.a., and a performance fee of 15%. The performance fee is only paid if the performance of the fund before fees exceeds the S&P/ASX Accumulation index plus the management fee. On 28 October 2008 advice was received that the recent volatility in the global financial markets had triggered the capital protection mechanism in this investment with 100% of the portfolio now invested in a zero coupon bond . Council will not receive any further coupon payments between now and the December 2012 maturity date but will receive the full face value of the investment at maturity.
  
4. **Camelotfund (AA-p):** This investment was purchased on 1 March 2007. The investment is for 5 years and matures 01 March 2012. This investment is in a fund that provides opportunity to diversify into a foreign exchange strategy with low correlation to other products and asset classes. Short term (i.e. monthly) returns on this note will be volatile. The SPV set up by Westpac receives a distribution fee of 2% of the note value, and the manager receives a management fee of 1% p.a., and a performance fee of 15% above 6M BBSW. Westpac receives a capital protection fee of 1% p.a. times NAV. This investment is capital protected by Westpac.
  
5. **Grange (Lehman Brothers) IMP:** This is a portfolio of FRNs, CDOs and Bank issued securities managed by Grange Securities on Council's behalf. Lehman Brothers have cancelled the management agreement, and this portfolio is currently static. The IMP comprises the following investments:
 

| <i>Investment</i>                 | <i>Maturing</i> |
|-----------------------------------|-----------------|
| Merimbula CDO                     | 20/06/2013      |
| AAA (Berryl) Global Bank Note CDO | 20/09/2014      |
  
6. **Westpac at Call Account (AA-):** This investment is an at call account, paying the short term money market rate. These funds are used for operational purposes.
  
7. **CBA TCD 5 Yr (Floating) (AAA):** This is a floating rate note issued at a margin of 120 points above 90 day BBSW, maturing 17 December 2013. Council took up the optional government guarantee on this investment at a fee of 70 basis points.
  
8. **Bank of Queensland Term Deposit (BBB):** This investment is a 181 day term deposit paying 6.25% (6.41% annualised) and matures on 24 February 2012.

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**ITEM 6 (continued)**

9. **Bankwest Term Deposit (AA-):** This investment is a 90 day term deposit, paying 6.00% (6.13% annualised), and matures on 11 April 2012.
10. **NAB Term Deposit (AA-):** This investment is a 120 day term deposit, paying 5.90% p.a. (6.02% annualised), and matures 11 May 2012.
11. **NAB Term Deposit (AA-):** This investment is a 3 year term deposit, paying 6.60% p.a., and matures 4 April 2014.
12. **NAB Term Deposit (AA-):** This investment is a 120 day term deposit, paying 5.75% p.a. (5.86% annualised), and matures 3 May 2012.
13. **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.
14. **Bankwest Term Deposit (AA-):** This investment is a 183 day term deposit paying 5.85% (5.94% annualised) and matures on 11 April 2012.
15. **Bankwest Term Deposit (AA-):** This investment is a 90 day term deposit paying 5.90% (6.03% annualised) and matures on 23 April 2012.
16. **Bankwest Term Deposit (AA-):** This investment is a 180 day term deposit paying 6.00% (6.09% annualised) and matures on 6 Mar 2012.
17. **Bankwest Term Deposit (AA-):** This investment is a 120 day term deposit paying 5.78% (5.89% annualised) and matures on 4 Apr 2012.
18. **NAB Term Deposit (AA-):** This investment is a 122 day term deposit, paying 5.65% p.a. (5.76% annualised), and matures 21 May 2012.
19. **Defence Force CU Term Deposit (Unrated):** This investment is a 180 day term deposit paying 6.00% (6.09% annualised) and matures on 11 April 2012.
20. **Railways CU (Unrated):** This investment is a 30 day term deposit paying 5.35% (5.48% annualised) and matures on 8 Feb 2012.
21. **Queensland Police CU (Unrated):** This investment is a 182 day term deposit paying 5.64% (5.72% annualised) and matures on 9 July 2012.
22. **Community CPS Term Deposit (Unrated):** This investment is a 90 day term deposit paying 5.65% (5.77% annualised) and matures on 3 April 2012.
23. **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.
24. **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.

**ITEM 6 (continued)**

- 25. Peoples Choice Credit Union Term Deposit (Unrated):** This investment is a 90 day term deposit paying 5.80% (5.93% annualised) and matures on 24 April 2012.
- 26. Australian Defence Force CU Term Deposit (Unrated):** This investment is a 150 day term deposit paying 5.59% (5.68% annualised) and matures on 7 Jun 2012.
- 27. 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.
- 28. Southern Cross CU Term Deposit (Unrated):** This investment is a 183 day term deposit paying 5.95% (6.04% annualised) and matures on 12 Jun 2012.
- 29. SGE Credit Union Term Deposit (Unrated):** This investment is a 91 day term deposit paying 5.54% (5.66% annualised) and matures on 16 April 2012.
- 30. B & E Ltd Building Society Term Deposit (Unrated):** This investment is a 120 day term deposit paying 5.50% (5.60% annualised) and matures on 10 May 2012.
- 31. Victoria Teachers CU Term Deposit (Unrated):** This investment is a 150 day term deposit paying 6.10% (6.21% annualised) and matures on 16 February 2012.
- 32. Members Equity Bank Term Deposit (BBB):** This investment is a 91 day term deposit paying 5.80% (5.93% annualised) and matures on 30 April 2012.
- 33. CBA Term Deposit (AA-):** This investment is a 3 year term deposit paying 5.76% p.a. and matures on 8 Dec 2014.
- 34. Macquarie Bank Term Deposit (A):** This investment is a 183 day term deposit paying 5.65% (5.73% annualised) and matures on 12 Jun 2012.
- 35. Bankwest TD (AA-):** This investment is a 4 year term deposit paying 7.00% (7.00% annualised) and matures on 13 February 2015.
- 36. IMB Building Society Term Deposit (BBB):** This investment is a 91 day term deposit paying 5.85% (5.98% annualised) and matures on 30 April 2012.
- 37. 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.
- 38. 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.
- 39. 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.

**ITEM 6 (continued)**

- 40. Maitland Mutual Building Society (Unrated):** This investment is a 120 day term deposit paying 5.65% (5.76% annualised) and matures on 3 May 2012.
- 41. 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.
- 42. Big Sky Credit Union Term Deposit (Unrated):** This investment is a 90 day term deposit paying 5.75% (5.88% annualised) and matures on 3 April 2012.
- 43. 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.
- 44. Suncorp-Metway Term Deposit (A+):** This investment is a 150 day term deposit paying 5.70% (5.80% annualised) and matures on 23 February 2012.
- 45. Newcastle Permanent Building Society (BBB+):** This investment is a 91 day term deposit paying 5.83% (5.96% annualised) and matures on 30 April 2012.
- 46. QT Mutual Bank (Unrated):** This investment is a 91 day term deposit paying 5.75% (5.88% annualised) and matures on 17 April 2012.
- 47. ING Term Deposit (A):** This investment is a 2 year term deposit paying 6.84% (6.62% annualised) and matures on 18 Feb 2013.
- 48. Greater Building Society (Unrated):** This investment is a 182 day term deposit paying 5.55% (5.63% annualised) and matures on 10 July 2012.
- 49. The Rock Building Society (BBB-):** This investment is a 91 day term deposit paying 5.80% (5.93% annualised) and matures on 29 February 2012.
- 50. 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.
- 51. 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.
- 52. 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.
- 53. Intech CU Term Deposit (Unrated):** This investment is a 91 day term deposit paying 5.80% (5.93% annualised) and matures on 10 April 2012.
- 54. AMP Term Deposit (A):** This investment is a 4 year term deposit paying 7.14% which matures on 16 February 2015.
- 55. Rabobank Term Deposit (AA):** This investment is a 180 day term deposit paying 5.90% (5.99% annualised) and matures on 5 March 2012.
- 56. 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.

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**ITEM 6 (continued)**

- 57. Community First CU Term Deposit (Unrated):** This investment is a 92 day term deposit paying 5.55% (5.67% annualised), and matures on 10 April 2012.
- 58. Heritage Bank Term Deposit (BBB-):** This investment is a 120 day term deposit paying 5.60% (5.71% annualised), and matures on 8 May 2012.
- 59. 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.
- 60. 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.
- 61. 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.
- 62. 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.
- 63. CBA FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 120 above BBSW. This investment matures 2 Aug 2016.
- 64. 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.
- 65. CBA FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 125 above BBSW. This investment matures 2 Aug 2016.
- 66. 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.
- 67. 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.
- 68. 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.
- 69. 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.
- 70. CBA FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 140 above BBSW. This investment matures 2 Aug 2016.

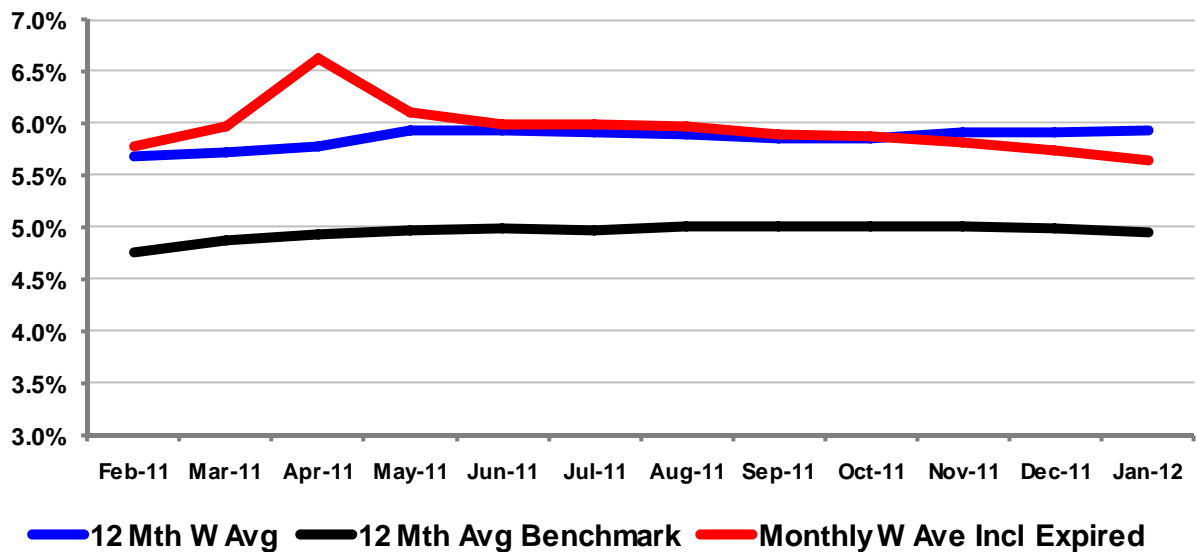
**ITEM 6 (continued)**

- 71. NAB Flexi Deposit (AA-):** This is a 1 year Term deposit, paying 6.00% for the first quarter, then paying 125bps above BBSW every quarter after that. This investment matures 1 October 2012.
- 72. ING Term Deposit (A+):** This investment is a 60 day term deposit paying 5.56% (5.69% annualised), and matures on 30 March 2012.
- 73. 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.
- 74. Northern Beaches Credit Union Term Deposit (Unrated):** This investment is a 180 day term deposit paying 6.20% (6.30% annualised) and matures on 9 April 2012.
- 75. 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.
- 76. NAB FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 127 above BBSW. This investment matures 19 Dec 2014.
- 77. Investec Term Deposit (BBB-):** This investment is a 180 day TD paying 6.08% (6.17% annualised) and matures 10 July 2012.
- 78. 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.
- 79. TiO Term Deposit (AA+):** This investment is a 30 day TD paying 5.57% (5.71% annualised) and matures 24 February 2012. These funds are not covered by the Federal Government Guarantee, but are guaranteed by the NT State Government.

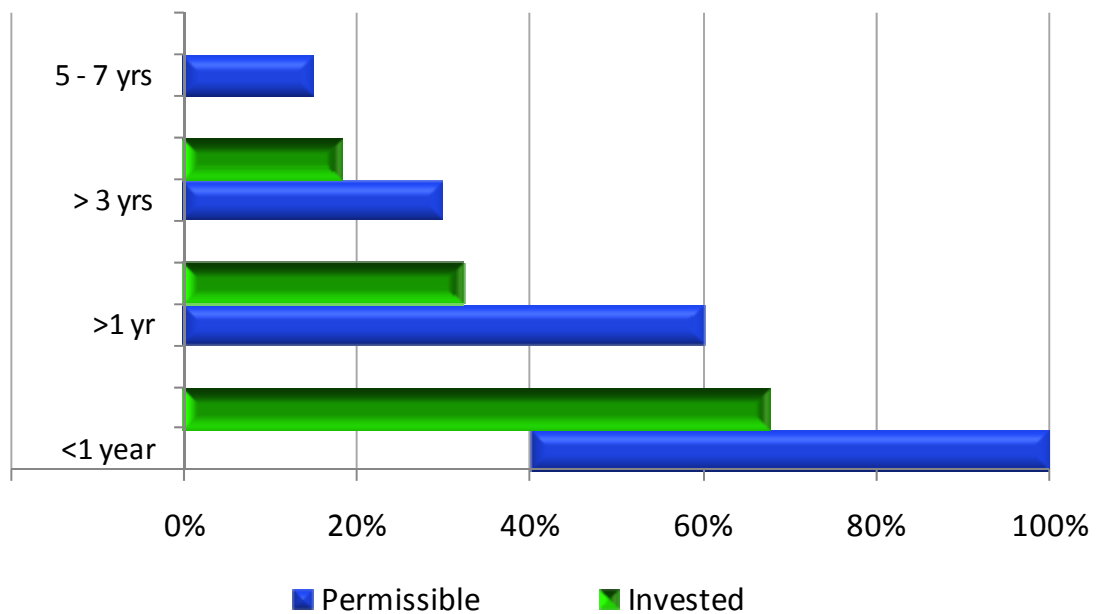


ITEM 6 (continued)

### Performance - All Investments

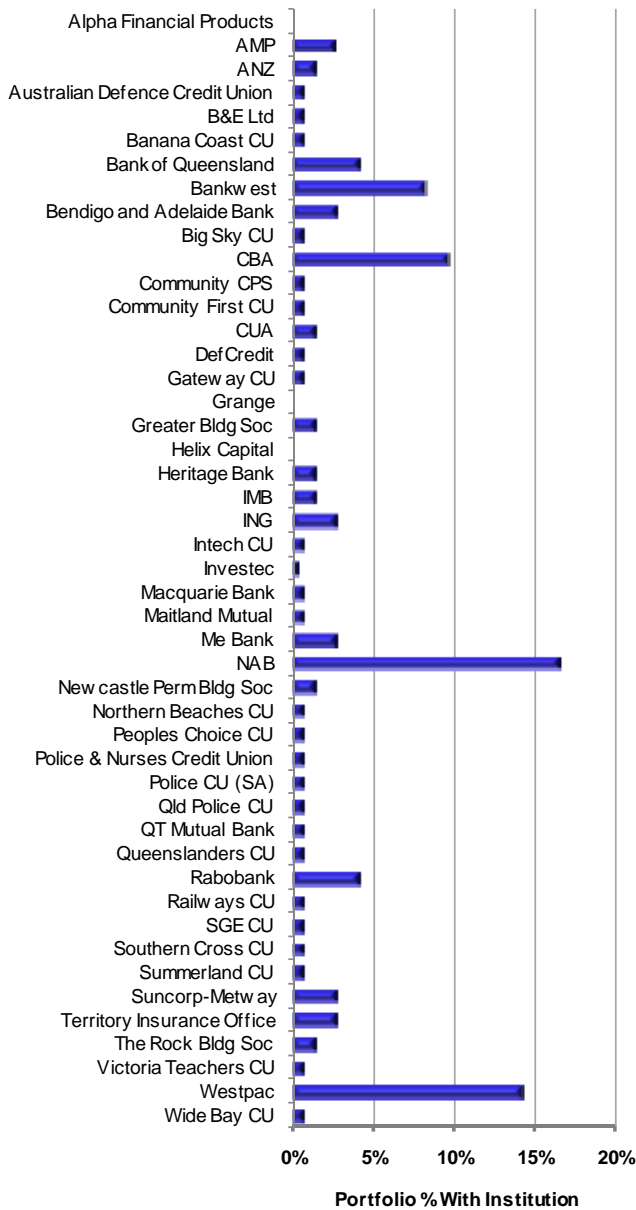


### Policy Limits on Maturities

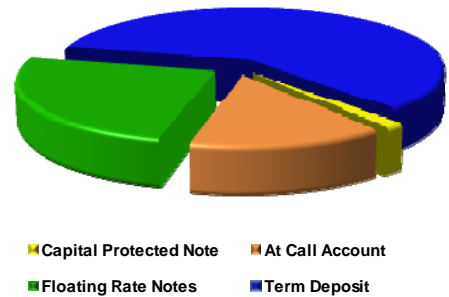


ITEM 6 (continued)

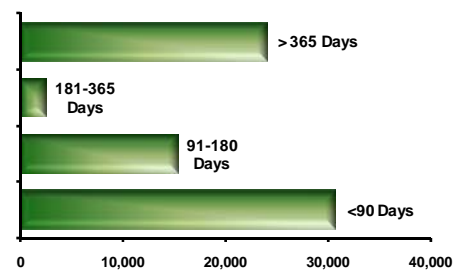
Active Investment by Institution



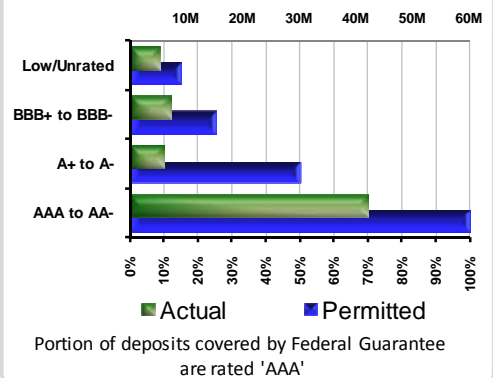
Summary by Investment Type



Summary by Duration



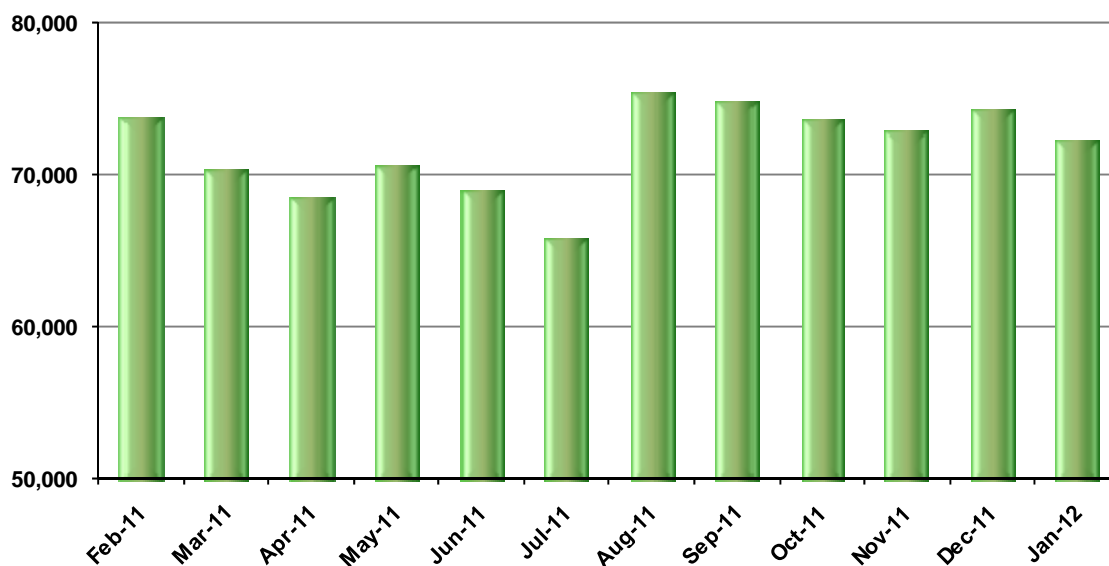
Investment Summary by Rating



|                   | >365 days      | <365 days      |
|-------------------|----------------|----------------|
| Cash/TDs          | \$6.0M         | \$47.4M        |
| Medium Term Notes | \$17.9M        | \$0.0M         |
| Mgd Funds         | \$0.0M         | \$0.0M         |
| Other             | \$0.0M         | \$1.0M         |
| CDO's             | \$0.0M         | \$0.0M         |
| <b>Total</b>      | <b>\$23.9M</b> | <b>\$48.4M</b> |

ITEM 6 (continued)

### Total Funds Invested



**Context**

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

**FINANCIAL IMPLICATIONS**

Income from interest on investments and proceeds from sales of investments totals \$2.55M, being \$510K above budget projections as per the Delivery and Operational Plan.

Interest received on written down CDO investments this year to date is \$48K. The Financial Security Reserve, following this transfer of additional funds, has a balance of \$1.053M.

## **7 CIVIC CENTRE URGENT SEWER WORKS**

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**Report prepared by:** Group Manager - Corporate Services

**Report dated:** 14 February 2012

**File No.:** GRP/11/7/1/6 - BP12/110

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### **REPORT SUMMARY**

This report advises Council of recent breakdowns of services at the Civic Centre and also updates Council on works previously approved at the Civic Centre. This report is seeking an allocation of \$150,000 from the Asset Replacement Reserve to undertake emergency works on the Civic Centre sewer stack and hydraulic systems.

### **RECOMMENDATION:**

That Council endorse the urgent works to be undertaken at the Civic Centre at an estimated cost of \$150,000 funded from the Investment Property Reserve.

### **ATTACHMENTS**

There are no attachments for this report.

Report Prepared By:

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

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**ITEM 7 (continued)****History**

Council at its meeting on 11 October 2011, considered a report on the 'Overview of Condition of Corporate Buildings and Essential Works' and resolved to allocate \$690,000 from the Investment Property Reserve for essential works at the Civic Centre and Argyle Centre.

The Civic Centre works addressed in that report related to the replacement of the air conditioning equipment, upgrading the electrical switchboard and the provision of a power generator. It also included an allocation for urgent works at the Argyle Centre.

Phase 1 of the replacement of the air conditioning equipment has been completed with this project due to be completed by March 2012. All other associated works related to the electrical switchboard and power generator are progressing.

In respect of the Argyle Centre, planning of the works are being finalised in addition to a request for further funding to address accommodation requirements, being requested in the December Quarterly Review.

**Discussion**

On Saturday 11 February 2012, emergency works were carried out on the Civic Centre sewer stack, following raw sewer spilling into the building on Level 3.

Interim works have been undertaken to provide a short term remedy, however, as a result of inspections, extensive works are required to be undertaken on the Civic Centre's sewer and hydraulic systems. Given that the works are required to be undertaken on weekends, the work is estimated at \$150,000. It is proposed for Council to fund these works from the Investment Property Reserve.

In addition to the above works, Council lifts have also experienced recent breakdowns with one lift failing on 7 February 2012. Due to the significant works required and a breakdown in the supplier's machinery, it took to Wednesday night, 15 February 2012 for the lifts to be back in full operation. All costs associated with the works are covered by Council's maintenance agreement.

**Financial Implications**

This report is seeking an additional allocation of \$150,000 to be allocated for urgent works at the Civic Centre, from the Investment Property Reserve. The Reserve currently has an available balance of \$16.6 million.

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**8 MANAGING THE URBAN FOREST AND REVIEW OF DCP 2010 PART 9.6  
TREE PRESERVATION**

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**Report prepared by:** Open Space Planner**Report dated:** 15/02/2012**File No.:** GRP/11/4/3 - BP12/126

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**REPORT SUMMARY**

At the Committee of the Whole meeting on 7 December 2010, Council resolved:

*That a review of the City of Ryde Development control Plan Part 9.6 Tree Preservation be undertaken and reported to Council in six months.*

During 2011, staff commenced a review of the Development Control Plan (2010) Part 9.6 Tree Preservation and conducted workshops with Councillors on two occasions (9 August and 15 November 2011). During these workshops, it was explained that in addition to the review of the DCP (2010) Part 9.6, Council needed to prepare a suite of strategic documents that placed focus in the sustainable management of the City's Urban Forest. This work is now completed for Council endorsement.

Staff have undertaken a comprehensive review of DCP Part 9.6 Tree Preservation and to assist in the communication of the requirements of the DCP, a Technical Manual has been developed. Combined these two documents define the requirements of the preservation of trees on private land across the City. In addition to this, an Urban Forest Policy has been developed to define the manner in which the City of Ryde will manage trees in our streets and parks.

Following extensive internal consultation during the preparation of these documents, Council's endorsement is sought for the placement of these documents on public exhibition to obtain community feedback.

**RECOMMENDATION:**

- (a) That Council authorise the public exhibition of the draft Development Control Plan (DCP) 2010 Part 9.6 Tree Preservation and its associated Technical Manual in accordance with the requirements of the Environmental; Planning and Assessment Act 1979.
- (b) That Council authorise the public exhibition of the draft Urban Forest Policy.
- (c) That following the exhibition period of draft DCP 2010 Part 9.6 Tree Preservation a report be prepared for Council consideration.

**ITEM 8 (continued)**

**ATTACHMENTS**

- 1 Draft DCP (2010) Part 9.6 Tree Preservation - 20 February 2012 -  
CIRCULATED UNDER SEPARATE COVER
- 2 Draft Urban Forest Technical Manual for public exhibition - 20 February 2012 -  
CIRCULATED UNDER SEPARATE COVER
- 3 Urban Forest Policy Draft for Exhibition - CIRCULATED UNDER SEPARATE  
COVER

Report Prepared By:

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

Report Approved By:

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

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

**ITEM 8 (continued)**

**Discussion**

Council adopted Development Control Plan (DCP) 2010 Part 9.6 Tree Preservation and the purpose of Part 9.6 of the DCP is 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:

- 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,
- 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 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 review included

- 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

During the preparation of these documents an extensive internal consultation programme was conducted. The draft documents are now ready to obtain the community's view.

***Development Control Plan 2010 Part 9.6 Tree Preservation - Review***

During the implementation of the adopted DCP 2010 Part 9.6 Tree Preservation, a number of issues were raised by the community and staff on the success of the document to meet the needs of the community and the complexity of administering the documents. The major issues raised are discussed below together with how the Plan (**ATTACHMENT 1 – UNDER SEPARATE COVER**) resolves these issues.

*Issue 1 - The adopted DCP 2010 Part 9.6 Tree Preservation is hard to read and does not provide clear direction to the community on how to manage trees on their land.*

The Plan clearly sets out in a logical order what processes the community need to follow to undertake activities (such as pruning and or removal) of trees on their land. The Plan is set out in four sections:

- **Introduction** –provides information on the application of the Plan, including how to use the Plan, definitions and information on the enforcement of the Plan.
- **Exempt Works** – clear specification of those trees that are exempt from requiring an approval from Council to undertake tree works.



**ITEM 8 (continued)**

- **Tree Permits** – provides detail on when Council requires a resident to apply for a tree permit to undertake tree works on a tree on their land (that is not exempts under the previous section of the Plan,
- **Development Applications** – provides detail on those situations when a development application is required to conduct any tree works.

Rather than complicate the Plan with additional information on the technical aspects of tree works, the Plan has been developed with a companion Technical Manual (**ATTACHMENT 2 - UNDER SEPARATE COVER** ). This provides technical arboricultural information that can be used by the general community, developer and arborists to understand the specific requirements for the management of trees within the City of Ryde.

These changes will streamline processing and improve customer service and certainty.

*Issue 2: Improvement of Controls and clarification on required technical information*

The adopted DCP included technical inaccuracies and loop holes that need to be eliminated. In addition to the rewording of the Plan to improve readability, the Plan has been updated with a number of changes to controls.

As the review of the document has been comprehensive, the structure of the document has been significantly altered. The list below highlights the major modifications to the adopted DCP that are proposed in the Plan.

- Additional objectives that establish an increased focus on the preservation of the City’s urban forest and its sustainable management. In addition to this, the objectives also recognise the importance of trees as assets and increase the consideration of tree management and preservation in the development assessment process.
- Introduction of the Technical Manual that provides detailed information to assist with the future application of the DCP. Part 9.6. The Technical Manual replaces the technical content container in Schedules 1 and 2 of the adopted DCP Part 9.6.
- Addition of Section 1.6 *Meaning of Words* to increase clarity.
- Section 1.7 *Application of Australian Standards* is a new section that has been included to ensure the City of Ryde applies best practice to the management of trees across the City.
- Exempt works has been modified to include the following:
  - (a) the removal of all deadwood
  - (b) the removal of any tree within 3m of any building as listed in Section 2 (a)(1).
  - (c) Additional tree species added to the Exempt Species List. This includes the following species:

**ITEM 8 (continued)**

|                               |                         |
|-------------------------------|-------------------------|
| ○ <i>Ailanthus altissima</i>  | Tree of Heaven          |
| ○ <i>Bambusa spp.</i>         | Rhizomatous Bamboo      |
| ○ <i>Ficus benjamina</i>      | Weeping Fig             |
| ○ <i>Lagunaria patersonii</i> | Norfolk Island Hibiscus |
| ○ <i>Nerium oleander</i>      | Oleander                |
| ○ <i>Tamarix aphylla</i>      | Athel tree              |

- Liquidambar and Grevillea Robusta have been removed from the Exempt Species List. This is because these tree represent a significant percentage of canopy cover in the City.
- Tree works that are under the control of the Plan have been extended include root pruning and any change of soil level close to the tree trunk. These have been included to ensure the Plan covers all actions that could adversely affect the health of a tree.
- The Notice of Intent process has been eliminated. This was identified early as a process that was unnecessary because it requires an application and notification process for activities that are exempt. The removal of this internal process will enable staff time to focus on this processing of tree permits and sustainable management of the urban forest. This will allow Council to ally resources to those processes that directly influence the outcome of maintaining the urban forest.
- The Plan provides more clarity of the approval process for any tree works to a tree that is a heritage item, is located on land that contains a heritage item or is within the adopted heritage conservation zones within the City of Ryde now requires development application approval.
- The adopted DCP makes reference to Urban Bushland. The definition of Urban Bushland was created in the Urban Bushland in the Ryde LGA (Oculus 2001). During the review of the DCP the Urban Bushland layer was shown to be outdated and in need of a review. Because of this, all references to Urban Bushland has been removed from the Plan. (Please note – it is proposed that a review of this will be undertaken as a part of Council’s broader GPMS Project which is schedule to delivery).

Urban Bushland mapping will still be used a one of the assessment criteria considered by Council when assessing applications under the Plan.

Despite the deletion of the Urban Bushland references from the Plan, the preservation of areas of remnant vegetation and significant vegetation communities have not been not diluted because the Plan provides:

- A tree is not exempt if it is vulnerable, threatened or ecological communities are located. Specific species references are made.

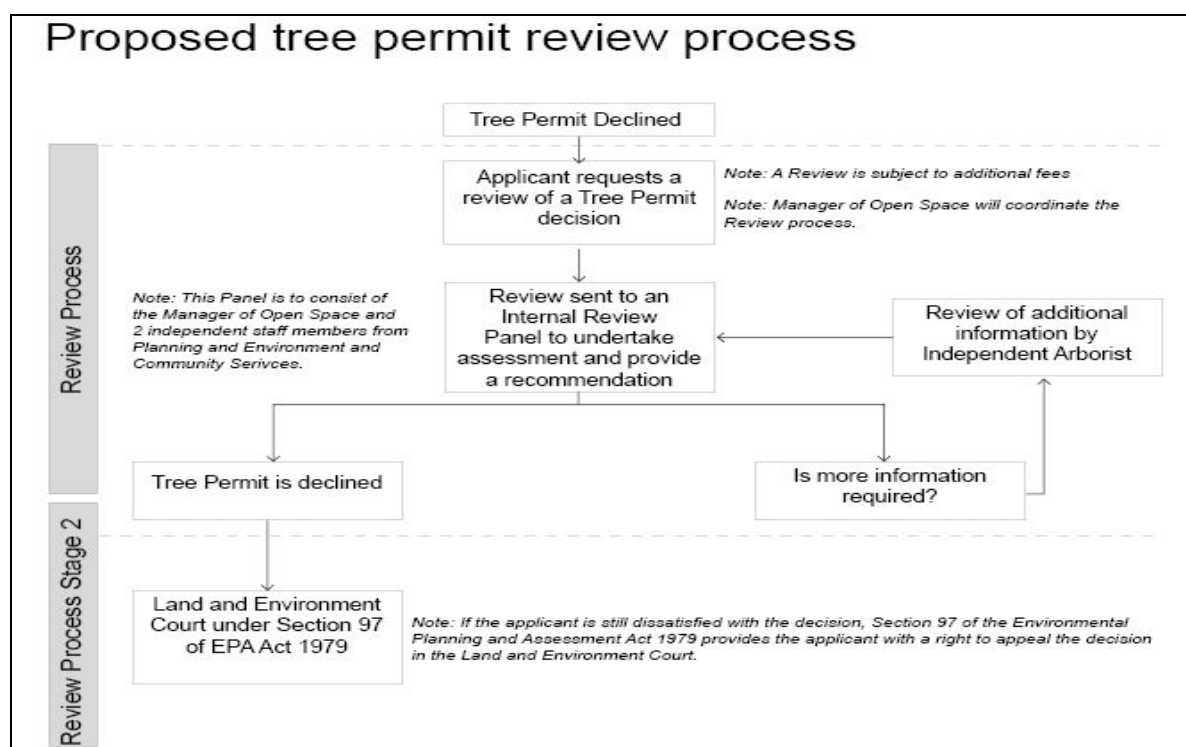
**ITEM 8 (continued)**

- 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 (date) or Environmental Protection and Biodiversity Conservation Act.

*Issue 3 - Customer Service and Efficiency Improvements*

As part of the Plan, a review of internal processes of Council has also been undertaken with the aim of improving customer service and to facilitate a proactive approach to the management of the urban forest.

A major step towards improving customer service is the formulation of a new review process. As a part of the management of the current Tree Management Application (to be known as a Tree Permit) the existing review process is inefficient and time consuming. The revised review process will shorten community response time and result in faster resolution of tree management application reviews. The process shown below is recommended for trial for six months post exhibition and if successful will be implemented permanently.



**General Conclusions - Revised draft DCP 2010 Part 9.6**

The Plan has been prepared with the primary aim of eliminating community confusion about what approvals are required when they wish to prune or remove a tree in their garden. The Plan and companion Technical Manual provides:

- A clear breakdown of approval types
- Clear direction on the technical information that is required to support their application
- Elimination of unnecessary processes

**ITEM 8 (continued)**

- A framework for the management and preservation of the urban forest within the City.

During the exhibition of the Plan, staff will continue to work on all associated processes that will be used to implement the Plan and ensure improved customer service. This will include a tree management assessment scorecard and a new application form (that will be transformed into a Smart Form in the future).

A key change to the plan is the inclusion of a 'scorecard' that allows a comprehensive means of assessing the environmental, social and cultural value of the tree in a consistent and transparent manner. This scorecard will also allow the applicants to offer offset options for Councils consideration in the assessment of the tree permit. These offsets may include replanting within their property, in the street reserve or the making of a financial contribution to Councils Passive Recreation works.

This work is being based on the THYER scorecard, which concurrent to the exhibition is being customised for City of Ryde and will be presented to Council.

Following the exhibition of the Plan a report that will include the details of the tree management assessment scorecard will be submitted to Council. Also included in this report will be a summary of the community feedback from the exhibition of the Plan.

***Urban Forest Policy***

The draft Urban Forest Policy (the Policy) (**ATTACHMENT 3 - UNDER SEPARATE COVER**) has been developed to provide a commitment to the residents on the sustainable management of the urban forest. During the community consultation for the Community Strategic Plan the management and planting of trees was one of the most frequently identified community desires. To respond to this the Policy has been created to inform the manner in which the City of Ryde will manage the tree canopy across the City.

The Policy is a significant component of a documented commitment to the urban forest as it provides the big picture position on the future resourcing and management of the urban forest. A companion Urban Forest Plan is currently being drafted and will be presented to Council and the community following the exhibition of the Plan and Policy so it can be fully informed by the community response to the Policy.

The Policy identifies five key management areas with corresponding guiding principles that will be used to inform all decision making when managing the urban forest .These management areas are:

- tree protection
- tree selection and planting
- tree asset management
- tree removal and replacement
- community consultation and involvement.

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**ITEM 8 (continued)**

The Policy is recommended to be placed on public exhibition to allow the community to comment on the sustainable management of the urban forest.

**Financial Implications**

To exhibit the Plan it is necessary to place an advertisement in a local newspaper. The cost of this advertisement placement is \$1,000. The project is provided for in the current budget for 2011/2012 from the Open Space budget.

**Consultation and Exhibition Requirements.**

The Plan is required to be exhibited for a period of not less than 28 days by notice in the local newspaper. Council will also undertake a consultation process for the Plan and Policy that includes:

- In view of the community interest in the urban forest, a minimum of a six week exhibition period is recommended
- Public notice of the exhibition in each Ryde City View addition during the six week period
- Information will be provided on Council's website include a place to make an online submission
- Use of Council's Kiosk in each of Council' libraries to provide internet access to the revised DCP and Policy and to offer opportunities to make a submission
- Hard copies of the revised DCP and Policy on display at each library and the Ryde Civic Centre
- All internal Council business units will be consulted by placing the revised DCP and Policy on the intranet
- External public consultation with relevant environmental groups within the City of Ryde

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**9 TENDER - PROVISION OF TOP RYDER COMMUNITY BUS SERVICE AND ANCILLARY SERVICES FOR CITY OF RYDE**

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**Report prepared by:** Manager The Environment**Report dated:** 14/02/2012**File No.:** GRP/12/5/5/5 - BP12/113

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**REPORT SUMMARY**

This report is to advise Council on the Tenders received for the provision of bus shuttle service operations for the Top Ryder Community Bus Service and ancillary services for the City of Ryde and recommends the tender from I Love Oz Pty Ltd be accepted for the period 1 April 2012 to 30 June 2013.

The total cost to service this contract has been allowed for in the current 2011/12 Operational Plan and the upcoming 2012/2016 Delivery Plan budget.

**RECOMMENDATION:**

That the tender from I Love Oz Pty Ltd be accepted for the period 1 April 2012 to 30 June 2013 for the total cost of \$230,330 ex GST, being \$45,410 for remainder of 2011/12 and \$184,920 for 2012/13.

**ATTACHMENTS**

- 1 Top Ryder/Optus Community Bus Tender evaluation report top ryder bus service Final v2 14 Feb 2012 - CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL
- 2 Tender Evaluation Plan COR-RFT-20-11 signed 30 Jan 2012 - CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL

Report Prepared By:

**Sam Cappelli**  
**Manager The Environment**

Report Approved By:

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

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**ITEM 9 (continued)**

**Discussion**

Council at meeting held 8 November 2011 resolved to extend the existing Top Ryder Community Bus Service to 30 June 2013.

The service began on 22 July 2008 and has been successfully delivered by VIP Car Higher Services who have again tendered to continue operating the service.

The request for Tender closed on 17 January 2012 with Council receiving two (2) submissions. Tender submissions were received from:

- VIP Car Higher Services Pty Ltd
- I Love Oz Pty Ltd

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

- Sam Cappelli – Manager, Environment
- Alex Helderman – Contracts and Permits Officer
- Craig Heal – Senior Sustainability Coordinator, Environment and Transport

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

The assessment was based on the following criteria.

1. Legal Status of Entity
2. Conformity to Documentation
3. Insurances and Accreditations
4. Referees
5. Schedule of Pricing and submitted rates (30% weighting)
6. Demonstrated experience (30% weighting)
7. Demonstrated capability and availability of resources (30% weighting)
8. Timeframes and demonstrated ability to meet deadlines (10% weighting)

The Tender Evaluation Report details the record of interviews and the summary scoring by the Panel against the criteria listed above.

As detailed in the Tender Evaluation Report, the Panel is recommending the Tender from I Love Oz Pty Ltd be accepted.

**Financial Implications**

Council has made provision of \$55,000 for meeting the cost of delivering the service, including running costs for the remainder of 2011/12 in the 2011/12 Operational Plan.

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**ITEM 9 (continued)**

The estimated annual cost of this service for 2012/13 is \$273,000 and Council's contribution to this amount is capped at \$100,000 per annum. The balance of the amount required to deliver the services is made up from income derived from a business contract with Optus and sponsorship arrangements with Top Ryde City and others being explored. Council's contribution has been allowed in the upcoming 2012/2016 Delivery Plan budget.

**Options**

1. That Council not accept either Tender however there are no other available options to provide the service over the period that Council has resolved on 8 Nov 2011 to extend the service too. The service currently transports over 5,000 passengers monthly for the Top Ryder community bus service and over 2,000 passengers monthly under the business contract Council has with Optus.
2. That Council accept the Tender from VIP Car Higher Services Pty Ltd instead of I Love Oz however the price quoted is substantially more than the I Love Oz submission and results of assessment favoured I Love Oz Pty Ltd.



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**10 TENDER - PROVISION OF SMARTFORMS**

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**Report prepared by:** Coordinator Publications and Branding**Report dated:** 17/02/2012**File No.:** GRP/09/4/2/1 - BP12/134

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**REPORT SUMMARY**

This report provides Council with information about the tender and evaluation process for the provision of creating Smartforms and self generated templates. It is the recommendation of this report to decline all tenders and negotiate with the respondents will allow Council to commence the first stage of this project within budget and scope of the project. This will ensure that Council can achieve the best value in delivering this project.

**RECOMMENDATION:**

- (a) That Council rejects all tenders and advise the tenderers of Council's decision.
- (b) That the General Manager be given delegation to enter into negotiations with tenderers to formulate a solution for the development of Stage 1 of the Smartform project within the nominated budget.

**ATTACHMENTS**

- 1 Tender Evaluation Report for Smartform solution - CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL

Report Prepared By:

**Liz Berger**  
**Coordinator Publications and Branding**

Report Approved By:

**Derek McCarthy**  
**Manager - Community Relations and Events****Danielle Dickson**  
**Group Manager - Community Life**

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

Current situation:

Council offers 24/7 online access to 99 paper forms on the City of Ryde website. The only option for submission requires the forms to be printed and completed by hand and posted, faxed or dropped into Council for processing. Data is then double-handed by manually turning these into electronic data into our back end systems. This reduces the actual and perceived efficiency of Council in an environment of customer increasingly demanding online capability.

Council has approximately 200 letter templates used as correspondence with our Community. The language used within these letters need to be reviewed and updated with the new City of Ryde Brand, and then uploaded into Tech One. These letter templates are recommended for incorporation in Stage 1 of the Smart Forms project.

Council has approximately 125 forms for internal use. They can be found on the info net <http://infonet/Forms>

Many of these forms are completed by hand, signed and scanned. This process has been 'flattening' the form thereby losing the electronic data and increasing hard copy paper trails that are unnecessary.

In early 2012 Council accepted the recommendations of the Best Value Review of the Development Assessment Unit. This included the recommendation that the assessment forms be included in Stage 1 of the Smart Forms project.

As a result of the above a tender brief was developed to seek private enterprise involvement in the delivery of these items.

Proposal:

**The project is to create Smart Forms and self-generated templates**

- The proposed project will eliminate the manual handling of hand-written submissions and capture the integrity of electronic data in a Smart Form and provide a web portal to deploy to Council for external customers
- The self-generated templates will unify the City of Ryde brand and utilise plain English for a more simplified understanding of our written correspondence with our customers.
- Internal forms used for staff and processes

The request for tender closed on 22 December 2011. Tender submissions were received from the following respondents.

- Avoka Technologies
- LG Corporate Solutions
- Software Projects

**ITEM 10 (continued)**

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

- Co-ordinator Publications and Branding – Chair
- Manager Information Services
- Co-ordinator Web Services

Minutes of the Tender evaluation panel meetings are available **ON FILE**

A tender evaluation report and an evaluation assessment matrix is provided **UNDER SEPARATE COVER – CONFIDENTIAL**. Pursuant to Section 10A (2)(d) of the Local Government Act 1993, this document is listed as confidential as it contains information of a confidential nature that would, if disclosed, prejudice the commercial position of the persons who supplied it. Furthermore, it is considered that discussion in open meeting would, on balance, be contrary to the public interest as it could affect Councils ability to negotiate with the tenderers.

The tenders were ranked using a weighted attribute matrix based on the following criteria outlined in the Request for Tender document.

- Solution
- Tender price
- Methodology
- Proposed personnel
- Experience

Of the three companies assessed, it was agreed by the panel that no submissions be recommended as two of the submissions were outside the forecast budget and one submission did not appear to have the technical capability to fulfil the specifications.

The panel recommends that the General Manager have delegation to enter into negotiations with the tenderers to provide the first stage of the Smartform solution within the allocated budget.

Negotiations with the tenderers will allow Council to commence the first stage of a Smartform solution in the most economical and efficient manner.

It is envisaged that the first stage at a minimum would include the creation of Development Applications solution and the creation of self generated letters loaded on to Tech One. Following the completion of Stage 1 the efficiencies and improved customer interface gained will be reviewed prior to the roll out of the Smart Form technology to the remaining high use forms.

**Financial Implications**

The request for tender was to provide the service to Council for on –line forms, self generated letters and internal forms. Of the three tenderers, two did not come within the budget forecast for the project and one did not appear to have the technical capability to fulfil the specifications.

**ITEM 10 (continued)**

To commence stage one of the project it is proposed to have \$100,000 allocated from the December Quarter Review and \$50,000 from savings within existing budgets.

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**11 TENDER - PROVISION OF CLEANING SERVICES TO THE RYDE  
AQUATIC LEISURE CENTRE**

---

**Report prepared by:** Centre Manager - Ryde Aquatic Leisure Centre**Report dated:** 17/02/2012**File No.:** GRP/11/4/3 - BP12/138

---

**REPORT SUMMARY**

This report provides Council with information about the tender and evaluation process for the provision on cleaning services to the Ryde Aquatic Leisure Centre.

The endorsement of this recommendation will allow the continuation of the provision of this service. This report has no financial impact as the service is funded in Council's budget. The contract period specified in the tender documentation is for three (3) years, subject to a satisfactory three month probationary period, with a further two x 1 year extensions at Council's discretion.

**RECOMMENDATION:**

- (a) That Council accept the tender submitted by Xtremely Clean Pty Ltd for the contract COR-RFT-15/11 be accepted subject to a three (3) month probationary period.
- (b) That Council advise the tenderers of Council's decision.
- (c) That Council create an eligibility list.

**ATTACHMENTS**

- 1 COR-RFT 15-11 Tender Evaluation Report - CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL
- 2 COR-RFT - 15-11 RALC Contract Cleaning Tender Assessment Matrix - CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL

Report Prepared By:

**Paul Hartmann****Centre Manager - Ryde Aquatic Leisure Centre**

Report Approved By:

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

## ITEM 11 (continued)

### Discussion

The Ryde Aquatic Leisure Centre is a busy regional recreation and leisure centre that caters for more than 680,000 visitors each year to participate or view an array of activities. Presentation is very important to ensure that each and every visit is a pleasurable and comfortable one that will entice a return visit.

To this end, the cleaning of the venue is a significant process in the presentation of the Centre and requires the experienced attention of a provider with a background in cleaning leisure centres, and particularly aquatic venues.

Cleaning of the Centre is currently conducted by Xtremely Clean. Use this section to discuss the topic.

The Request for Tender was publicly advertised on 8 November 2011, 9 November 2011 and 12 November 2011. Tender submissions were received from the following respondents:

- ADZ Cleaning Services
- ATM Cleaning Management
- Bayton Cleaning
- Broadlex Cleaning
- Douglas Site Services
- Group Property Services
- Guardian Property Services
- Majestic Commercial
- Northern Contract Cleaning
- Quad Services
- Starlight Commercial
- Statewide Quality Services
- Supercare Property Services
- TJS Services
- Xtremely Clean

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

- Centre Manager, Ryde Aquatic Leisure Centre - Chair
- Coordinator Assets, Ryde Aquatic Leisure Centre
- Facilities Manger, City Of Ryde(Independent)
- Duty Manager, Ryde Aquatic Leisure Centre

Minutes of the Tender evaluation panel meetings are available **ON FILE**

**ITEM 11 (continued)**

A Tender Evaluation Report is **ATTACHED UNDER SEPARATE COVER – CONFIDENTIAL** (Attachment 1). Pursuant to Section 10A(2)(d) of the Local Government Act 1993, this document is listed as confidential as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the persons who supplied it. Furthermore, it is considered that discussion in open meeting would, on balance, be contrary to the public interest as it could affect Councils ability to secure the preferred tenderers.

Tender submissions were evaluated by the assessment panel utilising an Assessment matrix which is **ON FILE**. Pursuant to Section 10A (2)(d) of the Local Government Act 1993, this document is listed as confidential as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the persons who supplied it. Furthermore, it is considered that discussion in open meeting would, on balance, be contrary to the public interest as it could affect Councils ability to secure the preferred tenderers.

The tenders were ranked using a weighted attribute matrix based on the following criteria as outlined in the Request for Tender document.

- Tender Price
- Cleaning Hours
- Similar Facility Cleaning
- Proposed Personnel
- Organisational Structure
- OHS&R Systems
- Understanding of CoR Requirements
- Proposed labour coverage
- Referee Checks
- Sustainability Considerations.

Of the fifteen companies assessed, it was agreed by the panel that Xtremely Clean was the best suited company to meet the needs of the Ryde Aquatic Leisure Centre.

A referee's check was conducted on Xtremely Clean with the Operations Manager at North Sydney Olympic Pool where Xtremely Clean provide cleaning services. The report is **ON FILE**.

**Financial Implications**

This contract is provided for in the current budget of 2011/12 and will be funded by the Ryde Aquatic Leisure Centre's internal reserves as an operating expense.

The proposed contract covers a three year period including a three (3) month probationary period with, at Council's discretion, a further 2 x 12-month periods subject to satisfactory performance.

There is a CPI increase allowance provided for in the tender documentation and contract.

## **12 LEGAL ACTION - LGFS Rembrandt Investment - Update**

---

**Report prepared by:** Group Manager - Corporate Services

**Report dated:** 17/02/2012

**File No.:** GRP/11/7/1/6 - BP12/139

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### **REPORT SUMMARY**

This report is in accordance with Council's resolution from its meeting on 13 December 2011, that provides Council with an update on the settlement discussions that were proposed to be undertaken in respect of the legal proceedings relating to Council's LGFS Rembrandt investment.

### **RECOMMENDATION:**

That Council note the update and advice from Council's lawyers Piper Alderman, in this matter.

### **ATTACHMENTS**

- 1 Piper Alderman Confidential Advice LGFS - CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL

Report Prepared By:

**Roy Newsome**

**Group Manager - Corporate Services**



## **ITEM 12 (continued)**

### **History**

This matter has been reported previously to Council through Investment Reports, in providing Council with updates on the legal proceedings that are continuing in the Federal Court with the City of Ryde and twelve other Councils taking action against the Local Government Financial Services (LGFS), ABN Amro and Standard & Poors (S&P).

Council, at its meeting on 13 December 2011, in considering this matter resolved,

- (a) That Council note the actions to settle this matter as detailed in the report.
- (b) That Council endorse the variation to the IMF (Australia) Ltd funding agreement as detailed in the report.
- (c) That an updated report on the settlement discussions be provided to the next Council meeting.

### **Discussion**

In accordance with the above resolution, this report provides Council with an update and advice on this matter from Council's lawyers, Piper Alderman.

A copy of Piper Alderman's is provided **UNDER SEPARATE COVER - CONFIDENTIAL**.

This advice clarifies the position in respect of this matter and confirms the trial is due to receive closing submissions from all parties from 19 March 2012.

### **Financial Implications**

There are no direct financial implications related to this report. However, the longer these legal proceedings continue, they will have a negative and diminishing effect on any returns Council may receive from this action.

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**13 ESTABLISHMENT OF WHEELED SPORTS ADVISORY COMMITTEE**

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**Report prepared by:** Manager - Community & Culture**Report dated:** 2/02/2012**File No.:** GRP/11/4/3/6 - BP12/88

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**REPORT SUMMARY**

In November 2011 Council resolved to establish a Wheeled Sports Advisory Committee (WSAC) to work with the Youth Council to investigate potential options for developing a skate park and other wheeled sports facilities.

This report recommends a Terms of Reference (ToR) **ATTACHED** for the WSAC for Council's endorsement. The ToR is based on Council's standard template for advisory committees and specifies membership composition, frequency of meetings and outlines the role of the WSAC. The specific elements of the ToR relating to WSAC are outlined in the body of this report.

Council's policy for establishing advisory committees includes four steps which when applied to the WSAC, means that the Committee would hold its first meeting in May 2012. Due to the local government elections scheduled for September 2012 and the consequent dissolution of Council's current committee structure, the term of WSAC would be limited to four months.

To assist the work of the WSAC it was intended that by the time it was formed, two school holiday Skate Boarding Clinics with temporary facilities would have been held. The first clinic is now scheduled for the July school holiday period.

The data gathered and analysed from the Clinics would inform the work of the Committee when investigating options for skate parks in the City of Ryde. The information would provide an indication of success factors for skate park facilities as well as an indication of the potential levels of usage and interest.

However the delivery of these clinics have been delayed and are now planned for July, April and December school holiday periods.

Considering the limited term of the WSAC and the delay in running the temporary skate parks and associated clinics staff recommend that Council endorse the ToR for the Committee; however defer its operation to later in 2012 when Council's new committee structure is considered.

**ITEM 13 (continued)**

**RECOMMENDATION:**

- (a) That Council endorse the ATTACHED Terms of Reference for the Wheeled Sports Advisory Committee.
- (b) That Council defer establishment of the Wheeled Sports Advisory Committee pending the review of Council's committee structure after the 2012 local government elections.

**ATTACHMENTS**

- 1 DRAFT Terms of Reference

Report Prepared By:

**Baharak Sahebekhtiari**  
**Manager - Community & Culture**

Report Approved By:

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

---

## ITEM 13 (continued)

### Discussion

In November 2011 Council resolved:

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

A Terms of Reference (ToR) for Wheeled Sports Advisory Committee (WSAC) has been drafted and **ATTACHED** for Council’s endorsement. Key elements of the ToR are outlined below:

#### The primary role:

- Advise and make recommendations to Council on the potential options for developing a skate park and
- Advise Council on the need for other wheeled sports’ facilities in the City of Ryde

#### Membership composition:

- Two Councillor representatives
- Six community representatives

#### Frequency of meetings:

- The Committee will meet on a quarterly basis.

Council’s policy for establishing advisory committees includes four steps:

- Council endorsement of the ToR
- Seeking Expressions of Interest (EOI) for membership through advertising
- Evaluation of received EOIs
- Council’s consideration and endorsement of the membership

The process above when applied to the WSAC means that the Committee would be have its first meeting in May 2012.

Due to the local government elections scheduled for September 2012 and the consequent dissolution of Council’s current committee structure, the term of WSAC would be limited to four months.

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**ITEM 13 (continued)**

Additionally it was intended that by the time WSAC held its first meeting, two school holiday Skate Boarding Clinics with temporary facilities would have been held to assist the Committee in fulfilling its role. The data gathered and analysed from the Clinics would provide useful information when investigating options for skate parks in the City of Ryde. The information would be a useful indicator of success factors for skate park facilities as well as an indication of the potential levels of usage and interest.

However the delivery of these clinics have been delayed and are now planned for July, April and December 2012 school holiday periods.

Considering the limited term of the WSAC and the delay in delivery of the temporary skate park and associated clinics, staff recommend that Council endorse the ToR for the Committee and defer its operation to later in 2012 when Council's new committee structure is considered.

**Financial Implications**

The proposed recommendation can be accommodated within the existing budget allocation within the Open Space, Sport and Recreation Program

**ITEM 13 (continued)**

**ATTACHMENT 1**

 City of Ryde

Lifestyle and opportunity @ your doorstep



**DRAFT**

# **Terms of Reference**

**WHEELED SPORTS  
ADVISORY COMMITTEE  
Adopted: DATE**

**ITEM 13 (continued)**

**ATTACHMENT 1**

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*Document Version Control*

|                         |  |
|-------------------------|--|
| <b>Document Name:</b>   | Terms of Reference – Wheeled Sports Advisory Committee |
| <b>Document ID:</b>     | D11/72395 (Standard) D11-----                          |
| <b>Document Status:</b> | Draft – presented to Council for consideration         |
| <b>Version Number:</b>  | Version 1.3  |
| <b>Date:</b>            | 6 February 2012  |
| <b>Author:</b>          | City of Ryde   |
| <b>Authorised By:</b>   | Council on -----                                       |
| <b>Distribution:</b>    | Council  |

*Change History*

| Version | Issue Date | Author         | Reason for Change   |
|---------|------------|----------------|---|
| 1.2     | 20/4/10    | Shane Sullivan | Resolution of Council 7 October 2008:<br>- that at least one (1) Councillor delegate is required to be appointed (with no upper limit) : page 4<br>- that the Mayor not automatically be represented on certain Committees : page 4<br>- that where the Mayor is appointed to be a delegate on an Advisory Committee, it not be necessary that the Mayor be Chairperson of this Committee : page 6<br>- that a Councillor or an appropriate staff member be Chairperson on an Advisory Committee : page 6 |
| 1.2     | 20/4/10    | Shane Sullivan | Resolution of Council 8 July 2008<br>Minutes of all Advisory Committees to be incorporated in the business papers of the next Council/Committee meeting and then placed on Council's website. : page 7  |
| 1.2     | 20/4/10    | Shane Sullivan | Resolution of Council 20 April 2010<br>Provisions for casual vacancies: page 5  |
| 1.3     | 24/8/11    | Shane Sullivan | Reformat to align with City of Ryde branding.<br>Insert paragraph linking role to Community Strategic plan  |

## ITEM 13 (continued)

## ATTACHMENT 1

### Contents

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### 1. Roles

The City of Ryde has adopted a Community Strategic Plan and Delivery Plan that will shape all activities and projects over the next four years. Council's Advisory Committees are an important mechanism for consultation, advice and feedback to Council staff on implementation and review of the Community Strategic Plan.

The primary role of the Committee is to:

- Advise and making recommendations to Council on the potential options for developing a skate park and
- Advise to Council on the need for other wheeled sports' facilities in the City of Ryde

### 2. Responsibilities

The Committee is responsible for:

- Representing the wheeled sports community needs and views when advising the City Of Ryde.

### 3. Membership, Chairperson and Voting

Membership of the Wheeled Sports Advisory Committee comprises:

- No less than two (2) Councillor appointed annually
- 6 community representatives

Note: the Mayor is not automatically represented on certain Committees  
(Resolution of Council, 7 October 2008)

Local residents shall be appointed by resolution of Council following advertisement for nominations in at least one local newspaper, on Council's website and in the Mayoral Column. Nominations are to be in writing and are to be circulated in full to the Councillors for evaluation. The Committee will not be involved in the evaluation or selection process of any local resident representatives.



### **ITEM 13 (continued)**

### **ATTACHMENT 1**

The following City of Ryde staff may ordinarily attend the Committee meetings but are not members of the Committee:

- Manager Open Space
- Team Manager Recreation
- Community Project Officer Young People

Council officers will provide professional advice and administrative support. It should be noted that employees of the Council are not subject to the direction of the Advisory Committee or any members thereof.

#### **Term of Membership to Committee**

Members appointed to the Committee shall be appointed for the 4-year (or remainder thereof) term of the current Council although membership can be altered at any time by resolution of Council. Each September, the current membership of the Committee will be submitted to Council for confirmation.

Membership of the Committee can be withdrawn by resolution of Council only. Council staff will be appointed and removed by the General Manager.

#### **Casual Vacancy**

*(Resolution of Council, 7 October 2008)*

A casual vacancy caused by the resignation or death of a Member will be filled by undertaking the following process:

- (i) Where a casual vacancy occurs, the Committee Facilitator will report this matter to the next Advisory Committee meeting and record it appropriately in the Minutes, and highlight it in the report to the next available Council Meeting.
- (ii) The Committee Facilitator will provide a report to the next available Council Meeting regarding the proposed replacement that will give consideration to the following options;
  - (a) If the Member was nominated as the representative of an organisation it will be recommended that the organisation be invited to nominate a replacement representative (if no alternate member has previously been nominated).
  - (b) If the Member was nominated as an individual, the Committee Facilitator will review the original expressions of interest received and will confirm if any of those individuals who were previously nominated, are still prepared to be considered as a member of the respective committee for the Committee.
  - (c) Where, due to either no other previous nominations, or those nominations not being current, an expression of interest will be called for in replacing member/s, for appointment by Council.
  - (d) Where a vacancy occurs within 9 months of the end of the term of the current Council, the vacancy will not be filled

## ITEM 13 (continued)

## ATTACHMENT 1

- (iii) Once endorsed by Council, a Member filling a casual vacancy will hold office for the remainder of the term of the Member he/she has replaced

### **The Chairperson of the Committee is:**

- A Councillor or Staff Member as elected by Council.

The Chairperson is to have precedence at the meeting and shall determine the order of proceedings, generally as set by the agenda.

All remarks by members of the Committee and others present shall be made through the Chairperson. In the absence of the Chairperson, another Councillor Member of the Committee or the Committee Facilitator shall chair the meeting.

A staff member appointed as Chairperson of the Committee does not become a formal member of the Committee by virtue of this position. All staff are representatives of Council only and not members of the Committee. It is not necessary that the Chairperson be a member of the Committee.

Council's Code of Meeting Practice shall be used as the reference guide for any matters pertaining to the Committee meetings that are not otherwise outlined in these Terms of Reference.

The Chairperson is to be a staff member or Councillor. Where the Mayor is appointed to be a delegate, it is not necessary that the Mayor be the Chairperson of this Committee.  
*(Resolution of Council, 7 October 2008)*

### **Committee Facilitator**

A Committee Facilitator shall be appointed by the General Manager. The Facilitator shall be a staff member of Council and is responsible for coordinating the preparation of agendas, invitations and minutes of the Committee. The Facilitator shall also be responsible for coordinating any presentations from guest speakers and for considering requests from members of the public to address the Committee. The Facilitator has the right to refuse a request from a member of the public to address the Committee if it is deemed more appropriate for that person to address a formal Council or Committee meeting.

### **Voting**

No formal voting rules apply. As the Committee has an advisory role, its recommendations are made by consensus and no recommendation is deemed to be a decision of Council unless the matter is referred to Council for determination. If consensus is not achieved, and if required, the matter shall be referred to Council for determination.

## ITEM 13 (continued)

## ATTACHMENT 1

### **Proxy**

No voting by proxy is permitted. Only members in attendance at the meeting shall be entitled to participate in the decision making process of the Committee. If a member is unable to attend the meeting but wishes to be in attendance for discussion of a particular matter, he/she can notify the Chairperson prior to the meeting to request deferral of the item to a subsequent meeting or to request that the Chairperson formally indicate the member's view to the Committee during the discussion on the matter. The Committee shall decide if a matter is to be deferred to a subsequent meeting based on the representations made to the Chairperson by the absent member.

### **Quorum**

As the Committee is advisory only no quorum is required, however, the Chairperson shall use his/her discretion to determine if any item on the agenda should be deferred to a future meeting if it is considered there are insufficient people at the meeting to consider the item.

## **4. Meetings**

### **Meeting Schedule and Procedures**

Meetings shall be held on a quarterly basis the day and time of the meeting to be determined by the members of the Wheeled Sports Advisory Committee. The Chairperson has the authority to call meetings.

The Agenda & meeting papers shall be circulated to members at least 3 days prior to meeting.

Each meeting shall be properly recorded by the taking of minutes.

### **Public Participation**

All meetings of the Committee are public meetings. Members of the public and media can attend meetings as observers; however, they cannot speak at a meeting unless prior arrangements are made through the Committee Facilitator. Presentations shall be limited to a maximum of 5 minutes.

## **5. Communications and Reporting**

The agendas and minutes of the Committee shall be stored as a permanent record of Council, as determined by the General Manager.

The minutes of each meeting shall be circulated to all members as soon as practicable. Any questions by members regarding the minutes are to be referred immediately to the Committee Facilitator and if any error in the minutes is confirmed, the Committee Facilitator shall arrange to make the appropriate changes.

The Minutes of all Advisory Committees will be reported in the Councillor Information Bulletin within two (2) weeks of the Committee meeting. However, if a resolution of Council is required, e.g. allocation of funds, resources or an amendment to any Council Policy, then the Minutes shall be reported to the next available Council or Committee of the Whole meeting.

**ITEM 13 (continued)**

**ATTACHMENT 1**

All agendas shall be published on Council's website within 5 days of completion.

All Advisory Committee minutes shall be published on Council's website within 5 days of completion or adoption by Council.

A report may be prepared for Council's consideration where the Committee suggests an action (or actions) which staff cannot carry out within existing delegations.

Members of the Committee are not permitted to speak to the media as representatives of the Committee unless approved by Council.

**6. Code of Conduct and Other Council Policies**

Each Committee member who is not otherwise a Councillor or staff member shall be provided with a copy of Council's Code of Conduct and other related policies that may be applicable to the operation of the Committee.

The conduct of each Committee member is expected to be consistent with the principles outlined in these Council publications.

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**14 ADVISORY COMMITTEE MINUTES- Status of Women**

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**Report prepared by:** Social Policy and Planning Co-ordinator**Report dated:** 17/02/2012**File No.:** GRP/11/4/3 - BP12/140

---

**REPORT SUMMARY**

The Status of Women Advisory Committee met on 2 February 2012. The Committee made one recommendation submitted in the Minutes (**ATTACHED**) for Council's consideration.

*Subject to Council approval, staff to organise collection of gold-coin donations at the art exhibition. Proceeds to be donated to a women's service such as "Erin's Place".*

The Committee considered ways in which the Council sponsored International Women's Day Art Exhibition, could further support the exhibition's local theme of women's resilience and empowerment. The exhibition will open on 8 March 2012 at Brush Farm House.

In addition the Committee recommended that gold-coin donations be collected at the art exhibition and the donations be provided to Erin's Place, a local women's service.

These recommendations are reported to Council for their endorsement.

**RECOMMENDATION:**

- a) That Council endorse collection of gold-coin donations at the International Women's Day Art Exhibition 2012.
- b) That Council endorse the recommendation of the Advisory Committee that the funds raised be provided to Erin's Place, a local women's service.

**ATTACHMENTS**

1 Minutes Status Of Women Advisory Committee 2 February 2012

Report Prepared By:

**Jonathan Nanlohy**  
**Social Policy and Planning Co-ordinator**

Report Approved By:

**Baharak Sahebekhtiari**  
**Manager - Community & Culture**

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

**ITEM 14 (continued)****Discussion**

The Status of Women Advisory Committee meets every three months.

The primary role of the The Status of Women Advisory Committee is to:

- To promote the Status of Women in Ryde LGA;
- To encourage a 'sense of place' for women in the Ryde LGA;
- To foster active participation from women in the Ryde LGA to develop a centralised local networking hub;
- To hold events and support other organised women's events by external groups throughout each year including International Women's Day, which provide a forum for women to voice their concerns and discuss local issues.

At the 2 February 2012 Status of Women Advisory Committee meeting, the Committee discussed ways in which the International Women's Day Art Exhibition could provide further support for women in Ryde. The Committee recommended that Council endorse the collection of gold-coin donations for Erin's Place, a locally based women's service, at the International Women's Day Art Exhibition.

The Committee advised collecting gold-coin donations for a local women's service would provide practical support in keeping with the local theme for this year's exhibition of women's resilience and empowerment.

**Financial Implications**

The adoption of the recommendation will have no financial impact on Council.

**ITEM 14 (continued)**

**ATTACHMENT 1**

|                         |  |
|-------------------------|--|
| <b>Subject:</b>         | Status of Women Advisory Committee – Minutes of Meeting  |
| <b>File No:</b>         | COR2009/1352   |
| <b>Document Ref:</b>    | D2012/0013189  |
| <b>Venue:</b>           | Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde   |
| <b>Date:</b>            | Thursday, 2 February 2012  |
| <b>Time:</b>            | 6.00pm Started at: 6.03pm Closed at: 7.26pm  |
| <b>Chair:</b>           | Councillor Campbell  |
| <b>Meeting Support:</b> | Sheron Chand – Councillor Support Coordinator  |
| <b>Staff Convenor:</b>  | Jonathan Nanlohy   |
| <b>Circulation:</b>     | Representatives: Y Byun, C Chelliah, A Ditcham, M Grunberg, B Lea, J Piotrowski, M Pont, J Schipp, A Shim, M Somerville<br>Clrs: G O'Donnell, N Campbell, R Maggio<br>Council Staff: B Sahebekhtiari |

**Committee Role:**

The primary role of the Status of Women Advisory Committee is to:

- Promote the Status of Women in Ryde LGA;
- Encourage a 'sense of place' for women in the Ryde LGA;
- Foster active participation from women in the Ryde LGA to develop a centralised local networking hub;
- Hold events and support other organised women's events by external groups throughout each year including International Women's Day, which provide a forum for women to voice their concerns and discuss local issues.

**Committee Members as per the Terms of Reference**

| Present | Apology | Name                   | Position Title                         | Organisation |
|---------|---------|------------------------|--|--------------|
| x       |         | Councillor N Campbell  | Chairperson                            | City of Ryde |
| x       |         | Councillor G O'Donnell | Delegate                               | City of Ryde |
|         | x       | Councillor R Maggio    | Delegate                               | City of Ryde |
|         |         | Young Byun             | Community Representative               |              |
| x       |         | Christine Chelliah     | Community Representative               |              |
|         |         | Amelia Ditcham         | Community Representative               |              |
|         |         | Michelle Erofeyeff     | Community Representative               |              |
|         | x       | Margarita Grunberg     | Community Representative               |              |
|         |         | Brenda Lea             | Community Representative               |              |
|         |         | Suzanne Mann           | Community Representative               |              |
|         | x       | Joy Piotrowski         | Community Representative               |              |
| x       |         | Michelle Pont          | Community Representative               |              |
|         |         | Jennifer Schipp        | Community Representative               |              |
|         |         | Agnes Shim             | Community Representative               |              |
| x       |         | Margaret Somerville    | Community Representative               |              |
|         | x       | Baharak Sahebekhtiari  | Manager - Community and Culture        | City of Ryde |
| x       |         | Jonathan Nanlohy       | Social Policy and Planning Coordinator | City of Ryde |

**Additional Attendees**

| Name             | Position Title                 | Organisation |
|------------------|--------------------------------|--------------|
| Danielle Dickson | Group Manager – Community Life | City of Ryde |
| Margarita Videla | Community Development Officer  | City of Ryde |

**ITEM 14 (continued)**

**ATTACHMENT 1**

Details

|  | Action   | Responsibility and Date   |
|--|--|---|
| <p>1. <b>Introduction and Apologies:</b><br/>Received and noted as above.</p>  | Noted  |   |
| <p>2. <b>Minutes – Confirmation and Matters arising from the previous minutes</b><br/>The Minutes were received and noted.</p>   | Noted.   |   |
| <p>3. <b>White Ribbon Community</b></p> <p>Jonathan advised the Committee that the White Ribbon Community Breakfast was held on 25 November 2011.</p> <p>The event was successful and there was positive feedback received</p> <p>In addition to Council's involvement, the event saw participation many corporate sectors and ambassadors. Mr Victor Dominello, MP gave an inspiring speech. The local media were also present.</p> <p>Jonathan informed the Committee that there is a change in the structure of the White Ribbon Community in the City as they will have partnership programs commencing at the end of the year. The City of Ryde has prepared a Memorandum of Understanding with the White Ribbon Foundation.</p> <p>Committee discussed White Ribbon Community Champions and establishment of a Champion Network</p> <p>Council will roll out internal White Ribbon organisational programs and conduct a series of workshops including preventative strategies regarding violence against women.</p> <p>Jonathan updated the Committee on the series White Ribbon Community actions planned for this year of events including the following:</p> <ul style="list-style-type: none"> <li>• Domestic Violence Committee partnership workshop commencing on 8 March 2012.</li> <li>• COR White Ribbon Community workshop to be held in March 2012.</li> <li>• Anti violence workshops with male and female high schools students. Workshops to use creative approach which could include Playback Theatre playbacks or projects which may also include TAFE students in June 2012.</li> </ul> | <p>Jonathan to circulate a copy of the MOU to the Committee.</p> <p>Jonathan to follow up on White Ribbon Champion Network with White Ribbon Foundation and how it fits in White Ribbon work plan, and report back to the Committee.</p> <p>Staff to prepare and circulate to the Committee a plan of upcoming COR White Ribbon Community activities</p> | <p>Jonathan – next meeting</p> <p>Jonathan – as soon as possible.</p> <p>Jonathan next meeting</p> <p>Jonathan – as soon as possible.</p> |



**ITEM 14 (continued)**

**ATTACHMENT 1**

Details

|   | Action  | Responsibility and Date   |
|---|---|---|
| <p><b>4. International Women's Day</b></p> <p>Jonathan advised the Committee that Margarita Videla - Community Development Officer is now the Project Manager for the International Women's Day Art Exhibition.</p> <p>Staff were not successful in securing See Street Gallery and Brush Farm House as the venue for the International Women's Day Art Exhibition.</p> <p>Committee asked for update on Office of Women Grant. Margarita advised Committee that grant application had been sent.</p> <p>The branding of the event has a different theme each year. Margarita showed the Committee samples of the artwork and a hard-copy of the artwork was provided to the members. C/r Campbell expressed that both the local and international themes should be celebrated together and that the local theme should be reflected in the Mayoral Column.</p> <p>Committee discussed Review Stalls capacity to participate in IWD and other events</p> <p>The Committee suggested that in future that the Exhibition be flagged on Council's website and City View six months prior to the event as well as notifying artists on COR's Artist Register. The Committee requested that for future events, they be provided with a copy of the artwork for comment, prior to it being advertised.</p> <p>The Committee agreed that gold donations received from charity be made to Erin's Place.</p> | <p>Jonathan to ensure the event is included on the Calendar on Council's website under events listed for March 2012.</p> <p>Jonathan to provide the Committee members with the event strategy including the advertisement and promotion of the event and upcoming work to be carried out.</p> <p>Margarita to advise the Committee if they were successful in receiving the \$1,000 grant from the Office of Women.</p> <p>The artwork to be revised such that it is inclusive for all genders and reflects the local resilience and empowerment theme</p> <p>Margarita to approach Review Stalls to determine the organisations contributions to partnerships with SOWAC activities.</p> <p>Committee members to provide further suggestions to Margarita.</p> <p><i>Subject to Council approval, staff to organise collection of gold- coin donations at the art exhibition. Proceeds to be donated to a women's service such as "Erin's Place"</i></p> | <p>Jonathan – as soon as possible</p> <p>Jonathan – next meeting</p> <p>Margarita – next meeting</p> <p>Margarita – as soon as possible<br/>Margarita</p> <p>Margarita – as soon as possible</p> <p>Committee members</p> <p>Jonathan to prepare report to Council – as soon as possible.</p> |
| <p><b>5. General Business</b></p> <ul style="list-style-type: none"> <li>• Women's Health Forum 2011 (Go Red for Women Evaluation)</li> </ul> <p>Feedback received about the event was positive. The speakers at the event were well received. The partnership between Council, the Heart Foundation, Women's Health and the Women's Empowerment Working Group was positive and successful.</p>   | <p>Staff to place photos of events such as this on Council's website subject to availability and quality of photos.</p> <p>Staff will provide the Committee an outline</p>  | <p>Jonathan</p> <p>Jonathan to</p>  |

**ITEM 14 (continued)**

**ATTACHMENT 1**

Details

Responsibility  
and Date

Action

|   |   |   |
|---|---|---|
| <p>The Committee agreed that Council should explore promoting upcoming events at other events and functions such as the Granny Smith Festival and walking clubs.</p> <ul style="list-style-type: none"> <li>• Women’s Health Forum’s and activities 2012</li> </ul> <p>The Committee discussed its plan for three women’s health events on: cardiac health, mental health and domestic violence to be completed within lifecycle of current Committee (before September 2012) .</p> <p>Jonathan advised the Committee that the next planned Women’s Health Forum held will be on mental health issues such as Alzheimers, dementia and carers in partnership with Alzheimers NSW. The forum is currently being planned for July.</p> <p>Jonathan discussed the Domestic Violence Forum which was being planned for October. will be brought forward to August and incorporate carer’s domestic violence issues.</p> <p>The committee discussed Council resolution ( 8 November 2011) .for the Rotary Health - Hat Day to be referred to Status of Women Advisory Committee for inclusion in their schedule of the health seminars. Hat Day is held on May 2012.<br/>The Committee decided to keep the theme of Rotary Health- Hat Day and incorporate it into a Women’s mental health forum planned for July.</p> | <p>of promotional strategies that utilise Council events, activities and media.</p> <p>Staff to prepare and circulate to the Committee a plan of Status of Women Advisory Committee workshops. Events to be delivered within available resources</p> <p>The Domestic violence forum will be brought forward to August and incorporate carer’s domestic violence issues.</p> <p>Jonathan to explore opportunities to incorporate Rotary Health Hat Day theme into scheduled health seminars.</p> | <p>circulate as soon as finalised</p> <p>Jonathan to circulate when details finalised</p> <p>Jonathan as soon as possible</p> |
|---|---|---|

**ITEM 14 (continued)**

**ATTACHMENT 1**

|           |   |   |   |
|-----------|---|---|---|
| <p>6.</p> | <p><b>Other Business:</b></p> <ul style="list-style-type: none"> <li>• Integrated Open Space Plan</li> </ul> <p>Danielle Dickson gave a brief presentation on Council's Integrated Open Space Plan.</p> <ul style="list-style-type: none"> <li>• Early Childhood Centres</li> </ul> <p>Staff met with NSW Health Service this week regarding the delay in moving Early Childhood Health Centre services into West Ryde Community Centre. The Committee has expressed great concern about this matter and requested that Danielle write to the Minister for Health expressing their concerns.</p> <p>Council has implemented the tenancy agreements regarding the centres.</p> <ul style="list-style-type: none"> <li>• Golf Day at Oatlands</li> </ul> <p>Michelle advised the Committee of a Golf Day event being held at Oatlands to raise money for prostate cancer.</p> | <p>Danielle to circulate a copy of the presentation to the Committee.</p> <p>Committee members to provide their suggestions on the strategic roll out of the proposal made by Council to staff prior to the next meeting.</p> <p>Danielle to write a letter to the Minister for Health expressing the concerns of the Committee.</p> <p>Councillor Campbell to move a Matter of Urgency at the next Council meeting regarding the impact on parents as a result of the delay in the move to the new centre of the centre.</p> <p>Michelle to provide Jonathan information about the event for circulation to the Committee.</p> | <p>Danielle</p> <p>Committee members</p> <p>Danielle – as soon as possible</p> <p>Councillor Campbell – Council Meeting held on 14 February 2012</p> <p>Michelle and Jonathan</p> |
| <p>7.</p> | <p><b>Confirmation of Next Meeting:</b></p> <p>3 May 2012 at 6.00pm<br/>Room 2, Level 5 of the Civic Centre</p>   |   |   |

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**15 RENEWAL OF THE JOINT LIBRARY SERVICE AGREEMENT**

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**Report prepared by:** Manager - Library Services**Report dated:** 20 February 2012**File No.:** GRP/12/5/5/5 - BP12/144

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**REPORT SUMMARY**

The City of Ryde and Hunters Hill Council operate a Joint Library Service that supports the provision of a branch library at Gladesville.

The Joint Library Service Agreement is a five year agreement that provides the basis for this operation. The current agreement expires on 30 June 2012. The agreement allows for a continuation under the existing terms. This report recommends an extension for one year to allow the updating of the costing schedule attached to the agreement to ensure they are a correct and transparent representation of Councils costs for the provision of this library branch.

This report also recognises that there are a number of current private development opportunities in Gladesville that may allow consideration of a new facility as part of a Voluntary Planning Agreement discussion with Hunters Hill Council. These events, if they come to fruition, may alter the basis of the agreement between the two councils. This report recommends that the General Manager commence discussions that will allow for the development of a future agreement.

**RECOMMENDATION:**

- (a) That Council endorse the renewal of the current agreement with Hunters Hill Council for one year from 1 July 2012, with a further five year agreement to be developed before July 2013 including an updated cost schedule.
- (b) That Council requests the General Manager to develop a Memorandum of Understanding between the Councils to address the strategic direction for Gladesville Library and address the potential redevelopment of key sites in Gladesville for Councils consideration.

**ATTACHMENTS**

There are no attachments for this report.

Report Prepared By:

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

Report Approved By:

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

## **ITEM 15 (continued)**

### **Discussion**

#### **History**

There is a long history of discussion, negotiation and agreements between the Councils of Ryde and Hunters Hill regarding the operation of a library service at Gladesville. A joint funding arrangement was first established in 1957. In more recent times agreements were re-signed in 2001, and again in 2007.

The current agreement came into effect on 1 July 2007 and was to remain in place for a period of at least five years. The agreement requires the City of Ryde to provide library services to residents of Hunters Hill Council through a Joint Library Service for which Hunters Hill Council makes a financial contribution. The agreement outlines requirements about the library, joint branding and service levels as well as matters relating to governance, management, advisory roles, finance, ownership of assets, process for dispute resolution, term of agreement and termination.

The financial terms of the agreement was that the Hunters Hill's contribution was \$469,456 in FY2007/08, and that this would be indexed annually by the General Rate increase issued by the Minister for Local Government. The contribution in FY2011/12 is \$531,970 and \$547,929 in FY2012/13.

The current relationship between the two Councils regarding the operation of the Joint Library Service is cordial and courteous. The Agreement of 2007 provided for regular meetings of a Joint Library Services Advisory Committee. This Committee has met as scheduled, and by agreement of the Committee Members. The meetings discuss the overall operation of the Joint Library Service and the particular performance of Gladesville Library. Regular communication exists between the two councils to inform of library specific matters and activities.

The Joint Library Service Advisory Committee meetings are regularly attended by members of the Friends of Gladesville Library (FOGL). FOGL monitors the activity of the Joint Library Service Advisory Committee and makes submissions at Committee meetings. FOGL are active in their support of Gladesville Library, and recent practical examples of their valued support are the provision of computer classes during Seniors Week and the raising of funds through a used book sale. These funds were used to purchase furnishings for the children's area of Gladesville Library.

FOGL supports the continued operation of the agreement on the basis that the library is well supported by the local community.

#### **Context**

It is recognised that current developer interest in Gladesville may lead to discussion with landowners about the potential provision of a new library building as an offset to their developer contribution. It is envisaged that this would occur on Hunters Hill Council land.

**ITEM 15 (continued)**

A new location, potential asset ownership changes, as well as a potential increase in size and opening hours of a new Gladesville Library building will impact on the terms of future agreements regarding the operation of the Joint Library Service at Gladesville. It is recommended that a Memorandum of Understanding be prepared to provide strategic direction for this process. This will outline the key roles and obligations through the process of redevelopment and operation of any new facility. It is important that any potential for a new facility undergoes appropriate cost benefit assessment for the community of Ryde.

The current Joint Library Service Agreement expires on 30 June 2012 and allows for a continuation on a yearly basis. Termination may only occur by way of 12 months written notice to the other party. With this in mind it is recommended to extend for a 12 month period only to allow updated detailed cost analysis to be prepared to inform a new five year agreement post 2013.

**Consultation with relevant external bodies**

In March 2011 Hunters Hill Council requested more information about the operation of the Gladesville Library. The Group Manager, Community Life and the Service Unit Manager, Library Services attended a Hunters Hill Council Workshop on 28 March 2011 and made a presentation that gave statistics for Gladesville Library, comparative statistics with the Library Services of other councils and discussed the role of public libraries in the community.

Hunters Hill Council commissioned an independent report, "Options for the Provision of the Future Library Service". This report was presented to Hunters Hill Council by the Hunters Hill General Manager on 8 August 2011. The independent report concluded with an acknowledgement that a joint venture basis provides the best model for the operation of a Hunters Hill library service, that the most suitable location is Gladesville and that the branch provides good value to Hunters Hill residents.

The report was accompanied by a series of recommendations. These included a recommendation that the General Managers of both councils meet to consider options for the future.

The General Manager of Hunters Hill Council wrote to the General Manager of City of Ryde outlining the recommendations of the report and requesting a meeting. This letter is included as Attachment 1. In December 2011 a meeting was held in response to the letter and the independent review. It was attended by relevant Council staff and it was agreed that further consultation should take place following this report to Council.

**ITEM 15 (continued)****Options**

- 1 That Council could provide 12 month's written notice by 30 June 2012 that they wish to terminate the agreement (in accordance with the terms of the agreement). This would potentially lead to the loss of the Gladesville Library and disadvantage those members of the community that regularly use the branch.

There were 35,917 visits to the branch in the first two quarters of FY2011/12 and 51,847 items were borrowed. In the same period of time 108 events were held, attended by 2,448 patrons. A suggestion of closure of the Gladesville Library may lead to a community reaction as was experienced in 2007.

Whilst it is recognised that this is an option, it is not recommended.

- 2 That Council approve a one year extension to the current agreement.

This will provide the opportunity to determine the actual costs, terms and conditions for a new five year agreement with an aim to constrain council's costs of providing the library.

This is the preferred option and would see the continuation of the Gladesville Library whilst negotiations take place. The combination of this process and the Memorandum of Understanding negotiations will place Council in the best position to have clarity in it's roles, responsibilities and costs in providing this service.

- 3 Do nothing. This is not recommended as it only allows for CPI increases to the agreement which does not represent Council's increased costs.

**Financial Implications**

The ongoing operation of the Joint Library Service is dependant upon the financial contribution from Hunters Hill Council. This contribution supports the Library Service, particularly in regard to the operation of a library at Gladesville.

Any withdrawal of the financial contribution would have a major impact on library operations and it is unlikely that City of Ryde could continue to offer the current range of services if that contribution was withdrawn.

It is recognised that the current agreement needs to be reworked to incorporate Council's current actual costs, including the provision of the Gladesville Library building. The recommendations would provide Council the opportunity to update this.

Adoption of the recommendations will have no financial impact as the service is incorporated in the Library Services budget.

**16 REPORTS DUE TO COUNCIL****Report prepared by:** Meeting Support Coordinator**Report dated:** 02 December 2011**File No.:** GRP/11/5/4/6 - BP11/86**REPORT SUMMARY**

This Report is submitted to Council to review the status of outstanding reports and confirm the date reports are due to be provided to Council as at 21 February 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%  |

**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 37 reports listed. Following consideration of this report there will be no overdue reports due to Council.



**ITEM 16 (continued)**

**RECOMMENDATION:**

That the report on Outstanding Council Reports be endorsed.

**ATTACHMENTS**

- 1 Performance data - Report to Council 28 February 2012
- 2 Outstanding Council Reports as at 21 February 2012

Report Prepared By:

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

Report Approved By:

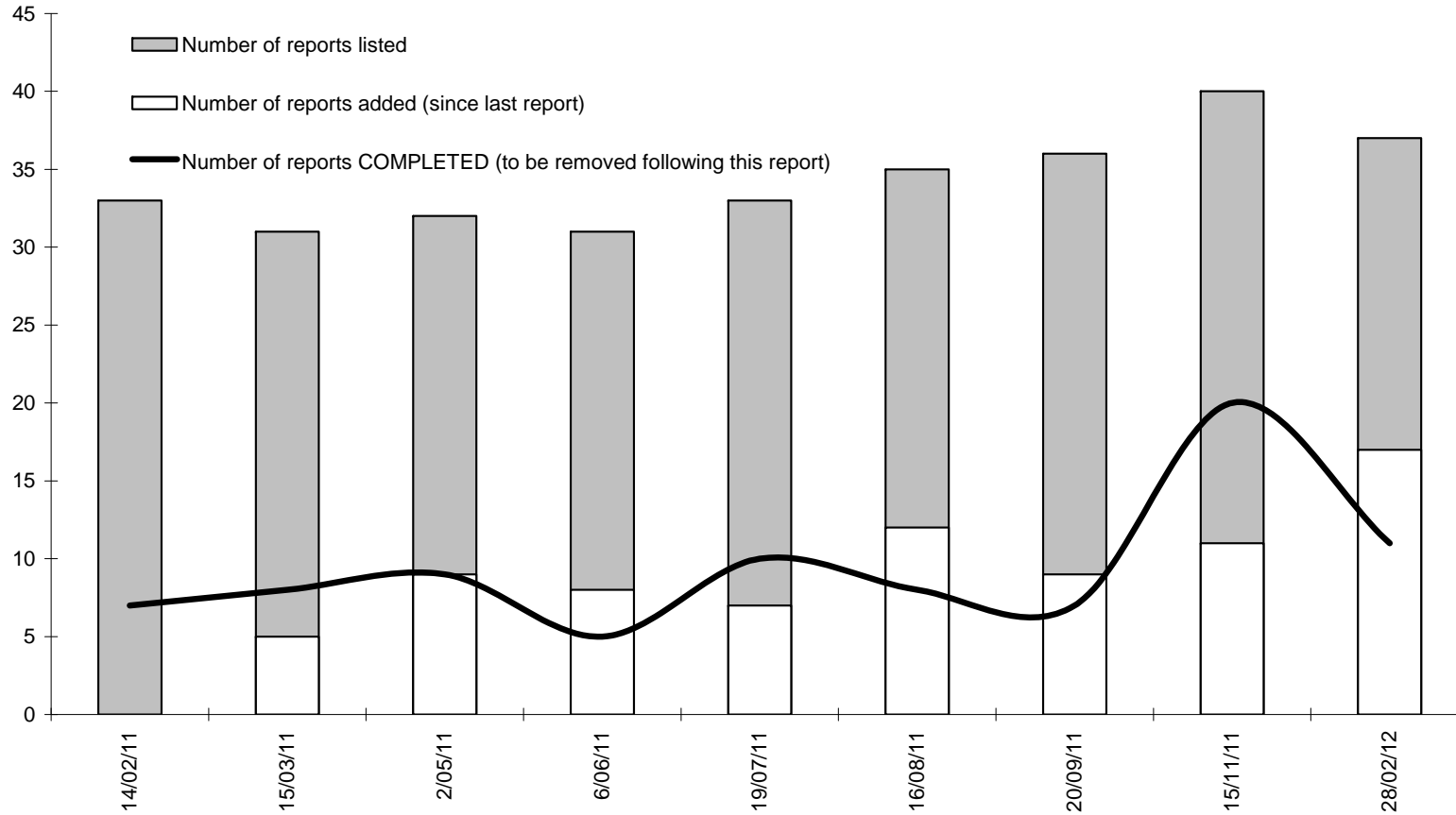
**Shane Sullivan**  
**Manager - Governance**

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

**ITEM 16 (continued)**

**ATTACHMENT 1**

**Outstanding Reports to Council  
Volume of outstanding reports**



**ITEM 16 (continued)**

**ATTACHMENT 2**

**Outstanding Reports**

| <b>Meeting Type</b>    | <b>Resolution</b>   | <b>Due Date of Report</b> | <b>Comments/Update</b>  |
|------------------------|---|---------------------------|---|
| Committee of the Whole | <b>SAFETY EVALUATION OF TREES WITHIN THE CITY OF RYDE - COMPLETED</b>   | 9/08/2011                 | Reviewing other Council's Development Control Plan and tree policies. A Councillor Workshop was held on 9 August 2011.  |
| <b>Meeting Date</b>    |   | <b>Anticipated date</b>   |   |
| 7/12/2010              | (b)That a review of the City Of Ryde's Development Control Plan 2010 Part: 9.6 Tree Preservation be undertaken and reported to Council in six months. | 28/02/2012                | <i>Due to the complexity of the DCP and associated Policy a workshop will be held on 15 November on the draft DCP for consultation with Councillors prior to the document being reported for adoption depending on the result of the workshop.</i>                              |
| <b>Group</b>           |   | <b>Officer</b>            |   |
| Community Life         |   | Fiona Morrison            | <i>Through the workshop held on 15 November, Council were provided an overview of the draft documents and processes proposed. Following the workshop the documents will be updated to reflect the Councillors comments and will be reported to Council on 28 February 2012.</i> |

**ITEM 16 (continued)**

**ATTACHMENT 2**

COMPLETED 28 February 2012

*(To be removed following Council Meeting held 28 February 2012)*

| <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>   | <i>Report to Council Meeting 10 April 2012</i>  |
| 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. | 10/04/2012                |   |
| <b>Group</b>             |   | <b>Officer</b>            |   |
| Environment and Planning | (b) That a further report be provided to Council once the review process is completed.  | Meryl Bishop              |   |

**ITEM 16 (continued)**

**ATTACHMENT 2**

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

**ITEM 16 (continued)**

**ATTACHMENT 2**

Committee.

| <b>Meeting Type</b>                      | <b>Resolution</b>   | <b>Due Date of Report</b>             | <b>Comments/Update</b>   |
|--|---|---------------------------------------|--|
| Council                                  | <b>PUBLIC DOMAIN UPGRADES</b>   | 30/06/2012                            | <i>Part (d) will be reported when the development is undertaken.</i> |
| <b>Meeting Date</b><br>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><br>30/06/2012 | <i>Part (e) will be reported in June 2012.</i>                       |
| <b>Group</b><br>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><br>Meryl Bishop        |  |

**ITEM 16 (continued)**

**ATTACHMENT 2**

| <b>Meeting Type</b>                             | <b>Resolution</b>   | <b>Due Date of Report</b>   | <b>Comments/Update</b>  |
|---|---|---|---|
| Council<br><br><b>Meeting Date</b><br>2/08/2011 | <b>ISSUES ASSOCIATED WITH TRAFFIC BYPASSING THE SOUTHERN END OF WHARF ROAD, MELROSE PARK - COMPLETED</b>  | 1/11/2011   | This matter will be subject of a Report to the Ryde Traffic Committee at its meeting to be held on 24 November 2011, following which a report will be prepared for the Works and Community Committee Meeting to be held on 7 February 2012. |
| <b>Group</b><br><br>Public Works                | (a) That Council investigate issues associated with through traffic that currently bypasses the southern end of Wharf Road Melrose Park, particularly at times when a 40 kph speed limit applies outside Melrose Park Public School by using either Taylor Avenue and Cobham Avenue or Lancaster Avenue and report on measures to encourage through traffic to remain on the collector road system in this area.<br><br>(b) That before any action is taken in this matter, consultation be undertaken with residents in the affected area. | <b>Anticipated date</b><br>7/02/2012<br><br><b>Officer</b><br>Harry Muker | <b>COMPLETED</b><br><br><i>(To be removed following Council Meeting on 28 February 2012).</i>   |

**ITEM 16 (continued)**

**ATTACHMENT 2**

| <b>Meeting Type</b>              | <b>Resolution</b>  | <b>Due Date of Report</b>             | <b>Comments/Update</b>   |
|----------------------------------|--|---------------------------------------|--|
| Council                          | UPGRADE OF PITTWATER ROAD (HIGH STREET TO EPPING ROAD) - Review of Environmental Factors and Community Consultation - COMPLETED                              | 15/11/2011                            | Workshop proposed for 27 September 2011, following which the Review of Environmental Factors will be exhibited for public comment for a period of 21 days. Following the recent Workshop, it was agreed that a Report be prepared for the Council Meeting on 13 December 2011. |
| <b>Meeting Date</b><br>9/08/2011 | (a) That this matter be deferred to allow for a Councilor workshop and for the consultants to be in attendance (to discuss the four stages of this project). | <b>Anticipated date</b><br>13/12/2011 |  |
| <b>Group</b><br>Public Works     | (b) That the community groups consulted in the community engagement process be invited to address Council when the matter is reported back to Council.       | <b>Officer</b><br>Sri Sriamandarajah  | <b>COMPLETED 13 December 2011</b><br><i>(To be removed following Council Meeting held 28 February 2012)</i>  |



**ITEM 16 (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 - CONNECTING COMMUNITIES TO EASTWOOD AFTER THE FIRE - COMPLETED</b>   | 15/11/2011                            | Consultant engaged to undertake report - anticipated completion early December 2011.                        |
| <b>Meeting Date</b><br>23/08/2011        | (a) In response to the tragic fire in Eastwood which has significantly impacted local businesses and residents in the West Ward area, the General Manager provide a comprehensive report to Council within three months that assesses opportunities for increased community infrastructure, social support services and business support for the Eastwood and West Ryde communities. The report should include advice on potential budgetary implications and timeframes for any options proposed. In preparing the report, Council staff are requested to liaise with local community organisations, businesses and local residents. | <b>Anticipated date</b><br>13/12/2011 | Report to Council Meeting on 13 December 2011.  |
| <b>Group</b><br>Environment and Planning |   | <b>Officer</b><br>Meryl Bishop        | <b>COMPLETED</b> 13 December 2011<br><i>(To be removed following Council Meeting held 28 February 2012)</i> |

**ITEM 16 (continued)**

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| <b>Meeting Type</b>  | <b>Resolution</b>  | <b>Due Date of Report</b>   | <b>Comments/Update</b>  |
|--|--|---|---|
| Council<br><br><b>Meeting Date</b><br>23/08/2011<br><br><b>Group</b><br>Environment and Planning | <b>78 HERMITAGE ROAD, WEST RYDE. IDA2011/0022.</b><br><br>(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.<br><br>(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<br><br><b>Anticipated date</b><br>17/04/2012<br><br><b>Officer</b><br>Liz Coad | a) <i>Additional Information request sent to applicant on 29 August 2011.</i><br><br>b) <i>Report to Planning and Environment Committee at date TBA (within three months of receipt of additional information from the applicant).</i><br><br><i>Applicant advised Council on 13 November 2011 that additional information would be submitted shortly and that the premises now complies with WorkCover.</i><br><br><i>Applicant advised Council additional information would be submitted in mid December 2011 - no information was received.</i><br><br><i>Additional information finally submitted to Council on 20 January 2012.</i><br><br><i>Information to be renotified and</i> |

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**ITEM 16 (continued)**

**ATTACHMENT 2**

|                          |  |                           |  |   |
|--------------------------|--|---------------------------|--|---|
|                          |  |                           |  | assessed by Council staff with a further report anticipated to go to Planning and Environment Committee late April 2012.  |
| <b>Meeting Type</b>      | <b>Resolution</b>  | <b>Due Date of Report</b> | <b>Comments/Update</b>                 |   |
| Council                  | ESTABLISHMENT OF A LOCAL PLANNING PANEL  |                           | Report to Council, date to be advised. |   |
| <b>Meeting Date</b>      |  | <b>Anticipated date</b>   |  |   |
| 23/08/2011               | (b) That a report be provided to Council regarding the composition of the Joint Regional Planning Panel. |                           |  | <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>             |  | <b>Officer</b>            |  |   |
| Environment and Planning |  | Liz Coad                  |  |   |

**ITEM 16 (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> |   |                           |  |
| 6/09/2011           | <b>TRAFFIC &amp; PARKING MATTERS PRESENTED TO RYDE TRAFFIC COMMITTEE ON 11 AUGUST 2011 - BRIGHT STREET, RYDE – Request for Resident Parking Scheme - COMPLETED</b>  | 24/11/2011                | <i>This matter will be subject of a Report to the Ryde Traffic Committee at its meeting to be held on 24 November 2011, following which a report will be prepared for the Works and Community Committee Meeting to be held on 7 February 2012.</i> |
| <b>Group</b>        |   | <b>Anticipated date</b>   |  |
| Public Works        |   | 7/02/2012                 | <b>COMPLETED</b>   |
|                     | (a) That Council install a 2P (8.00am – 6pm, Mon-Fri) zone 9 Resident Parking Scheme along Bright Street: between Buffalo Road and Providence Road on one side (north/west), between property numbers 102 Buffalo Road and 25 Providence Road and that this be trialled for 6 months. | <b>Officer</b>            |  |
|                     | (b) That Council contact the State Transit Authority to discuss alternate parking for its staff and that a further report be provided to the Committee for its consideration.   | Ramesh Desai              | <i>(To be removed following Council Meeting on 28 February 2012).</i>  |

**ITEM 16 (continued)**

**ATTACHMENT 2**

| <b>Meeting Type</b>          | <b>Resolution</b>   | <b>Due Date of Report</b>            | <b>Comments/Update</b>  |
|------------------------------|---|--------------------------------------|---|
| Works and Community          | <p><b>Meeting Date</b></p> <p><b>TRAFFIC &amp; PARKING MATTERS PRESENTED TO RYDE TRAFFIC COMMITTEE ON 11 AUGUST 2011 - LUCKNOW ROAD MACQUARIE PARK, AEOLUS AVENUE RYDE, MORRISON ROAD PUTNEY, KENT ROAD, NORTH RYDE - Request for parking restrictions and line marking - COMPLETED</b></p> | 24/11/2011                           | <p>This matter will be subject of a Report to the Ryde Traffic Committee at its meeting to be held on 24 November 2011, following which a report will be prepared for the Works and Community Committee Meeting to be held on 7 February 2012.</p>  |
| 6/09/2011                    | <p>(a) That in relation to parking at Lucknow Road, this matter be deferred to allow Council to undertake the following:</p>  | <b>Anticipated date</b><br>7/02/2012 | <p>On 24 January 2012, Council was advised that 3M wish to take no further action regarding the above matter at this time. This also infers that the negotiation to potentially partially fund the angled parking and associated onsite infrastructure adjustments will NOT go ahead. Council's Section Manager - Traffic &amp; Governance has therefore advised that no report to Council is now required.</p> |
| <b>Group</b><br>Public Works | <p>(i) An investigation of alternate designs of the site.<br/>           (ii) Identifying possible sources of financial contribution.</p> <p>And that a further report be provided to the Committee for its consideration.</p>  | <b>Officer</b><br>Ramesh Desai       | <p><b>COMPLETED</b><br/>           (To be removed following Council Meeting held 28 February 2012)</p>  |

**ITEM 16 (continued)**

**ATTACHMENT 2**

| <b>Meeting Type</b>  | <b>Resolution</b>   | <b>Due Date of Report</b>            | <b>Comments/Update</b>  |
|--|---|--------------------------------------|---|
| Works and Community  | <b>CINEMA IN THE PLAZA - COMPLETED</b>  | 6/12/2011                            | Going to Eastwood Events/Promotion Committee on 28 November 2011. Report prepared for Works and Community Committee Meeting on 7 February 2012. |
| <b>Meeting Date</b><br>27/09/2011                              | (a) That Council endorse the staging of Cinema in the Plaza at Eastwood on Friday, 28 October in place of the scheduled screening in February/March 2012. | <b>Anticipated date</b><br>7/02/2012 | Community Committee Meeting on 7 February 2012.   |
| <b>Group</b><br>Community Life                                 | (b) That following this, a further report be presented to Council detailing the effectiveness of this proposal.   | <b>Officer</b><br>Derek McCarthy     | CIB item placed on 2 December 2011.<br><b>COMPLETED</b>   |
| (To be removed following Council meeting on 28 February 2012). |   |                                      |   |

**ITEM 16 (continued)**

**ATTACHMENT 2**

| <b>Meeting Type</b>                | <b>Resolution</b>  | <b>Due Date of Report</b>             | <b>Comments/Update</b>  |
|------------------------------------|--|---------------------------------------|---|
| Council                            | <b>CODE OF MEETING PRACTICE - COMPLETED</b>  | 13/12/2011                            | Public submission period closes 25 November 2011. Report will be provided following this.                   |
| <b>Meeting Date</b><br>27/09/2011  | (d)That once the public submission period has closed a further report be provided to Council to consider adoption of the draft Code of Meeting Practice. | <b>Anticipated date</b><br>13/12/2011 | Report listed for Council Meeting on 13 December 2011.  |
| <b>Group</b><br>Corporate Services |  | <b>Officer</b><br>Shane Sullivan      | <b>COMPLETED 13 December 2011</b><br><i>(To be removed following Council Meeting held 28 February 2012)</i> |

**ITEM 16 (continued)**

**ATTACHMENT 2**

| <b>Meeting Type</b>               | <b>Resolution</b>   | <b>Due Date of Report</b>             | <b>Comments/Update</b>  |
|-----------------------------------|---|---------------------------------------|---|
| Works and Community               | <b>ADOPTION OF THE PUTNEY PARK PLAN OF MANAGEMENT</b>   | 20/03/2012                            | <i>Currently in discussions with other business units regarding a plan of action.</i> |
| <b>Meeting Date</b><br>11/10/2011 | (b) That a further report be provided to Council regarding a plan of action addressing the following matters:   | <b>Anticipated date</b><br>20/03/2012 | <i>Report anticipated for March 2012.</i>   |
| <b>Group</b><br>Community Life    | <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>Officer</b><br>Fiona Morrison      |   |



**ITEM 16 (continued)**

**ATTACHMENT 2**

| <b>Meeting Type</b>   | <b>Resolution</b>  | <b>Due Date of Report</b>   | <b>Comments/Update</b>  |
|---|--|---|---|
| <b>Meeting Date</b><br>11/10/2011<br><br><b>Group</b><br>Community Life | <b>Resolution</b><br>UPDATE ON THE ESTABLISHMENT OF MARKET/FAIR IN RYDE BY CHAMBER OF COMMERCE<br><br>That a further report, including a Project Plan, be provided to Council following receipt of a formal proposal from the Chamber of Commerce as set out in this report. | <b>Anticipated date</b><br>20/03/2012<br><br><b>Officer</b><br>Derek McCarthy | <b>Comments/Update</b><br>Anticipated date of report will be provided pending further advice from the Chamber of Commerce.<br><br>Update provided in CIB on 24 November 2011. Awaiting further information from the Chamber of Commerce after the Community Christmas Celebration being held on 4 December 2011.<br><br>Council has received correspondence from the Ryde Chamber of Commerce and was presented at the Economic Development Advisory Committee (Feb 9th 2012) that "prior to Christmas the steering committee carried out research into what people wanted from a regular fair with regard to frequency of event, time of year, quality of goods etc. Due to the future redevelopment of Church Street, Ryde Park is now the preferred venue. The committee is working with |

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**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 29 September 2011 - BELMORE STREET, MEADOWBANK - Request for parking restrictions</b>  | 17/07/2012                | <i>Council's Community Events section to conduct a fair at the 2012 Christmas celebration held in Ryde Park and the 2013 Community Harmony Day."</i>   |
| <b>Meeting Date</b> |   |                           |  |
| 1/11/2011           |   | <b>Anticipated date</b>   |  |
|                     | 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                | <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              |  |

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**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 29 September 2011 - POTTS STREET, RYDE - Review of parking restrictions</b> | 17/07/2012                            | <i>Report to Ryde Local Traffic Committee Meeting to be held on 24 May 2012, following which a report will be prepared for the Works and Community Committee Meeting to be held on 17 July 2012.</i> |
| 1/11/2011                    | (f) Proposal be trialled for a period of six months with a further report provided to the Committee.   | <b>Anticipated date</b><br>17/07/2012 |  |
| <b>Group</b><br>Public Works |  | <b>Officer</b><br>Ramesh Desai        |  |

**ITEM 16 (continued)**

**ATTACHMENT 2**

| <b>Meeting Type</b>      | <b>Resolution</b>   | <b>Due Date of Report</b> | <b>Comments/Update</b>  |
|--------------------------|---|---------------------------|---|
| Council                  | 29 TRAMWAY STREET, WEST RYDE, LOT 9 DP 8283. Local Development Application for Demolition, multi dwelling housing (attached) consisting of 4 units & strata subdivision. LDA 2011/0167. - COMPLETED   | 6/12/2011                 | COMPLETED<br><i>(To be removed following Council Meeting held 28 February 2012)</i> |
| <b>Meeting Date</b>      |   | <b>Anticipated date</b>   |   |
| 8/1/2011                 | (a) That this application be deferred to allow the applicant to submit amended plans addressing the issues of concern raised at the Planning and Environment Committee Meeting including site levels, finished floor levels and courtyards, privacy, protection of vegetation, overland flow and the provision of boundary fencing. | 6/12/2011                 |   |
| <b>Group</b>             |   | <b>Officer</b>            |   |
| Environment and Planning | (b) That the adjoining neighbours be notified of the amended plans and that a further report be provided to the next practicable Planning and Environment Committee Meeting after the end of the notification period.   | Liz Coad                  |   |

**ITEM 16 (continued)**

**ATTACHMENT 2**

| <b>Meeting Type</b>                      | <b>Resolution</b>  | <b>Due Date of Report</b>             | <b>Comments/Update</b>                    |
|--|--|---------------------------------------|---|
| Council                                  | <b>TOP RYDER COMMUNITY BUS SERVICE, CONTINUATION OF SERVICE</b>  | 22/05/2012                            | <i>Report to Council in late May 2012</i> |
| <b>Meeting Date</b><br>8/11/2011         | That a report be prepared to investigate the merits of Council expanding the Top Ryder bus service to include operating hours on Sundays and for the bus routes to include Marsfield and Macquarie University. | <b>Anticipated date</b><br>22/05/2012 |   |
| <b>Group</b><br>Environment and Planning |  | <b>Officer</b><br>Sam Cappelli        |   |

**ITEM 16 (continued)**

**ATTACHMENT 2**

| <b>Meeting Type</b>              | <b>Resolution</b>  | <b>Due Date of Report</b>             | <b>Comments/Update</b>  |
|----------------------------------|--|---------------------------------------|---|
| Council                          | <b>FEE/CHARGE ESTABLISHMENT FOR LIBRARY PUBLICATION - COMPLETED</b>  | 27/03/2012                            | No submissions reviewed. No report required. Will be incorporated in 12/13 fees and charges to be reported to Council in April. |
| <b>Meeting Date</b><br>8/11/2011 | a) That the fee/charge of \$10.40 for the purchase of Sweet and Savoury Family Recipes be publicly exhibited for a period of not less than 28 days from 9 November to 6 December 2011. | <b>Anticipated date</b><br>27/03/2012 | <i>COMPLETED (To be removed following Council meeting on 28 February 2012).</i>   |
| <b>Group</b><br>Community Life   | (b) That a further report be presented to Council for consideration after the exhibition period, should any submissions be made.   | <b>Officer</b><br>Jill Webb           |   |

**ITEM 16 (continued)**

**ATTACHMENT 2**

| <b>Meeting Type</b>              | <b>Resolution</b>  | <b>Due Date of Report</b>             | <b>Comments/Update</b>  |
|----------------------------------|--|---------------------------------------|---|
| Council                          | <b>SKATEBOARD CLINICS FOR ALL AGES AND ABILITIES IN THE CITY OF RYDE - COMPLETED</b>   | 13/12/2011                            | Report to Council Meeting on 13 December 2011.  |
| <b>Meeting Date</b><br>8/11/2011 | That Council prepare a report within a month that identifies a suitable venue for a skateboard clinic to be conducted during the school holiday period. This report should also include estimated costs to Council, identify any insurance risks or liabilities and the process that would be required to engage interested parties to organise and promote skateboard clinics for all ages and abilities in the City of Ryde. | <b>Anticipated date</b><br>13/12/2011 | <b>COMPLETED</b> 13 December 2011<br><i>(To be removed following Council Meeting held 28 February 2012)</i> |
| <b>Group</b><br>Community Life   |  | <b>Officer</b><br>Fiona Morrison      |   |

**ITEM 16 (continued)**

**ATTACHMENT 2**

| <b>Meeting Type</b>               | <b>Resolution</b>  | <b>Due Date of Report</b>                 | <b>Comments/Update</b>   |
|-----------------------------------|--|---|--|
| Council                           | <b>MEN'S SHED</b>  | 20/03/2012                                | <i>Report anticipated for March 2012.</i>                        |
| <b>Meeting Date</b><br>8/11/2011  | That the General Manager, in consultation with local community organisations, investigate the feasibility of setting up a Men's Shed and report back to Council. | <b>Anticipated date</b><br>20/03/2012     |  |
| <b>Group</b><br>Community Life    |  | <b>Officer</b><br>Baharak<br>Sahbekhitari |  |
| <b>Meeting Type</b><br>Council    | <b>Resolution</b><br><b>FLOOD MODELLING FEES &amp; CHARGES</b>   | <b>Due Date of Report</b><br>27/03/2012   | <i>Proposed Fees on public exhibition until 8 February 2012.</i> |
| <b>Meeting Date</b><br>22/11/2011 | (c) That a further report be presented to Council for consideration after the advertising period addressing any submissions made.                                | <b>Anticipated date</b><br>27/03/2012     |  |
| <b>Group</b><br>Public Works      |  | <b>Officer</b><br>Austin Morris           |  |



**ITEM 16 (continued)**

**ATTACHMENT 2**

| <b>Meeting Type</b>                      | <b>Resolution</b>  | <b>Due Date of Report</b>     | <b>Comments/Update</b> |
|--|--|-------------------------------|------------------------|
| Council                                  | <b>NOTICE OF MOTION - SHORTFALL OF OPEN SPACE IN PARTS OF NORTH RYDE</b>   | 1/06/2012                     |                        |
| <b>Meeting Date</b><br>22/11/2011        | (a) That in accordance with the draft IOSP which identifies a shortfall of open space in parts of North Ryde, Council facilitate a meeting with the Transport Coordination Authority development team to request that as part of the developers contribution through either Section 94 or a VPA, to provide in the identified areas for open space to include sportsgrounds and/or multi use sports facility (including the possibility of synthetic surfaces) to benefit the community of Ryde. | <b>Anticipated date</b>       |                        |
| <b>Group</b><br>Environment and Planning | (b) That the meeting include all key stakeholders, such as Ryde City Hockey Club with the outcomes being reported to Council.  | <b>Officer</b><br>Adrian Melo |                        |

**ITEM 16 (continued)**

**ATTACHMENT 2**

| <b>Meeting Type</b> | <b>Resolution</b>  | <b>Due Date of Report</b> | <b>Comments/Update</b>   |
|---------------------|--|---------------------------|--|
| Council             | SHAFTSBURY ROAD AND GLEN STREET, EASTWOOD - Proposed Roundabout (Black Spot Remediation Site - UPDATE) | 6/03/2012                 | Consultation scheduled to be undertaken in January / February 2012, following which a report will be prepared for Works & Community in March 2012. |
| <b>Meeting Date</b> | (b) That the results of the community consultation be tabled at Council.                               | <b>Anticipated date</b>   |  |
| 22/11/2011          |  | 6/03/2012                 |  |
| <b>Group</b>        |  | <b>Officer</b>            |  |
| Public Works        |  | Harry Muker               |  |

**ITEM 16 (continued)**

**ATTACHMENT 2**

|                                   |   |   |  |
|-----------------------------------|---|---|--|
| <b>Meeting Type</b><br>Council    | <b>Resolution</b><br>POTENTIAL DEVELOPMENT PARTNERSHIP ARRANGEMENT FOR COULTER STREET CAR PARK                | <b>Due Date of Report</b><br>26/06/2012 | <b>Comments/Update</b>   |
| <b>Meeting Date</b><br>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><br>26/06/2012   |  |
| <b>Group</b><br>General Manager   |   | <b>Officer</b><br>Mitch Corn            |  |
| <b>Meeting Type</b><br>Council    | <b>Resolution</b><br>DEEBLE STREET – Negotiations on Leasing Landscaped Area                                  | <b>Due Date of Report</b><br>20/03/2012 | <b>Comments/Update</b><br>Submissions close 31 January 2012.                   |
| <b>Meeting Date</b><br>22/11/2011 | (b)That the matter be referred back to Council on receipt of submissions.                                     | <b>Anticipated date</b><br>20/03/2012   | <i>Report anticipated to Works &amp; Community Committee on 20 March 2012.</i> |
| <b>Group</b><br>Public Works      |   | <b>Officer</b><br>Russell Nash          |  |

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**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>  |                           | <i>Report to Council following mediation meeting - meeting is scheduled for 24 January 2012.</i> |
| <b>Meeting Date</b>      |   | <b>Anticipated date</b>   |  |
| 22/11/2011               |   |                           |  |
| <b>Group</b>             |   | <b>Officer</b>            |  |
| Environment and Planning | That this matter be deferred to allow the Group Manager, Environment and Planning to undertake mediation to address the issues of overshadowing, privacy and unacceptable non compliances and that a further report be provided to Council following the conduct of this mediation.<br><br>Objector could not attend set time and date for the mediation meeting.<br><br>Council officers arranging an alternate date in February 2012 (to be confirmed). | Liz Coad                  |  |

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**ATTACHMENT 2**

| <b>Meeting Type</b>                              | <b>Resolution</b>   | <b>Due Date of Report</b>                | <b>Comments/Update</b> |
|--|---|--|------------------------|
| Council<br><br><b>Meeting Date</b><br>22/11/2011 | <b>MAYORAL MINUTE 15/11 - CUDAL RESERVE PUTNEY AND SMALLS ROAD RYDE</b><br><br>(a) That the Mayor and General Manager pursue meetings with the relevant State Government Ministers with the purpose of:<br><br>(1) ensuring that both sites remain in public ownership;<br><br>(2) ensuring that the zoning of both sites reflects public ownership;<br><br>(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;<br><br>(4) obtaining the dedication of the ovals within the former school site at Small's Road as a park under the care, control and management of the City of Ryde in perpetuity at no cost to Council.<br><br>(b) That this matter be reported back to Council. | 1/05/2012<br><br><b>Anticipated date</b> |                        |
| <b>Group</b><br>Environment and Planning         |   | <b>Officer</b><br>Meryl Bishop           |                        |

**ITEM 16 (continued)**

**ATTACHMENT 2**

| <b>Meeting Type</b>               | <b>Resolution</b>  | <b>Due Date of Report</b>             | <b>Comments/Update</b>  |
|-----------------------------------|--|---------------------------------------|---|
| Council                           | <b>PARTICIPATION OF LOCAL SCOUT AND GUIDES GROUPS AT CITY OF RYDE CITIZENSHIP CEREMONIES</b>   | 20/03/2012                            | <i>Consulting with schools when they return in February 2012.</i> |
| <b>Meeting Date</b><br>22/11/2011 | That the General Manager prepare a report to Council:-   | <b>Anticipated date</b><br>20/03/2012 |   |
| <b>Group</b><br>Community Life    | (a) On how the format for the City of Ryde Citizenship Ceremonies could be changed to incorporate the Local Scout groups and Guides participation in these ceremonies.<br><br>(b) To investigate with the local Primary and High School Principals to develop a concept for school bands to perform with the Ryde City Band at the Citizenship Ceremony. | <b>Officer</b><br>Derek McCarthy      |   |

**ITEM 16 (continued)**

**ATTACHMENT 2**

| <b>Meeting Type</b>               | <b>Resolution</b>  | <b>Due Date of Report</b>                | <b>Comments/Update</b> |
|-----------------------------------|--|--|------------------------|
| Works and Community               | <b>WEST RYDE COMMUNITY CENTRE - Endorsement of Relationship Australia, Good Beginnings and Korean Lifeline</b>   |  |                        |
| <b>Meeting Date</b><br>6/12/2011  | (b) That staff report to Council at the conclusion of negotiations to confirm endorsement of the specific community tenant and subsidy to be provided. | <b>Anticipated date</b>                  |                        |
| <b>Group</b><br>Community Life    |  | <b>Officer</b><br>Baharak<br>Sahbekehari |                        |
| <b>Meeting Type</b><br>Council    | <b>SKATEBOARD CLINICS FOR ALL AGES AND ABILITIES IN THE CITY OF RYDE</b>   | <b>Due Date of Report</b><br>28/02/2013  |                        |
| <b>Meeting Date</b><br>13/12/2011 | (c) That a further report be presented to Council in February 2013 at the conclusion of the series of skate clinics.                                   | <b>Anticipated date</b>                  |                        |
| <b>Group</b><br>Community Life    |  | <b>Officer</b><br>Fiona Morrison         |                        |

**ITEM 16 (continued)**

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|  |   |                                  |                               |
|--|---|----------------------------------|-------------------------------|
| <p><b>Meeting Type</b><br/>Council</p>           | <p><b>Resolution</b><br/>DRAFT DEVELOPMENT CONTROL<br/>PLAN - Part 4.4 Ryde Town Centre</p>   | <p><b>Due Date of Report</b></p> | <p><b>Comments/Update</b></p> |
| <p><b>Meeting Date</b><br/>13/12/2011</p>        | <p>(b) That a report be prepared for Council's consideration following the exhibition period of draft DCP 2010 - 4.4 Ryde Town Centre.</p>      | <p><b>Anticipated date</b></p>   |                               |
| <p><b>Group</b><br/>Environment and Planning</p> |   | <p><b>Officer</b></p>            |                               |
| <p><b>Meeting Type</b><br/>Council</p>           | <p><b>Resolution</b><br/>TENDER FOR SURVEYING AND ASSESSMENT OF CITY OF RYDE'S CUSTOMER SERVICES</p>  | <p><b>Due Date of Report</b></p> | <p><b>Comments/Update</b></p> |
| <p><b>Meeting Date</b><br/>13/12/2011</p>        | <p>(b) That Council be provided with a further report exploring online and other options with costs that are available in the market place.</p> | <p><b>Anticipated date</b></p>   |                               |
| <p><b>Group</b><br/>Corporate Services</p>       |   | <p><b>Officer</b></p>            |                               |



**ITEM 16 (continued)**

**ATTACHMENT 2**

| <b>Meeting Type</b>                | <b>Resolution</b>   | <b>Due Date of Report</b> | <b>Comments/Update</b> |
|------------------------------------|---|---------------------------|------------------------|
| Council                            | LEGAL ACTION - LGFS Rembrandt Investment and Funding Agreement                                    |                           |                        |
| <b>Meeting Date</b><br>13/12/2011  | (c) That an updated report on the settlement discussions be provided to the next Council meeting. | <b>Anticipated date</b>   |                        |
| <b>Group</b><br>Corporate Services |   | <b>Officer</b>            |                        |

**ITEM 16 (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 & 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><br>Public Works |   | <b>Officer</b><br>Ramesh Desai |  |

**ITEM 16 (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 &amp; 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              |   |

**PRECIS OF CORRESPONDENCE****1 STATE PROPERTY AUTHORITY - 3A AND 3B SMALLS ROAD, RYDE**

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**Report prepared by:** Executive Assistant to Group Manager**Report dated:** 15/02/2012**File No.:** GRP/09/6/5 - BP12/125

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**Correspondence:**

Further to Council's resolution dated 13 December 2011 regarding 3A and 3B Smalls Road, Ryde, the following correspondence was sent and received.

- (b) That a submission is made to the Department of Planning and Infrastructure and State Property Authority expressing Council's concern about the possible sale of land associated with Small's Road Ryde School and requesting that the Small's Road Ryde School land be retained either as a school site or dedicated open space.

**RECOMMENDATION**

That the correspondence be received.

**ATTACHMENTS**

- 1 3A and 3B Smalls Road, Ryde - School - Letter - State Property Authority - James Arena - Manager Property Transactions
- 2 3A and 3B Smalls Road, Ryde - Letter - State Property Authority - Simon Furness, Executive Director - Divestments, Acquisitions and Developments (DAD)

Report Prepared By:

**Sandra Warbrick**  
**Executive Assistant to Group Manager**

Report Approved By:

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

**Precis of Correspondence (continued)**

**ATTACHMENT 1**

City of Ryde

ABN 81 621 292 610

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Mr. James Arena  
Manager Property Transactions  
State Property Authority  
GPO Box 5341  
Sydney NSW 2001

21 December 2011

Our ref: LEP2008/22/003

Dear Mr. Arena

**3A and 3B Small's Road Ryde – School**

As you are aware Council has been developing a comprehensive Local Environmental Plan (LEP) for the City of Ryde known as draft Ryde LEP 2011. Under the draft Plan the subject property is proposed to be rezoned from SP2 School to R2 Low Density Residential. The rezoning of the land to R2 is in response to the requirements of the Department of Planning and Infrastructure (DoPI).

As a result of correspondence from SPA Council is now aware that a portion of the site known as the oval site at 3B Smalls Road, Ryde has been declared surplus to Government and the SPA is acting as the disposal authority for the surplus portion of the site.

Council on the 14 December 2011 resolved that a submission be made to SPA and the DoPI expressing its great concern with the possible sale of land which from a community perspective is regarded as open space and once sold can never be returned to the community for use as open space or any other community activity.

Council in following the requirements of the Department of Planning and Infrastructure's directions with respect to the zoning of SP2 land did so on the basis of the planning principles that were stated in the Practice Notes and espoused by the Departments staff. The rezoning of SP2 land was not undertaken on the basis of land being able to be sold off without consideration or consultation with Council or the community.

Council strongly objects to the possible sale of the subject land and requests that the land either be retained as for school purposes or made available to Council for open space.

Your response to this matter and proposed action with regard to the possible sale of Small's Road school land is requested as soon as possible.

I thank you for addressing this matter and if you have further enquiries please contact Meryl Bishop, Manager of Urban Planning on telephone 9952 8228.

Yours sincerely,



Dominic Johnson  
Group Manager – Environment and Planning

**Precis of Correspondence (continued)**

**ATTACHMENT 2**



14 February 2012

Ref:1112018

Dominic Johnson  
Group Manager, Environment and Planning  
City of Ryde  
Civic Centre  
1 Devlin Street  
RYDE NSW 2069

Dear Mr Johnson,

**3A AND 3B SMALLS ROAD, RYDE**

I refer to your correspondence dated 21 December 2011 noting your concern about the sale of the surplus portion of the above site known as 3B Smalls Road, Ryde.

The State Property Authority (SPA) is managing the disposal in accordance with Government policy, which provides that market value is to be realised on the sale of surplus Government assets.

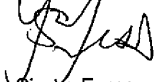
The property will be offered on the open market and proceeds from the sale will be returned to consolidated funds and reinvested by Government in services and infrastructure. I note Council's request that the surplus land be made available to Council for open space. Council may therefore wish to consider purchasing the surplus land at market value. SPA would be pleased to receive your advice in writing so this can be taken into consideration prior to placing the property onto the open market.

In response to your comment about retaining the property for school purposes, the Department of Education and Communities has previously declared the land at 3B Smalls Road to be surplus and therefore no longer required for school purposes.

For your information Ageing, Disability and Home Care (ADHC) have expressed in writing to SPA an interest in acquiring the site at 3B Smalls Road at market value for the Ryde Area Supported Accommodation for Intellectually Disabled known as RASAIID.

Should you have any further questions please contact James Arena, Manager, Property Transactions on 9273 3953.

Yours sincerely



Simon Furness  
Executive Director, DAD (Divestments, Acquisitions and Developments)

Bligh House  
4-6 Bligh Street  
Sydney NSW 2000

GPO Box 5341  
Sydney NSW 2001  
(02) 9273 3800

ABN 91 240 597 400 | [www.spa.nsw.gov.au](http://www.spa.nsw.gov.au)

## **NOTICES OF MOTION**

### **1 RECOGNITION OF RYDE CITIZENS OF THE YEAR - Councillor Justin Li**

**File Number: CLM/12/1/4/6 - BP12/118**

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#### **MOTION:**

That the City of Ryde recognises all previous Ryde Citizens of the Year and Young Ryde Citizens of the Year by providing each recipient with an appropriate badge and recording their names on a board displayed in the Civic Centre (to be updated each year).

### **2 JOINT STATE/COUNCIL PUBLIC AWARENESS CAMPAIGN TO HIGHLIGHT ANTI-LITTERING - Councillor Roy Maggio**

**File Number: CLM/12/1/4/6 - BP12/119**

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#### **MOTION:**

That the City of Ryde write to the Minister of Ports, the Hon. Duncan Gay and the Minister for the Environment, the Hon. Robyn Porter, to request resources for a joint State/Council public awareness campaign to highlight anti-littering messages at local wharves for the purpose of protecting public health and amenity for residents, commuters and visitors.

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## **NOTICES OF RESCISSION**

### **1 NOTICE OF RESCISSION - TENDER FOR THE PROVISION OF ADVERTISING SERVICES - Councillor Nicole Campbell, Councillor Gabrielle O'Donnell, Councillor Bill Pickering**

**File Number: CLM/12/1/4/7 - BP12/141**

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That Council rescind the previous resolution in relation to ITEM 17, passed at the Council Meeting held on 13 December 2011, namely:

- (a) *That Council reject all tenders.*
- (b) *That both tenderers present their submissions at a Councillor workshop.*
- (c) *That a further report be presented to Council on the outcome of the workshop.*



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## **CONFIDENTIAL ITEMS**

### **17 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:** 17 February 2012

**File No.:** GRP/11/7/1/6 - BP12/142

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