

Meeting Date: Tuesday 9 December 2014
Location: Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde
Time: 7.30pm

Council Meetings will be recorded on audio tape for minute-taking purposes as authorised by the Local Government Act 1993. Council Meetings will also be webcast.

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1 CONFIRMATION OF MINUTES - Council Meeting held on 25 November 2014

Report prepared by: Section Manager - Governance
File No.: CLM/14/1/4/2 - BP14/143

REPORT SUMMARY

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

RECOMMENDATION:

That the Minutes of the Council Meeting 19/14, held on 25 November 2014 be confirmed.

ATTACHMENTS

- 1 Minutes - Ordinary Council Meeting - 25 November 2014

ITEM 1 (continued)

ATTACHMENT 1

**Council Meeting
MINUTES OF MEETING NO. 19/14**

Meeting Date: Tuesday 25 November 2014

Location: Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde

Time: 7.30pm

Councillors Present: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Pendleton, Perram, Salvestro-Martin, Simon and Yedelian OAM.

Note: Councillor Salvestro-Martin arrived at the meeting at 7.52pm and was present for consideration and voting on Items 9, 10, 11, Precis of Correspondence 1, Precis of Correspondence 2, Precis of Correspondence 3, Notice of Motion 1, Questions with Notice 1, Confidential Items 12, 13 and 14.

Apologies: Nil.

Leave of Absence: Councillors Laxale and Li.

Absent: Councillor Maggio and Councillor Petch (currently suspended).

Staff Present: Acting General Manager, Acting Group Manager – Community Life, Group Manager – Corporate Services, Acting Group Manager – Environment and Planning, Acting Group Manager – Public Works, General Counsel, Chief Financial Officer, Manager – Governance, Risk and Audit, Manager – Communications and Media, Manager – Human Resources, Manager – Assessment, Senior Development Engineer and Section Manager – Governance.

PRAYER

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

DISCLOSURES OF INTEREST

There were no disclosures of interest.

TABLING OF PETITIONS

No Petitions were tabled.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

No addresses were made to Council.

ITEM 1 (continued)

ATTACHMENT 1

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

No addresses were made to Council.

MATTER OF URGENCY

Councillor Chung advised that he wished to raise a Matter of Urgency with regards to congratulating Councillor Jerome Laxale and his wife Mrs Karyn Laxale on the birth of their baby son.

Note: The Mayor, Councillor Pickering accepted this Item as an Urgent Item.

Note: Councillor Salvestro-Martin was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Chung and Yedelian OAM)

That Council consider a Matter of Urgency with regards to congratulating Councillor Jerome Laxale and his wife Mrs Karyn Laxale, the time being 7.36pm.

Record of Voting:

For the Motion: Unanimous

MATTER OF URGENCY – CONGRATULATING COUNCILLOR JEROME LAXALE AND HIS WIFE MRS KARYN LAXALE

Note: Councillor Salvestro-Martin was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Chung and Yedelian OAM)

That Council congratulate Councillor Jerome Laxale along with his wife Mrs Karyn Laxale and their daughters Madeline and Amelie on the birth of their son and baby brother, Harry Alain Ian Laxale.

Record of Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

MAYORAL MINUTES

MM35/14 ACTIONS ARISING FROM COUNCILLOR WORKSHOP ON SISTER CITY / FRIENDSHIP AGREEMENTS – The Mayor, Councillor Bill Pickering

Note: Councillor Salvestro-Martin was not present for consideration or voting on this Item.

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

That as Mayor of the City of Ryde, I write to the City of Dongguan expressing Council's interest in pursuing closer ties with their City, subject to the formal adoption of a Friendship Agreement together with the relevant Policy in February 2015.

Record of Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Pendleton and Yedelian OAM

Against the Motion: Councillors Simon and Perram

MM36/14 CHATHAM ROAD, WEST RYDE – PARKING – The Mayor, Councillor Bill Pickering

Note: Councillor Salvestro-Martin was not present for consideration or voting on this Item.

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

That subject to the concurrence of the Ryde Traffic Committee, Council install the parking controls identified in the Traffic Committee report titled "Chatham Road, West Ryde – Provision of three (3) 1/2P Parking Bays from No.1-5 Chatham Road and No Stopping During Peak Periods", as follows:

- (a) 1/2P: 10am – 3pm, Mon-Fri; 8:30am-12:30p, Sat
- (b) No Stopping: 6am – 10am; 3pm-7pm, Mon – Fri

Record of Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

COUNCIL REPORTS

1 CONFIRMATION OF MINUTES - Council Meeting held on 11 November 2014

Note: Councillor Salvestro-Martin was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Yedelian OAM and Pendleton)

That the Minutes of the Council Meeting 18/14, held on 11 November 2014 be confirmed.

Record of Voting:

For the Motion: Unanimous

2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 12/14 held on 18 November 2014

Note: Councillor Salvestro-Martin was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Chung and Yedelian OAM)

That Council determine Item 3 of the Planning and Environment Committee report 12/14 held on 18 November 2014, noting that Items 1 and 2 were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

3 7-9 RUTLEDGE STREET, EASTWOOD, LOT 1 DP1111051 and LOT 24 DP 653568. Staged Development: mixed use development comprising 613m² of retail space and 100 residential apartments upon completion of both stages & strata subdivision. LDA 2011/0612.

Note: Councillor Salvestro-Martin was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Chung and Yedelian OAM)

- (a) That Local Development Application No. 2011/0612 comprising staged development as outlined below for the construction and strata subdivision of a mixed use development at 7-9 Rutledge Trelawney Street, Eastwood be approved subject to the conditions set out below:-

ITEM 1 (continued)

ATTACHMENT 1

i. Stage 1

- Construction of mixed use development with 483m² of retail space and 99 residential apartments;
- Provide a new vehicular crossing and access ramp directly from Trelawney Street frontage;
- Strata subdivision of the development.

ii. Stage 2

- Remove the access ramp and vehicular crossing approved under Stage 1 above and replace it with additional retail space equating to 130m² of gross floor space on the lower ground floor level;
- Construct a new 2 bedroom apartment within the void area above the retail level resulting from the removal of the ramp;
- Provide new access to the building from the northern corner of the building via Eastwood Shopping Centre access ramp (existing ROW). This may be possible if the Eastwood Shopping Centre site is redeveloped in the future;

STAGED DEVELOPMENT CONDITION:

In accordance with Section 83B of the Environmental Planning and Assessment Act this development comprises a Staged Development. A further Development Consent must be obtained for Stage 2 of the development.

1. **Stage 1:** Stage 1 of the development shall comprise of the following:
 - (a) Construction of mixed use development with 483m² of retail space and 99 residential apartments;
 - (b) Provide a new vehicular crossing and access ramp directly from Trelawney Street frontage as per approved plan;

Stage 2: Concept approval comprising the following:

- Removal of the access ramp and vehicular crossing approved under Stage 1 above and replace it with additional retail space equating to approximately 130m² of gross floor space on the lower ground floor level;
- Construction of a new 2 bedroom apartment within the void area above the retail level resulting from the removal of the ramp;
- Provision of new access to the building from the northern corner of the building via Eastwood Shopping Centre access ramp (existing ROW). This is possible when the Eastwood Shopping Centre site is redeveloped in the future (subject to future details);

ITEM 1 (continued)

ATTACHMENT 1

GENERAL CONDITIONS – STAGE 1

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

2. **Approved Plans.** Except where otherwise provided in this consent, the development is to be carried out strictly in accordance with the following plans (stamped approved by Council) and support documents except as amended by conditions of this Consent:

Plan Numbers:	Document Description	Date	Issue
DA-01	Colour Scheme – Photomontage	---	C
DA-02	Site Plan	29/08/2013	B
DA-05	Basement 3	2/06/2014	D
DA-06	Basement2	2/06/2014	D
DA-07	Basement 1	2/06/2014	D
DA-08	Lower Ground Floor – Stage 1	30/07/2014	I
DA-09	Ground Floor	23/05/2014	F
DA-10	Level 1	29/08/2013	C
DA-11	Levels 2 to 5 (floor layout)	29/08/2013	C
DA-12	Level 6	29/08/2013	C
DA-13	Level 7-9 (Floor layout)	29/08/2013	C
DA-14	Roof Garden & Landscape	29/08/2013	C
DA-15	Roof Plan	29/08/2013	C
DA-16	Section A	29/08/2013	C
DA-17	Section B	29/08/2013	B
DA-18	North Elevation	29/08/2013	B
DA-19	East Elevation	29/08/2013	B
DA-20	South Elevation	29/08/2013	B
DA-21	West Elevation – Stage 1	30/07/2014	E
DA-31	Solar Access to apartments	23/09/2013	A
DA-33	Material Finishes Board	29/08/2013	B
DA-34	Perspective 1 (with landscape)	29/08/2013	B
DA-35	Perspective 2	29/08/2013	A
DA-36	Perspective 3	29/08/2013	A
DA-37	Perspective 4	29/08/2013	A
387292M_02	BASIX Certificate	24/7/2013	-
	Waste Management Plan	--	
Access Report	Prepared by Mark Relf	26 September 2011	
Doc No.11184 Job No. 2172/5	Acoustic Report by West & Associates Pty Ltd	21 September 2011	

Prior to the issue of a Construction Certificate, the following amendments shall be made (or as marked in red on the approved plans where applicable):

ITEM 1 (continued)

ATTACHMENT 1

- a) **Awning:** The height of the street awning shall not be less than 3 metres or greater than 4.5m measured from the finished pavement level of the footpath. Such awning must:
- a. Be set back from the face of the kerb by 0.6m;
 - b. Have cut-outs of 1m wide by 1m deep to accommodate street trees, where the frontage is proposed to accommodate street trees in relation to proposed public domain improvement works;
 - c. Be weather sealed to the face of the building to which they are attached and to the adjoining awnings;
 - d. Have a height clearance as stated above or consistent with adjacent awnings; and
 - e. Maintain sufficient clearances from any overhead electricity or telecommunications installations.
 - f. The awning must not be glazed.
 - g. The street awning must be constructed along the full length of the retail tenancies in both Trelawney and Rutledge Street and over the residential entry.
 - h. The pergola over the entry area shown on the ground floor plan facing Trelawney Street must not encroach on the road reserve.
- b) **Accessible Ramps:** Adequate *accessible* ramps must be provided at the entrance to all retail tenancies from the Trelawney Street and Rutledge Street frontages. The ramp must be wholly within the site and not encroach on Council's footpath.
- c) **Adaptable Units:** The proposal must provide at least ten (10) apartments designed as adaptable units. These Units must be nominated on the floor layout plans prior to the issue of any Construction Certificate. Each of these units is to be allocated an *accessible* parking bay. Details of compliance must be provided as part of the Construction Certificate plans.
- d) **Amended Landscape Plan:** Amended Landscape Plans prepared by Habitation Reference No. 11_025 must be amended to reflect the amended architectural plans and submitted to the PCA for approval prior to the issue of any Construction Certificate.

The Development must be carried out in accordance with the amended plans approved under this condition.

3. **Voluntary Planning Agreement:** The Voluntary Planning Agreement between City of Ryde and Rutledge Properties Pty Ltd that is subject of this Development Consent must be entered into by the relevant parties and registered on the title for 7-9 Rutledge Street EASTWOOD being Lot 1 DP 1111051 & Lot 24 DP 653568 prior to the issue of any **Construction Certificate**.

ITEM 1 (continued)

ATTACHMENT 1

4. **Building Code of Australia.** All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
5. **Excavation Works.** If the development involves excavation that extends below the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - (a) Protect and support the adjoining premises from possible damage from the excavation, and
 - (b) Where necessary, underpin the adjoining premises to prevent any such damage, in accordance with relevant Australian Standards.
6. **Advertising Signs:** This consent does not authorise the erection of any signs or advertising structures not indicated on the approved plans. Separate approval must be obtained from Council for any additional signs, unless such signage is "exempt development" or approved under this consent.
7. **Security Grill:** This consent does not authorise the erection of any security grilles or barriers on the shopfront. Separate approval must be obtained for any such works.
8. **Public Domain Works:** The applicant or the owner shall at their own expense carry out the following public domain improvement works on the road reserve fronting the subject site prior to the issue of any Occupation Certificate:
 - (a) **Footpath Paving:** Public Footpaths in Trelawney Street and Rutledge Street are to be paved with clay pavers in accordance with the Public Domain Technical Manual Section 3 – Eastwood. The clay paving must comply with the Eastwood section of Council's Public Domain Technical Manual. Details must be submitted for Council's approval prior to issue of any Construction Certificate;
 - (b) **Under grounding of overhead power-lines& multifunction poles:** Overhead mains in Trelawney Street shall be placed underground, and Multifunction Poles with new street lighting provided along the Trelawney Street frontage. An Electrical Design for dismantling the existing network and installing the new network shall be prepared and submitted to Council and Ausgrid for approval prior to commencement of work. Such utility modifications will be carried out to the satisfaction of the responsible authority (e.g.AUSGRID/ Energy Australia) and cost borne by the applicant.
 - (c) **The street trees on Rutledge Street** road reserve are to be *Angophora floribunda* (Rough Barked Apple) planted at approximately 7m intervals;

ITEM 1 (continued)

ATTACHMENT 1

- (d) **The street trees on Trelawney Street** road reserve are to be *Acer negundo* planted at approximately 7m intervals;
- (e) **Pit grates:** All pit grates must be bicycle friendly heavy duty grates, as detailed in Aust Roads Publications;
- (f) **Report** - A traffic engineer shall prepare a detailed traffic management plan detailing how the above works can be conducted safely with minimal negative impacts on the existing vehicular and pedestrian movement on and around the site.

The approval of the Public Domain engineering plans and payment of any Council inspection fees (in accordance with Council's Management Plan) must be finalised prior to the issue of a Construction Certificate.

The plans must show works in plan view, longitudinal sections and details at a scale relevant for the level of detail and include all existing services/ infrastructure to be retained in the area of works. Full engineering details prepared by a Civil Engineer or an appropriately qualified person, including plans, sections, finished levels and schedule of materials and finishes complying with the Public Domain Technical Manual City of Ryde Environmental Standards - Development Criteria - Section 4 - Public Civil Works, Council's DCP Part 8.2 (Stormwater Management) and associated annexure shall be submitted to Council for approval must be submitted to Council and approval obtained prior to the issue of any **Construction Certificate**.

- 9. **Hours of work.** Building construction activities (including demolition) may only be carried out between 7.00am and 7.00pm Monday to Friday (other than public holidays) and between 8.00am and 4.00pm on Saturday. No building activities are to be carried out at any time on a Sunday or a public holiday.
- 10. **Hoardings.**
 - (a) A hoarding or fence must be erected between the work site and any adjoining public place.
 - (b) An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
 - (c) Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.
- 11. **Public place kept lit:** Any public place affected by works must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

ITEM 1 (continued)

ATTACHMENT 1

12. **Construction within site boundaries.** The development must be constructed wholly within the boundaries of the premises. No portion of the proposed structures shall encroach onto the adjoining properties including any other public, private or land owned by the Roads and Maritime Services. Gates must be installed so they do not open onto any footpath.
13. **No obstruction to the public way.** The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council.
14. **Works affecting Services.** Compliance with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RTA, Council etc) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.
15. **Works in public road.** Any works performed in, on or over a public road pursuant to this consent must be carried out in accordance with this consent and with the Road Opening Permit issued by Council as required under section 139 of the Roads Act 1993.
16. **Design and Construction Standards.** All engineering plans and work shall be carried out in accordance with the requirements as outlined within Council's publication *Environmental Standards Development Criteria* and relevant Development Control Plans except as amended by other conditions.
17. **Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.
18. **Restoration.** Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities will be carried out by Council following submission of a permit application and payment of appropriate fees. Repairs of damage to any public stormwater drainage facility will be carried out by Council following receipt of payment.
19. **Road Opening Permit.** The applicant shall apply for a road-opening permit where works are proposed to be constructed within the public road reserve, e.g. where connections to public utility services (e.g. telephone, electricity, sewer, water or gas) are required within the road reserve. No work shall be carried out on the road reserve without this permit being paid and a copy kept on the site.
20. **No Stopping Signs:** Full time "No Stopping" restrictions are to be maintained on Rutledge Street and Trelawney Street frontages of the development site.

ITEM 1 (continued)

ATTACHMENT 1

21. **Design and Geotech Reports:** The developer is to submit detailed design drawings and geotechnical reports relating to the excavation of the site and support structures to RMS for assessment. The developer is to meet the full cost of the assessment by the RMS. The Report would need to address the following key issues:

- (a) The impact of excavation/ rock anchors on the stability of Rutledge Street and detailing how the carriageway would be monitored for settlement.
- (b) The impact of the excavation on the structural stability of Rutledge Street.

The report and any enquiries should be forwarded to:
Project Engineer, External Works
Sydney Asset Management
Roads and maritime Services
P O Box 973 Parramatta CBD 2124

Telephone: 8848 2114
Fax: 8849 2766

If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner/s of the roadway is/are given at least seven (7) days notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

22. **Existing Driveways:** The redundant driveways along Rutledge Street shall be removed and replaced with kerb and gutter to match existing. The design and construction of the gutter crossing on Rutledge Street shall be in accordance with RMS's requirement. Details of these requirements should be obtained from RMS's Project Services Manager, Traffic Projects Section, Parramatta (Telephone 8849 2496).

Detailed design plans of the proposed gutter crossing are to be submitted to RMS for approval prior to the commencement of any road works.

A plan checking fee (amount to be advised) and lodgement of a performance bond may be required from the applicant/ developer prior to the release of the approved road design plans by the RMS.

23. **Hydraulic Calculations:** Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to RMS for approval, prior to the commencement of any works.

ITEM 1 (continued)

ATTACHMENT 1

Details should be forwarded to:

The Sydney Asset management
Roads and maritime Services
PO Box 973 Parramatta CBD 2124

A plan checking fee will be payable and a performance bond may be required before RMS's approval is issued. With regards to the Civil Works requirement please contact the RMS's Project Engineer on phone 8849 2114 or fax 8849 2766.

24. **Turning areas to be kept clear:** The proposed turning areas within the subject site are to be kept clear of any obstacles, including parked cars, at all times.
25. **Work Zone:** All construction vehicles and activities are to be contained wholly within the site. As no work zone permits will be permitted by RMS on Rutledge Street.
26. **Parking management:** An external (on-street) parking management plan to be prepared by the proponent (to Council's satisfaction which requires Technical Approval via the Ryde Local Traffic Committee) prior to the issue of Occupation Certificate.

PRIOR TO CONSTRUCTION CERTIFICATE

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

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

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

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

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

ITEM 1 (continued)

ATTACHMENT 1

A – Contribution Type	B – Contribution Amount
Community & Cultural Facilities	\$240,733.53
Open Space & Recreation Facilities	\$569,663.73
Civic & Urban Improvements	\$208,591.98
Roads & Traffic Management Facilities	\$30,612.27
Cycleways	\$17,773.74
Stormwater Management Facilities	\$58,255.56
Plan Administration	\$4,809.42
The total contribution is	\$1,130,440.23

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

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

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

28. **Study.** All rooms shown in the apartments as study is to be provided with the internal joinery for the construction of a desk and storage areas. At no times these rooms (study) to be used as bedrooms.
29. **Voluntary Planning Agreement.** Prior to the issue of any Construction Certificate, the contribution as identified in the Voluntary Planning Agreement referred to in Condition 3 of the General Conditions of Consent is to be paid to Council.
30. **Damage security.** The Council must be provided with security for the purposes of section 80A(6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan (category: other buildings with delivery of bricks or concrete or machine excavation).
31. **Payment of fees.** The following fees must be paid to Council in accordance with Council's Management Plan:
 - (a) Infrastructure Restoration and Administration Fee
 - (b) Enforcement Levy

ITEM 1 (continued)

ATTACHMENT 1

32. **Long Service Levy.** Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be submitted to the Principal Certifying Authority prior to the issuing of the **Construction Certificate**.
33. **Compliance with Australian Standards:** The development is required to be carried out in accordance with all relevant Australian Standards. Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.
34. **Disabled Access & Adaptable Units:** Disabled access is to be provided within the development in accordance with the recommendations contained in the Access Review Report prepared by Mark Relf (Accessibility Solutions (NSW) Pty Ltd) dated 26 September 2011. A revised access report (to reflect the amended approved proposal) and details indicating compliance with the AS1428 & AS4299, Building Code of Australia and the recommendations contained in the above Report are to be submitted to the Principal Certifying Authority (PCA) prior to the Construction Certificate being issued. Accessible parking spaces are to be allocated to the adaptable units and shown on the strata plan.
35. **Reflectivity.** Roofing and other external materials must be of low glare and reflectivity. Visible light reflectivity from building materials used on the façades of new buildings should not exceed 18%. Details of the approved finished external surface materials, including colours and texture must be provided to the Principal Certifying Authority.
36. **BASIX Commitments.** The development must comply with all commitments listed in BASIX Certificate referred to in this Development Consent. The fittings, fixtures and materials installed in association with the retail tenancy (including but not limited to hot water systems, ceiling/roof insulation, shower heads, toilet cisterns and the like) shall comply with the requirements of Council's DCP. Details are to be noted on the plans submitted with the **Construction Certificate**.
37. **Bicycle parking.** Sufficient area shall be designated for bicycle parking on the site within the lower ground level (the entrance level) and the ground floor level in accordance with the following:
 - (a) Secure bicycle parking racks and manoeuvring area must be provided for at least 16 bicycles.
 - (b) The bicycle parking area must be highly visible, adequately lit and easily accessible by residents and customers.
 - (c) Bicycle parking and access must be designed so as to ensure potential conflicts with vehicles are minimised.
 - (d) All entry ramps, pit grates, layback and paths leading to the bicycle parking area must be designed to enable rideable approach to the bicycle parking area.

ITEM 1 (continued)

ATTACHMENT 1

Bicycle parking must be designed in accordance with AS2890.3 Parking Facilities- Bicycle Parking Facilities and the NSW bicycle guidelines. Details are to be submitted on the **Construction Certificate**.

38. **Services & Substation:** All service infrastructure/utilities including electrical substations, fire hydrants, gas meters and the like shall be located within the building envelope. Where this is not possible and subject to Council approval such infrastructure shall be located on the subject site and appropriately screened from view. Any doors associated with the electrical substation must not open outwards into the public domain/ footpath area. Details of all service infrastructure/utilities are to be approved prior to issue of the Construction Certificate.
39. **Garbage Room Exhaust:** The garbage room exhaust must be designed so that it is suitably screened from view. Satisfactory screening device must be used and integrated with the architectural feature of the building. Details of all service infrastructure/utilities are to be approved prior to issue of the Construction Certificate.
40. **Adequate Sightlines:** Any part of the building, vegetation or proposed landscaping/ fencing must not hinder sight lines to and from the proposed access driveways and with respect to the existing access ramp to the Eastwood Shopping Centre. The following measures must be provided in order to ensure adequate sightlines and the vehicular entrance of the proposed development located at the north western corner of the building:
 - (a) Overhead signage to be provided at the vehicular entry to clearly differentiate the subject site, entry & exit lanes.
 - (b) Provide sufficient splay at the entrance to allow clear sightlines for drivers leaving the site.
 - (c) The entry gate and access control must be moved to allow sufficient queuing by vehicles.
 - (d) Appropriate access arrangement must be in place to allow garbage collection trucks to access the site.
41. **Underground Gas Pipeline:** All excavation (including pot-holing by hand) should be performed in accordance with 'Work Near Underground Assets Guidelines' published in 2007 by the Work Cover Authority.
42. **Soil Depths:** Minimum soil depth of 800mm must be provided in all planter beds provided throughout the development
43. **Operable Windows:** Windows to the units must be operable where necessary to allow adequate cross ventilation and improved amenity.
44. **Storage Facility:** All residential units must be provided with sufficient secure storage facility (other than the kitchen cupboard areas and wardrobes) at the following rates:
 - one-bedroom apartments 6m³ X 69
 - two-bedroom apartments 8m³ X 31

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The surplus 7 parking spaces must be converted to storage areas and allocated to the residential apartments in order to comply with Residential Flat Design Code. The Storage facilities must be lockable and allocated to individual units. The allocated storage facility must be shown on the Construction Certificate plans prior to approval and the strata plans prior to the issue of Subdivision Certificate.

45. **Seating:** Adequate seating, shading structures and BBQ facility must be provided within the communal open space area. Details to be provided in the plans submitted for Construction Certificate.
46. **Shop front:** The retail/commercial tenancies must have clear glazing along the street frontage.
47. **Grease Trap:** A grease trap must be installed if required by Sydney Water Corporation. The grease trap must be located outside the building or in a dedicated grease trap room and be readily accessible for servicing. Access through areas where exposed food is handled or stored or food contact equipment or packaging materials are handled or stored is not permitted.
48. **Grease Trap Room:** The grease trap room must be constructed in accordance with the following requirements:
 - (a) The floor, walls and ceiling must be constructed of solid materials finished to a smooth even impervious surface free of any cracks, holes or other openings that may allow the escape of odours.
 - (b) The room must be fitted with an air-tight (eg. coolroom type) door.
 - (c) The room must be provided with an approved system of mechanical exhaust ventilation.
 - (d) The room must be provided with intrinsically safe artificial lighting.
 - (e) A hose tap with a backflow prevention device must be provided in or adjacent to the room to facilitate cleaning.

Details are to be submitted on the Construction Certificate plans.

49. **Grease Trap Pump:** A fixed pump out line must be provided in accordance with the requirements of Sydney Water Corporation to facilitate servicing of the grease trap.
50. **Garbage and Recycling Room:** A garbage and recycling room must be provided in an approved location in the basement carpark of the residential flat building. The garbage and recycling rooms must be constructed in accordance with the following requirements:
 - (a) The room must be of adequate dimensions to accommodate all waste containers, and any compaction equipment installed, and allow easy access to the containers and equipment for users and servicing purposes;

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- (b) The floor must be constructed of concrete finished to a smooth even surface, coved to a 25mm radius at the intersections with the walls and any exposed plinths, and graded to a floor waste connected to the sewerage system;
- (c) The floor waste must be provided with a fixed screen in accordance with the requirements of Sydney Water Corporation;
- (d) The walls must be constructed of brick, concrete blocks or similar solid material cement rendered to a smooth even surface and painted with a light coloured washable paint;
- (e) The ceiling must be constructed of a rigid, smooth-faced, non-absorbent material and painted with a light coloured washable paint;
- (f) The doors must be of adequate dimensions to allow easy access for servicing purposes and must be finished on the internal face with a smooth-faced impervious material;
- (g) Any fixed equipment must be located clear of the walls and supported on a concrete plinth at least 75mm high or non-corrosive metal legs at least 150mm high;
- (h) The room must be provided with adequate natural ventilation direct to the outside air or an approved system of mechanical ventilation;
- (i) The room must be provided with adequate artificial lighting; and
- (j) a hose with a trigger nozzle must be provided in or adjacent to the room to facilitate cleaning.

Details are to be submitted on the Construction Certificate plans.

- 51. **Storage area for discarded items:** A separate room or caged area must be provided in the basement carpark of the residential flat building for the storage of bulky discarded items such as furniture and white goods.
- 52. **Delivery to Point of Collection:** Where necessary, staff or contractors must be employed to take the waste containers from garbage and recycling room to the container emptying point for servicing and to return the containers to the garbage room after servicing or an on-site building manager be responsible for the delivery of the bins to the allocated collection point within the site for servicing.
- 53. **Garbage Collection Vehicle:** Where it is necessary for waste collection vehicles to enter the property to service the waste containers, the property owner must indemnify Council and its contractor in writing against claims for damage to the driveways and manoeuvring areas.
- 54. **Kitchen Exhaust:** Adequate provision must be made for the installation of kitchen exhaust systems to the proposed retail premises.

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55. **Mechanical Ventilation:** Details of all proposed mechanical ventilation systems, and alterations to any existing systems, must be submitted to Council or an accredited private certifier with the application for the **Construction Certificate**. Such details must include:
- (a) Plans (coloured to distinguish between new and existing work) and specifications of the mechanical ventilation systems;
 - (b) A site survey plan showing the location of all proposed air intakes exhaust outlets and cooling towers, and any existing cooling towers, air intakes, exhaust outlets and natural ventilation openings in the vicinity; and
 - (c) A certificate from a professional mechanical services engineer certifying that the mechanical ventilation systems will comply with the *Building Code of Australia* and setting out the basis on which the certificate is given and the extent to which the certifier has relied upon relevant specifications, rules, codes of practice or other publications
56. **Air Handling:** All air-handling and water systems regulated under the *Public Health Act 1991* must be installed, operated and maintained in accordance with the requirements of the *Public Health (Microbial Control) Regulation 2000*.
57. **Water Cooling System:** All water-cooling and warm-water systems regulated under the *Public Health Act 1991* must be registered with Council within one (1) month of installation.
58. **Road Noise:** The residential flat building(s) must be designed and constructed so that road traffic noise levels inside the building(s) comply with the satisfactory design sound levels recommended in Australian/New Zealand Standard AS/NZS 2107: 2000 *Acoustics – Recommended design sound levels and reverberation times for building interiors*, when the windows and doors are closed. Written endorsement of compliance with these requirements must be obtained from a suitably qualified person and submitted to the PCA prior to the issue of Occupation Certificate.
59. **Noise Attenuation Measures:** The recommendations contained under Section 6 of the Acoustic Report prepared by West & Associates Pty Ltd (Document No. 11183 Issue A dated 21 September 2011) must be incorporated in the Construction Certificate drawing prior to its approval.
60. **Boundary Alignment Levels.** Boundary Alignment Levels - The applicant is to apply to Council for site specific boundary alignment levels prior to the issue of the Construction Certificate. The application would need to be accompanied by engineering plans of any civil works along the frontage of the development site. Fees are payable in accordance with Council's Schedule of Fees & Charges at the time of the application.

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61. **Car parking.** Car parking spaces must be provided for both residential and retail activities on the site. A total of 152 car parking spaces are to be provided on the site comprising 107 spaces for residential parking, 20 visitor parking spaces and 25 spaces for retail parking, including at least twelve (12) *accessible* spaces, evenly distributed over all designated parking levels. Accessible spaces must be allocated to the adaptable apartments. Details are to be submitted on the Construction Certificate plans.
62. **Access to resident parking.** Access to residential parking should be restricted to residents and their visitors only. Details demonstrating compliance are to be submitted on the Construction Certificate plans.
63. **Vehicles to enter & leave in forward direction:** All vehicles must enter and leave the property in a forward direction from the basement car park.
64. **Vehicle Access & Parking.** All internal driveways, vehicle turning areas, garages and vehicle parking space/ loading bay dimensions must be designed and constructed to comply with the relevant section of AS 2890 (Offstreet Parking standards).

With respect to this, the following is required;

- a) The driveway ramp must be constructed in accordance with the levels and grades detailed on the Architectural Plan - Sheet DA-08 dated 30 July 2014

These amendment(s) must be clearly marked on the plans submitted with the application for a Construction Certificate.

65. **Stormwater Management.** To ensure that stormwater runoff from the development is drained in an appropriate manner, without impact to neighbouring properties and downstream systems, a detailed plan and certification of the development's stormwater management system must be submitted with the application for a Construction Certificate.

Stormwater runoff on the site shall be collected and piped by gravity flow to Council's inground drainage infrastructure in Trelawney Street and will require the construction of a new kerb inlet pit at the point of connection, with dimensions and specifications complying with Council's standard details.

The detailed plans, documentation and certification of the system must be prepared by a chartered civil engineer with NPER registration with Engineers Australia and comply with the following;

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- The certification must state that the submitted design (including any associated components such as pump/ sump, absorption, onsite dispersal, charged system) are in accordance with the requirements of AS 3500.3 (2003) and any further detail or variations to the design are in accordance with the requirements of City of Ryde – DCP 2014 Part 8.2 (Stormwater Management).
 - The submitted design is consistent with the approved architectural and landscape plan and any revisions to these plans required by conditions of this consent.
 - Onsite detention must be incorporated in the stormwater management system having a minimum SSR of 54 m³ and a maximum PSD of 37.5L/s based on freeflow conditions. Any variations to these values attributed to changes required by conditions of this consent, must be in accordance with Council's DCP requirements for onsite detention and must be validated in the certification of the design required by this condition.
 - The subsurface drainage system must be designed to generally preserve the pre-developed groundwater table so as to prevent constant, ongoing discharge of groundwater to the public drainage network as well as avoid impacts such as foundation consolidation that may result from dewatering practises.
66. **Stormwater Management – Connection to Council Drainage System.** The connection to Council's underground stormwater drainage infrastructure located Trelawney Street will require the assessment, approval and inspection by Council's Public Works section to ensure the integrity of this Council asset is maintained. Engineering plans detailing the method of connection and an inspection fee in accordance with Council's current fees and charges must be paid to Council prior to the issue of the Construction Certificate. Council must be notified when the connection has been made to the pit / pipe and an inspection must be made by a Council officer prior to restoration/ backfill at the point of connection for approval.
67. **Stormwater Management - Quality.** A first flush infiltration system is to be designed and installed to capture the initial runoff from the paved parking area and store this flow off line to allow infiltration to the surrounding soil.
68. **Geotechnical – Design, Certification and Monitoring Program.** The proposed development involves the construction of subsurface structures and excavation that has potential to adversely impact neighbouring property if undertaken in an inappropriate manner. To ensure there are no adverse impacts arising from such works, the applicant must engage a suitably qualified and practicing Civil or Structural Engineer specialising in geotechnical and the hydrogeological field to design, certify and oversee the construction of all subsurface structures associated with the development.

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This engineer is to prepare the following documentation;

- a) Certification that the civil and structural details of all subsurface structures are designed to;
 - provide appropriate support and retention to neighbouring property,
 - ensure there will be no ground settlement or movement during excavation or after construction (whether by the act of excavation or dewatering of the excavation) sufficient to cause an adverse impact to adjoining property or public infrastructure, and,
 - ensure that the treatment and drainage of groundwater will be undertaken in a manner which generally maintains the predeveloped groundwater regime, so as to avoid constant or ongoing seepage to the public drainage network and structural impacts that may arise from alteration of the pre-developed groundwater table.

- b) A Geotechnical Report and Monitoring Program to be implemented during construction that;
 - is based on a geotechnical investigation of the site and subsurface conditions, including groundwater,
 - details the location and type of monitoring systems to be utilised, including those that will detect the deflection of all shoring structures, settlement and excavation induced ground vibrations to the relevant Australian Standard;
 - details recommended hold points and trigger levels of any monitoring systems, to allow for the inspection and certification of geotechnical and hydro-geological measures by the professional engineer; and;
 - details action plan and contingency for the principal building contractor in the event these trigger levels are exceeded.

The certification and the GMP is to be submitted for the approval of the Accredited Certifier prior to the issue of the Construction Certificate.

69. **Flood and Overland Flow Protection.** The property has been identified as being susceptible to flooding and overland flow during large storm events. In accordance with Council's Floodplain Risk Management controls, the following measures are required to be implemented in the development. In the following conditions, reference to *freeboard* is equivalent to 300mm above the relevant flood level.

- a) The habitable floor levels of all dwellings encompassed under this approval must not be less than the adjoining flood levels plus *freeboard* as provided by Council correspondence (Flood Levels) dated 22 March 2012.

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- b) All structures subject to flooding and overland flows must be constructed of flood compatible building components (refer to Schedule 3 of Council's DCP 2014 Part 8.6 3 "Floodplain Management"),
- c) External structures subject to flooding and overland flows must be structurally designed to withstand the forces imposed by these flows, including forces imposed by floating debris and buoyancy. To achieve this, the structure must be designed and certified by a suitably qualified structural engineer to comply with this condition.

The design and certification (related to the structural/ building requirements above) must be submitted to the Accredited Certifier prior to the issue of a Construction Certificate.

- 70. **Queuing Space:** Unobstructed and freely accessible access is to be provided to the car park during the approved trading hours of the retail tenancies, that is, between 7.00am to 9.00pm on Mondays to Saturdays and 8:00am to 8:00pm on Sundays. A queuing space equivalent to at least one (1) car length should be provided within the site in front of the car park security door outside the approved trading hours of the retail tenancies. Details demonstrating compliance is to be submitted with the Construction Certificate.
- 71. **Hoarding Fees.** Where hoarding are proposed, fees in accordance with Council's Management Plan are to be paid to Council prior to the issue of the Construction Certificate for the erection of a protective hoarding along the street frontage of the property. The fee is based on Council, schedule of fees and charges and is for a period of 6 months. If the time of use of Council's footpath varies from this an adjustment of the fee will be made on completion of the works.
- 72. **Dilapidation Survey.** A dilapidation survey is to be undertaken that addresses all properties that may be affected by the construction work, namely property No's. 188 to 200 Rowe Street and No. 3 Rutledge Street. A copy of the dilapidation survey is to be submitted to the Accredited Certifier *and Council* prior to the release of the Construction Certificate.
- 73. **Dilapidation Report.** To determine the extent of restoration works that may be required, the applicant shall submit to Council a pre and post construction dilapidation report on the status of existing public infrastructures in the vicinity of the proposed development. The report is to include photographic records, description and location of any existing observable defects of the following infrastructure and others where applicable:
 - (a) Road Pavement
 - (b) Kerb and gutter.
 - (c) Constructed footpath.
 - (d) Drainage pits.

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- (e) Traffic signs.
- (f) Any other relevant infrastructure.

These reports shall be submitted to Council development engineer, prior to the issue of the Construction and Occupation Certificate. The report shall be used by Council as Roads Authority under the Roads Act to assess whether restoration works are required prior to the issue of the Occupation Certificate. All restoration works deemed necessary by Council's development engineer are to be completed to Council satisfaction prior to the issue of Occupation Certificate

- 74. **Driveway Grades.** The maximum grade of all internal driveways and vehicular ramps etc shall comply with relevant section of AS 2890.1 & AS2890.2 where applicable. Detailed engineering plans including engineering certification indicating compliance with this condition are to be submitted with the Construction Certificate application.
- 75. **Erosion and Sediment Control Plan.** An *Erosion and Sediment Control Plan (ESCP)* shall be prepared by a suitably qualified consultant in accordance with the guidelines set out in the manual "*Managing Urban Stormwater, Soils and Construction*" prepared by the Department of Housing. These devices shall be maintained during the construction works and replaced where considered necessary.

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

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

PRIOR TO COMMENCEMENT OF CONSTRUCTION

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

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76. Site Sign

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

77. Sediment and Erosion Control. The applicant shall install appropriate sediment control devices in accordance with an approved plan **prior** to any earthworks being carried out on the site. These devices shall be maintained during the construction period and replaced where considered necessary. Suitable erosion control management procedures shall be practiced. This condition is imposed in order to protect downstream properties, Council's drainage system and natural watercourses from sediment build-up transferred by stormwater runoff from the site.

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

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

80. Construction Management Plan. As a result of the site constraints, limited vehicle access and parking, a Construction Management Plan (CMP) must be submitted to Council for approval by Council's Public Works section, prior to the commencement of any works on the site. The CMP is intended to minimise impact of construction activities on the surrounding community, in terms of vehicle traffic (including traffic flow and parking) and pedestrian amenity adjacent the site.

The CMP must:-

- Make provision for all construction materials to be stored on site, at all times.

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- Specify construction truck routes and truck rates. Nominated truck routes are to be distributed over the surrounding road network where possible.
- Provide for the movement of trucks to and from the site, and deliveries to the site. Temporary truck standing/ queuing locations in a public roadway/ domain in the vicinity of the site are not permitted unless approved by Council's Public Works.
- Include a Traffic Control Plan prepared by an RMS accredited traffic controller for any activities involving the management of vehicle and pedestrian traffic.
- Be in accordance with Council's DCP 2010 Part 8.1 (Construction Activities)
- Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes and concrete pumps, structures proposed on the footpath areas (hoardings, scaffolding or shoring) and any tree protection zones around Council street tree's.
- Take into consideration the construction effects of development on adjoining sites and specify a contingency plan to be undertaken.

Structures or works on Council property (such as hoardings, scaffolding, shoring or excavation), the modification of parking restrictions (Work Zones) and standing heavy vehicles (crane, concrete pump, etc) on a footpath/ roadway are subject to separate approval from Council and/or the Local Traffic Committee.

81. **Property above/below Footpath Level.** Where the ground level adjacent the property alignment is above/below the ultimate footpath level, as set by Council, adequate measures are to be taken (either by means of constructing approved retaining structures or batters entirely on the subject property) to support the subject land/footpath. An approved fence shall be erected along the boundary for public safety.

82. **Ground Anchors.** The installation of permanent ground anchors into public roadway is not permitted. The installation of temporary ground anchors may be considered subject to application for approval from Council's Public Works department, as per the provisions of Section 138 of the Roads Act. The application for consent must include detailed structural plans prepared by a chartered structural engineer, clearly nominating the number of proposed anchors, depth below existing ground level at the boundary alignment and the angle of installation. Approval is subject to the applicant paying all applicable fees in accordance with Council's Management Plan.

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DURING CONSTRUCTION

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

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

84. **Traffic Management.** Any traffic management procedures and systems must be in accordance with *AS 1742.3 1996* and City of Ryde, Development Control Plan 2014: - Part 8.1; Construction Activities. This condition is to ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems.

Accordingly, a detailed plan of traffic management prepared by a traffic engineer including certification indicating compliance are to be submitted with the Construction Certificate application.

85. **Truck Shaker.** A truck shaker grid with a minimum length of 6 metres must be provided at the construction exit point. Fences are to be erected to ensure vehicles cannot bypass them. Sediment tracked onto the public roadway by vehicles leaving the subject site is to be swept up immediately.

86. **Erosion and Sediment Control Plan – Implementation.** The applicant shall install erosion and sediment control measures in accordance with the Construction Certificate approved Soil Erosion and Sediment Control (ESCP) plan at the commencement of works on the site. Erosion control management procedures in accordance with the manual “Managing Urban Stormwater: Soils and Construction” by the NSW Department – Office of Environment and Heritage, must be practiced at all times throughout the construction.

87. **Geotechnical – Implementation of Geotechnical Monitoring.** The construction and excavation works are to be undertaken in accordance with the Geotechnical Report and Monitoring Program (GMP) submitted with the Construction Certificate. All recommendations of the Geotechnical Engineer and GMP are to be carried out during the course of the excavation. The applicant must give at least seven (7) days notice to the owner and occupiers of the adjoining allotments before excavation works commence.

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88. **Construction Management Plan – Compliance.** All works and construction activities are to be undertaken in accordance with the approved Construction Management Plan (CMP). All controls in the CMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate RMS accreditation. A copy of the approved CMP is to be kept onsite at all times and made available to the accredited certifier or Council on request.
89. **Stormwater Management - Construction.** The stormwater drainage system on the site must be constructed in accordance with the Construction Certificate version of the Stormwater Management Plan submitted in compliance to the condition labelled “Stormwater Management.” and the requirements of Council in connection to the trunk drainage system.
90. **Noise and Vibration.** The construction of the development and preparation of the site, including operation of vehicles, must be conducted so as to avoid unreasonable noise or vibration and not cause interference to adjoining or nearby occupations. The L₁₀ noise level measured for a period of not less than 15 minutes while demolition and construction work is in progress must not exceed the background noise level by more than 20 dB(A) at the nearest affected residential premises.
91. **Survey of footings and walls.** All footings and walls within 1 metre of a boundary must be set out by a registered surveyor. On commencement of brickwork or wall construction a survey and report must be prepared indicating the position of external walls in relation to the boundaries of the allotment.
92. **Sediment, soil and dust.** No sediment, dust, soil or similar material shall leave the site during construction work.
93. **CCTV Surveillance** cameras must be installed throughout the retail complex and communal areas such as lobbies, lifts etc, and paying particular attention to the internal area of the shopping centre especially entry and exit points. CCIV should also be used around the loading dock area and car park entry and exit points. CCIV should be placed on the external area of the building capturing the area outside the retail stores along Trelawney Street and also capturing the area along Rutledge Street. Digital technology should be used to record images from the cameras. Installed surveillance equipment needs to be able to zoom in on a person without loss of focus. Management must ensure that the requirements of the Surveillance and Privacy Act are adhered to.
94. **Landscape maintenance plan must be prepared for the site.** Landscaping close to the building should be regularly maintained to ensure branches cannot act as a natural ladder to gain access to higher parts of the building and trimmed to ensure concealment opportunities are eliminated.

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95. **Lighting** shall be provided to all common areas including the car parking levels as well as the stairs and access to and including the public outdoor courtyard, communal gardens, in the recess along Rutledge Street and the bin storage rooms. Such lighting to be automatically controlled by time clocks, and where appropriate, sensors to provide an energy efficient and controlled environment for residents. Details of lighting shall be submitted for approval prior to issue of the **Construction Certificate**. The details are to include certification from an appropriately qualified person that there will be no offensive glare onto adjoining residents.
96. **Signage**. Signage must be provided at entry/exit points and throughout the development to assist users and warn intruders that they will be prosecuted.
Warning: these premises are under constant surveillance.
Warning: trespassers will be prosecuted.
97. **Other Signs:** Signs should be erected as follows:
- (a) In the car parks and near entry and exit points which details security measures and reminds people to lock their vehicles and remove valuables from their vehicles.
 - (b) Signage needs to be provided within the car park to provide way finding to users of these areas.
 - (c) Signage also needs to be provided on the fire exit doors warning users that the doors are to be used for emergency purposes only.
 - (d) Location maps should be used throughout the complex to indicate to patrons/visitors where they are and directional signage should be used.
 - (e) Clear signage identifying where the loading dock is located should be erected at the street entry, and it should prohibit unauthorized entry.
98. **Graffiti:** All surfaces on the street frontages that are not glass should use graffiti resistant paints and/or other surfaces that discourage graffiti.
99. **Intercom/ Security Facility:** The entry to the car park should have a security door. Intercom facilities should be incorporated into these entry/exit points to enable residents to communicate and identify with people prior to admitting them to the development.
100. **Residential Access:** Access should be restricted to residents only to the lifts and stairs leading to the apartments.
101. **Locksets:**
- (a) The main entry/exit points for this development should be fitted with single cylinder locksets (Australia and New Zealand Standards - Locksets), which comply with the Building Code of Australia.

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- (b) An auxiliary lock set should also be incorporated into the design of each of the entry/exit points to enable emergency services to access the development particularly in emergency situations.
- (c) Fire exit doors to the development should also be fitted with single cylinder locksets (Australia and New Zealand Standard - Lock Sets) to restrict unauthorized access to the development.
- (d) The main entry/exit doors to individual units should also be fitted with single cylinder locksets (Australia and New Zealand Standard - Lock Sets) to restrict unauthorized access to the unit.
- (e) The balcony doors to individual units should also be fitted with single cylinder locksets (Australia and New Zealand Standard - Lock Sets) to restrict unauthorized access to the unit.
- (f) The windows to individual units should also be fitted with key operated locksets (Australia and New Zealand Standard - Lock Sets) to restrict unauthorized access to the unit.

PRIOR TO OCCUPATION CERTIFICATE

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

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

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

- 102. **BASIX commitments.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate referred to in this Development Consent.
- 103. **Public domain.** All landscaping & public domain improvement works required to be carried out under condition 8 are to be completed.
- 104. **Consolidation.** All land titles within the site must be consolidated into one allotment. Documentary evidence of such consolidation shall be submitted prior to the issue of any Occupation Certificate under the Environmental Planning and Assessment Act 1979.

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105. **Disabled access.** Access for disabled persons shall be provided in the building or portion of the building in accordance with the applicable legislation and the requirements set out in AS 1428.1. Documentary evidence is to be and certification obtained from a suitable qualified person confirming that the development meets these requirements is to be provided prior to the issue of any Occupation Certificate.
106. **Fire safety matters.** At the completion of all works, a Fire Safety Certificate must be prepared, which references all the Essential Fire Safety Measures applicable and the relative standards of Performance (as per Schedule of Fire Safety Measures). This certificate must be prominently displayed in the building and copies must be sent to Council and the NSW Fire Brigade.

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

Each year the Owners must send to the Council and the NSW Fire Brigade an annual Fire Safety Statement which confirms that all the Essential Fire Safety Measures continue to perform to the original design standard.

107. **Sewer Connection:** All sanitary fixtures must be connected to the sewerage system by gravity flow and documentary evidence of compliance must be submitted to the Principal Certifying Authority before the issue of an **Occupation Certificate**.
108. **Sydney Water.** A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

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

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ATTACHMENT 1

109. **Design Verification:** Prior to an Occupation Certificate being issued to authorise a person to commence occupation or use of a residential flat building, the Principal Certifying Authority (PCA) is to be provided with design verification from a qualified designer. The statement must include verification from the qualified designer that the residential flat development achieves the design quality of the development as shown on plans and specifications in respect of any Construction Certificate issued, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development. This condition is imposed in accordance with Clause 154A of the Environmental Planning and Assessment Regulation 2000.
110. **Post construction dilapidation report.** The submission of a post-construction dilapidation report which clearly details the final condition of all property, infrastructure, natural and man-made features that were recorded in the pre-commencement dilapidation report. A copy of the report must be provided to Council, any other owners of public infrastructure and the owners of the affected adjoining and private properties.
111. **Disused Gutter Crossing.** All disused gutter and footpath crossings where occur shall be removed and the kerb and footpath reinstated to the satisfaction of Council.
112. **Stormwater Management - Work-as-Executed Plan.** A Work-as-Executed plan (WAE) of the as constructed Stormwater Management System must be submitted with the application for an Occupation Certificate. The WAE must be prepared and certified (signed and dated) by a Registered Surveyor and is to clearly show the constructed stormwater drainage system (including any onsite detention, pump/ sump, charged/ siphonic and onsite disposal/ absorption system) and finished surface levels which convey stormwater runoff.
113. **Stormwater Management – Positive Covenant(s).** A Positive Covenant must be created on the property title(s) pursuant to Section 88 E of the Conveyancing Act (1919), providing for the ongoing maintenance of the onsite detention and pump/ sump components incorporated in the approved Stormwater Management system. This is to ensure that the drainage system will be maintained and operate as approved throughout the life of the development, by the owner of the site(s). The terms of the 88 E instrument are to be in accordance with the Council's draft terms for these systems as specified in City of Ryde DCP 2014 - Part 8.4 (Title Encumbrances) - Section 7, and to the satisfaction of Council, and are to be registered on the title prior to the release of the Occupation Certificate for that title.

ITEM 1 (continued)

ATTACHMENT 1

114. **Compliance Certificates – Engineering.** To ensure that all engineering facets of the development have been designed and constructed to the appropriate standards, Compliance Certificates must be obtained for the following items and are to be submitted to the Accredited Certifier prior to the release of any Occupation Certificate. All certification must be issued by a qualified and practising civil engineer having experience in the area respective of the certification unless stated otherwise.
- a) Confirming that all components of the parking areas contained inside the site comply with the relevant components of AS 2890 and the City of Ryde DCP 2014, Part 9.3 “Car Parking”.
 - b) Confirming that the Stormwater Management system (including any ancillary components such as onsite detention) servicing the development complies with the City of Ryde DCP 2014, Part 8.2, “Stormwater Management” and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site.
 - c) Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including the on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.
 - d) Confirming that the connection of the site drainage system to the trunk drainage system complies with Section 4.7 of AS 3500.3 - 2003 (National Plumbing and Drainage Code) and the relevant sections of the City of Ryde DCP 2014, Part 8.2 “ Stormwater Management” and associated annexure.
 - e) Confirming that erosion and sediment control measures were implemented during the course of construction and were in accordance with the manual “*Managing Urban Stormwater: Soils and Construction*” by the NSW Department – Office of Environment and Heritage and the City of Ryde DCP 2014, Part 8.1 “Construction Activities”.
 - f) Certification from a suitably qualified structural or geotechnical engineer confirming that any temporary soil/ rock anchors installed into public roadway, have been de-stressed and are no longer providing any structural support.
 - g) Certification from a suitably qualified geotechnical engineer confirming that the Geotechnical Monitoring Program (GMP) was implemented throughout the course of construction and that all structures supporting neighbouring property have been designed and constructed to provide appropriate support of the neighbouring property and with consideration to any temporary loading conditions that may occur on that site, in accordance with the relevant Australian Standard and building codes.

ITEM 1 (continued)

ATTACHMENT 1

- h) Compliance certificate from Council confirming that all external works in the public road reserve have been completed to Council's satisfaction.

115. **On-Site Stormwater Detention System - Marker Plate.** To ensure the constructed On-site detention will not be modified, a marker plate is to be fixed to each on-site detention system constructed on the site. The plate construction, wordings and installation shall be in accordance with City of Ryde, Development Control Plan 2014: - Part 8.2; Stormwater Management. The plate may be purchased from Council's Customer Service Centre at Ryde Civic Centre (Devlin Street, Ryde).

PRIOR TO SUBDIVISION CERTIFICATE

The following conditions in this Part of the consent apply to the Subdivision component of the development.

All conditions in this Part of the consent must be complied with prior to the issue of a Subdivision Certificate.

116. **Final plan of subdivision.** The submission of a final plan of subdivision plus 3 copies suitable for endorsement by the Authorised Officer of Council.
117. **Final plan of subdivision – title details.** The final plan of subdivision shall contain detail all existing and/or proposed easements, positive covenants and restrictions of the use of land.
118. **Section 88B Instrument.** The submission of an Instrument under Section 88B of the Conveyancing Act 1919 plus 3 copies, creating Easements, Positive Covenants and Restrictions on Use. This Instrument shall nominate the City of Ryde as the authority empowered to release, vary or modify the terms of the Instrument.
119. **Occupation Certificate.** A final occupation certificate in relation to this development must be in force. A copy of the Occupation Certificate is to be submitted with the application for final subdivision certificate.
120. **Section 73 Certificate.** A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be submitted with the application for final subdivision certificate.
121. **Utility provider – compliance documents.** The submission of documentary evidence of compliance with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RTA, Council etc).

ITEM 1 (continued)

ATTACHMENT 1

OPERATIONAL CONDITIONS

The conditions in this Part of the consent relate to the on-going operation of the development and shall be complied with at all times.

122. **Garbage Collection:** Where necessary, staff or contractors must be employed to take the waste containers from garbage and recycling room to the container emptying point for servicing and to return the containers to the garbage room after servicing.
123. **Indemnity:** Where it is necessary for waste collection vehicles to enter the property to service the waste containers, the property owner must indemnify Council and its contractor in writing against claims for damage to the driveways and manoeuvring areas.
124. **Offensive noise** - The use of the premises must not cause the emission of 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997*.
125. The operation of any plant or machinery installed on the premises must not cause:
 - (a) The emission of noise that exceeds the background noise level by more than 5dBA when measured at the most affected noise sensitive location in the vicinity. Modifying factor corrections must be applied for tonal, impulsive, low frequency or intermittent noise in accordance with the New South Wales Industrial Noise Policy (EPA, 2000).
 - (b) An internal noise level in any adjoining occupancy that exceeds the recommended design sound levels specified in Australian/New Zealand Standard AS/NZS 2107:2000 *Acoustics – Recommended design sound levels and reverberation times for building interiors*.
 - (c) The transmission of vibration to any place of different occupancy.
126. **Hours of operation.** The use of the retail part of the development is restricted to the following hours of operation: 7.00am and 9pm Monday to Saturday and 8.00am to 8pm on Sunday.

GENERAL CONDITIONS – STAGE 2

127. **Further Application:** A further Development Consent must be obtained from Council for the Stage 2 concept development approved under this Consent, through submission of a Development Application. The Stage 2 proposal must demonstrate the following:
 - (a) An alternate legal access arrangement for the site can be established via the adjacent ROW without impacting on the access arrangement for the Eastwood Shopping Centre. The proposal must be supported by detailed driveway / traffic plans and Traffic Report prepared by a qualified Traffic Engineer.

ITEM 1 (continued)

ATTACHMENT 1

- (b) In relation to the access easement the consent of any other owners of the land that forms part of the easement are obtained for use of the easement (as amended) in relation to the development, where necessary, and evidence of such consent be submitted to Council.

128. **Amended Strata:** An amended Strata proposal is to be submitted to reflect the amended unit layout and entitlements.

- (b) That Council accept the Voluntary Planning Agreement received by Council on 12 August 2013 (Reference No. PJAC_100970_017.DOC) made by Rutledge Street Pty Ltd in conjunction with the approval of the LDA2011/0612.

Record of Voting:

For the Motion: Unanimous

3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 13/14 held on 18 November 2014

Note: Councillor Salvestro-Martin was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Etmekdjian and Perram)

That Council note that all items of the Works and Community Committee Meeting 13/14 held on 18 November 2014 were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

4 REVIEW OF DCP 2014 - STORMWATER AND FLOODPLAIN MANAGEMENT

Note: Councillor Salvestro-Martin was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Perram and Yedelian OAM)

- (a) That Council adopt Draft Development Control Plan Part 7.3 Stormwater and Floodplain Management and associated Stormwater and Floodplain Management Technical Manual and Water Sensitive Urban Design Guidelines for the purpose of public exhibition and that all documents are placed on exhibition in accordance with the provisions of the Environmental Planning and Assessment Act 1979.

ITEM 1 (continued)

ATTACHMENT 1

- (b) That Council endorse that the exhibition of the Draft Development Control Part 7.3 Stormwater and Floodplain Management and associated documents occurs as part of a group of DCPs to be exhibited with respect to the comprehensive review of DCP 2014 and be a part of the report to Council on the outcomes of that exhibition.
- (c) That Council adopt Stage 1 DCP Review Consultation Program.

Record of Voting:

For the Motion: Unanimous

5 SEPTEMBER QUARTERLY REVIEW REPORT - DELIVERY PLAN 2014-2018 AND 2014/2015 OPERATIONAL PLAN

Note: Councillor Salvestro-Martin was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Etmekdjian and Pendleton)

- (a) That the report of the Chief Financial Officer dated 30 September 2014 on the *Quarterly Review Report. Four Year Delivery Plan 2014-2018 and One Year Operational Plan 2014/2015, Quarter One, July – September 2014* be received and endorsed.
- (b) That the proposed budget adjustments included in this report resulting in a net increase of \$0.43 million in Council's Working Capital, to a projected balance as at 30 June 2015 of \$3.74 million, be endorsed and included in the 2014/2015 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 to Reserves of \$4.51 million be endorsed.
- (d) That the Certificate of the Responsible Accounting Officer dated 30 September 2014 be endorsed.
- (e) That Council endorse the Projects recommended for cancellation, deferral, being placed on hold or proposed to be carried over as detailed in the Report.

Record of Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

6 INVESTMENT REPORT - October 2014

Note: Councillor Salvestro-Martin was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Etmekdjian and Perram)

That Council endorse the report of the Chief Financial Officer dated 5 November 2014 on Investment Report – October 2014.

Record of Voting:

For the Motion: Unanimous

7 CODE OF CONDUCT ANNUAL REPORT AND ANNUAL REVIEW

Note: Councillor Salvestro-Martin was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Perram and Yedelian OAM)

- (a) That Council note the contents of this report and the **ATTACHED** table of Code of Conduct complaints for September 2013 to August 2014.
- (b) That Council provide these statistics to the Office of Local Government as required by the *Model Code of Conduct – Complaints Procedure*.
- (c) That Council adopt the draft *Code of Conduct* documents (**ATTACHED UNDER SEPARATE COVER**)
 - Code of Conduct 2014 – Policy
 - Code of Conduct 2014 – Standards of Conduct
 - Code of Conduct 2014 – Complaints Procedure
 - Guideline on the Interaction between Councillors and Staff

Record of Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

8 CODE OF MEETING PRACTICE

Note: Councillor Salvestro-Martin was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Perram and Pendleton)

- (a) That Council adopt the draft City of Ryde Code of Meeting Practice as **ATTACHED (Under Separate Cover)** to this report, noting that as the changes are not substantive, further public exhibition is not required (Section 362 Local Government Act, 1993).
- (b) That a copy of the adopted Code be sent to the Office of Local Government for their information.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Salvestro-Martin arrived at the meeting at 7.52pm.

9 MACQUARIE FUTURES - MEMORANDUM OF UNDERSTANDING

RESOLUTION: (Moved by Councillors Chung and Etmekdjian)

- (a) That Council note the Report and endorse the City of Ryde entering into the revised Memorandum of Understanding (MOU) with Macquarie University as detailed in **ATTACHMENT 1** subject to reinforcing the focus on Council's Economic Development Plan.
- (b) That Council delegate to the Mayor and the Acting General Manager to sign the Memorandum of Understanding, on behalf of the City of Ryde.
- (c) That Council invite any Councillor who wishes to join the MOU Steering Group.

Record of Voting:

For the Motion: Unanimous

10 NOMINATIONS FOR PARRAMATTA RIVER CATCHMENT GROUP AND MEDIA LAUNCH

RESOLUTION: (Moved by Councillors Perram and Yedelian OAM)

That Council endorses the nomination of Councillors Perram and Pendleton to be delegates on the Parramatta River Catchment Group.

ITEM 1 (continued)

ATTACHMENT 1

Record of Voting:

For the Motion: Unanimous

11 REPORTS DUE TO COUNCIL

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

That the report on Outstanding Council Reports be endorsed.

Record of Voting:

For the Motion: Unanimous

LATE ITEMS - PRECIS OF CORRESPONDENCE FOR CONSIDERATION

**1 THE CITY OF SYDNEY AMENDMENT (ELECTIONS) BILL 2014 -
RESPONSE FROM HON. PAUL TOOLE MP (6 November 2014)**

RESOLUTION: (Moved by Councillors Etmekdjian and Salvestro-Martin)

That the correspondence be received and noted.

Record of Voting:

For the Motion: Unanimous

**2 10/50 VEGETATION CLEARING ENTITLEMENT AREA - RESPONSE FROM
HON. NIALL BLAIR MLC (13 November 2014)**

RESOLUTION: (Moved by Councillors Etmekdjian and Yedelian OAM)

That the correspondence be received and noted.

Record of Voting:

For the Motion: Unanimous

3 THANK YOU LETTER - FAMILY OF EDWARD GOUGH WHITLAM

RESOLUTION: (Moved by Councillors Yedelian OAM and Simon)

That the correspondence be received and noted.

Record of Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

NOTICES OF MOTION

1 COUNCIL'S ARTWORKS COLLECTION - Councillor Sarkis Yedelian OAM

On 24 October this year, I had a pleasure of representing the Mayor, Councillor Pickering at the opening of the annual Art Society Exhibition at North Ryde Community Hall. As customary, I have purchased, on behalf of Council, two paintings for the Council's Art Collection at a total cost of \$580. The paintings are titled "Morning Rush – Willandra" and "Putney Boatshed".

Over the years, Council has acquired many artworks, most of them paintings and some sketches, photographs and memorabilia. Some of these are on display in the Civic Centre and Council libraries and some are in storage. Most of these works have come from the Mayor's purchases of low cost works at local art shows or gifts to the City of Ryde. These purchases over a number of years constitute a considerable and ongoing investment by Council in supporting local artists in Ryde and in collecting artworks about Ryde.

RESOLUTION: (Moved by Councillors Yedelian OAM and Etmekdjian)

- (a) That Council staff review the management and display of the artwork collection and prepare a report for Council that informs of its value and significance;
- (b) That the Council report include recommendations on innovative options for its ongoing management and display, including guidelines for purchase of new works.

Record of Voting:

For the Motion: Unanimous

QUESTIONS BY COUNCILLORS AS PER POLICY

1 QUESTIONS WITH NOTICE - Councillor Denise Pendleton

RESOLUTION: (Moved by Councillors Etmekdjian and Salvestro-Martin)

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

Record of Voting:

For the Motion: Unanimous

Question 1

Meeting with the Mayor: The Mayor's diary published in CIB for 23 October 2014 lists a meeting of Hycorp and Council staff: who was present at the meeting; what was discussed; and will the minutes and/or meeting notes be made available to all Councillors on BoardVantage?

ITEM 1 (continued)

ATTACHMENT 1

Answer 1

Please see **attached** minutes taken by Vince Galletto at the meeting held on 23 October 2014.

Note: The Minutes are appended at the end of these Council Meeting Minutes.

Question 2

Investment Property Portfolio:

- (a) What is the purpose of Council's "Investment Property Portfolio" and what specific properties are currently listed in the Investment Property Portfolio?
- (b) If a site is currently listed in the Investment Property Portfolio, does this preclude it from further consideration by Council for upgraded or alternative community purposes – even if those purposes may not generate a significant income stream?

Answer 2

- (a) Council had established the objective to optimise the return achieved from its investment properties. In order to enhance its future revenue base to deliver long term benefits to the community, Council determined to formalise its properties within its Property Investment Portfolio.

Council formally adopted its Investment Property Portfolio at its meeting on 26 November 2013. Council further adopted the Management Framework and Objectives for the Portfolio at Council's meeting on 8 April 2014.

The general purpose of the Property Investment Portfolio is to improve Council's revenue base and to close the projected funding gap by managing and measuring the Portfolios performance in a manner consistent with a commercial property portfolio. The Management Framework has several objectives under each of the Management Criteria of Strategic, Operational, Financial and Other.

The Portfolio will be managed under two (2) categories being;

- 1/ Development Properties – suitable for more intensive use
- 2/ Investment Properties – aim to maximise revenue and occupancy

Some of these objectives are;

- Maximise value and income with an emphasis on income maximisation
- Development property strategies will target long term income streams
- To maximise financial returns to Council Portfolio properties should be managed and viewed as commercial investments

ITEM 1 (continued)

ATTACHMENT 1

- Forecast performance budgets and target outcomes will be set for each property
- Any development property initiative will be undertaken with comprehensive community consultation

Accordingly, on 26 November, 2013 Council resolved to include 17 properties in Council's Property Investment Portfolio. The Portfolio comprises:

- 2 Dickson Avenue, West Ryde
- 1A Station Road, West Ryde
- 8 Chatham Road, West Ryde
- 202 Rowe Street, Eastwood
- 226 Victoria Road, Gladesville
- 7 Anthony Road, West Ryde Car Park site, West Ryde
- Herring Road Air Space Rights
- 7 Coulter Street, Coulter St Car Park, Gladesville
- 6-12 Glen Street, Glen Street Car Park, Eastwood
- 2 Pittwater Road, John Wilson Car Park, Gladesville
- 150 Coxs Road, Coxs Rd Car Park, North Ryde
- 33-35 Blaxland Road, Argyle Centre, Ryde
- 19-21 Church Street and 16 Devlin Street, Ryde
- 1 Constitution Road, Operations Centre, Ryde
- 741-747 Victoria Road, Ryde
- 53-71 Rowe Street, Eastwood
- 6 Reserve Street, West Ryde

Council further resolved to bring the above properties into Council's financial accounts as its Property Investment Portfolio.

It should be noted that only properties classified as Operational Land under the Local Government Act have been considered for the Property Investment Portfolio. The 17 properties contained within the Property Investment Portfolio comprise an area of 3.4 hectares, being 10.3% of all Operational Land held by Council. This further represents 0.9% of total Council controlled land.

The rationale behind the establishment of the Property Investment Portfolio was to capture properties with potential to deliver ongoing revenue, investment returns and value to Council. Ongoing revenue will fund future Council initiatives.

It should be noted that the Investment Property Reserve will support the initiatives of the Property Investment Portfolio.

ITEM 1 (continued)

ATTACHMENT 1

By formally recognising these properties within the Property Investment Portfolio, these properties have been earmarked from Council's other properties, allowing a specific focus on revenue generating activities, consistent with growing Council's revenue base to support future Council initiatives.

- (b) While Council can always change its position on the makeup of the Property Investment Portfolio, Council's decision on 26 November 2013 was a considered decision in determining the properties that make up the Portfolio.

Scoping and project development takes some time to plan and achieve. Scoping out options; concept development; feasibility assessment; planning, obtaining approvals and funding sources take considerable time and must be undertaken for these types of projects.

In view of the complexity and lead times involved in developing a project, it was envisaged that the properties comprising the Investment Portfolio would not be altered. In view of the lengthy lead times for project development, any changes to the properties contained within the Portfolio would impact on the delivery of these projects.

The Property Investment Portfolio does not comprise a large number of properties, especially in the context of Council's Community Land holdings which constitute some 90% of Council's total land holdings. The Property Investment Portfolio represents less than 1% of Council's total land portfolio.

The recommendations to Council in endorsing the Property Investment Portfolio included that 'any recommendations as to future portfolio changes would be reported to Council for consideration.

Question 3

Argyle Theatre site: In each of the five full financial years prior to the closing of the Argyle Centre with the relocation of Council staff, how much was spent per year on building repairs / maintenance, planned refurbishment and any services upgrades (excluding normal expenses such as office cleaning)?

Answer 3

The following table provides figures for the Financial Years 2008-2009 to 2013-2014 (i.e. the most recent six financial years) for the three cost centres (Offices, Public Hall and Theatre) which together comprise the Argyle Centre. These figures cover expenditure across contractors, materials, utilities, insurance, plant hire, fire protection and general repairs and maintenance.

ITEM 1 (continued)

ATTACHMENT 1

It should be noted that ‘Office Cleaning’ as an expense could not be separated out from other expenses as it is coded as a contractor service.

The Argyle Centre closed late 2012 and full accounts are only available from the financial year 2008/09 due to a systems change. Therefore, there are only four full financial years’ figures available prior to that time.

Account	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013
10508. 33-41 Blaxland Road - Argyle Centre Offices	\$87,297	\$83,870	\$108,230	\$115,247	\$66,937
10509. 33-41 Blaxland Road - Argyle Centre Public Hall	\$26,289	\$35,856	\$30,116	\$16,294	\$7,408
10510. 33-41 Blaxland Road - Argyle Centre Theatre	\$6,997	\$5,635	\$31,942	\$10,174	\$895
	\$120,583	\$125,361	\$170,288	\$141,715	\$75,240

Question 4

Mayor’s Diary, CIB number 36: Is the Mayor’s Diary as published in CIB Number 36 for the period 26 August - 9 September 2014 complete?

Answer 4

On Thursday, 4 September 2014, Mayor Maggio attended a “Bollywood” fundraiser. This was noted in the working copy of the Mayor’s Diary retained by the Mayor’s EA so as not to double book the Mayor but was not included in the CIB as it was a Liberal Party fundraiser.

CLOSED SESSION

ITEM 12 - PROPERTY MATTER

Confidential

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

ITEM 1 (continued)

ATTACHMENT 1

ITEM 13 - APPOINTMENT OF GENERAL MANAGER - Recommendation To Appoint Preferred Candidate to Position of City of Ryde General Manager

Confidential

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

ITEM 14 - 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.

LATE CONFIDENTIAL ITEM 15 - COR-RFT 19/14 - SOLE PROFESSIONAL SQUAD COACHING RIGHTS DURING PEAK TIMES AT THE RYDE AQUATIC LEISURE CENTRE

Confidential

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

RESOLUTION: (Moved by Councillors Etmekdjian and Yedelian OAM)

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 8.05pm. The public and media left the chamber.

ITEM 1 (continued)

ATTACHMENT 1

12 PROPERTY MATTER

MOTION: (Moved by Councillors Perram and Yedelian OAM)

- (a) That Council does not dismiss the redevelopment of the Coulter Street Carpark as a longer term opportunity to improve the amenity of Gladesville.
- (b) That Council not proceed with the public tender process for the redevelopment of the Coulter Street car park, Gladesville at this stage.
- (c) That all relevant stakeholders in the proposed redevelopment area be formally notified.

AMENDMENT: (Moved by Councillor Salvestro-Martin and The Mayor, Councillor Pickering)

- (a) That Council does not dismiss the redevelopment of the Coulter Street Carpark as a longer term opportunity to improve the amenity of Gladesville.
- (b) That Council advise the relevant stakeholders that it will produce more formalised guidelines as to Council's requirements in terms of built form and return in revenue to potentially then call expressions of interest.

On being put to the Meeting, the voting on the Amendment was two (2) votes For and six (6) votes Against. The Amendment was **LOST**. The Motion was then put and **CARRIED**.

Record of Voting:

For the Amendment: The Mayor, Councillor Pickering and Councillor Salvestro-Martin

Against the Amendment: Councillors Chung, Etmekdjian, Perram, Pendleton, Simon and Yedelian OAM

RECOMMENDATION: (Moved by Councillors Perram and Yedelian OAM)

- (a) That Council does not dismiss the redevelopment of the Coulter Street Carpark as a longer term opportunity to improve the amenity of Gladesville.
- (b) That Council not proceed with the public tender process for the redevelopment of the Coulter Street car park, Gladesville at this stage.
- (c) That all relevant stakeholders in the proposed redevelopment area be formally notified.

ITEM 1 (continued)

ATTACHMENT 1

Record of Voting:

For the Motion: Councillors Chung, Etmekdjian, Perram, Pendleton, Simon and Yedelian OAM

Against the Motion: The Mayor, Councillor Pickering and Councillor Salvestro-Martin

ORDER OF BUSINESS

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

That Council now consider the following Items, the time being 8.40pm:

- **Item 14** – Advice on Court Actions
- **Item 15** – COR-RFT 19/14 – Sole Professional Squad Coaching Rights during peak times at the Ryde Aquatic Leisure Centre

Record of Voting:

For the Motion: Unanimous

14 ADVICE ON COURT ACTIONS

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

That the report of the General Counsel be received.

Record of Voting:

For the Motion: Unanimous

LATE ITEM – CONFIDENTIAL

15 COR-RFT 19/14 - SOLE PROFESSIONAL SQUAD COACHING RIGHTS DURING PEAK TIMES AT THE RYDE AQUATIC LEISURE CENTRE

Note: Councillor Salvestro-Martin left the meeting at 8.51pm and was not present for consideration or voting on this Item.

RECOMMENDATION: (Moved by Councillors Yedelian OAM and Etmekdjian)

- (a) Council receive and note the report on TENDER - COR-RFT 19/14 - Sole Professional Coaching Rights at the Ryde Aquatic Leisure Centre.

ITEM 1 (continued)

ATTACHMENT 1

- (b) Council, in accordance with Section 178(3) of the Local Government (General) Regulation 2005, decline to accept any tenders on the basis that the one tender received was subsequently withdrawn.
- (c) Council, in accordance with Section 178(3)(e) of the Local Government (General) Regulation 2005, delegate to the Acting General Manager to enter into negotiations with any person (whether or not the person was a tenderer) with a view to bringing a further report to Council providing detail of the proposed contract and any other relevant information.

Record of Voting:

For the Motion: Unanimous

Note: All staff with the exception of the Manager – Human Resources and the Minute Taker left the meeting at 8.56pm.

Note: Councillor Salvestro-Martin returned to the meeting at 9.01pm.

13 APPOINTMENT OF GENERAL MANAGER - Recommendation To Appoint Preferred Candidate to Position of City of Ryde General Manager

RECOMMENDATION: (Moved by Councillors Etmekdjian and Pendleton)

- (a) That Council note the information included in the confidential reports and attachments regarding the process undertaken to appoint a General Manager.
- (b) That Council appoint the preferred applicant to the position of General Manager for a term of five years as per the details contained in the confidential report and attachments.
- (c) That the formal written offer letter and contract modelled on the DLG (Department of Local Government) Standard Contract of Employment for General Managers of Local Councils in New South Wales be forwarded to the preferred candidate following a Council resolution to do so, and that such offer include a maximum contribution of \$10,000.00 towards any relocation costs the candidate may incur in accepting the offer.

Record of Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Pendleton, Perram and Yedelian OAM

Against the Motion: Councillors Salvestro-Martin and Simon

ITEM 1 (continued)

ATTACHMENT 1

14 ADVICE ON COURT ACTIONS

Note: This matter was dealt with earlier in the meeting as outlined in these Minutes.

LATE ITEM – CONFIDENTIAL

**15 COR-RFT 19/14 – SOLE PROFESSIONAL SQUAD COACHING RIGHTS
DURING PEAK TIMES AT THE RYDE AQUATIC LEISURE CENTRE**

Note: This matter was dealt with earlier in the meeting as outlined in these Minutes.

OPEN SESSION

RESOLUTION: (Moved by Councillors Pendleton and Simon)

That Council resolve itself into open Council.

Record of Voting:

For the Motion: Unanimous

Note: Open Council resumed at 9.13pm.

RESOLUTION: (Moved by Councillors Pendleton and Simon)

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

NATIONAL ANTHEM

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

The meeting closed at 9.15pm.

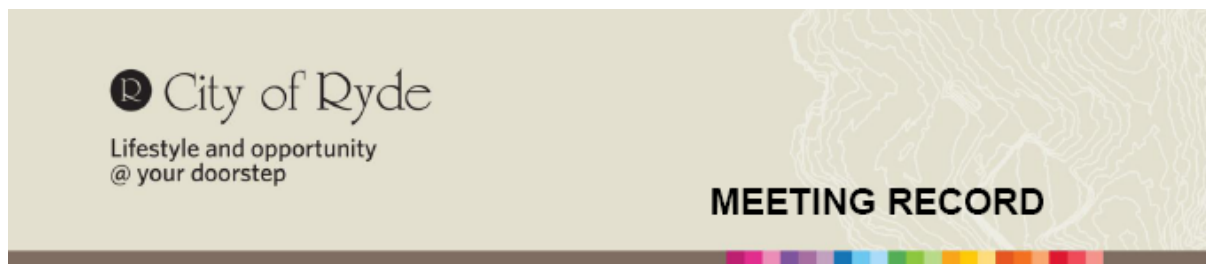
CONFIRMED THIS 9TH DAY OF DECEMBER 2014

Chairperson

ITEM 1 (continued)

ATTACHMENT 1

Refers to Questions with Notice – Question 1 on Page 41 of these Minutes.



Subject:	Meeting with Tony Abboud and Hycorp representatives regarding 120-128 Blaxland Road, Ryde	
Date:	23 October, 2014	Time : 2.00pm
Location :	Mayoral Suite	
File:		
Present:	COR	Proponent/
	The Mayor Councillor Pickering	Tony Abboud & Assistant Snowden Parks Real Estate
	Dominic Johnson Acting General Manager	Stephen & Michael Abolalian Hycorp Property Group
	Vince Galletto Team Leader Building & Development Advisory Service	

Details of Meeting

Meeting arranged by Tony Abboud with the Mayor and Acting General Manager to discuss possible future redevelopment of the site which may include adjoining land owned by the Anglican Church which comprises a number of currently occupied residential flat buildings.

Dominic J - opened the meeting with details of previous discussion that were held with the previous General Manager John Neish regarding a redevelopment of the site and a possible planning proposal across a number of sites including land owned and occupied by Anglican Church.

Emphasis was placed on retaining the current façade of the old bank building standing on 128 Blaxland Road and its curved nature which accentuates the corner with Devlin street. This is further reflected with the Top Ryde shopping centre building opposite.

Michael A – explained that discussions have been held with the Anglican Church, however they have been receiving mixed signals from them due to change of management.

Stephen A – further explains that they pursued an earlier pre lodgement meeting with Council's UDRP and planning staff, however were uncertain as to how proceed further due to site constraints and what are perceived as unrealistic expectations from panel's advice regarding the proposed buildings, through site links and what to do with the Telstra Buildings adjoining their site.

Dominic J – explained the role of the UDRP in providing independent advice regarding development proposals.

Michael A – asked if Council would assist with any meeting with the Church in terms of discussions for future redevelopment of the site and was advised that it would be inappropriate for council to initiate any such meetings, however Council's property manager would attend such meeting as an interested landowner.

ITEM 1 (continued)

ATTACHMENT 1

Dominic J – further explained that higher FSR and height were previously suggested to Council for the site, however this was not accepted by Council and that Hyecorp should take heed of this in formulating any future proposals.

Tony A – highlighted that an holistic approach for the precinct would be a positive outcome and further highlighted possibilities of a bus interchange as well as taking care of the public domain area on the other side of Church street which was left out from the last upgrade.

The Mayor Councillor Pickering – explained at the meeting that due to Michael & Stephen from Hyecorp been previous clients of his, he would not be involved or part take in any further meetings and deliberations regarding the redevelopment of these sites.

Dominic J –suggested as way forward is to initiate meeting and conversation with the Church, and to establish dimension of planning study area. Further highlighted the following:

- Owners should not try to duplicate the size and scale of the Top Ryde shopping centre (given it is much greater than 5-6 stories) and has the highest council approved FSR in Ryde.
- a bus interchange was never considered for that side of Blaxland Road and proponents should look at social housing and workers housing as part of any redevelopment proposal as this is more likely to get support from Council.

**2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING
13/14 held on 2 December 2014**

Report prepared by: Section Manager - Governance
File No.: CLM/14/1/4/2 - BP14/1370

REPORT SUMMARY

The Minutes of the Planning and Environment Committee Meeting 13/14 held on 2 December 2014 are to be circulated on Thursday, 4 December 2014 after the meeting has been conducted. The Minutes will be listed for confirmation at the next Planning and Environment Committee Meeting.

A report detailing Items which were dealt with by the Committee within its delegated powers, together with any Committee recommendations will be circulated at the same time as the Minutes on Thursday, 4 December 2014.

**3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING
14/14 held on 2 December 2014**

Report prepared by: Section Manager - Governance
File No.: CLM/14/1/4/2 - BP14/1371

REPORT SUMMARY

The Minutes of the Works and Community Committee Meeting 14/14 held on 2 December 2014 are to be circulated on Thursday, 4 December 2014 after the meeting has been conducted. The Minutes will be listed for confirmation at the next Works and Community Committee Meeting.

A report detailing Items which were dealt with by the Committee within its delegated powers, together with any Committee recommendations will be circulated at the same time as the Minutes on Thursday, 4 December 2014.

4 MACQUARIE PARK CORRIDOR DEVELOPMENT CONTROL PLAN REVIEW

Report prepared by: Team Leader - Strategic Planning
File No.: GRP/09/6/2/5 - BP14/783

REPORT SUMMARY

To support growth in Macquarie Park the City of Ryde Council has developed an innovative incentive scheme to achieve new roads and parks in partnership with the development sector. The proposed new roads will assist to reduce traffic congestion, and to encourage walking and cycling. The proposed new parks address an open space deficiency in the area that was identified by Council's Integrated Open Space Strategy.

On 22 October 2013 Council resolved to adopt Open Space and Access Network Maps that identify the extent and location of proposed roads and parks in the Corridor and draft planning controls that provide incentives (height and floor space) in return for the proposed parks and new roads. The plan - known as Draft Ryde Local Environmental Plan (RLEP) (Amendment 1) Macquarie Park - was submitted to Department of Planning and Environment (DoPE) in November 2013 with a request that the plan comes into effect. DoPE subsequently advised that RLEP Amendment 1 would not be processed until Council's comprehensive LEP was gazetted. This occurred on 12 September 2014.

Council also resolved on 22 October 2013 to amend Ryde Development Control Plan (DCP) to provide detailed guidance to the incentive scheme and co-ordinate the implementation of the proposed new parks and roads. A review of the DCP with an aim to reduce repetition, and the deletion and update of controls has been undertaken. The draft amended DCP includes the following:

- Council's adopted Open Space and Access Network Maps and consequential amendments
- Revised setbacks to rear and side boundaries and street frontages,
- Deletion of the special precinct controls (due primarily to the introduction of the Urban Activation Precincts)
- Deletion of information that is no longer considered relevant such as the schedules
- Deletion of repetitious controls (such as signage and stormwater controls appearing in other DCP Parts)
- Deletion of controls that repeat State Environmental Planning Policy 65 as this document overrides the DCP
- Proposed parking controls and guidelines for travel plans

This report requests that Council consider the Draft Ryde DCP Part 4.5 Macquarie Park and resolve to place the DCP on exhibition for a period of at least 28 days.

ITEM 4 (continued)**RECOMMENDATION:**

- (a) That Council endorse that Draft Development Control Plan Part 4.5 Macquarie Park is placed on public exhibition in accordance with the provisions of the NSW Environmental Planning and Assessment Act.
- (b) That Council authorise the Group Manager Environment and Planning to undertake minor amendments to the Draft Development Control Plan Part 4.5 Macquarie Park prior to exhibition of the Plan.
- (c) That the outcomes of the exhibition are reported to Council as soon as practicable after the closure of the exhibition.

ATTACHMENTS

- 1 Ryde Development Control Plan Stage 1 Review - Communications and Engagement Plan
- 2 Draft Ryde DCP Part 4.5 Macquarie Park presented to Council for exhibition purposes - CIRCULATED UNDER SEPARATE COVER

Report Prepared By:

Lexie Macdonald
Team Leader - Strategic Planning

Report Approved By:

Meryl Bishop
Acting Group Manager - Environment and Planning

ITEM 4 (continued)**Background**

To support growth and development in Macquarie Park, the area requires substantial new public infrastructure, particularly roads and open space. Under the provisions of DRLEP 2014 (Amendment 1) Macquarie Park Corridor new road and park networks are to be funded by major developments through floor space and building height incentives.

On 9 April 2013 Council resolved to exhibit the Macquarie Park Corridor Planning Proposal based on a study “Macquarie Park Plan Review Recommendations Paper 14 May 2013” that recommended fewer roads and parks than in that existing DCP. The review was predicated on ensuring that the new roads and parks were economically viable, practicable and as a result achieved “buy-in” from landowners. Consultation was undertaken from 12 June to 19 July 2013, with 18 submissions received and reported to council on 22 October 2013. Council resolved as follows:

- (a) *That Council adopt draft Ryde Local Environmental Plan 2013 (Amendment 1) Macquarie Park Corridor, with an amendment to delete Part 1 of Schedule 1 – Amendment of Ryde Local Environmental Plan 2013 - Clause 4.6 – Exceptions to Development Standards from the written instrument.*
- (b) *That Council forward to the Department of Planning and Infrastructure Draft Ryde LEP 2013 (Amendment 1) Macquarie Park Corridor – as amended - requesting that the Minister make the plan.*
- (c) *That Council prepare an amendment to draft Ryde Development Control Plan 2011 - Part 4.5 Macquarie Park Corridor consequential to the introduction of draft Ryde LEP 2013 (Amendment 1) Macquarie Park Corridor and that proposed amended Draft DCP is reported to Council.*
- (d) *That Council adopt the Macquarie Park Access Network Strategy and Open Space Network Strategy Plans contained within Attachment 2.*

Purpose of this report

This report will provide an update on the outcomes of Council’s resolutions of 22 October as follows:

- The progress of *draft Ryde Local Environmental Plan 2014 (Amendment 1) Macquarie Park Corridor*
- Detail on the Macquarie Park DCP review and request approval from council to publicly exhibit the plan in accordance with the Environmental Planning and Assessment Act.

ITEM 4 (continued)**Discussion**Status of draft Ryde Local Environmental Plan 2014 (Amendment 1) Macquarie Park Corridor

Following adoption by Council on 22 October 2103, the draft LEP was submitted to Department of Planning and Environment (DOPE) on 13 November 2013 with a request for making.

DOPE subsequently advised Council that the Macquarie Park amending LEP would not be made or considered until after the comprehensive LEP for the city - Ryde LEP 2014 – was made. The Ryde LEP 2014 became effective on 12 September 2014. The Macquarie Park LEP amendment was planned and known as amendment 1 to Ryde LEP 2014.

In finalising the Macquarie Park amending LEP the DoPE has requested Council remove the Herring Road UAP from the land affected by the LEP. Council in turn has requested that the parliamentary counsel consider a mechanism to access the planning incentives that does not require a planning proposal each time as this will add to administration and DA timeframes. The options discussed have been:

1. A planning proposal process that is based on all conditions precedent up to s59 of the Environmental Planning and Assessment Act having been met including the issue of the gateway determination and public exhibition. This is based on the Ryde LEP Amendment 1 planning incentives having already been exhibited and adopted by Council. However, as time elapses from the exhibition in 2013 this approach is less attractive and more problematic.
2. No Planning Proposal is required as the LEP text that tabulates the available incentive Height and Floor Space for identified areas (mapped) within the corridor. This approach is currently used in Ryde LEP for accessing the incentive controls in the Ryde Town Centre
3. No Planning Proposal is required as the LEP text permits access to the planning height and FSR incentives subject to Council being satisfied with the provision of public infrastructure for the land. The LEP would contain the base Height and FSR controls and the Incentive Height and FSR controls.

It is understood that there are legal complications for all three options in relation to the provisions of the standard instrument and the mechanisms to ensure the delivery of the roads and open space network. Council is in discussion with the DoPE regarding the appropriate option.

ITEM 4 (continued)
Ryde DCP Part 4.5 Macquarie Park

The report of 22 October 2013 indicated that the existing DCP required review and update. The proposed amendments to the DCP aim to:

- make it easier to read
- give greater clarity to the controls
- delete unnecessary/superseded controls
- delete controls that replicate State Environmental Planning Policy 65 Design Quality for Residential Flat Buildings (as these override the DCP)
- update controls to reflect Council's resolutions or changes to the legislative framework
- to ensure consistency with draft RLEP amendment 1

The key changes proposed to the Macquarie Park DCP (taken section by section) are as follows:

Table 1

SUMMARY OF THE REVIEW AND PROPOSED KEY CHANGES TO DCP PART 4.5 MACQUARIE PARK	
EXISTING CONTENTS	REVIEW AND THE PROPOSED CHANGES
1.0 PRELIMINARY 1.1 Introduction 1.2 Citation 1.3 Land covered by this Plan 1.4 Aims and purpose of this Plan 1.5 How to use this plan 1.6 Relationship to other Plans and Policies 1.7 Requirements for large sites 1.8 How to prepare a site analysis	It is proposed to delete matters covered in other Council documents. For example, controls requiring and specifying the form of a site <i>analysis</i> are no longer necessary components of the DCP as they are now included in Council's Development Application Information package.
2.0 VISION FOR MACQUARIE PARK CORRIDOR	The vision was set through consultation in 2006/7 and in the <u>Sydney Metro Strategy</u> . This section is therefore proposed to be retained with no change. <i>The vision continues to be that ... "Macquarie Park will mature into a premium location for globally competitive businesses with strong links</i>

ITEM 4 (continued)

	<p><i>to the university ...and an enhanced sense of identity. The Corridor will be characterised by a high quality, well-designed, safe and liveable environment that reflects the natural setting..... Residential and business areas will be better integrated and an improved lifestyle will be forged for all those who live, work and study in the area.”</i></p>
<p>3.0 STRUCTURE PLAN 3.1 Introduction 3.2 Street Network 3.3 Open Space Network 3.4 Built Form Network</p>	<p>The structure plan section of the existing DCP describes the locations of new parks and roads and the overall built form. This section is to be revised as follows:</p> <ul style="list-style-type: none"> • Replace the Street, Pedestrian, Open Space Plans with those adopted by Council on 22 October 2013 and update related controls throughout the DCP • Delete the built form structure plan, which is inconsistent with the incentive height FSR and Height in RLEP Amendment 1. This is because the existing built form structure plan provides for the tallest buildings adjacent rail stations and on “gateway sites” at the edges of the corridor. In contrast Council’s adopted LEP incentive height map locates the tallest buildings along Waterloo Road and transitions down in scale at the edges. • Provide a new urban structure plan that articulates the land use structure of the Macquarie Park Corridor – i.e. where residential communities will develop, the business and retail cores and the lower scaled business park located on the fringes of the corridor adjoining Epping Road and the M2.
<p>4.0 SPECIAL PRECINCTS 4.1 Introduction 4.2 Macquarie Park Station Precinct 4.2.1 Future Character 4.2.2 Public Domain 4.2.3 Site and Building Design 4.2.4 Public Domain Interface</p>	<p>The existing special precinct controls provide design guidelines for the areas around the 3 rail stations.</p> <p>The changes to height and FSR controls in DRLEP Amendment 1, the introduction of controls by the NSW DoPE for North Ryde Station UAP and proposed controls for the Herring Road UAP have meant that the precincts controls are no longer relevant and whole section should now be deleted.</p>

ITEM 4 (continued)

<p>4.3 Macquarie University Station Precinct 4.3.1 Future Character 4.3.2 Public Domain 4.3.3 Site and Building Design 4.3.4 Public Domain Interface</p> <p>4.4 North Ryde Station Precinct 4.4.1 Future Character</p>	
<p>5.0 PUBLIC DOMAIN 5.1 Streets 5.1.1 Introduction 5.1.2 Type 1 Streets 5.1.3 Type 2 Streets 5.1.4 Type 3 Streets 5.1.5 Type 4 Streets</p> <p>5.2 Public Open Space 5.2.1 Introduction 5.2.2 Central Park 5.2.3 Industrial Creek 5.2.4 Shrimptons Creek South (Wilga Park) 5.2.5 Porters Creek Open Space Network 5.2.6 Delhi Road Square 5.2.7 Thomas Holt Drive 5.2.8 Talavera Road 5.2.9 Macquarie Park Station Square 5.2.10 Macquarie University Station Square – East 5.2.11 Macquarie University Station Square – West</p> <p>5.3 General Public Domain Controls 5.3.1 Cycle Strategy 5.3.2 Street Furniture, Paving and Street Lighting 5.3.3 Street Tree and Front Setback Planting 5.3.4 Community Facilities 5.3.5 Public Art</p>	<p>In order to ensure that new parks and roads were economically viable, practicable and functional the Access Network adopted by Council on 22 October 2013 provided for fewer roads and just 2 street types – 20m wide and 14m wide rather than the 4 street types in the existing DCP. The DCP has been amended consequential to the adopted Access and Open Space Network Maps</p> <p>The Open Space Structure Plan also provided for fewer parks than in the existing DCP - focussing instead on the delivery of key parks, such as the Central Park. Linear parks located on the overland flow paths (Industrial Creek, Porters Creek) were deleted from the Open Space Structure Plan because their primary function was not to support recreation uses but rather these linear parks were intended to manage stormwater.</p> <p>As a result this open space section of the DCP has been reviewed to delete controls for parks that are no longer proposed and to remove repetitious controls. The general public domain controls give the size, general layout and furniture requirements for the proposed parks. The proposed DCP tabulates the controls for ease of reference and gives additional guidance to the function of each park. With the exception of the Central Park the sizes remain unaltered. The Central Park has been reduced slightly in size – remaining at a size to support a playing field.</p> <p>The Cycle Strategy has been updated to reflect Council's current strategy.</p>

ITEM 4 (continued)

<p>5.3.6 Heritage Interpretation 5.3.7 Implementation</p>	<p>The section on Heritage Interpretation has been deleted as there is only one heritage item in the Corridor and this is within the University, now controlled by the State Significant Concept Plan Approval. (Note: The cemetery is a heritage item but outside the boundary of the area affected by the DCP)</p> <p>The present Public Art Controls require update to be consistent with Council's Public Art Policies and guidelines to require a percentage of the construction costs be budgeted for public art and to also provide suggested art themes. As development in Macquarie Park often has very large costs the artwork budget is capped at \$1,500,000 per development.</p>
<p>6.0 SITE AND BUILDING DESIGN 6.1 General Built Form Controls 6.1.1 Height Controls 6.1.2 Floor Space Ratio Controls 6.1.3 Site Planning and Staging 6.1.4 Street Setbacks and Built-to Lines 6.1.5 Side and Rear Setbacks 6.1.6 Building Separation 6.1.7 Building Bulk 6.1.8 Site Coverage and Deep Soil Areas 6.1.9 Building Articulation 6.1.10 Ceiling Heights 6.1.11 Active Frontages 6.1.12 Awnings and Canopies 6.1.13 Topography and Building Interface 6.1.14 Advertising Signage 6.1.15 Environmental Performance 6.1.16 Wind Impact 6.1.17 Noise and Vibration 6.1.18 Bushfire Management 6.2 Private and Communal</p>	<p><i>Site and Building Design Controls</i> The existing DCP Active frontage and building front setbacks (including in Waterloo Road in particular) are reviewed to improve street activation as follows:</p> <ul style="list-style-type: none"> • Zero setbacks in Primary Activity Centres (that are mapped and identified) and located in and around rail stations, the proposed Central Park and other key locations • 5m Secondary Active Frontage • 5m side and rear setbacks • 10m front setback to existing and new streets • 20m setbacks on Epping Road and the M2 <p>New development may not be built upon a proposed street or park. In all other circumstances rear setbacks are amended to 5m. Side setback requirements of 5m have been removed from the DCP. Side setbacks are controlled by building separation controls and the Building Code of Australia (which overrides the DCP in any case). Building separation (as it applies to more than one building on a site) and deep soil zones remain unaltered.</p> <p>Controls guiding building design have generally been retained with repetition removed. This has been achieved by amalgamating sections on Building Bulk and Building Articulation.</p> <p><i>Services and Site Management</i> In recognition of the proximity of the Corridor's residential areas to train stations, parking</p>

ITEM 4 (continued)

<p>Open Space 6.2.1 Landscaping and Communal Courtyards 6.2.2 Pedestrian Through-Site Links 6.2.3 Planting on Structures</p> <p>6.3 Services and Site Management 6.3.1 Floodplain Management 6.3.2 Stormwater Drainage 6.3.3 Waste Management 6.3.4 Soil Management 6.3.5 Site Contamination 6.3.6 Site Facilities 6.3.7 Vehicular Access 6.3.8 On-site Parking 6.3.9 Work Place Travel Plan</p>	<p>requirements in the existing DCP have been revised to include parking rates at the lower end of Council's existing parking controls for residential development. These maximum rates are:</p> <ul style="list-style-type: none"> • 0.6 space/ one bedroom apartment • 0.9 space/ two bedroom apartment • 1.4 spaces / three bedroom apartment • 1 visitor space / 10 dwellings. <p>Information is also provided on the parking controls for commercial development included in Ryde LEP 2014. The current parking provisions in the DCP for transitional parking rates have been removed as this control creates administrative difficulties and are no longer considered necessary.</p> <p>Work Place Travel Plan requirements have been updated so they are practical and easier to implement. The Macquarie Park Transport Management Association assisted with this review.</p> <p>Deleted sections of the DCP include the following.</p> <ul style="list-style-type: none"> • With the update of the Stormwater and Floodplain Management DCP and the Signage DCP it is no longer necessary to retain those controls in this Part. • Site Contamination as the DCP suggested proponents "Refer to NSW Statutory requirements." This is a requirement of the legislation whether or not it is stated in the DCP. • Waste Management as this is guided by Council's more recently updated waste management DCP Part 7.2.
<p>SCHEDULES 1 Background 2 Glossary 3 Planning Principles for Macquarie Park Corridor</p>	<p>The schedules provide information on the Corridor relating to its regional context, vegetation, topography, and the planning principles underpinning the DCP. The schedules will be deleted as they are not relevant to the development assessment process and consequently not used. The deletion is a recommendation from Council's assessment team.</p>

The proposed Draft DCP is restructured due to the many deletions and also to reinforce the sections in the plan that assist in achieving the Council's vision for the Corridor.

A copy of the Draft Ryde DCP Part 4.5 Macquarie Park is **ATTACHMENT 2 - CIRCULATED UNDER SEPARATE COVER.**

ITEM 4 (continued)

Implementation of the incentives

Section 6 of the proposed DCP includes guidelines for the implementation of planning incentives (additional building height and floor space defined in RLEP Amendment 1) in return for public infrastructure. In particular the streets and parks identified in sections 4 and 5 of the proposed DCP

This reflects the guidelines developed by Architectus and exhibited together with LEP amendment 1 and reported to Council October 2013. The guidelines indicate the process for accessing the incentives is as follows:

1. A landowner wishes to lodge a development application that takes advantage of the incentive FSR and/or height.
2. The landowner is referred to <ul style="list-style-type: none"> • Ryde LEP incentives maps • Council's Voluntary Planning Agreements Policy • Council's Fees and Charges for the indicative "levies" for additional floor space.
3. The landowner offers a VPA.
4. The VPA community benefit will be assessed based on its ability to deliver or contribute to the delivery of public infrastructure. The levies identified in Council's Fees and Charges will be used as the basis for Voluntary Planning Agreements assessments and costing.
5. The VPA is reported to Council and if endorsed will be effected and registered on title.
6. Under the current LEP process a planning proposal would then be commenced. Public exhibition may not be required and Council would submit the PP to the DOPE for making.
7. The LEP is amended and the incentive floor space and/or height made available.
8. The DA is processed.

As discussed under the heading of Status of draft Ryde Local Environmental Plan 2014 (Amendment 1) Macquarie Park Corridor Council is seeking to eliminate steps 6 and 7 in the process as these involve the DOPE in administrative processes raising concerns about delay to the DA assessment process and acceptable DA timeframes.

ITEM 4 (continued)**Financial Implications**

Adoption of the recommendation will have no financial impact. The proposed DCP will assist to provide new roads and parks - funded by developers in return for additional floor space and building height – in the Macquarie Park Corridor.

Consultation with relevant external bodies

Consultation in relation to the Ryde LEP (Amendment 1) Macquarie Park was undertaken in 2013. That exhibition included the background and supporting documents that underpin the review of the DCP. Engagement with NSW government bodies and agencies such as the Roads and Maritime Services, landowners and residents was undertaken at the time.

The following have been consulted during the review of the planning framework:

- Connect Macquarie Park (the Transport Management Association)
- Assessment Unit
- Community and Culture Unit
- Traffic and Governance Unit
- Open Space Unit

As stated previously Council on the 12 August 2014 resolved to undertake the preparation of an amending Development Control Plan to comprehensively review DCP2014 in accordance with the review framework and program.

Stage 1 of the review program is to take place between September 2014 – June 2015 and includes the following DCP Parts:-

- Stormwater Management
- Macquarie Park DCP
- Engineering Standards
- Signage

It is anticipated that the four DCP Parts will be exhibited together in February/March 2015.

A community consultation program has been prepared by Council's Communications and Media (C&M) Unit outlining the consultation required for each of the DCP Parts. The plan encompasses both a broad community awareness component through advertisement as well as a targeted campaign via direct mail to the various stakeholders identified.

Stage 1 DCP Review Consultation Program is **ATTACHED**.

ITEM 4 (continued)

This report recommends that draft Ryde DCP Part 4.5 Macquarie Park is publicly exhibited for 28 days. Assuming Council supports the recommendation the following will be notified:

- Local affected landowners, businesses and residents
- Macquarie Park Forum
- Community groups such as Bike North
- Connect Macquarie Park (the Transport Management Association)
- State Agencies including particularly Roads and Maritime Services

The exhibition of the DCP group includes the following:-

- Being notified in the local media
- Being placed on Council's website
- Being available for viewing at all libraries , Ryde Planning and Business Centre and the Civic Centre
- Letters/e-mails to stakeholder as identified in program
- Information sessions/drop in sessions as identified in the program.

Options

1. Do not proceed with amending Ryde DCP part 4.5 Macquarie Park
This option would result in a mismatch between the LEP (Amendment 1) and the DCP.
2. Proceed with amending Ryde DCP Part 4.5 Macquarie Park
This option would result in a DCP that gave detailed guidance to the RLEP Amendment 1 incentive controls, adopted by Council 22 October 2013. This option is preferred because it will provide certainty to the development process and through the incentives achieve community benefit in the form of new parks and roads.

ATTACHMENT 1

ITEM 4 (continued)

#	DCP Part	Amendment	Key Stakeholders	Consultation
1	Stormwater Management	A review of Stormwater Management and Floodplain Management	<ul style="list-style-type: none"> Regular Stormwater Engineers (self-employed) Regular Stormwater Engineers (employed by Development Professionals) 	<ul style="list-style-type: none"> Email to key stakeholders with the amendment and consultation information of the DCP Part* 1 x Appointment based information session for stakeholders 'Have your say' webpage with soft copy and consultation information Consultation information in the City News in NDT Hard copy available at the Customer Service Centre, Ryde Planning and Business Centre and all Libraries
2	Macquarie Park DCP	Make Changes to reflect Amendment 1 of LEP 2014	<ul style="list-style-type: none"> Macquarie Park Forum Residents in the Macquarie Park Area Residential Property Owners in the Macquarie Park Area Strata and Property Managers in the Macquarie Park Area Business Property Tenants in the Macquarie Park Area Business Property Owners in the Macquarie Park Area 	<ul style="list-style-type: none"> Letters to key stakeholders with the amendment and consultation information of the DCP Part* 'Have your say' webpage with soft copy and consultation information Consultation information in the City News in NDT Hard copy available at the Customer Service Centre, Ryde Planning and Business Centre and all Libraries
3	Engineering Standards	A review of Driveways, Public Civil Works, Construction Activity and Title Encumbrances	<ul style="list-style-type: none"> Development Professionals (Private Certifiers, Project Companies, Developers and Architects) 	<ul style="list-style-type: none"> Letters to key stakeholders with the amendment and consultation information of the DCP Part* 'Have your say' webpage with soft copy and consultation information Consultation information in the City News in NDT Hard copy available at the Customer Service Centre, Ryde Planning and Business Centre and all Libraries
4	Signage	A review of Part 9.1 Signage to reflect current legislation and regulations	<ul style="list-style-type: none"> Business Property Tenants in the Macquarie Park Area Business Property Owners in the Macquarie Park Area 	<ul style="list-style-type: none"> Letters to key stakeholders with the amendment and consultation information of the DCP Part* 'Have your say' webpage with soft copy and consultation information Consultation information in the City News in NDT Hard copy available at the Customer Service Centre, Ryde Planning and Business Centre and all Libraries

* Stakeholders who are repeated through the DCP Parts will only receive one letter with all the relevant information regarding the DCP Stage 1 review.

Communications & Engagement Plan:
DEVELOPMENT CONTROL PLAN STAGE 1 REVIEW

5 PLANNING PROPOSAL - COMMUNITY CONSULTATION 144 WICKS ROAD, MACQUARIE PARK

Report prepared by: Planning Proposal Coordinator; Team Leader - Strategic Planning
File No.: LEP2013/13/003 - BP14/1399

REPORT SUMMARY

This report summarizes the outcomes of the community consultation process for the planning proposal for land at 144 Wicks Road, Macquarie Park. 144 Wicks Road is subject to two land-use zones – B3 Business Core adjoining Waterloo Road and B7 Business Park adjoining Epping Road. The planning proposal seeks to amend Schedule 1 – Additional Permitted Uses under Ryde Local Environmental Plan (LEP) 2014 to include *hardware and building supplies and garden centre* as permissible uses on the B7 Business Park zoned portion of the site. It is not proposed to amend the height or floor space controls applicable to the site.

The planning proposal was submitted to Council in August 2013 with a request to amend the land use table applicable to 144 Wicks Road in order to enable a Masters development facing Epping Road. The proposal seeks amendment to Council's existing planning controls only and does not include a development application for any building work.

The planning proposal, draft DCP and supporting documentation was publicly exhibited for 30 days (exceeding the required 28 days) from 17 September – 17 October. The exhibition was notified in the media and documentation made available on council's website at North Ryde Library, Ryde Library and Ryde Planning and Business Centre. Consultation included two (2) drop-in information sessions at venues in Cox's Road.

Nine (9) submissions were received with five (5) being supportive, three (3) giving support subject to conditions and one (1) being an objection to the proposal. Those who gave conditional support was on the basis of road network improvements, bicycle access and additional consultation as the proposal progresses. The Roads and Maritime Services gave written in-principle support to the proposal, which includes the implementation of council's Access Network.

The objection to the proposal is based on impacts to local hardware/business. The proponent's economic assessment demonstrates that there is an under-supply of hardware floor space in the Ryde Local Government Area (LGA) exacerbated by the closure of several local hardware stores. The proposed Masters improvement centre will assist to address the undersupply of hardware floor space in the LGA. The Masters store will be a destination store/key attractor and as a result will compete predominantly with other large format hardware stores rather than local convenience based hardware stores. As a result the Masters store is unlikely to have an impact on the vitality or viability of local centres.

ITEM 5 (continued)

The economic based objection must also be considered within the legislative framework. With respect to this it should be noted that a Masters development is already permissible on the Waterloo Road portion of the subject site zoned B3 under the provisions of Ryde LEP 2014 and that Council is obligated by NSW legislation to ensure that employment land uses are retained within the site and the land use zone.

As a result, it is recommended that the proposal to amend Schedule 1 – Additional Permitted Uses under Ryde Local Environmental Plan (LEP) 2014 to include *hardware and building supplies and garden centre* as permissible uses on the B7 Business Park portion of 144 Wicks Road Macquarie Park is endorsed by Council and submitted to the Department of Planning for making.

RECOMMENDATION:

- (a) That Council endorse the planning proposal to amend Schedule 1 – Additional Permitted Uses under Ryde Local Environmental Plan (LEP) 2014 to include *hardware and building supplies and garden centre* as permissible uses on the B7 Business Park portion of 144 Wicks Road Macquarie Park Corridor for submission to the Department of Planning and Environment to be made, and
- (b) That Council notify all community members who made a submission regarding the planning proposal.

ATTACHMENTS

- 1 Consultation newsletter identifying site and including artist's impression
- 2 Summary of Submissions to the public exhibition of a Planning Proposal for 144 Wicks Road

Report Prepared By:

Adrian Melo
Planning Proposal Coordinator

Lexie Macdonald
Team Leader - Strategic Planning

Report Approved By:

Nathan Pratt
Acting Manager - Urban Planning

Meryl Bishop
Acting Group Manager - Environment and Planning

ITEM 5 (continued)

History

A Planning Proposal was submitted to Council on behalf of Masters Improvements in August 2013 for 144 Wicks Road. The site is currently zoned part B3 Commercial Core and part B7 Business Park. The planning proposal seeks to amend Schedule 1 – Additional Permitted Uses under Ryde Local Environmental Plan (LEP 2014) to include *hardware and building supplies and garden centre* as permissible uses on the B7 Business Park portion of the site to allow for a Masters Improvements development facing Epping Road). It should be noted that *hardware and building supplies and garden centre* are already permissible land uses in the B3 Commercial Core portion of the site fronting Waterloo Road. The proponents argue that the proposal meets the objectives of the two land use zones to promote employment and that office development is more appropriate adjoining Waterloo Road than a hardware / garden centre. It is not proposed to amend the height or floor space or the development capacity applicable to the site.

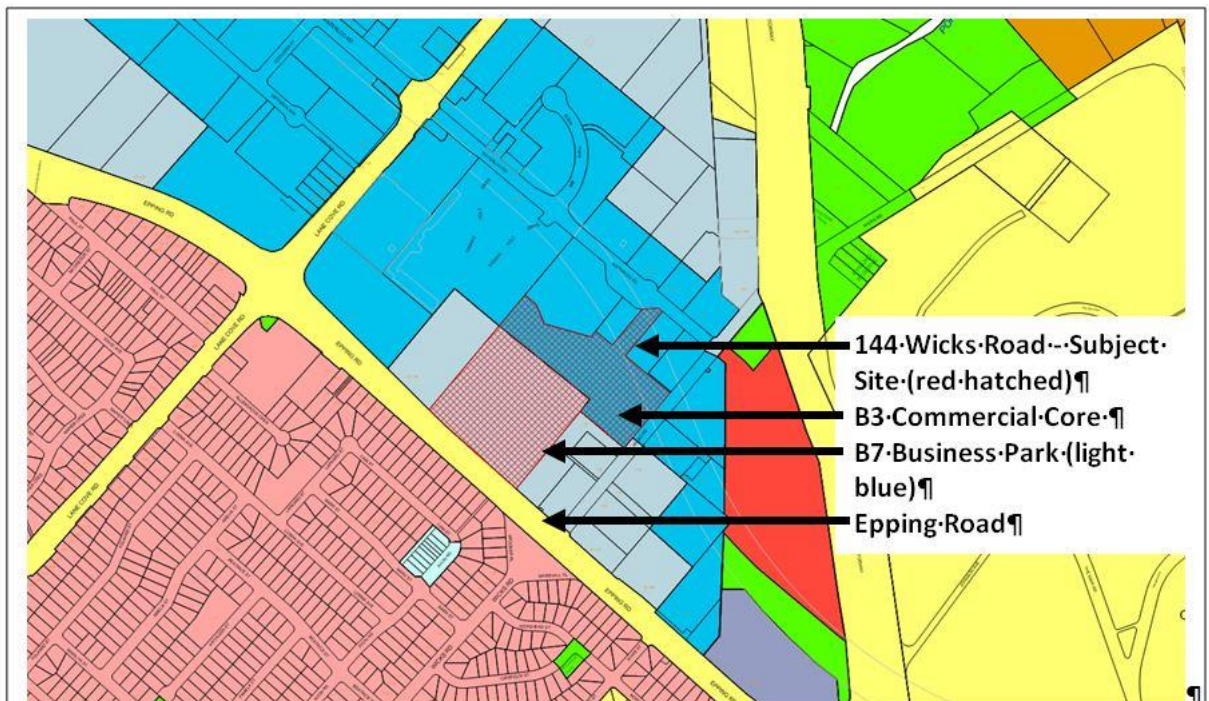


Figure 1 ¶

Existing Land Use Zones Under the provisions of Ryde LEP 2014 for 144 Wicks Road (red-hatched) ¶
 It is proposed to permit additional land uses on the B7 portion of the site adjoining Wicks Road ¶

ITEM 5 (continued)

On 24 June 2014, Council considered the planning proposal to amend the permitted land uses at 144 Wicks Road, Macquarie Park. At the above Council meeting, it was resolved:

- (a) *That Council support the Planning Proposal for 144 Wicks Road, Macquarie Park to amend Schedule 1 under Ryde Local Environmental Plan 2010 and Ryde Local Environmental Plan 2014 to include the following land uses hardware and building supplies and garden centre,*
- (b) *That Council forward the planning proposal for 144 Wicks Road, Macquarie Park to receive a gateway determination in accordance with Section 56 of the Environmental Planning and Assessment Act 1979.*
- (c) *That, in the event of a gateway determination being issued pursuant to Section 56 of the Environmental Planning and Assessment Act 1979, the proposed be placed on public exhibition and a further report be presented to Council following the completion of the consultation period advising of the outcomes and next steps.*

On 7 August 2014, the Department of Planning and Environment (DoPE) issued a gateway determination which required:

- minor amendments to the planning proposal to identify which portion of the site was to be affected,
- provision of Height, Floor Space Ratio and Special Provisions Area maps for the site,
- community consultation for a minimum of 28 days, and
- consultation with the following public authorities:
 - Roads and Maritime Services
 - UrbanGrowth NSW
 - Ausgrid
 - Sydney Water

Community Consultation

Consultation with the community regarding the Planning Proposal was carried out in accordance with legislative requirements and the gateway determination. Key dates and events of the community consultation are as follows:

- Public exhibition for a period of 30 days between 17 September and 17 October (inclusive) 2014.
- An exhibition notice placed in the Northern District Times with circulation across the Ryde Local Government Area.

ITEM 5 (continued)

- A copy of the exhibition notice, Planning Proposal and all supporting material was available for public viewing at North Ryde Library, Ryde Library, and Ryde Planning and Business Centre. The documents were also made available on Council's website.
- Two community information sessions were held as follows:
 - 10am – 12midday Saturday, 27 September 2014, at North Ryde School of Arts Hall (above North Ryde Library)
 - 5.30pm – 7.30pm Thursday, 2 October 2014, at North Ryde Library.
- Notification was sent to approximately 2,500 land owners (including strata title owners) within the surrounding area. Notification included a newsletter that identified the site and gave an artist's impression of the eventual building (**ATTACHMENT 1**)

Outcomes of Community Consultation

Feedback from the community was gathered from the following:

- Community Sessions (abovementioned)
- Written submissions

The outcomes of each of the community consultation exercises are considered and detailed below.

Community Sessions

A total of fifteen (15) community members attended the community information sessions. Five (5) attended the North Ryde School of Arts Hall on Saturday 27 September 2014 and ten (10) attended the session at North Ryde Library on Thursday 2 October 2014. The information sessions were facilitated by Council staff and attended by representatives of the proponent, including their traffic consultant.

A number of queries concerning the exhibited planning proposal, draft DCP, concept plans and traffic study were discussed with staff and the proponent's representatives. Matters discussed included:

- When the development of the site would be completed,
- Which trees would be impacted / removed by the development,
- A range of traffic-related issues including anticipated traffic generation, the large number of parking spaces proposed, loading and unloading details, access to and from the site (both vehicular and pedestrian),
- What the impacts of the proposal would be on the existing childcare centre located on the site,
- Likely hours of operation – week days and on weekends,

ITEM 5 (continued)

- Scale, size and bulk of the proposed concept – as viewed from residential areas,
- Amount of noise that could be generated on site,
- What level of impact the proposed development would have on existing retail centres / hardware stores,
- Whether there would sufficient demand in the market to support a large hardware / garden supplies retailer and what would happen to the site should the proposal not succeed.

Some, who attended the information sessions also made written submissions on the proposal.

Written Submissions

A total of nine (9) submissions were received in response to community consultation.

Of the 9 submissions received, five (5) were provided to Council by Masters on behalf of respondents to an independent website established by Masters. It should be noted that Masters provided five (5) but one of these was also forwarded independently to Council.

All submissions have been summarised and attached to this report (refer **ATTACHMENT 2**). The breakdown of the submissions are as follows:

Receipt	In support	Object	Conditional support
Council	1	1	2
Masters website	4	0	1

Issues raised by the community in the submissions received related to the following key matters:

- Traffic, parking and access,
- Economic impacts, and
- Need for ongoing community consultation.

The key matters are considered below - and a planning comment and recommended action provided. A summary of all submissions received is attached to this report (**ATTACHMENT 2**)

It should be noted that the submissions which gave conditional support, sought either ongoing consultation with Council or the provision of additional infrastructure to support a Masters development. Under Council's current planning controls and requirements it should be noted that these matters would be adequately resolved as part of any forthcoming development application. Any future DA for the site would be placed on public exhibition and any improved / amended infrastructure required would be assessed and detailed.

ITEM 5 (continued)***Traffic, parking and access***

Issues raised in submissions relating to access included comments made on traffic impacts, vehicular, cycle and access and parking issues. The issues can generally be summarised as:

- General impacts on traffic and road network (local and arterial) and suggestions for improvements (such as traffic lights at Waterloo and Wicks intersection and access to the site from Epping Road),
- Infrastructure to support bicycle access to the site,
- Impacts on adjoining childcare centre (drop off / pick up)
- Parking quantum

Comment

The proposal seeks to amend the existing land use zoning controls that apply to the site. In this respect, the LEP amendment seeks to permit *hardware and building supplies and garden centre* on the B7 Business Park portion of the site along Epping Road. It should be noted that the proposed land uses are already permissible on the B3 Commercial Core portion of the site along Waterloo Road.

With regards to traffic generation and impacts it should be noted that:

- the major roads and intersections adjoining the site are subject to Roads and Maritime Services concurrence (when / if a detailed development application is received) and
- the report considered by Council on 24 June 2014 identified that the applicant had provided detailed traffic analysis examining the extent of traffic generation likely to occur from the proposal.

Council's Traffic Engineers have reviewed the submitted traffic analysis and do not raise any objections to the planning proposal subject to further information being provided at the Development Application stage. It should be noted that the proponents have committed to delivering the following infrastructure upgrades:

As part of the delivery of the Masters development, the proponent is committed to delivering the following infrastructure upgrades:

- *Road 3 through the site (from the Wicks Road boundary to the northern boundary adjoining 65 Epping Road).*
- *The intersection of Wicks Road and Road 3 to be priority controlled with left in/left out access.*
- *The intersection of Waterloo Road and Road 11 to be priority controlled with the right turn from Road 11 onto Waterloo Road not permitted.*
- *Two pedestrian links between Road 3 and Epping Road.*

ITEM 5 (continued)

This infrastructure will support the Masters development and also support further development of the site for commercial uses. The new street pattern illustrated on the Indicative Site Master Plan demonstrated new infrastructure proposed as part of the Masters development will create accessible new parcels of land which can accommodate marketable building envelopes with floor plates reflective of current office requirements.

The above upgrades are consistent with Council's adopted Access Network for Macquarie Park. In addition the proposal would be subject to further assessment as part of any forthcoming development application for the site. This assessment would also identify whether any additional services or upgrades are required.

Recommended Action

That the planning proposal proceed on the basis that further detailed consideration of the traffic issues would occur at the Development Application stage.

Economic impacts

Concerns were raised regarding potential economic impacts of the proposal. The submission raised concerns specifically regarding:

- Cumulative impact on existing retail centres,
- Direct impact on existing industrial and retail areas in Ryde, and
- The impact upon existing hardware stores in existing centres.

Comment

The proponent has submitted an Economic Impact Assessment prepared by Hill PDA. This assessment finds that:

- *"A gap analysis of the area around the subject site demonstrates a lack of large format hardware operations. Provision is currently limited to small units with no on-site parking.*
- *The Masters home improvement centre would serve a Primary Trade Area comprising most of the Ryde LGA and a small part of Ku-ring-gai, Epping and Eastwood....In total the Main Trade Area contained approximately 340,000 people in 2011. This population is projected to increase to 406,000 by 2031. Population growth will generate significant demand for new retail and hardware floor space over the 2011-2031 period....*
- *Residents in the Ryde LGA have experienced diminished access to hardware related floor space in the LGA over the past few years as the BBC, Hudson and Complete Hardware stores in Eastwood have all closed...*
- *In 2011 the Main Trade Area had an undersupply of hardware and home improvement floor space of 22,400sqm.*

ITEM 5 (continued)

- *There is significant unmet demand for additional hardware floor space in the Main Trade Area which the proposal would assist in addressing...*
- *Masters would compete predominantly with large format hardware suppliers and trade related operators located in industrial precincts. There are only a few hardware stores located in the centres in the trade area. These stores are considerably smaller and provide more of a convenience role for their respective local areas. They are not anchor tenants or key attractors. Conversely Masters home improvement centre will be a destination with a much larger regional trade area and would perform a different role. Because of these differences, the proposal would not threaten the vitality or viability of existing centres."*

In summary, the proponent's economic assessment demonstrates that there is an under-supply of hardware floor space in the Ryde Local Government Area (LGA) exacerbated by the closure of several local hardware stores. The proposed Masters improvement centre will assist to address the undersupply of hardware floor space in the LGA. The Masters store will be a destination store/key attractor and will therefore compete predominantly with other large format hardware stores rather than local convenience based hardware stores. As a result the Masters store will not impact on the vitality or viability of local centres.

The objection to the proposal based on impacts to local business must also be considered within the legislative framework. With respect to this it should be noted that a Masters development is already permissible on the Waterloo Road portion of the subject site under the provisions of Ryde LEP 2014 and that Council is obligated by NSW legislation to ensure that employment land uses are retained within the site and the land use zone.

Under NSW legislation, Local Planning Directions (s117 Direction) under the *Environmental Planning and Assessment Act 1979* apply to the making of LEPs. When Council prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary), Council is required to consider all relevant local planning directions, state policies and strategies, in particular, section 117 Direction 1.1 Business and Industrial Zones. The objectives of this direction are to:

- (a) encourage employment growth in suitable locations,*
- (b) protect employment land in business and industrial zones, and*
- (c) support the viability of identified strategic centres.*

The s117 Direction states that a planning proposal must:

- (a) give effect to the objectives of this direction,*
- (b) retain the areas and locations of existing business and industrial zones,*
- (c) not reduce the total potential floor space area for employment uses and related public services in business zones,*

ITEM 5 (continued)

- (d) not reduce the total potential floor space area for industrial uses in industrial zones, and*
- (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.*

The planning proposal complies with the above NSW planning framework because the land will remain employment land under the proposed amendments to the land use zone.

Recommended Action

That the planning proposal proceed on the basis that there is an existing and projected undersupply of hardware floor space in the Ryde LGA and because the proposed uses and potential resultant development is already permissible on part of the site and that it complies with NSW legislative framework.

Need for ongoing community consultation

A number of submissions expressed a desire to be further consulted regarding the proposal as it progresses.

Comment

Under statutory requirements, Council is obligated to provide notification to community members who provided submissions to the planning proposal. Accordingly this report recommends that Council notify all community members who made a submission regarding the planning proposal of its decision.

Furthermore, should the planning proposal result in a future development application for the site, the DA will need to be publicly exhibited in accordance with the applicable planning requirements. This will ensure that concerned community members are kept informed on the progress of this proposal.

Recommended Action

That the planning proposal proceed on the basis that further consultation will be provided as part of the statutory obligations for Planning proposals and any future Development Applications for the subject site.

Referrals

The gateway determination required consultation with the following public agencies:

- Roads and Maritime Services
- UrbanGrowth NSW
- Ausgrid
- Sydney Water

ITEM 5 (continued)

In accordance with the Gateway Determination the agencies were given 21 days in which to reply.

A response was received from the RMS on 29 October 2014 that gave in-principle support to the proposal subject to no amendments to the current access arrangements - including Council's proposed Access Network.

The RMS stated that:

The Roads and Maritime has reviewed the planning proposal and raises no objection to the proposed access arrangements, which comprises left in/left out only at the intersection of Wicks Road and Road 3 and priority control at the intersection of Waterloo Road and Road 11 with the right hand turn from Road 11 onto Waterloo prohibited.

Should the applicant propose to alter the abovementioned access arrangement post gazettal of the planning proposal as part of the future development application for the subject site, it will be addressed on merit against applicable Australian Standards, Roads and Maritime guidelines and satisfactory traffic analysis.

It should be noted that the RMS will be consulted as part of any forthcoming DA regardless of any changes to the access arrangements.

Financial Implications

Should Council endorse the planning proposal, there will be no financial implications for Council.

Options**Option 1: That Council supports the planning proposal as exhibited**

This is the recommended option as it is considered that all issues raised during the public exhibition period have been adequately addressed in this report and will be further addressed through the Development Application process.

Option 2: That Council decides not to proceed with the planning proposal

This is not recommended as there are no significant issues warranting the refusal or further delay of the planning proposal. Should Council choose this option a Masters development could proceed on the Waterloo Road portion of the site.

Critical Dates and Timeframe

The gateway determination requires completion of the plan-making process for this amending LEP by the DoPI by 7 April 2015, which is within 9 months of the date of the gateway determination (7 August 2014).

ITEM 5 (continued)

In order to meet this timeframe, Council must refer its request to Parliamentary Counsel (under delegation) to draft and finalize the LEP before 24 February 2015 (6 weeks prior to the finalization date). A decision is required of council in 2014 in order for the necessary reports to be prepared for submission to Parliamentary Counsel.

ITEM 5 (continued)

ATTACHMENT 1

144 Wicks Road, Macquarie Park PLANNING PROPOSAL

Masters Home Improvements has lodged a planning proposal with Council for 144 Wicks Road, Macquarie Park which seeks to include additional land uses on the property. A planning proposal is an application to make changes to the existing planning controls that apply to a subject site. The City of Ryde's principal planning control is the Ryde Local Environment Plan which is proposed to be amended by this application.

Masters planning proposal seeks to allow the B7 Business Park part of the site fronting Epping Road to be used for 'hardware and building supplies' and 'garden centre'. If approved, this will allow for the future redevelopment of the site to provide for a Masters.

SUBJECT SITE:



View the Planning Proposal

The planning proposal and other information will be on exhibition from Wednesday 17 September to Friday 17 October 2014.

The proposal is available for viewing at:

Ryde Planning and Business Centre
1 Pope St, Ryde
Monday - Friday, 9.00am - 5.00pm

Ryde Library
1 Pope St, Ryde
During branch hours

North Ryde Library
201 Cox's Road, North Ryde
During branch hours

Online:
www.ryde.nsw.gov.au/haveyoursay



Community Drop In Session

Council will be hosting community drop in sessions to provide stakeholders with an opportunity to learn more about the planning proposal.

Council planning staff and a representative from Masters will be available to address any concerns or questions.



Time: 10.00am - 12.00pm
Location: North Ryde School of Arts Hall,
201 Cox's Road, North Ryde
(above the library)



Time: 5.30 - 7.30pm
Location: North Ryde Library,
201 Cox's Road,
North Ryde

ITEM 5 (continued)

ATTACHMENT 1

Have your SAY **Have your say on this proposal**
by 4.30pm Friday 17 October 2014.

Submissions can be made online, by email or post. Written submissions must be clearly marked as '144 Wicks Road Planning Proposal'. They can be sent to:

Email: cityofryde@ryde.nsw.gov.au

Post: General Manager, City of Ryde,
Locked Bag 2069, North Ryde NSW 1670

It is Council's policy that all submissions in relation to draft controls will be publicly available on request.

Supply of personal information is voluntary, however anonymous submissions may be given less weight.

Political Donations and Gifts

Please note that in accordance with the Environment Planning and Assessment Act 1979, a person who makes a public submission to Council in relation to a Planning Proposal is required to disclose the following reportable political donations and gifts (if any) made by a person making the submission (or any associate of that person) within the period commencing two years before the submission is made and ending with when the Planning Proposal is made:

- All reportable political donations made to any councillor
- All gifts made to any councillor, candidate or employee.

Further information on reportable political donations and a copy of the Political Donations Disclosure form is available from the Department of Planning and Environment website: www.planning.nsw.gov.au

All enquiries regarding the proposal and the consultation program can be directed to Adrian Melo, Planning Proposal Coordinator on 9952 8222 or cityofryde@ryde.nsw.gov.au

EPPING ROAD INDICATIVE PERSPECTIVE:



For more information

All enquiries regarding the proposal and the consultation program can be directed to Adrian Melo, Planning Proposal Coordinator on 9952 8222 or cityofryde@ryde.nsw.gov.au

ITEM 5 (continued)

ATTACHMENT 2

Support	
Submission	Comment
Support increased number of hardware stores in the area as would be convenient.	Noted
Conditional Support	
Submission	Comment
Does not object to the proposal but would like to continue to be consulted. Does raise some concerns about vehicular access arrangements and future road connection to Waterloo Road.	Further consultation on the specific design and access arrangements for the site would occur on any forthcoming Development Application. At this stage, the proposal seeks the inclusion of additional land uses on the portion of land fronting Epping Road which is already permissible on the portion of land fronting Waterloo Road.
Does not object to the proposal, however raises concerns regarding the amount of traffic to be generated and impacts on surrounding businesses. Suggests 4 mechanisms to resolve parking / traffic issues: <ol style="list-style-type: none"> Epping Road - An entrance be created to allow East Bound traffic (only) to enter the site and then exit it again in an easterly direction. Wicks Road - New traffic lights will be necessary at the entrance to No. 144 to manage the inflow and outflow of the traffic. Waterloo Road - New traffic lights will again be necessary as the existing roundabouts already do not cope effectively with the existing traffic volumes. Epping Road and Waterloo Road Traffic Lights - Will need re-phasing to allow traffic to escape the area. 	Further consultation on the specific access arrangements and future infrastructure upgrades would occur on any forthcoming Development Application. The necessary upgrades would be addressed and identified as part of the Development Application process. At this stage, the proposal seeks the inclusion of additional land uses on the portion of land fronting Epping Road which is already permissible on the portion of land fronting Waterloo Road.
Object	
Submission	Comment
Objects to proposed development due to impacts upon existing businesses, retail centres and existing hardware stores.	The proposal seeks the inclusion of additional land uses on the portion of land fronting Epping Road which is already permissible on the portion of land fronting Waterloo Road. As such, the impact on existing businesses, retail centres and existing hardware stores is negligible as the development could already take place on the site (albeit different location) under the existing planning controls.
Provided by Masters	
Submission	Comment
Supports location of Masters on old school site as an	Noted

ITEM 5 (continued)

ATTACHMENT 2

appropriate redevelopment of the site.	
Supports provision of Masters, but would like improved infrastructure to allow adequate access by bicycle. (conditional support)	Further consultation on the specific access arrangements and future infrastructure upgrades would occur on any forthcoming Development Application. The necessary upgrades would be addressed and identified as part of the Development Application process. At this stage, the proposal seeks the inclusion of additional land uses on the portion of land fronting Epping Road which is already permissible on the portion of land fronting Waterloo Road.
Supports location of Masters on old school site	Noted
Supports new masters development	Noted
Supports new masters development – addresses existing demand in the market.	Noted

6 21-24 RAILWAY ROAD, MEADOWBANK, VOLUNTARY PLANNING AGREEMENT

Report prepared by: Development Contributions Coordinator
File No.: VPA2014/307 - BP14/1301

REPORT SUMMARY

Council is in receipt of Local Development Application LDA2014/307, at 21-24 Railway Road, Meadowbank for the demolition of the existing industrial buildings and construction of a new 7 storey residential building.

The proposed development works will comprise of:

- demolition of the existing industrial buildings,
- construction of a 7 storey residential building of 5,142 square metres of gross floor area providing 71 apartments and basement parking for 76 residents' vehicles, 14 visitors' vehicles and one loading/garbage collection bay.
- widening of Faraday Lane on the eastern side of the building to facilitate traffic flow to and from access to the building's basement parking.

As part of the proposal, in addition to the payment of S94 contributions payable on the development, the proponents are seeking to enter into a Voluntary Planning Agreement with Council.

The VPA was on public exhibition from 15 October to 12 November and no submissions were received.

The VPA forms a contractual agreement between Council and the Developer. The purpose of this report is for Council to determine whether it will endorse the VPA should the development application be approved. The VPA offers;

- dedication to Council of land, approximately 161 m², required to effect the widening of Faraday Lane
- Transfer of the strata title of an accessible affordable housing unit in the new building consisting of the apartment, the apartment's balconies and a basement car park space and storage area associated with the apartment; the whole representing a floor area of 92 square metres.

RECOMMENDATION:

- (a) That Council support "in principle" the Draft Voluntary Planning Agreement offer by DEP Shepherd Bay Pty Ltd (c/- Dragon Eye Properties (Developer) and John O'Brien and Joanne Rhook of 24 Railway Road (Land Owners).

ITEM 6 (continued)

- (b) That Council endorse that “in principle” approval of the Draft Voluntary Planning Agreement be communicated to the Planning and Environment Committee at the time of determination of the application, and
- (c) That Council delegates authority to the Acting General Manager to finalise and execute the Voluntary Planning Agreement with DEP Shepherd Bay Pty Ltd (c/- Dragon Eye Properties (Developer) and John O’Brien and Joanne Rhook of 24 Railway Road (Land Owners) and subject to the determination of the development application LDA2014/307 being approved by the Planning and Environment Committee and endorsed by Council.

ATTACHMENTS

- 1 FINAL VPA 3 (2) (EXH) - DEP Shepherd Bay Pty Limited (15 October 2014) - CIRCULATED UNDER SEPARATE COVER

Report Prepared By:

Malcolm Harrild
Development Contributions Coordinator

Report Approved By:

Lexie Macdonald
Team Leader – Strategic Planning

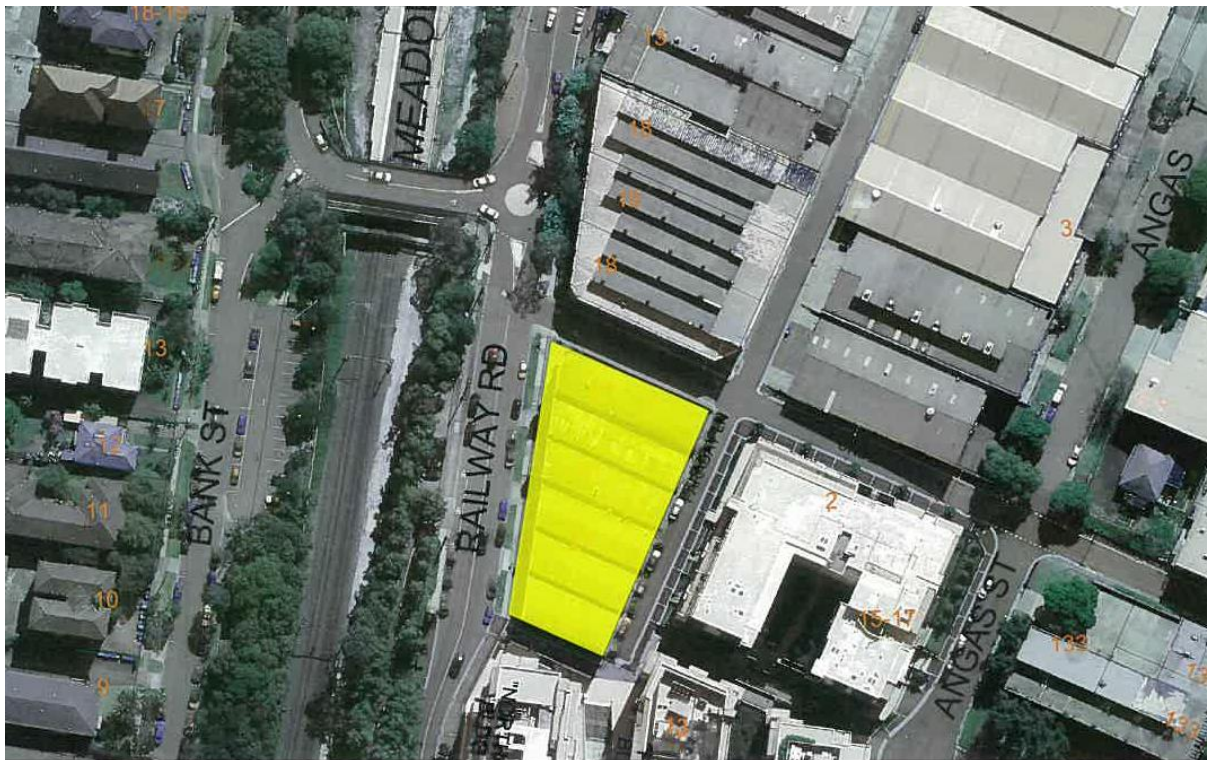
Meryl Bishop
Acting Group Manager - Environment and Planning

ITEM 6 (continued)

Site

Proposed Development

The proposed development is located close to eastern side of Meadowbank Railway Station and adjacent to the new residential developments extending southward to Shepherd's Bay.



Councillor Representations

None.

Political Donations or Gifts

None.

Background

The development application proposes to demolish the existing industrial buildings at 21-24 Railway Road, Meadowbank, and construct a new 7 storey residential flat building.

ITEM 6 (continued)

The Local Development Application LDA2014/307 was lodged with Council on 18 July 2014. The development proposal as lodged exceeds the building height controls and floor space ratio for the site. Following assessment of the development proposal, the developer lodged an amending LDA submission on 16 September in response to the issues found to require attention in original submission. LDA2014/307 is now scheduled to be considered by the Planning and Environment Committee in its first meeting in 2015.

The lodgement package by the developer included a draft Voluntary Planning Agreement (VPA) offering Council title to an apartment in the building with an associated car park space and storage area. The terms and conditions of the offered VPA were found not be acceptable to Council. Negotiations with the developer and his legal team have resulted in a draft Voluntary Planning Agreement and Explanatory Note (**ATTACHMENT 1 – CIRCULATED UNDER SEPARATE COVER**) that are acceptable to both parties. The documents have been exhibited from 15 October to 12 November 2014 on Council's website in accordance with legislative requirements. At the date of this report there have been no submissions from the public in regards to either document.

Report

The Voluntary Planning Agreement was submitted to Council as part of the DA lodged on 18 July 2014 as LDA2014/307. The development of 21-24 Railway Road Meadowbank proposed demolition of the existing industrial buildings and construction of a multilevel residential flat building with residential basement parking and visitor parking on nearby land.

The DA proposal contained a number of issues requiring resolution, including

- Exceedance of the height control for the site
- Non-compliance with the floor space ratio for the locality
- Unacceptable parking arrangements, and
- Inadequate resolution of waste disposal.

The development application was advertised and notified between 13 August and 3 September 2014.

As a result of the assessment process and subsequent to the exhibition period the developer submitted amended plans on 16 September 2014 to address the issues arising from the assessment process.

The proposed development works now include:

- demolition of the existing industrial buildings,
- construction of a 7 storey residential building of 5,142 square metres of gross floor area providing 71 apartments and all-basement parking for 76 residents' vehicles, 14 visitors' vehicles and one loading/garbage collection bay.

ITEM 6 (continued)

- A reduced floor space ratio compared to that originally submitted
- widening of Faraday Lane on the eastern side of the building to facilitate traffic flow to and from access to the building's basement parking.

The development exceeds the overall height limit by 4.63 metres and floor space ratio on the site by a factor of 0.38:1 (i.e. 2.3:1 versus 2.68:1). This equates to an additional 741 m² above the permissible floor space - or approximately 7 units (Note: this calculation is based on an allowance for circulation space and 2 bedroom apartments). Council's Assessment Unit will be reporting the Local Development Application in detail to the Planning and Environment Committee at its first meeting in 2015.

LDA2014/307 does not require to be referred to the Joint Regional Planning Panel as the cost of the development does not exceed \$20,000,000.

The Voluntary Planning Agreement, contained in the original DA (that was subject to design amendments made by the developer in the submission of 16 September 2014), was not affected by the matters scrutinised in the assessment process. The Voluntary Planning Agreement offers Council,

- dedication of approximately 161 m² of the developer's land contributed to enable the widening of Faraday Lane,
- transfer of the strata title to Council of a fully operational one bedroom accessible affordable housing unit within the development, with a total floor area of 92 square metres including the apartment, its two balconies, basement parking and basement storage area.

The value of the land dedicated to Council as road reserve in Faraday Lane and the cost of the road widening of approximately 2.5m and to create a public domain footpath finished in accordance with Council standards is not given a value as a public benefit value in the Voluntary Planning Agreement because that work forms part of the requirement to widen Faraday Lane as a Conditions of Consent of the DA. For information, based on Council's published fees, the approximate cost of these construction works to \$158,390.

The offered housing unit and its associated areas will be purchased by Council for the sum of \$1, to effect legal transfer of the builder's warranties. Present market prices of similar one bedroom units in adjacent new developments are well in excess of \$500,000 and therefore this unit is expected to have a value close to \$600,000 when transferred to Council.

S94 contributions will be payable on the development at the normal rates in addition to the benefits offered in the Voluntary Planning Agreement. The applicable S94 contribution for the overall development at current rate is \$830,569.30.

ITEM 6 (continued)

The Voluntary Planning Agreement and Explanatory were notified to the public on 15 October 2014 in local print media and on Council's website. The notice was maintained on the website from October 15 to 12 November 2014 with links provided to enable the public to review the proposed Voluntary Planning Agreement and Explanatory Note in detail. No submissions were received on the VPA or the Explanatory Note as a result of the exhibition.

Summary of the VPA Offer

The proponent will be liable for any S94 contributions required to be paid on the development. The additional benefits offered in the Voluntary Planning Agreement, are;

Contribution Land

- Transfer of title and dedication to Council of part of the development land adjacent to Faraday Lane, as Public Road, to effect the road widening required under the Condition of Consent.
- Sale for \$1 and transfer of strata title of an accessible Affordable Housing Unit including associated balconies, a basement parking space and a basement storage area, with a total floor area of 92 square metres.

Contribution Works

- Remediation of the areas of Contribution Land so that they are suitable for use as a Public Road and an Affordable Housing Unit.
- Construction of the public domain works associated with the widening of Faraday Lane.

No value is given to the public domain works or the widening of the road as they are a requirement of the DA and expressed in the Conditions of Consent. These works have been incorporated into the VPA to explain the linkage to the land dedication and to gain certainty that they will occur.

The following table is provided for clarification of VPA structure.

S94 Contribution at current rates	\$830,569.30	S94 applies to the development in addition to the public benefit offered in the VPA.
VPA public benefit – an accessible Affordable Housing Unit, including parking, total 92m ²	\$600,000	Represents a contribution equal to 72% of the S94 Contribution.

ITEM 6 (continued)

Approximate cost of road and public domain works dedicated to Council	\$158,390	This value is not recognised as a public benefit in the VPA as the work is required as a Condition of Consent. The VPA serves as the vehicle to achieve the dedication of the land for road widening
Planning Control exceedances	Floor space ratio exceeds control by 0.38:1 which equates to 741m ² . 741m ² would represent 7 Units Height exceeds the control by 4.63m ²	The FSR is proposed to increase from 2.3:1 to 2.68:1. One of the Units would be the VPA public benefit Permitted height is 21.5m.

Consultation

The Local Development Application LDA2014/307, with the draft Voluntary Planning Agreement included, was lodged with Council on 18 July 2014. The Voluntary Planning Agreement and Explanatory Note were publicly exhibited between 15 October and 12 November 2014. There were no substantive submissions on the draft VPA.

Internal consultation on the public benefits offered in the VPA have taken place with the Environment and Planning in regards to the dedication of the area of land to be used as Public Road and with Public Works in regards to the transfer of title of the affordable housing unit as a property asset. Community Life has also been consulted on the future management of the tenancy of the housing unit.

The Voluntary Planning Agreement and Explanatory Note were exhibited between 15 October and 12 November on Council's website and no submissions were received.

ITEM 6 (continued)
Consideration of the Voluntary Planning Agreement

Environmental Planning and Assessment Act 1979 Clause 93F		
Clause 93F	Proposal	Complies?
<p><i>(1) A planning agreement is a voluntary agreement or other arrangement under this Division between a planning authority (or 2 or more planning authorities) and a person (the developer):</i></p> <p><i>(a) who has sought a change to an environmental planning instrument, or</i></p> <p><i>(b) who has made, or proposes to make, a development application, or</i></p> <p><i>(c) who has entered into an agreement with, or is otherwise associated with, a person to whom paragraph (a) or (b) applies,</i></p> <p><i>under which the developer is required to dedicate land free of cost, pay a monetary contribution, or provide any other material public benefit, or any combination of them, to be used for or applied towards a public purpose.</i></p>	<p>The proponents are seeking to provide:</p> <ul style="list-style-type: none"> • Transfer of title to Council of an affordable housing unit with an associated basement parking bay and storage area. • Dedication of a portion of the development land abutting Faraday Land Council and the construction of public domain on that land for the purposes of a Public Road <p>The provisions of the above constitute material public benefits which shall be used and applied towards a public purpose.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p><i>(2)A public purpose includes (without limitation) any of the following:</i></p> <p><i>(a)the provision of (or the recoupment of the cost of providing) public amenities or public services,</i></p> <p><i>(b)the provision of (or the recoupment of the cost of providing) affordable housing,</i></p> <p><i>(c)the provision of (or the recoupment of the cost of providing) transport or other infrastructure relating to land,</i></p> <p><i>(d) the funding of recurrent expenditure relating to the provision of public amenities or public services, affordable housing or transport or other infrastructure,</i></p> <p><i>(e) the monitoring of the planning impacts of development,</i></p>	<p>All matters included within the VPA constitute public amenity.</p> <p>An accessible affordable housing is being transferred to Council's ownership</p> <p>An area of land of development land is to be constructed to enable road widening and dedicated to Council at no cost.</p> <p>The proposal does not include any maintenance provision.</p> <p>No monitoring of planning impacts is provided.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p> <p>N/A</p>

ITEM 6 (continued)

Environmental Planning and Assessment Act 1979 Clause 93F		
Clause 93F	Proposal	Complies?
<i>(f) the conservation or enhancement of the natural environment.</i>	No conservation or enhancement of the natural environment is provided.	N/A
<p><i>(3) A planning agreement must provide for the following:</i></p> <p><i>(a) a description of the land to which the agreement applies,</i></p> <p><i>(b) a description of:</i> <i>the change to the environmental planning instrument to which the agreement applies, or</i> <i>(ii) the development to which the agreement applies,</i></p> <p><i>(c) the nature and extent of the provision to be made by the developer under the agreement, the time or times by which the provision is to be made and the manner by which the provision is to be made,</i></p> <p><i>(d) in the case of development, whether the agreement excludes (wholly or in part) or does not exclude the application of section 94, 94A or 94EF to the development,</i></p> <p><i>(e) if the agreement does not exclude the application of section 94 to the development, whether benefits under the agreement are or are not to be taken into consideration in determining a development contribution under section 94,</i></p> <p><i>(f) a mechanism for the resolution of disputes under the agreement,</i></p> <p><i>(g) the enforcement of the agreement by a suitable means, such as the provision of a bond or guarantee, in the event of a breach of the agreement by the developer.</i></p>	It is considered that the VPA adequately satisfies the requirement of this part.	Yes
<i>(3A) A planning agreement cannot exclude the application of section 94 or 94A in respect of development unless the consent authority for the development or the Minister is a party to the agreement.</i>	The VPA does not exclude the operation of Section 94 on the proposed development.	Yes

ITEM 6 (continued)

Environmental Planning and Assessment Act 1979 Clause 93F		
Clause 93F	Proposal	Complies?
<p><i>(5A) A planning authority, other than the Minister, is not to enter into a planning agreement excluding the application of section 94EF without the approval of:</i></p> <p><i>(a) the Minister, or</i></p> <p><i>(b) a development corporation designated by the Minister to give approvals under this subsection.</i></p>	Section 94EF does not apply to the proposal.	N/A
<p><i>(6) If a planning agreement excludes benefits under a planning agreement from being taken into consideration under section 94 in its application to development, section 94 (6) does not apply to any such benefit.</i></p>	The VPA does not seek such exclusions.	N/A
<p><i>(7) Any Minister, public authority or other person approved by the Minister is entitled to be an additional party to a planning agreement and to receive a benefit under the agreement on behalf of the State.</i></p>	No additional parties are proposed.	N/A
<p><i>(8) A council is not precluded from entering into a joint planning agreement with another council or other planning authority merely because it applies to any land not within, or any purposes not related to, the area of the council.</i></p>	No joint planning agreement with another council or planning authority is proposed.	N/A
<p><i>(9) A planning agreement cannot impose an obligation on a planning authority:</i></p> <p><i>(a) to grant development consent, or</i></p> <p><i>(b) to exercise any function under this Act in relation to a change to an environmental planning instrument.</i></p>	<p>The planning agreement does not impose an obligation to grant development consent or change an environmental planning instrument.</p> <p>Whilst the VPA forms part of the Development Application, support of the VPA does not grant approval to the Development Application.</p>	Yes
<p><i>(10) A planning agreement is void to the extent, if any, to which it requires or allows anything to be done that, when done, would breach this section or any other provision of this Act, or would breach the provisions of an environmental planning instrument or a development consent applying to the relevant land.</i></p>	The benefit of the affordable housing unit offered does not require further consideration in the development consent. The land dedication is required to achieve the road widening, a condition of consent not a condition of the VPA.	Yes

ITEM 6 (continued)

As identified above, it can be seen that the proposed Voluntary Planning Agreement satisfies the principles underlying the use of planning agreements and fulfils categories of works that Council will consider as part of a VPA. Notwithstanding the above, further consideration of the Voluntary Planning Agreement and the public interest and benefit is detailed below.

Matter proposed	Public Benefit
Land dedication to achieve road widening	Access to the basement of the site is via Faraday Lane and widening is required to meet traffic requirement and permit waste collection from the premises without fettering traffic movements.
Provision to Council of title of an accessible affordable housing unit.	This benefit will allow Council to assist in providing housing to the public who qualify for affordable housing and/or have accessibility difficulties. The development is within 200 metres of the Meadowbank railway station and associated bus stops, which enhance its public benefit. The housing unit also has secure dedicated parking and storage which further enhances the benefit.

The value of the VPA is in the housing unit with its anticipate value close to \$600,000. The unit contributes to the benefit of the community through providing Council with an accessible affordable housing unit for management by the Community Life Group. The proponent remains liable for S94 development contribution fees in addition to the public benefits under offer. The benefit of the housing unit relieves Council of the need to fund this provision. The land dedication for road widening arises only as direct consequence of the development.

Critical Dates

There is no critical date. It is proposed to include the LDA on the agenda of the Planning and Environment Committee at its first meeting in 2015.

Policy Implications

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

Financial Impact

Adoption of the recommendation will have no financial impact on Council.

Council gains a property asset in the form of an accessible affordable housing unit with an expected value of \$600,000 in addition to land dedicated to Council, and the associated works, to achieve the road widening required by the Condition of Consent.

ITEM 6 (continued)

The public benefit of the VPA applies to the development in addition to the normal S94 contribution which, at current rate, amounts to \$830,569.30. Therefore the value of the benefit of the accessible affordable housing unit represents an offer 72% above the S94 contribution.

Other Options

There are three options available to Council when considering the merits of this VPA,

- (1) Endorse the VPA as it is in its current form as recommended by this report;
- (2) Refuse the VPA for reasons deemed appropriate by Council, or
- (3) Seek amendments to the VPA as deemed appropriate by Council.

This report recommends that Council endorses Option 1.

7 REVISED DRAFT FOUR YEAR DELIVERY PLAN 2014/2018 INCLUDING ONE YEAR OPERATIONAL PLAN 2014/2015

Report prepared by: Chief Financial Officer
File No.: FIM/07/6/4/2 - BP14/1419

REPORT SUMMARY

Council at its meeting held on 11 November 2014 resolved to notify the Independent Pricing and Regulatory Tribunal (IPART) of its intention to make an application for a Special Rating Variation (SRV), applicable from 1 July 2015.

As a result of this decision Council is required to re-exhibit its 2014/2018 delivery plan, and include the following:

- The preferred scenario, which has been determined through the public consultation process. This is the 7% over four years, including rate pegging, estimated at 3%. All additional funds raised from the proposed SRV will be allocated to the renewal of Council's existing infrastructure assets, noting this excludes the Civic Centre.
- The outcome of the community consultation that was undertaken.

This report presents the revised Draft Four-Year Delivery Plan 2014/2018 including One-Year Operational Plan 2014/2015, **CIRCULATED UNDER SEPARATE COVER – ATTACHMENT 1**, for Council's consideration and endorsement for the Revised Draft Delivery Plan to be placed on public exhibition for the period 17 December 2014 to 6 February 2015 (51 days) to allow community consultation to be undertaken and submissions to be invited from the general community.

Council has extended the public exhibition period due to this being undertaken throughout the Christmas/New Year period. All submissions received will be referred back to Council for its consideration at its meeting of 10 February 2015.

This report also includes the Revised Resourcing Strategy, **CIRCULATED UNDER SEPARATE COVER - ATTACHMENT 2**, which includes Council's Asset Management Plan and its sub plans by Asset Type, Workforce Plan and Long Term Financial Plan. Whilst Council needs to adopt these, it is not necessary for them to be placed on public exhibition. However as part of the overall Integrated Planning & Reporting framework, it is proposed to put the Resourcing Strategy and supporting plans on exhibition at the same time as the Revised Draft Delivery Plan, to ensure completeness of the community consultation process and that Council is fully transparent to its community.

ITEM 7 (continued)**RECOMMENDATION:**

- (a) That Council, pursuant to Section 404 & 405 of the Local Government Act 1993, endorse the document titled "REVISED - Draft Four-Year Delivery Plan 2014/2018 including One-Year Operational Plan 2014/2015", inclusive of the 2014/2015 Draft Budget, Fees and Charges and Capital Works Program, as its Revised Draft Four-Year Delivery Plan 2014/2018 including One-Year Operational Plan 2014/2015 of the City of Ryde.
- (b) That the Revised Draft Four-Year Delivery Plan 2014/2018 including One-Year Operational Plan 2014/2015 be publicly exhibited for a period of not less than 28 days, from 17 December 2014 to 6 February 2015.
- (c) That the Revised Resourcing Strategy, including the Asset Management Plan, Workforce Plan and Long Term Financial Plan be publicly exhibited for a period of not less than 28 days from 17 December 2014 to 6 February 2015.
- (d) That following the public exhibition period detailed in part (b), Council consider all public submissions at its meeting to be held on Tuesday, 10 February 2015 prior to formally adopting its revised Four-Year Delivery Plan 2014/2018 including the One-Year Operational Plan 2014/2015.
- (e) That following the public exhibition period detailed in part (c), Council consider all public submissions at its meeting to be held on Tuesday, 10 February 2015 prior to formally adopting the Revised Resourcing Strategy, including the Asset Management Plan, Workforce Plan and Long Term Financial Plan.

ATTACHMENTS

- 1 Revised - Draft Four Year Delivery Plan 2014 - 2018 including the One Year Operational Plan 2014/2015 - Draft for Exhibition - CIRCULATED UNDER SEPARATE COVER
- 2 Revised Resourcing Strategy 25 November 2014 - CIRCULATED UNDER SEPARATE COVER

Report Prepared By:

John Todd
Chief Financial Officer

Report Approved By:

Roy Newsome
Group Manager - Corporate Services

ITEM 7 (continued)**Discussion**

Under Sections 404 and 405 of the Local Government Act, Council is required to prepare a Draft Four-Year Delivery Plan 2014/2018 including One-Year Operational Plan 2014/2015, which details the delivery program in respect to the Council's activities for at least the next four (4) year period, including Council's revenue policy for the 2014/2015 year. Council has prepared its Draft Plans for four years with a projected Capital Works Program and consolidated Income and Expenditure Estimates for the years 2014/2015 to 2017/2018.

Council adopted the current Delivery Plan and Operational Plan on 24 June 2014.

Proposed SRV – 7% (including 3% rate peg over four years)

At Council's meeting on 11 November 2014, Council resolved to notify its intention to IPART in making an SRV application, applicable from 1 July 2015.

Some of the key points that were placed before Council, to take into consideration when making its decision about applying for an SRV were:

- Council has worked continuously to provide 'best value' outcomes for the City of Ryde community
- Council has demonstrated that it has a \$10 million annual funding shortfall for the ongoing renewal and maintenance of Council's existing infrastructure assets.
- This position has been independently verified by both Council's auditor Pricewaterhouse Coopers (PwC) and Jeff Roorda and Associates (JRA).
- Council last received a general rate variation, excluding special rates, above rate pegging in 1996/97.
- Council has continuously achieved savings in costs in their operations. Council has also increased other sources of revenue other than rates over the past three years.
- Even with the above improvements in Council's operations and financial position, Council continues to have an annual funding shortfall.
- In addressing the annual funding shortfall, efficiency savings and additional revenue of \$2.5 million were proposed, in addition to an amount for an SRV. A large portion of these savings, \$1.9 million, will be realised during 2014/2015, as part of the September Quarterly Review.

ITEM 7 (continued)

- Council's comparison to other Councils of a similar size showed that we were comparable in costs, if not lower than most, which indicated that measures taken to contain budgets were working. Council's auditor noted that Council's focus should be to increase revenue and not to reduce costs.
- As part of the Community consultation, 57% of the respondents were supportive of an increase in rates of either 7% or 12%, seeking to maintain services and assets at satisfactory levels.

As a result of this decision Council is required to re-exhibit its 2014/2018 delivery plan, and include the following:

- The preferred scenario, which has been determined through the public consultation process. This is the 7% over four years, including rate pegging.
- The outcome of the community consultation that was undertaken.

In respect of the proposed SRV, all additional funds raised by the proposed SRV will be allocated to the renewal of Council's existing infrastructure assets. This will exclude Council's Civic Centre.

While the SRV is proposed to be an increase of 7% (including 3% rate peg) in each of the next four years from 2015 / 2016, in this Delivery Plan, it is estimated that a total of \$6.2 million will be raised in 2017 / 2018, as additional rate revenue.

The following increased allocations are proposed to the various programs for the renewal of Council's infrastructure as a result of the SRV;

Renewals	2015/16 \$m	2016/17 \$m	2017/18 \$m
Roads	1.79	1.91	2.87
Kerb and Gutter	-	.21	.27
Footpath	.20	.51	.53
Civic	-	.31	.32
Stormwater	-	.51	1.06
Playing Fields	-	.26	.53
Playground Equipment	-	.41	.64
	1.99	4.12	6.2

The efficiency savings that have been delivered by staff in reducing salaries and wages and expenses of approximately \$1.9 million, will be directed to Council's maintenance allocations for infrastructure assets from 2015 / 2016.

The additional revenue proposed of \$0.6 million to achieve the overall total of \$2.5 million will be directed to Council's asset renewal allocations.

ITEM 7 (continued)

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

It is proposed for the Draft Plans to be on exhibition from 17 December 2014 to 6 February 2015, a total of 51 days to allow community consultation to be undertaken and submissions to be invited from the general community. Council has extended the public exhibition period due to this being undertaken throughout the Christmas/New Year period.

All submissions received will be referred back to Council for its consideration at its meeting of 10 February 2015.

Ryde 2021 Community Strategic Plan

In the formulation of the Draft Plans, consideration has been given to Council's adopted Ryde 2021 Community Strategic Plan. A summary of the proposed expenditure allocations for each of the Outcome areas in the Revised Draft Four-Year Delivery Plan 2014/2018, are detailed below, noting that these amounts have not changed, as the proposed SRV is to take effect from the 2015/2016 financial year:

4 Year Total Projected Expenditure (by Outcome) – 2014 / 2018

Outcome	Base \$ M	Projects \$ M	Total \$ M
A City of Connections	72.2	39.1	111.3
A City of Environmental Sensitivity	101.6	12.8	114.4
A City of Harmony & Culture	25.2	2.0	27.2
A City of Liveable Neighbourhoods	34.6	1.1	35.7
A City of Progressive Leadership	112.9	19.9	132.8
A City of Prosperity	2.0	8.4	10.3
A City of Well Being	73.4	14.0	87.4
Total	421.7	97.4	519.1

The Revised Draft Four-Year Delivery Plan 2014/2018 including One-Year Operational Plan 2014/2015 has been prepared in alignment with the Ryde 2021 Community Strategic Plan and provides details on the projects to be delivered within each Outcome area and Program area.

ITEM 7 (continued)

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



Revised Resourcing Strategy

In accordance with Section 403 of the Local Government Act 1993, as amended, Council is required to have a long-term strategy, called the Resourcing Strategy, for the provision of the resources required to implement the strategies established by the Community Strategic Plan, for which Council is responsible.

The Resourcing Strategy is to include the Asset Management Plan, the Workforce Plan and the Long Term Financial Plan.

These documents were originally created and approved by Council in 2012.

With Council resolving its intention to make an application for a Special Rating Variation, these documents have been updated and are **ATTACHMENT 2 CIRCULATED UNDER SEPARATE COVER**.

Whilst there is no legislative requirement to place these documents on exhibition, it is recommended to do so, along with the Revised Draft Delivery Plan, for completeness and transparency in the community consultation process.

Each of the plans include the Base Case scenario (rate pegging only) and the preferred SRV option (7% over four years, including rate pegging).

Projected Working Capital

As the SRV application does not affect the 2014/2015 financial year, no changes have been made to the proposed amounts for 2014/2015, including Working Capital. Changes to Working Capital during 2014/2015 will be reported in the Quarterly Reviews.

ITEM 7 (continued)

The original adopted Delivery Plan 2014/2018 was based on an opening Working Capital surplus of \$3.80m, as at 30 June 2014. This has not been revised in the Revised Draft Delivery Plan.

In the preparation of the Draft Plans, the 2014/2015 Draft Budget has been formulated by Council increasing its total rate income by the Minister for Local Government's approved rate increase of 2.3%, fees and charges increasing generally by the Local Government Cost Index (LGCI) of 2.81% or higher level as separately reported to Council or included in the Draft Fees and Charges relating to sportsground and floodlighting fees and community hall hire.

The Budget for 2014/2015 is proposed not to change due to this process, which was to create a small surplus \$0.09m of Working Capital; therefore the Working Capital was projected to be \$3.89m as at 30 June 2015.

Revised Draft Four-Year Delivery Plan 2014/2018 including One-Year Operational Plan 2014/2015

A copy of the Revised Draft Four-Year Delivery Plan 2014/2018 including One-Year Operational Plan 2014/2015 has been **CIRCULATED UNDER SEPARATE COVER – ATTACHMENT 1**. These Draft Plans are for Council's consideration, with any amendments being made prior to being finalised for exhibition from 17 December 2014.

Where Outcomes and Programs have changed, a complete set of pages have been created for the SRV scenario (7% over four years, including rate pegging) and the amounts that have changed have been updated and highlighted in blue.

All additional rates income as part of the SRV, above the rate pegging amount, will be transferred to a Special Rate Reserve, to be used for asset renewal.

The Revised Draft Delivery and Operational Plans provide a comprehensive overview of the City of Ryde and its direction, detailing key projects (Capital and Non-Capital) and initiatives to be undertaken over the next four (4) years with specific focus for the 2014/2015 year. Also included in the document are Council's 2014/2015 Budget and Fees and Charges, which were adopted by Council on 24 June 2014, and it is not proposed to change any of those during this process.

Rates

The yield from Ordinary Rates has been pegged at the Minister's approved rate pegging limit of 2.3%, with Council maintaining its rating structure whereby 70% of Council's Ordinary Rates Income is derived from residential properties and 30% from business properties.

All additional rates income as part of the SRV, above the rate pegging amount, will be transferred to a Special Rate Reserve, to be used for asset renewal.

ITEM 7 (continued)

In summary the Revised Draft Delivery Plan provide the following information:

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

Fees and Charges

Fees and Charges, as adopted by Council on 24 June 2014 increased by an average of 2.81%, which equates to the Local Government Cost Index as determined by the Independent Pricing and Regulatory Tribunal (IPART). The proposed fees have been rounded together with some benchmarking of certain fees with other Councils within our region. The Fees and Charges were adopted at Council's on 24 June 2014 and are detailed in the Revised Draft Delivery Plan as endorsed by Council.

There are no proposed changes arising out of this process or the Revised Delivery Plan.

Summary - Key Initiatives and Key Performance Indicators in the Draft Four-Year Delivery Plan 2014/2018 including One-Year Operational Plan 2014/2015

Key aspects and financial indicators included in the Revised Draft Operational Plan for 2014/2015 remain unchanged, they are:

- Total budget (Operating & Capital Expenditure excluding depreciation) is \$110.06m.
- The Operating Result before Depreciation is forecast as a surplus of \$10.72m, and the Operating Result after Depreciation is forecasted as a deficit of \$10.95m.
- Forecasted Working Capital as at 30 June 2014 is \$3.80m and as at 30 June 2015 is projected to be \$3.89m.
- The budget provides for 486.5 full time equivalent employees with a total headcount of 694 staff.
- Debt Service Ratio is estimated to be <1% as at 30 June 2014 and increasing to 1.25% as at 30 June 2015, (subject to outcome of Council's loan application for subsidy under the LIRS Round Three scheme).
- Council's internally restricted reserves will be utilised during the 2014/2018 period of the Delivery Plan, with the balance of reserves due to reduce from \$32.97m to \$23.38m.

ITEM 7 (continued)

- Capital Expenditure in 2014/2015 is budgeted at \$23.97m representing a Council funded program of \$12.82m and an additional \$1.5m from borrowing, the balance being funded from other external sources of income or reserves.
- City of Ryde will in 2014/2015, continue to provide significant subsidies to various community groups, sporting clubs and government organisations. Subsidies are provided by either reduced rentals on Council facilities, pensioner rate subsidies, reduced hire fees for Council facilities, grants to various organisations or sponsorship of events.
- City of Ryde will make payments/contributions to NSW Government entities totalling \$11.28m in 2014/2015.
- The principal areas of project expenditure in 2014/2015 are:
 - Capital Expenditure - \$23.97m
 - Non-Capital Expenditure - \$ 1.45m
 - Total Projects - \$25.42m

All projects \$25.42m

Program	Capital Projects \$M	Non-Capital Projects \$M	TOTAL \$M
Catchment program	1.86	-	1.86
Centres and Neighbourhood program	2.68	0.30	2.98
Community and Cultural program	0.25	0.16	0.41
Customer and Community Relations program	-	0.06	0.06
Economic Development program	-	0.09	0.09
Environmental program	-	0.16	0.16
Foreshore program	0.32		0.32
Governance and Civic program	-	-	-
Internal Corporate Services program	3.26	-	3.26
Land Use Planning program		-	-
Library program	0.56		0.56
Open Space, Sport & Recreation program	3.81	0.20	4.00
Paths and Cycleways program	1.88		1.88
Property Portfolio program	2.35	0.15	2.50
Regulatory program		-	-
Risk Management program		0.03	0.03
Roads program	4.56		4.56
Strategic City program	-	-	-
Traffic & Transport program	1.83	0.24	2.07

ITEM 7 (continued)

Program	Capital Projects \$M	Non-Capital Projects \$M	TOTAL \$M
Waste and Recycling program	0.62	0.07	0.69
Total	23.97	1.45	25.42

Details of both the Macquarie Park Special Rate (which was approved by the Minister for Local Government for 2006/2007 on an ongoing basis) and the Stormwater Management Service Charge are contained in the Revenue Policy within the Revised Draft Delivery Plan. All of the funds raised from these sources will be dedicated to the purposes raised and will address priority work relating to the current condition of Council's infrastructure valued at \$0.92 billion. These works are detailed under the heading of Projects in each Program in the Revised Draft Delivery Plan.

In summary, the Revised Draft Delivery Plan, Budget and Fees and Charges for 2014/2015 maintain the current level of services to the community whilst continuing to deliver a substantial Capital Works Program. As forecasted in the Revised Draft Delivery Plan, Council's funded Capital Works Program is projected to reduce over the four (4) years to a program of \$18.49m in 2017/2018, within the Base Scenario (rate pegging only).

Under the SRV Scenario (7% over four years, including rate pegging over four years) it will provide the other source of funds to tackle the issues identified above, giving Council the financial capacity to address its annual renewal funding shortfall, address its annual asset maintenance shortfall, and address most of the asset backlog in Condition 5, and the capacity to meet the assets moving from Condition 4 to 5 over the next decade.

Council is continuing to address the condition of the City's infrastructure and in particular the renewal of existing infrastructure. Council's proposed Capital Works Program of \$23.97m for 2014/15 provides for approximately \$11.62m of renewal of infrastructure and building assets next year.

Council's Long Term Financial Strategy recommends Council spend \$18 - \$20m per year on renewal of its existing infrastructure and building assets, based on asset management principles. This level of capital expenditure includes the use of \$7.89m from Reserves on hand for 2014/2015.

It should be noted that Council's Operating Result before Capital (including depreciation) is projected to be a deficit of \$11.37m, which represents the level of additional funding that is required for annual asset renewal and maintenance.

This shortfall will be addressed if Council adopts the SRV scenario (7% over four years, including rate pegging over four years) and providing additional funding to supplement our future Capital Works Program to stop the deterioration of the condition of the City's infrastructure to a level that will not be sustainable in the longer term.

ITEM 7 (continued)

Financial Implications

The Revised Draft Delivery Plan maintain Council's sound financial position of a forecasted Available Working Capital surplus of \$3.89 million, whilst delivering a Capital Works Program of \$23.97 million, noting Council is not aware of any contributed assets that are due to be completed and handed to Council during the next 12 months.

Council's Long Term Financial Plan, under the Base Scenario (rate pegging only), projects a continuing decline in its \$0.92b infrastructure and building assets, based on the need to spend approximately \$18 - \$20m per annum on asset renewal.

The preferred SRV scenario has been updated into the LTFP and fully aligns with Council's integrated Ryde 2021 Community Strategic Plan and will also incorporate the revised Asset Management Plans and the Workforce Plan.

Councillor Workshops

The following workshops were held with Councillors in the formulation of the original Draft Plans.

- Councillor workshops - In the preparation of the Draft Plans, workshops have been held with Councillors as follows:
 - Workshop 1 Oct 2013 (Overview & Timeframe)
 - Workshop 2 11 Feb 2014 (Rates, Fees & Charges)
 - Workshop 3 25 Feb 2014 (Base Budget)
 - Workshop 4 11 Mar 2014 (Projects)
- Whilst allowance was made for additional workshops, Council was able to deal with all projects at one workshop.
- Councillors have also been undertaking a number of workshops on the Financial Future of Council, and the results of those workshops are also being reported to this Council meeting.
- Councillors were also requested at the commencement and during the budget process to submit their priority projects.
- Staff workshops - In the preparation of the Draft Plans, workshops have been held with staff for each Outcome area, under the Community Strategic Plan, to consider Projects that would meet the goals and strategies within the Community Strategic Plan.

ITEM 7 (continued)**External public consultation and advertisement**

The following consultation / advertisement is proposed in promoting Council's Revised Draft Delivery Plan.

- Proposed public exhibition in the Northern District Times of the Revised Draft Delivery Plan between 17 December 2014 and 6 February 2015.
- Revised Draft Delivery Plan will be available for viewing during the exhibition period at Council's Customer Service Centre, Ryde Planning and Business Centre, all Libraries and on Council's website.
- Advice of the public exhibition process will be provided to all of Council's Advisory Committees and Chambers of Commerce / Progress Associations.

8 MOU BETWEEN COUNCIL AND RYDE BUSINESS FORUM

Report prepared by: Acting Manager - Urban Planning

File No.: URB/08/1/8/2 - BP14/1425

REPORT SUMMARY

On 16 June 2011 Ryde Business Forum (RBF) and Council signed a three-year Memorandum of Understanding (MOU) to formalise the sharing of office space with RBF and the Economic Development Manager (EDM) at the Ryde Planning and Business Centre (RPBC). This MOU has expired in July 2014.

During this period the RBF Events Coordinator was provided with a shared office space and the RPBC Meeting Room was used for RBF Board meetings and other breakfast business events. As per the MOU Council supplied RBF with the use of a computer, telephone and printing facilities.

The underlying objective of the MOU was to foster a more productive and collaborative relationship between the two organisations. This arrangement has worked well over three years.

The rationale for the shared office space was to promote the cause of economic development and benefit businesses in Ryde by achieving the following outcomes:

- More seamless business offering to the community as a 'one stop shop';
- Collaboration on initiatives;
- Cross-promotion of each organisations services;
- Joint grant applications;
- Collective approach to strategy;
- Sharing of networks and information; and
- Avoiding unnecessary duplication of services.

The equivalent market value for the provision of the office space provided to RBF is estimated to be between \$6,500 and \$24,000 per annum. However, given the nature of the shared office arrangement with Council staff, leasing out this office space to a different tenant at commercial rates would be difficult.

Council and RBF have continued to develop a productive working relationship to deliver small business and employment related initiatives. The desired aims and objectives have largely been realised. Council staff based at the RPBC have reported no undue pressure or disruption caused by the co-location or RBF.

RBF are happy for the existing MOU to continue and agree the relationship between the two organisations has grown stronger over the last three years. The collaboration on projects between the EDM and the RBF Events Coordinator has also worked well.

ITEM 8 (continued)

The original MOU has suggested Council supply RBF with two desks each with computers. However over the last three years only one computer has been in use by RBF. It is therefore recommended that the new MOU be amended to reflect the usage patterns over the last three year period. The new MOU is proposed for a period of 3 years – expiring in 2018. This will require the provision of one space and an updated computer.

RECOMMENDATION:

- (a) That Council support the continued provision of commercial space to Ryde Business Forum at the Ryde Planning & Business Centre.
- (b) That Council delegate the General Manager to prepare and execute a Memorandum of Understanding with Ryde Business Forum.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Nathan Pratt
Acting Manager - Urban Planning

Report Approved By:

Meryl Bishop
Acting Group Manager - Environment and Planning

ITEM 8 (continued)

Discussion

Background

On 16 June 2011 Ryde Business Forum and Council signed a three-year Memorandum of Understanding to formalise the sharing of office space with RBF and the Economic Development Manager (EDM) at the Ryde Planning and Business Centre (RPBC). This MOU has expired in July 2014.

The RBF Events Coordinator shared an office and the RPBC Meeting Room was used for RBF Board meetings and other breakfast business events. Council supplied RBF with the use of a computer, telephone and printing facilities.

The underlying objective of the MOU was to foster a more productive and collaborative relationship between the two organisations. This arrangement has worked well now for over three years.

Aims and Objectives of the RPBC

The RPBC first opened in 2011. The original intention of the RPBC was to achieve the following outcomes:

- Provide a customer focused space for those seeking to lodge a development application or attend a pre-lodgement meeting;
- Provide access to simple and high demand council services;
- Modern design to promote a relaxed, streamlined and service oriented atmosphere;
- Utilise new technology – e.g. self-service kiosks
- Integrated exhibition space for promotion of Council and community services; and
- Serviced by customer service and planning staff.

Aims and Objectives of the Shared Office

At the time the RPBC was established discussion occurred with RBF regarding the benefits in the co-location of the EDM and the RBF Events Coordinator. The rationale for the shared office space was to promote the cause of economic development and benefit businesses in Ryde by achieving the following outcomes:

- More seamless offering of business services to the community as a 'one stop shop';
- Collaboration on initiatives;
- Cross-promotion of each organisations services;
- Joint grant applications;
- Collective approach to strategy;
- Sharing of networks and information; and
- Avoiding unnecessary duplication of services.

ITEM 8 (continued)**Office Space and Service Provision**

As per the original MOU, the office space and services offered to RBF since June 2011 included:

- Office space for two RBF staff
- Desktop computers for two staff
- Internet access for two staff (excluding access to CoR Intranet)
- RBF staff access to a printer for minor printing matters (excluding mass mail outs or at a negotiated cost)
- RBF staff access to a phone for “normal” office use (i.e. local calls)
- Reasonable use of the meeting room upon booking as managed by “the Greeter”
- Access cards to the Centre during “normal” office hours of 9am – 5pm
- One car parking space and keys to the parking bollard

Context

A review has been conducted to determine what the commercial office space provided to RBF by Council is worth should it be leased at current market rates. It should be noted that the space is a shared office with the EDM rather than exclusive access to the office which makes direct comparisons difficult.

The RBF Events Coordinator currently uses the office from about 10am – 1:00pm. This situation provides Council’s EDM with exclusive use of the shared office during the early morning and late afternoon which is helpful when private meetings are necessary.

Further details on the equivalent market value of the office space provided to RBF are provided below.

Market Value of Equivalent Serviced Office

A quotation was received for a serviced office based in Macquarie Park with the following attributes:

- Office for two people;
- Internet access (limited usage);
- Greeter;
- Some office furniture;
- Access to meeting room;
- Cisco phone service (limited calls);
- Cleaning;
- Electricity;
- No provision of computers or IT support; and
- Access to kitchenette.

ITEM 8 (continued)

The quotation received was **\$2,000 per month** or **\$24,000 per year**. This is the best equivalent that could be obtained to determine the market value of the services provided to RBF for usage of the RPBC facility.

Market Value of Equivalent Commercial Office

Council's Property Team was contacted to determine the equivalent commercial rates per square metre of office provided for RBF. Figures obtained for the commercial space that is being tenanted at 1A Pope St to radiology and the (now vacant) office space beside the Eucalyptus Meeting room is approximately \$450 per square metre. This does not include any services such as internet, cleaning, telephones etc. The standard practice (all things being equal) is for a smaller floor space to be charged at a higher price per square metre than a larger space. It is likely then that the adjusted value for the 10 square metres of space at the RPBC would be **\$650 per square metre per year** or **\$6,500 per year**.

Difficulty in Leasing the Space Commercially

It should be noted that there would be significant complications in leasing the space provided to RBF commercially. The new tenant using the space would need to do so in a way that is compatible with RPBC's purposes. This would include things such as:

- Printing;
- Hours of operation;
- Room bookings;
- Signage for the business;
- Sharing an office with the EDM; and
- The nature of the business being deemed appropriate with Council operations.

Demands Placed on Council Staff

RPBC staff have reported no undue pressure or disruption caused by the co-location or RBF. Rather, the reports are very positive with respect to the conduct of the RBF Events Coordinator and associated RBF members including:

- Seeking permission to book the meeting room;
- Bookings of the meeting room are usually early morning or midday;
- Bookings are usually once or twice per month;
- The printer is used every day but in limited amounts;
- RBF have become 'part of the team' and often assist in greeting members of the public or helping them to find the library or radiology centre.

Economic Development Outcomes

Council and RBF have continued to develop a productive working relationship to deliver small business and employment related initiatives. The desired aims and objectives have largely been realised. Some of the projects and initiatives that are examples of this include:

ITEM 8 (continued)

- Ryde's Small Business September;
- Ryde Jobs & Skills Expo;
- Mayoral Luncheons;
- Newsletters and cross promotion of each organisations services (particularly for new businesses to the area);
- City of Ryde online business directory;
- Council-hosted 'Business After Hours' events;
- Assistance with consultation of local business community; and
- Avoiding the duplication of economic development services.

Feedback from RBF on the Current Arrangement

The feedback received by Council from RBF is positive. RBF has made good use of both the office and meeting room at the RPBC to deliver their services. The EDM has been contacted to request a new computer for RBF as the existing one is now out of date and no longer fit for purpose.

RBF support the renewal of the MOU and agree the relationship between the two organisations has grown stronger over the last three years. The collaboration on projects between the EDM and the RBF Events Coordinator has also worked well.

MOU between RBF and Council

The three year MOU between RBF and Council to share an office at the RPBC has expired in July 2014. The objectives of the original MOU reflect the actual usage by both parties over the past three years.

Objectives of the MOU

The objectives of the MOU are as follows:

- i. Build and consolidate the relationship between the City of Ryde Council and Ryde Business Forum
- ii. Establish the arrangements for staff RBF at the Ryde Planning and Business Centre
- iii. Articulate a joint intention for the two parties to work collaboratively together into the future to effect and assist sustainable economic development within the City of Ryde.
- iv. Deliver a business advisory service

Ryde Business Forum's Role

RBF brings the following to the collaboration:

- Provision of one staff member to be based in the Centre to carry out RBF functions including general administration, event management and handling membership enquiries.

ITEM 8 (continued)

- Waiver all fees otherwise owed by CoR to RBF including such as:
 - Annual membership fees;
 - Monthly meeting attendance fees;
 - Fees associated with hosting meetings; and
 - Annual dinner fees

City of Ryde's Role

City of Ryde Council brings the following to the collaboration:

- Office space for one RBF staff
- Desktop computers for one staff
- Internet access for one staff (excluding access to CoR Intranet)
- RBF staff access to a printer for minor printing matters (excluding mass mail outs or at a negotiated cost)
- RBF staff access to a phone for “normal” office use (i.e. local calls)
- Reasonable use of the meeting room upon booking as managed by “the Greeter”
- Access cards to the Centre during “normal” office hours of 9am – 5pm
- One car parking space and keys to the parking bollard

Amendments to the Original MOU

The original MOU has suggested Council supply RBF with two desks each with computers. However over the last three years only one computer has been in use by RBF. It is therefore recommended that the MOU be amended to reflect the usage patterns over the last three year period. This will mean the provision of one space and an updated computer.

The ended period of the updated MOU will be the same as the original, that is, a three year period commencing 2015 – 2018. A review would then be conducted by both parties in 2018 to determine whether to renew the agreement.

Consultation

Council's Economic Development Manager has been in contact with the RBF President and the RBF Events Coordinator. RBF is pleased to continue using the RPBC facility and believe the arrangement has been working well.

The RBF 'Greeter' (Customer Service Officer) has been consulted to provide feedback on the nature of the interaction between Council and RBF staff. There have been no significant issues. Rather, the RBF Events Coordinator has been helpful towards members of the public when approached.

ITEM 8 (continued)

Council's Team Manager of Property Management was contacted to discuss the nature of leasing arrangements of council owned facilities at 1A Pope St Ryde (i.e. RPBC and Ryde Library buildings). Figures were obtained regarding the leasing rates per square metre.

Financial Implications

Adoption of the recommendation will have a minimal financial impact. The cost to Council will be in the provision of printing facilities, phone expenses, electricity and cleaning services. In the context of existing RPBC costs, this additional expense would likely be less than \$500 per year.

The market value of leasing the space provided to RBF is somewhere in the vicinity of **\$6,500 – \$24,000 per year** (included serviced and non-serviced office rates). However, it would be problematic to lease this office space to an external third party given that it is a shared office used predominantly for Council services.

Conclusion

This report recommends that Council proceed to renew the Memorandum of Understanding with Ryde Business Forum in the provision of the shared office space at Ryde Planning & Business Centre for a period of three years. It is recommended that the General Manager be given the delegation to prepare and sign the MOU with Ryde Business Forum.

9 COMMUNITY GRANTS POLICY REVIEW 2014

Report prepared by: Acting Service Unit Manager - Community and Culture
File No.: GRP/09/6/7 - BP14/1382

REPORT SUMMARY

At its meeting held on 27 August 2013, Council approved a two-stage approach for the review of the community grants policy and administration as outlined in the report. Council also resolved to approve changes in the Community Grants Policy and Organisational Guidelines for implementation in 2013-2014 to achieve the following:

- Funding projects that specifically address the needs of Ryde residents
- Fund only one project per organisation under each category
- Provide recipients of the Historical Grant Categories with a two year funding agreement.

This report provides recommendations to the Council for future refinement and development of the community grants program based on review of best practices in the industry in consultation with staff, the community and Councillors.

A review of Council's strategic plans was incorporated in the research to determine how the current program aligns with Council's strategic directions. Council's grants program was also benchmarked against other Sydney councils.

Existing tools such as Community Building Licensing Assessment Tool and Subsidy Scale have been applied to determine how Councils can continue to support the organisations through the community grants process.

A separate report will be submitted to Council on the outcome of consultation with historical grant recipients in early 2015.

RECOMMENDATION:

That Council approve changes to the Community Grants Policy and Implementation Procedure as outlined in the body of this report.

ATTACHMENTS

- 1 Community Grants Policy
- 2 Community Grants Implementation Procedure

Report Prepared By:

Gunjan Tripathi

Acting Service Unit Manager - Community and Culture

Report Approved By:

Tatjana Domazet

Acting Group Manager - Community Life

ITEM 9 (continued)

Background

Section 356 of the *Local Government Act 1993* allows Councils to allocate funds to community organisations and groups. City of Ryde has for a number of years provided financial assistance to not-for-profit groups in the categories of cultural, sports, community welfare and community aid grants.

Council's Community Grants Program currently includes six grant categories: Community, Cultural, Sports, Excellence Awards, Community Aid and Community Events.

History

At its meeting held on 9 April 2013, Council resolved in part the following:

- (e) *That a Councillors working party of all interested Councillors be established to provide input into the proposed review the Community Grants Policy including providing key parameters for the draft and the matter be reported back with recommendations by August 2013 to allow the new policy to be in place prior to the commencement of the advertising for the 2013 Grants Program.*
- (f) *That any Councillor wishing to be on the working party should lodge their expression of interest with the Acting General Manager by 22 April 2013.*

In implementing Council resolution, staff commenced reviewing the operation of the Community Grants Policy, in order to determine the scope of the policy review project staff researched industry best practice and sought feedback from Councillors.

At its meeting held on 27 August 2013, Council resolved the following:

- (a) *That Council approves a two-stage approach for the review of community grants policy and administration as outlined in the report.*
- (b) *That Council approve changes in the Community Grants Policy and Guidelines for implementation in 2013-2014 to achieve the following:*
 - *Fund projects that specifically address the needs of Ryde residents*
 - *Fund only one project per organisation under each category*
 - *Provide recipients of the Historical Grant Categories with a 2 year funding agreement.*
- (c) *That the Council approves the methodology and scope of the comprehensive review as outlined in this report.*

ITEM 9 (continued)

At a further consultation with the Councillors on 2 September 2014, Council staff presented options and recommendations for grant categories and proposed an approach to historical grants. In this report, these recommendations are outlined in detail.

Council met on the following occasions to consider progress of the review process. Following is the summary of the consultations undertaken as part of this process:

June 2013 - Councillor Workshop to determine key aspects of the review, including grants categories.

September 2014 - Councillor Workshop to determine proposed grants categories, criteria and seek endorsement for the next steps.

Further consultations are proposed with the organisations currently receiving historic grants to discuss changes in this category. The outcomes of these consultations will be reported to Council in the first quarter of 2015.

Discussion

This review process provides options and recommendations based on extensive research on community grants programs run by other Councils, evidence of best practice and feedback obtained through consultation with the Councillors and refines the Community Grants Policy (**ATTACHMENT 1**) and Procedure for Implementation (**ATTACHMENT 2**) to reflect the same.

Purpose of the current review

At the Council meeting on 27 August 2013, Council approved a two-stage approach for the review of the community grants policy and administration as outlined in the report. Council also resolved to approve changes in the Community Grants Policy and Organisational Guidelines for implementation in 2013-2014 to achieve the following:

- Funding projects that specifically address the needs of Ryde residents;
- Fund only one project per organisation under each category; and
- Provide recipients of the Historical Grant Categories with a two year funding agreement.

Following discussions with Councillors, the review concluded that no grants will be given to individuals, including scholarships.

The projects recommended for funding to include a diverse range of activities, events and services which will contribute to community wellbeing, cultural expression and vibrancy in the City of Ryde and align with the outcomes sought through the Community Strategic Plan.

ITEM 9 (continued)

All applications are to be assessed by staff as per the selection criteria listed in the Community Grants Implementation Procedure and Guidelines which are:

- A specific project which addresses community needs
- Create opportunities for skill/ knowledge and resource development
- Collaboration or partnership projects
- New and innovative projects
- Value for money and non-reliance on continuing Council funding
- Ability of applicant to manage the program and funding.

Proposed Grant Categories

The revised Policy seeks to enhance fair, transparent and equitable process in administering and allocating community grants as highlighted in the council workshops. The process of review is meant to bring City of Ryde on par with the industry best practice in grants administration.

Proposed categories are designed to allow implementation of guiding principles; improve flexibility and to enable provision of targeted support to variety of organisations. The proposed changes are crucial in achieving the outcomes related to sector development by building capacity of our not-for-profit sector in applying for grants to achieve sustainable outcomes for our communities.

Changes to the grant categories will see removal of specific grant category for sport. Whilst the category may have been removed, local sporting clubs and associations will be eligible to apply for grants in all categories (e.g. a sporting club will be eligible to apply for an event or funding for community project).

Key features of the proposed changes are highlighted as below:

Areas	Current	Proposed
Grant Categories	Community Cultural Sports Excellence Awards Community Aid Community Events	Seniors Capacity Building including: <ul style="list-style-type: none"> • Events • Emerging • General Community Projects Small Grants No change to Excellence Awards
Eligibility and Criteria	Standard eligibility criteria applied across all categories	Key standard eligibility is maintained and criteria tailored to ensure grant specific outcomes are achieved.
Funding	Grants across all categories- up to \$3,500 Historical grants are funded separately.	Seniors – Up to \$2000 Capacity Building –Up to \$3,500 <ul style="list-style-type: none"> • Events • Emerging • General Community Projects- Up to \$5000 Small Grants-Up to \$1000

ITEM 9 (continued)

Areas	Current	Proposed
Assessment	Done through a panel of multidisciplinary staff members	Introduction of a new assessment tool and a minimum of 2 staff assessing each application
Time Frame	October – March, each financial year	January – May, for all but small grant category

Detailed explanation of proposed grants categories:
1. Seniors Grants

The Seniors Grants program provides grants of up to \$2000 to support community initiatives that will benefit seniors in the Ryde Local Government Area (LGA).

Funding up to \$2,000 per grant application.

Objective:

The aims of the Seniors Grants program are to facilitate projects which engage local seniors in projects that are aligned with key objectives of the 2025 Community Strategic Plan. In particular:

- Provide local seniors groups in the LGA with financial support that will enhance existing or encourage new programs and activities
- To provide seniors with opportunities for social interaction and connectedness to help reduce social isolation.

Criteria:

The City of Ryde will be seeking proposals from community and volunteer groups, and the not-for-profit sector, for activities that engage local seniors in an active and healthy lifestyle and that provide them with new and social experiences.

The City of Ryde will give priority where it can be shown that the project engages local seniors and:

- Connects people to each other
- Connects people to place
- Develop community strengths and capabilities
- Enliven arts and cultural life and promote health and wellbeing
- Project outcomes are aligned with community needs or aspirations
- The project is a priority for the Ryde seniors community
- The applicant is capable of carrying out the proposed project
- The applicant needs City of Ryde's support for the project to go ahead.

In this category, financial support is available to cover unexpected operational or staffing costs or equipment purchases where it can be shown that the funding will enhance an existing program or project or support the sustainability of an existing seniors group.

ITEM 9 (continued)

Groups submitting proposals are also encouraged to consider projects that take an intergenerational approach including people of all ages along with the local senior's community.

Eligibility:

To be eligible for funding, applicants must:

- Be an incorporated not-for-profit organisation OR
- Be a community group auspiced by an incorporated not-for-profit organisation

And:

- Be offering a project for seniors in the Ryde LGA, or principally for the benefit of seniors in the Ryde LGA to enhance social interactions
- Have completed an application form and provided support material as requested
- Have acquitted previous City of Ryde grants (if any) and have no outstanding debts to the City of Ryde.

2. Community Capacity Building Grants**Objective:**

Community Capacity Building grants are intended to support the local organisations in achieving community benefits while building the organisations skills, improve governance and ability to sustain their activities. There are three sub categories included within this broad category namely events, emerging groups and a general category.

Funding up to \$3,500 per grant application.

2.1 Events category

A new approach is proposed for the events category in order to build capacity of the events by supporting them with tools, skills and expertise to ensure that they develop sustainability and are able to achieve their goals independent of the Council. The proposed approach will enhance our ability to support a diverse range of community events over time and have the flexibility to respond to support needs to upcoming organisations such as West Ryde Progress association.

Objective:

The aim of this category is to enhance the ability of the organisations to sustain their activities based on their current capacity. This will be achieved by providing support to the new organisations through a capacity building cycle of 3 years including monetary and in kind support. The types of support provided by Council will include:

- Venue hire
- Training
- Event planning support in sustaining the event

ITEM 9 (continued)

- Insurance
- Logistics of the event – waste, local liaison with traffic unit and roads and safety, etc
- Advice / Guidance for event organisation

Funding up to \$3,500 per grant application, including in kind support.

Criteria:

The City of Ryde will provide support to local events where it can be shown that the event:

- Builds community connections
- Develops community strengths and capabilities
- Celebrates community and culture
- Has outcomes aligned with community needs or aspirations

And:

Organisations will be assessed based on their:

- Financial capacity
- Local presence
- Current assets
- Sources of funding and ability to raise own funds through fees and charges.

Eligibility:

To be eligible for this category grants applicants must:

- Be not-for-profit
- Be Incorporated or have evidence of auspice from an incorporated organisation
- Be located within City of Ryde or principally service Ryde residents
- Be open to the general public and not discriminatory
- Have acquitted any previous City of Ryde funding received.

2.2. Emerging Groups**Objective:**

Grants will be provided to new and emerging community organisations that often operate on the basis of limited funding, relying largely on volunteers and on one-off, short-term and small grants to manage their operations. This often results in programs that they offer having limited sustainability, necessitating an ongoing reinvestment in resources and time to prepare new funding applications and pursue new opportunities.

ITEM 9 (continued)

Furthermore, many new and emerging community organisations are unfamiliar with submission-based government funding processes and have limited ability to influence political processes and attract funding. Challenges may also arise as a result of different organisations representing the same target group and failing to collaborate due to personal interests, commonly based on differing political or religious views.

Funding up to \$3,500 per grant application.

Criteria:

An organisation is classified as '*emerging*' if it is characterised by the following features:

- Is small with a heavy reliance on volunteers
- Operates on the basis of limited funding
- Heavy reliance on one off, short –term, or small grants (i.e. Non-recurrent funding)
- Limited formal social and professional networks
- Limited ability to influence political processes
- Limited capacity to attract funding through fees or fundraising.

Eligibility:

To be eligible for this category grant applicants must:

- Be not-for-profit
- Be Incorporated or have evidence of auspice from an incorporated organisation
- Be located within City of Ryde or principally service Ryde residents
- Be open to the general public and not discriminatory
- Have acquitted any previous City of Ryde funding received.

Community Buildings Licensing Subsidy scale has been applied in defining the criteria further and to determine the definition of emerging organisations.

Organisations within category 1 and 2 of the Community Buildings Licensing Scale are classified as emerging organisations.

ITEM 9 (continued)

Application of Community Buildings Licensing Subsidy Scale to determine emerging organisations

Categorisation

Category 1

Example: Small, volunteer managed and operated groups with little or no recurrent or project funding.

Category 2

Example: Small organisations with paid staff. Recurrent funding but with little capacity to raise additional funding through fees, fundraising.

Category 3

Example: Medium-sized organisations with recurrent funding and capacity to raise additional funding through fundraising, grants, investments.

Category 4

Example: Medium-sized organisations delivering services over two LGAs or more, with recurrent funding and capacity to raise significant additional funding.

Category 5

Example: Large, state wide organisations with recurrent funding and substantial capacity to raise significant additional funding.

Category 6

Example: Organisations with greater capacity to pay through commercial avenues or fees above industry average or Government Departments.



Emerging
Organisations



Established
Organisations

2.3. General Category:

Objective:

Applications in this category may be for the initiatives that build the capacity of the organisations towards provision of community benefits. Funding in this Category will be advertised annually. The general category is open to all groups to access funds based on the current grants guidelines. This category is also open to the sporting groups.

It is recommended that the sporting groups are encouraged to apply within this category to ensure that they are not disadvantaged by changes.

Funding up to \$3,500 per grant application.

Criteria:

- Projects can demonstrate an identified need in the community through a strong evidence base
- Project builds a strong skill and knowledge base and builds capacity within the organisation

ITEM 9 (continued)

- Project improves governance and sustainability within the organisation
- Project is cost-effective
- Project builds on the experience of the organisation.

Eligibility

To be eligible for funding, an organisation must:

- Be not-for-profit
- Be Incorporated or have evidence of auspice from an incorporated organisation
- Be located within City of Ryde or principally service Ryde residents
- Be open to the general public and not discriminatory
- Have acquitted any previous City of Ryde funding received.

3. Community Projects**Objective:**

Community projects category is based on the principles of transparency, inclusion and access. It is an open category to support eligible projects on a one-off basis.

Projects demonstrating:

- A focus on responsiveness in relation to an identified community need.
- Collaboration between stakeholders and partners
- Creation of an evidence base on identified need by data and supporting
- Innovation in creating best practice.

The purpose of the program is to support a range of projects that meet the diverse needs of the Ryde community, with an emphasis on the following six priority areas:

- Servicing our community
- Sustainability and capacity building
- Inclusion
- Collaboration and partnerships
- Equity
- Responsiveness.

The Community Projects category aims to provide funding to the local groups working towards building a cohesive and connected community based on the principles of inclusion, enhancing community well-being, and cultural capacity building.

Funding up to \$5,000 per grant application.

Criteria:

- Project can demonstrate how it builds well-being through active participation of the community

ITEM 9 (continued)

- Projects can demonstrate that it is meeting an identified need in the community through a strong evidence base
- Project builds a strong skill and knowledge base and builds community resources
- Project creates community connectedness
- Project is cost-effective
- Project has the capacity to deliver the outcomes in the community.

Eligibility

To be eligible for funding, an organisation must:

- Be not-for-profit
- Be Incorporated or have evidence of auspice from an incorporated organisation
- Be located within City of Ryde or principally service Ryde residents
- Be open to the general public and not discriminatory
- Have acquitted any previous City of Ryde funding received.

4. Small Grants

Designed to respond to changing circumstances and emerging issues, small grants will have specific criteria and guidelines. Grants will be available to community groups who can apply outside of the grants cycle.

Small grants enable small organisations to apply for grants year round in an easy and accessible way.

Submissions to be open all year with allocations made twice a year, with closing dates for each round to be advertised in annually.

Although operated twice annually, grants in this category are only available to each organisation once per financial year.

A successful application in another grant category does not prohibit organisations from applying for a small grant. This is because the Small Grants category is partially designed specifically to provide funding source that can flexibly respond to changed circumstances.

Funding up to \$1,000 per grant application.

Objective:

The aim of the small grants program is to:

- Enable small projects which emerge outside of the annual grants program time frame

ITEM 9 (continued)

- A small grants program allows the City of Ryde to respond effectively and flexibly to changing circumstances in the community by providing a responsive program that can support emerging ideas and organisations
- Enable small organisations to apply for small grants year round in an easy and accessible way
- A small grants program reduces the burden associated with grant applications. This enhances equity and accessibility by enabling access to very small organisations and those with limited capacity to respond effectively to a more comprehensive grant application process.

Criteria:

Community and volunteer groups, and the not-for-profit sector can apply for one-off funding that will support the delivery of projects, activities or programs that demonstrably either support a community need or provide a community benefit.

The City of Ryde will give priority where it can be shown that:

- The application does not coincide with time frames for the annual grants programs
- Project outcomes are aligned with community needs or aspirations
- The project is a priority for the Ryde community
- The applicant is capable of carrying out the proposed project
- The applicant needs City of Ryde's support for the project to go ahead.

Eligibility:

To be eligible for funding, applicants must:

- Be an incorporated not-for-profit organisation based in, or servicing the local area OR
- Be a community group based in the local area and auspiced by an incorporated not-for-profit organisation

And:

- Be offering a project principally for the benefit of residents in the Ryde LGA
- Be offering a project to be completed within one financial year
- Have completed an application form and provided support material as requested
- Have acquitted previous City of Ryde grants (if any) and have no outstanding debts to the City of Ryde.

Based on Councillor's feedback staff will investigate the mechanism to implement this grant category and implications for resourcing.

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Benefits of the proposed changes

The proposed changes to the Community Grants Policy include, but are not limited to:

- Enhancement of Council's current grants program to ensure that the program achieves a high level of efficiency and is effective in addressing the needs of the community.
- Development of new grants categories that are reflective of the demographic changes, such as the Seniors Grants.
- Expansion of the grants program to allow for smaller and less skilled groups to apply for grants.
- Application of sophisticated tools such as Community Buildings Licensing Subsidy Scale, to assess the level of assistance required by Emerging Groups.
- Ability to provide tailored support to the local organisations through Capacity Building Grants.

Options

Council may choose to revert back to the current grant categories, including sports grant as a separate category. The review of the program and process is not recommending for this to happen as all groups that currently have access to the program will continue to be eligible under the proposed changes. The revised grant categories, funding availability and proposed timeframes would provide greater and more flexible access to grant funding opportunities tailored to local organisations.

Financial Implications

In 2013/14 financial year, Council allocated a budget of \$164,000 for these community grants program in the categories of Community, Cultural and Sports. The grants program attracted 88 applications across these categories, totalling \$266,234 in requests for funding. Following a comprehensive assessment of the applications, Council awarded \$125,000 to 55 organisations. This assessment further highlighted that the eligibility criteria and assessment process needed further review to better respond to changing needs of the local community.

Following table provides a summary of grant allocation over the last three years.

Categories	2010/2011	2011/2012	2012/2013	2013/2014
Community	37 applications (\$99,972)	39 applications (\$96,925)	36 applications (\$97,836)	36 applications (\$84,892)
Sports	4 applications (\$13,000)	5 applications (\$14,400)	3 applications (\$9,000)	10 applications (\$25,211)
Cultural	9 applications (\$24,958)	13 applications (\$25,000)	9 applications (\$24,450)	9 applications (\$15,405)
Total number of successful applicants and fund awarded:	50 applications (\$137,930)	57 applications (\$136,325)	48 applications (\$131,286)	55 applications (\$125,508)

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Council allocated \$153,000 in 2014/15 towards Community Grants Program with specific amounts allocated to each category: Community Category \$103,000, Cultural Category \$25,000 and Sports Category \$25,000.

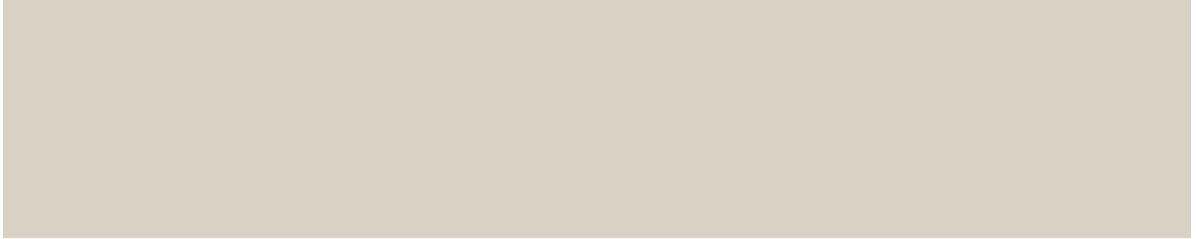
Given the flexibility the revised program offers to local community groups and based on the outcomes of the Councillor's workshops, it is recommended that budget allocations are not made for each category, to allow for a greater flexibility to respond to the changing needs of the community.

Final grants allocation will be submitted to Council for approval.

Adoption of the recommendations will have no financial impact.

ITEM 9 (continued)

ATTACHMENT 1



 City of Ryde

Lifestyle and opportunity @ your doorstep



Community Grants Policy

November 2014

ITEM 9 (continued)**ATTACHMENT 1****Community Grants Policy November 2014****Scope**

Council's annual Community Grants Program is a strategic tool for capacity building, supporting innovation and addressing community need in line with the Council and community's vision. This Policy will provide an equitable, efficient, transparent and sustainable framework for allocation of Council's community grants to community organisations in Ryde.

Policy Context

The City of Ryde recognises the value of community grants as a key tool to meet the needs of its residents. Community grants extend the community's capability to conduct activities, create opportunities for community capacity building and develop strong partnerships.

Council has for a number of years provided financial assistance to not-for-profit groups in the categories of cultural, community welfare and community aid grants. These have been administered through distinct processes which in most part have been informed through historical arrangements. Council's contribution to the three community aid organisations and six community events in particular have evolved through historical arrangements over an extended period.

The local Community Development Support Expenditure (CDSE) program is the program where Registered Clubs direct part of club earnings to community services. Councils usually take part in assessment and administration of CDSE program in their areas. Ryde CDSE program will continue to be administered by Council, but will be a separate process to Council's Community Grants program.

Principles

The following principles underpin administration of community grants program

- a) Servicing our community:
 - Services, programs and initiatives are aimed to benefit the City of Ryde (CoR) residents. Funds will be provided to groups targeting CoR residents and that promote improved health and wellbeing.
 - Initiatives or activities that do not discriminate or disadvantage groups within the community.
 - Acknowledge and recognise the social value and benefits that community based not for profit groups have in our community and that Council has a role in supporting Ryde's needs being met.
- b) Sustainability and Capacity Building:

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- Build on the existing abilities and strengths of individuals and organisations to identify and develop local long term solutions to meet community needs.
 - Support strategies to support the development of groups to enable them to be more self-sustaining.
 - Deliver processes which develop capacity of organisations and groups to reduce the reliance on Council funding.
 - Develop opportunities to link compatible groups and organisations to collaborate and form partnerships.
- c) Inclusion
- Ensure the community grants are accessible to a diverse range of service providers and the projects funded are inclusive of the needs of diverse groups and people within the community.
- d) Collaboration and Partnerships
- Encourage and foster a range of relationships with communities, Council, community groups to deliver improved outcomes for the community.
 - Maximise outcomes through collaboration and partnership projects.
- e) Equity
- Provision of information, services and opportunities for involvement is provided to all groups and services within the community in an open and transparent manner.
 - Deliver processes which are competitive, open to all and transparent.
 - Deliver processes that are consistent for the customers and Council and are aligned to Council's values and other corporate objectives
- f) Responsiveness
- Be proactive in identifying and addressing changing community needs.
 - Support groups who meet identified and emerging community needs.
 - Review and adjust policies and guidelines based on best available practice and feedback.

Objectives

The objectives of this policy are as follows:

- a) Provision of a consistent, equitable, transparent and efficient framework for administration of all community grant categories inclusive of historical arrangements, that is understood by services and Council.
- b) To support a range of projects that meet the diverse needs of the Ryde community.
- c) To optimise the outcomes of the community grants through improved access, a transparent and supported approach to promoting and allocation.

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- d) To continue to support community based not for profit groups targeting City of Ryde residents through the provision of financial support.
- e) To clearly identify the accountability requirements of organisations that receive funding.

Strategies

The key strategies Council will implement to meet these objectives are as follows:

- a) Development and implementation of the Community Grants Implementation Procedure (**ATTACHED**) that will clearly articulate implementation process, eligibility, objectives, selection criteria, and selection process.
- b) Development of annual priorities for each grant category in line with Council's strategic documents and identified emerging needs.
- c) Development of a funding method for historic funding arrangements.
- d) Development of support mechanisms to assist groups and organisations in accessing community grants.
- e) Development of opportunities to link compatible groups and organisations to collaborate and form partnerships.
- f) Deliver a program to build the capacity of organisations and groups to reduce the reliance on Council funding, which would enable Council to provide support to a larger group of community service providers.

CATEGORIES OF FUNDING

The City of Ryde provides annual grants through a variety of categories. These are a mixture of annual categories, for which applications are accepted once a year and two categories for which applications are accepted once every three years.

Category	Principle	Objective
1. Seniors Funding Limit: Up to \$2000	Access, Equitable process, transparency, eligibility	This category targets social senior's groups focusing to fund social participation activities. The aims of the Seniors Grants program are to facilitate projects which engage local seniors in projects that are aligned with key objectives of the 2025 Community Strategic Plan. In particular: <ul style="list-style-type: none"> • Provide local seniors groups in the LGA with financial support that will

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		<p>enhance existing or encourage new programs and activities</p> <ul style="list-style-type: none"> To provide seniors with opportunities for social interaction and connectedness to help reduce social isolation.
<p>2. Capacity Building</p> <p>Funding Limit : Up to \$3,500</p> <p>Three sub-categories are included within this category namely:</p>	<p>Access, Equity, transparency, sustainability</p>	<p>This category Intends to support the local organisations in achieving community benefits while building the organisations skills, improve governance and ability to sustain their activities.</p>
<p>2.1 Events</p>	<p>Capacity & Need</p>	<p>The aim of this category is to enhance the ability of the organisations to sustain their activities based on their current capacity. This will be achieved by providing support to the new organisations through a capacity building cycle of 3 years including monetary and in kind support.</p>
<p>2.2 Emerging Groups</p>	<p>Application of the Definition , Capacity & Need</p>	<p>Grants will be provided to new and emerging community organisations that often operate on the basis of limited funding, relying largely on volunteers and on one-off, short-term and small grants to manage their operations. This often results in programs that they offer having limited sustainability, necessitating an ongoing reinvestment in resources and time to prepare new funding applications and pursue new opportunities</p>
<p>2.3 General</p>	<p>Available to all organisations, particular focus on sporting clubs, projects improving ability to deliver; training of volunteers, business planning.</p>	<p>Applications in this category may be for the initiatives that build the capacity of the organisations towards provision of community benefits. Funding in this Category will be advertised annually. The general category is open to all groups to access funds based on the current grants guidelines. This category is also open to the sporting groups.</p>

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3. Community Projects Funding Limit: Up to \$5000	Transparency, Inclusion, Access, Assessment	Open category to support eligible projects, one-off, focus on responsiveness, collaboration, identified need, innovation.
4. Small Grants Funding Limit: Up to \$1000	Access, Equity, transparency, Flexibility	Enable small projects which emerge outside of the annual grants program time frame. A small grants program allows the City of Ryde to respond effectively and flexibly to changing circumstances in the community by providing a responsive program that can support emerging ideas and organisations. Enable small organisations to apply for small grants year round in an easy and accessible way.
5. School Excellence Award	No change	Recognise excellence, schools can nominate one student by application for a Certificate of Excellence and a Voucher. High School: \$100 primary school \$50

Relevant Legislation

The Local Government Act 1993, s356, states:

- (1) *A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.*
- (2) *A proposed recipient who acts for private gain is not ineligible to be granted financial assistance, but must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given.*
- (3) *However, public notice is not required if:*
 - (a) *the financial assistance is part of a specific program, and*
 - (b) *the program's details have been included in the council's draft management plan for the year in which the financial assistance is proposed to be given, and*
 - (c) *the program's proposed budget for that year does not exceed 5 percent of the council's proposed income from the ordinary rates levied for that year, and*
 - (d) *the program applies uniformly to all persons within the council's area or to a significant group of persons within the area.*
- (4) *Public notice is also not required if the financial assistance is part of a program of graffiti removal work.*

S 377 of the Act states:



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A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council, other than the following:

- *A decision under section 356 to contribute money or otherwise grant financial assistance to persons.*

External Considerations

Changes to the state and federal government funding and the Community Development Support Expenditure scheme may impact local organisations which rely on these funding sources and may increase demand on Council for funding.

Related Policies/Strategies

- DRAFT Community Facilities Plan 2030
- Ryde 2030 Community Strategic Plan
- Arts and Cultural Development Framework
- Parks on Track for People 2025

Stakeholders

The key external stakeholders include community groups and organisations in Ryde who would apply for funding. Particularly community organisations which have had historical arrangements for receiving funding from Council are key stakeholders and the implementation of a new policy and guidelines may change the way these stakeholders are used to working with Council.

Implementation

This policy will be implemented through the Community and Culture Service Unit with assistance from Open Space and Events and Community Capacity Building and Events Units.

Implementation of this policy and guidelines will occur from financial year 2014-15.

Evaluation and Review

To ensure this policy develops over time to align with better practice and the changing needs of the community, it should be reviewed according to Council's Policy Development, Implementation and Review – Guidelines and Standards. Any review should also adhere to Council's 'Your City, Your Voice' model of engagement.

The following indicators should be considered in measuring the effectiveness of the development and implementation of this program within the first year:

- a) Feedback from staff and Councillors.

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- b) General feedback from organisations and groups identified through an survey of grant applicants.
- c) Number and diversity of groups applying for community grants increased.

Resource Implications

The streamlined process and in particular management of all categories of grants through a single process will reduce the amount of staff resources required in delivering the Community Grants Program. Information relating to the allocation of community grant process needs to be collated in a manner to ensure appropriate reporting is provided through the management plan and the annual report.

Authorisation

General Manager

Ownership

The development, implementation, review and evaluation of this policy is the responsibility of the Community and Culture Unit.

Some of the strategies outlined within this policy will require other service units such as Open Space and Events and Community Relations to assist.

Further Information

For further information on this policy and attached guidelines contact Council's Community and Culture Manager on 9952 8222.

References

- Parramatta Council Community Grants Program
- City of Sydney Community Grants and Sponsorship Policy
- Bankstown City Council- Draft Grants & Donations Policy
- Leichardt Council – Grants and Community Resourcing Policy
- Auburn City Council – Community Grants Program Guidelines
- Victorian Local Governance Association –Best Practice in in Local Government Grants Program

Attachments

<i>Title</i>	<i>Trim Reference</i>
Community Grants Implementation Procedure	D14/115579

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ATTACHMENT 2

Community Grants Implementation Procedure

Related Policy

This procedure is to be read in conjunction with the Community Grants Policy

Overview

Section 356 of the *Local Government Act 1993* allows Councils to allocate funds to community organisations and groups. City of Ryde has for a number of years provided financial assistance to not-for-profit groups in the categories of cultural, community welfare and community aid grants.

As a part of its community capacity building initiatives, Council implements an annual Community Grants program to support community based groups, sport and recreation clubs and local service organisations to develop effective projects that address social, economic and/or environmental needs of the local communities.

This procedure supports the Community Grants policy and outlines a set of systematic steps required to implement community grants process. Based on the principles of access, equity, flexibility, transparency, accountability and capacity and comprehensive consultation program this procedure ensures that the quality of the grants program is maintained against the industry best practice.

A comprehensive review of the policy has been undertaken in line with the principles above and inclusive of a community and Council consultation process.

Any exceptions to this procedure will need to go through a stringent process of escalation to the senior management and Council and a decision will be taken based on the circumstance and risks associated with the recommendations made by staff.

Community and Culture (C&C) Unit will be responsible for the implement of the Community Grants Policy and Procedure. The C&C Unit will also be ultimately responsible for the effective and efficient management of the program to achieve positive social outcomes.

The Community and Culture Unit will:

- Provide advice to stakeholders, grant recipients and staff on the various aspects of the grants program.
- Support community groups as required through a series of grant writing workshops and staff support.
- Provide timely advice to Council for consideration and to inform decision making
- Assist with the development and review of any documentation pertaining to the grants implementation process, such as the guidelines, capacity building initiatives and grant review assessment process.

Effective management of community grants process requires adherence to the following principles as outlined in the grants policy underpinning the community grants program:

a) Servicing our community

- Services, programs and initiatives are aimed to benefit the City of Ryde (CoR) residents. Funds will be provided to groups targeting CoR residents and that promote improved health and wellbeing.

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Community Grants Implementation Procedure

- Initiatives or activities that do not discriminate or disadvantage groups within the community.
- Acknowledge and recognise the social value and benefits that community based not for profit groups have in our community and that Council has a role in supporting Ryde's needs being met.

b) Sustainability and Capacity Building

- Build on the existing abilities and strengths of individuals and organisations to identify and develop local long term solutions to meet community needs.
- Support strategies to support the development of groups to enable them to be more self-sustaining.

c) Inclusion

- Ensure the community grants are accessible to a diverse range of service providers and the projects funded are inclusive of the needs of diverse groups and people within the community.

d) Collaboration and Partnerships

- Encourage and foster a range of relationships with communities, Council, community groups to deliver improved outcomes for the community.
- Maximise outcomes through collaboration and partnership projects.

e) Equity

- Provision of information, services and opportunities for involvement is provided to all groups and services within the community in an open and transparent manner.
- Deliver processes which are competitive, open to all and transparent.
- Deliver processes that are consistent for the customers and Council and are aligned to Council's values and other corporate objectives

f) Responsiveness

- Be proactive in identifying and addressing changing community needs.
- Support groups who meet identified and emerging community needs.
- Review and adjust policies and guidelines based on best available practice and feedback.

Procedure

This procedure outlines the key steps required in the successful, implementation of the community grants policy.

1. Promotion of community grants:

It is essential that the community grants are well promoted using all relevant promotional channels including Council website, email notifications to community organisations, council events, Councillors Information Bulletins, Mayoral columns, local media and the word of mouth.

The promotional process for community grants should commence at least 2-4 weeks prior to the grants opening date and should continue until grants are closed on a nominated date. During this period every effort should be made to ensure that the grants program is well known in the community.

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Additional strategies to raise awareness of the organisations about the grants should be implemented via-

- Development of a brochure with information on the grants process and simple Q&As
- Email communication to an extensive list of community organisations including all past recipients of the grants, local community organisations and sports clubs.
- Presentations at the interagency meetings

Grant implementation time-lines should be set in advance and communicated to the organisations accordingly through the website.

2. Council support to grant applicants:

A key principle of the grants program is to ensure that the local organisations are able to reach the community grants program in an accessible and equitable way, irrespective of their size skills and experience in applying for financial assistance.

To enable the organisations achieve a successful outcome from the community grants process, at least 2 grants writing workshops are offered to the community organisations outlining essential criteria for applications, eligibility, key strategic areas for funding in line with Councils strategic directions, key dates and decision making time frames and opportunities to consult with staff if any clarification is needed. Based on the past success of the grants writing workshops, this is highly recommended.

Further assistance to the organisations is provided by nominated team of staff via phone or face to face consultations.

3. Assessment of community grants:

The assessment process for the community grants program needs to be fair, transparent and equitable. In order to achieve this the following steps should be implemented:

- a) An eligibility review of each application is undertaken to determine if the application is completed in full and that it complies with the essential criteria. This process is also undertaken to determine if any further information required from the applicants.
- b) To maintain objectivity and transparency two assessors are assigned to each application and their scores are aggregated.
- c) Assessors to undertake assessment against criteria, documenting reasons for decisions using standard template in SmartyGrants.
- d) In the case of discrepancy between the 2 assessors, either a 3rd assessor to be invited or a mini roundtable established to discuss. (If many discrepancies, hold over discussion for one roundtable including all assessors).
- e) Assessors may recommend to part-fund the application based on the activities within the application that align with the criteria
- f) Final roundtable to be held including all assessors where a brief overview of each project and its determination is advised. This is to ensure transparency between assessors and reducing subjectivity in assessments.

All applications are assessed by staff as per the selection criteria listed in the Community Grants Application Guidelines which are:

- A specific project which addresses community needs

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Community Grants Implementation Procedure

- Create opportunities for skill/ knowledge and resource development
- Collaboration or partnership projects
- New and innovative projects
- Value for money and non-reliance on continuing Council funding
- Ability of applicant to manage the program and funding

Each application will be assessed by an assessment panel of at least 2 staff representing a multi-disciplinary team.

The final recommendations should be guided by the principles of access, equity, transparency, accountability and capacity building to ensure a fair and equitable process for channelling grants is achieved.

3.1 Eligibility Criteria:

Category	Principle	Eligibility Criteria
1. Seniors Funding Limit: Up to \$2000	Access, Equitable process, transparency, eligibility	This category targets social senior's groups focusing to fund social participation activities. To be eligible in this category organisations need to: <ul style="list-style-type: none"> • Be an incorporated not-for-profit organisation OR • Be a community group auspiced by an incorporated not-for-profit organisation • Be offering a project for seniors in the Ryde LGA or principally for the benefit of seniors in the Ryde LGA to enhance social interactions • Have completed an application form and provided support material as requested • Have acquitted previous City of Ryde grants (if any) and have no outstanding debts to the City of Ryde
2. Capacity Building Funding Limit : Up to \$3,500 Three sub-categories are included within this category namely:	Access, Equity, transparency, sustainability	This category Intends to support the local organisations in achieving community benefits while building the organisations skills, improve governance and ability to sustain their activities. To be eligible in this category organisations need to: <ul style="list-style-type: none"> • Be an incorporated not-for-profit organisation OR • Be a community group auspiced by an incorporated not-for-profit organisation • Be offering a project in the Ryde LGA • Have completed an application form and provided support material as requested • Have acquitted previous City of Ryde grants (if any) and have no outstanding debts to the City of Ryde
2.1 Events	Capacity & Need	To be eligible in this category organisations need to: <ul style="list-style-type: none"> • Be an incorporated not-for-profit organisation OR • Be a community group auspiced by an incorporated not-for-profit organisation • Be offering a project in the Ryde LGA • Have completed an application form and

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		<p>provided support material as requested</p> <ul style="list-style-type: none"> Have acquitted previous City of Ryde grants (if any) and have no outstanding debts to the City of Ryde
2.2 Emerging Groups	Application of the Definition , Capacity & Need	<p>To be eligible in this category organisations need to:</p> <ul style="list-style-type: none"> Be an incorporated not-for-profit organisation OR Be a community group auspiced by an incorporated not-for-profit organisation Be offering a project for seniors in the Ryde LGA Have completed an application form and provided support material as requested Have acquitted previous City of Ryde grants (if any) and have no outstanding debts to the City of Ryde
2.3 General	Available to all organisations, particular focus on sporting clubs, projects improving ability to deliver; training of volunteers, business planning.	<p>To be eligible in this category organisations need to:</p> <ul style="list-style-type: none"> Be an incorporated not-for-profit organisation OR Be a community group auspiced by an incorporated not-for-profit organisation Be offering a project in the Ryde LGA Have completed an application form and provided support material as requested Have acquitted previous City of Ryde grants (if any) and have no outstanding debts to the City of Ryde
3. Community Projects Funding Limit: Up to \$5000	Transparency, Inclusion, Access, Assessment	<p>Open category to support eligible projects, one-off, focus on responsiveness, collaboration, identified need, innovation. To be eligible in this category organisations need to:</p> <ul style="list-style-type: none"> Be an incorporated not-for-profit organisation OR Be a community group auspiced by an incorporated not-for-profit organisation Be offering a project in the Ryde LGA Have completed an application form and provided support material as requested Have acquitted previous City of Ryde grants (if any) and have no outstanding debts to the City of Ryde
4. Small Grants Funding Limit: Up to \$1000	Access, Equity, transparency, Flexibility	<p>Available outside annual grants. Designed to respond to changing circumstances & emerging issues. Grants will have specific criteria & guidelines.</p> <p>Quarterly reporting to Council.</p>
5. School Excellence Award	No change	<p>Recognise excellence, schools can nominate one student by application for a Certificate of Excellence and a Voucher. High School: \$100 primary school \$50</p>

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4. Reporting:

The grant recommendations will be collated and reported to Council who will make the final decision on allocation of grants. The report will need to provide details of the organisations, project name and recommended funding.

Additional information detailing all applications received, their status (recommended/ not recommended) and the reasons for the recommendations are supplied as attachment to Council report.

5. Communication of outcomes to grant applicants:

Once the recommendations are endorsed by Council the grant applicants need to be notified of the outcome of their application within two weeks.

The notifications to the successful organisations should include details related to invoice submission for payments, use of City of Ryde logo in the promotional materials and the acquittal process.

The successful and unsuccessful organisations should also be provided opportunities to seek any feedback on their application if necessary.

6. Evaluation of the grants process

The customer service surveys implemented by City of Ryde are designed to capture customer feedback on all the above aspects of the community grants program. An evaluation report is collated at the end of the surveys to ensure that the feedback is discussed and recommendations incorporated into the next round of grants implementation.

7. Acquittal:

Grant recipients should sign a funding agreement accepting responsibility for the delivery of the project.

Organisations should acquit the funding received and the proposed outcomes of the funded project within prescribed timeframes and contact Council staff if they experience difficulty with implementing and acquitting the funded project for support.

8. Applicant Obligations:

All grant applicants are obliged to ensure the following:

- a) Requests for Community Grant funding will ONLY be accepted on submission of a completed online form
- b) Provide a tax invoice
- c) Should clearly promote Council's contribution in their promotional material and publicity in accordance with Council's brand guidelines

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Appendix 1

CITY OF RYDE COMMUNITY GRANTS ASSESSMENT TOOL

SmartyGrants Application No.:

Project Name:

Organisation:

The Project	Yes (6-10)	In part (1 – 5)	No (0)
Does the project provide a direct benefit to the Ryde community?			
Does the project assist in meeting one or more of the identified priority areas?			
Will the project achieve a significant impact for the target group?			
Does this project address a need/gap in the community?			
Does the project target any of the following groups? (Tick boxes that apply)	NO SCORE	NO SCORE	NO SCORE
Children and Families			
Young People			
People with Disability			
Refugees			
Small and Emerging Communities			
CALD Communities			
Aboriginal and Torres Strait Islander Communities			
GLBT			

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Low income earners			
Older People			
Homeless			
Clear costing for all aspects of the project?			
Does the project represent good value for money?			
Would other available funding sources be more appropriate for this project?			
Does the project compliment other services in the area and is NOT a duplication of current programs/projects?			
Does the project encourage community participation and engagement?			
Does the project demonstrate creativity and propose innovative and/or best practice approaches?			
Does the project engage appropriate partners?			
The Organisation			
Has the organisation demonstrated the ability to manage funds (or will be assisted by a reputable organisation in doing so)?			
Has the organisation demonstrated ability in project management (or will be assisted by a reputable organisation in doing so)?			
Is the organisation able to engage the community members targeted in the application?			

Total score:

Do you recommend this application for funding? YES/NO

Please briefly state the reason for your decision:

Amount of funding requested:

Amount of funding recommended:

Community Grants Implementation Procedure		
Owner: Community and Culture	Accountability: Community Projects	Policy Number:
Reference No.:	Date Approved:	Endorsed By:

ITEM 9 (continued)

ATTACHMENT 2

Community Grants Implementation Procedure

Appendix 2

CITY OF RYDE COMMUNITY GRANTS TIMELINES

January	<p>Promotion & Communication – Social Media, Website, CIB & Press Releases</p> <p>Organise 1st information session on grants application</p> <p>Review and update grants guidelines and procedures</p> <p>Design application form & assessment form against selection criteria</p>
January- February	<p>Applications open</p> <p>Promotion & Communication – Social Media, Website, CIB & Press Releases</p> <p>Organise 2nd information session</p> <p>To brief assessors on selection criteria and ranking priorities</p>
March	<p>Applications Close</p> <p>Pre- eligibility checks</p> <p>Allocations to assessors (2 assessors per application)</p>
April	<p>Assessments completed and confirmed</p>
May	<p>Final approval from CL Group Manager & C&C Unit Manager</p>
May	<p>Recommendations to Council</p>

Community Grants Implementation Procedure		
Owner: Community and Culture	Accountability: Community Projects	Policy Number:
Reference No.:	Date Approved:	Endorsed By:

ITEM 9 (continued)

ATTACHMENT 2

Community Grants Implementation Procedure

June	Announcement of successful/unsuccessful applicants
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Appendix 3

**CITY OF RYDE COMMUNITY GRANTS SCHEME
SUPPORT EXPENDITURE**

Acquittal Report for xxx Project

It is a condition of funding for Community Grants Program that successful applicants complete an acquittal report at the completion of their projects. Please complete the form below and return via email, fax or mail to:

Email: janicelee@ryde.nsw.gov.au Fax: 9952 8309
Mail: Community Grants Program
City of Ryde
Locked Bag 2069
North Ryde NSW 1670

Did your organisation deviate from the original areas of expenditure you nominated on the application form? Yes

No

If YES to question above please describe below how the money was applied.

Please describe the outcomes of the program, project or service funded.

Please attach any additional information you consider will assist in making an assessment of the success of the program, project or service.

Signature:

Name:

Organisation:

Date:

Position:

Community Grants Implementation Procedure		
Owner: Community and Culture	Accountability: Community Projects	Policy Number:
Reference No.:	Date Approved:	Endorsed By:

ITEM 9 (continued)

ATTACHMENT 2

**Community Grants Implementation
Procedure**

**Appendix 4
CITY OF RYDE COMMUNITY GRANTS TAX INVOICE
PROFORMA**

TAX INVOICE

Name of Organisation:

Address:.....
.....

Contact Name:

Phone:

ABN No:

Date:YearXXX

To:
City of Ryde
Finance Manager
Locked Bag 2069
North Ryde NSW 1670

Description of Goods/Service	GRANT AMOUNT (without GST)	Add GST only if registered for GST	TOTAL OF GRANT (incl GST if applicable)
City of Ryde Community Grants Program – Year XXX Application number - (Please ✓ category) 1. Seniors 2. Capacity Building (events, emerging group, general) 3. Community Projects 4. Small Grants			

Community Grants Implementation Procedure		
Owner: Community and Culture	Accountability: Community Projects	Policy Number:
Reference No.:	Date Approved:	Endorsed By:

**10 2014/2015 CHRISTMAS NEW YEAR ARRANGEMENTS - DELEGATIONS
TO THE MAYOR AND GENERAL MANAGER**

Report prepared by: Section Manager - Governance
File No.: CLR/07/8/23 - BP14/1429

REPORT SUMMARY

This report seeks Council's endorsement to delegate any functions of Council in accordance with Section 377 of the Local Government Act 1993 to the Mayor and General Manager during the Christmas/New Year period from 10 December 2014 to 3 February 2015.

RECOMMENDATION:

- (a) That during the period 10 December 2014 to 3 February 2015, the Mayor and General Manager be delegated any functions of the Council that may lawfully be delegated under Section 377 of the Local Government Act provided the functions are exercised in compliance with the relevant Council policy and where no such policy exists with all due caution.
- (b) That all decisions made by the Mayor and General Manager under this resolution, be communicated to all Councillors as soon as reasonably possible, in addition to a Mayoral Minute being submitted to Council's meeting on 10 February 2015, if required.

ATTACHMENTS

- 1 Local Government Act 1993 - Section 377: General Power of the Council to Delegate

Report Prepared By:

Amanda Janvrin
Section Manager - Governance

Report Approved By:

John Schanz
Manager - Governance, Risk and Audit

Roy Newsome
Group Manager - Corporate Services

ITEM 10 (continued)

Report

In accordance with the Meeting Schedule endorsed by Council, the final Council meeting for the year is Tuesday, 9 December 2014. The first Committee meetings in 2015 will be held on Tuesday, 3 February 2015. If considered necessary at any time an Extraordinary Meeting can be called during this period.

As in previous years, it is necessary to grant the Mayor and General Manager the normal delegation of authority for the period of the Christmas/New Year break in between Council meetings. This power is delegated pursuant to Section 377 of the Local Government Act 1993 (**ATTACHED**).

Critical Dates

As 9 December 2014 is the final Council Meeting scheduled for 2014, it is appropriate that Council makes this determination to allow any functions of the Council that may lawfully be delegated under Section 377 of the Local Government Act 1993 to be undertaken by the Mayor and General Manager.

Financial Impact

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

Policy Implications

Section 226 of the Local Government Act 1993 sets out the role of the Mayor as follows:

- *to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council*
- *to exercise such other functions of the council as the council determines*
- *to preside at meetings of the council*
- *to carry out the civic and ceremonial functions of the mayoral office.*

In addition, at its meeting held 11 February 2014, Council adopted the Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities. This Policy sets out the following requirements in relation to the exercise of, in cases of necessity, the policy making functions of the governing body of the Council in between meetings of the Council:

Where in cases of necessity, the Mayor exercises the policy-making functions of the Council in between Council meetings, in accordance with Section 226 of the Local Government Act, this is to be communicated to all Councillors and the General Manager as soon as possible.

ITEM 10 (continued)

Any action taken is to be reported to the next available Council Meeting by way of a Mayoral Minute.

It is recommended that the Mayor liaise and seek guidance from the General Manager, and communicate the intent to exercise such functions to Councillors, prior to the taking of any action.

As a result, any policy-making functions exercised by the Mayor during the period 10 December 2014 to 3 February 2015 will be reported to the Council Meeting to be held 10 February 2015 by way of a Mayoral Minute.

The above provisions do not preclude the calling of an Extraordinary Council Meeting in accordance with Council's adopted Code of Meeting Practice and the Local Government Act.

ITEM 10 (continued)

ATTACHMENT 1

LOCAL GOVERNMENT ACT 1993 - SECTION 377
General power of the council to delegate

377 General power of the council to delegate

- (1) A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council, other than the following:
- (a) the appointment of a general manager,
 - (b) the making of a rate,
 - (c) a determination under section 549 as to the levying of a rate,
 - (d) the making of a charge,
 - (e) the fixing of a fee,
 - (f) the borrowing of money,
 - (g) the voting of money for expenditure on its works, services or operations,
 - (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),
 - (i) the acceptance of tenders which are required under this Act to be invited by the council,
 - (j) the adoption of an operational plan under section 405,
 - (k) the adoption of a financial statement included in an annual financial report,
 - (l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,
 - (m) the fixing of an amount or rate for the carrying out by the council of work on private land,
 - (n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,
 - (o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979 ,
 - (p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,
 - (q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons,
 - (r) a decision under section 234 to grant leave of absence to the holder of a civic office,
 - (s) the making of an application, or the giving of a notice, to the Governor or Minister,
 - (t) this power of delegation,
 - (u) any function under this or any other Act that is expressly required to be exercised by resolution of the council.
- (2) A council may, by resolution, sub-delegate to the general manager or any other person or body (not including another employee of the council) any function delegated to the council by the Director-General except as provided by the instrument of delegation to the council.

PRECIS OF CORRESPONDENCE

1 UPDATE TO LOCAL GOVERNMENT AMENDMENT BILL 2014

Report prepared by: Executive Assistant to Group Manager
File No.: CSG/14/3/8 - BP14/1389

CORRESPONDENCE:

Submitting correspondence from Local Government NSW President, Cr Keith Rhoades AFSM, dated 7 November 2014, regarding the Update of Bills before Parliament. This includes Local Government Amendment (Red Tape Reduction) Bill 2014, Local Government Amendment (Elections) Bill 2014, Rural Councils – Fit for the Future and Federation White Paper.

RECOMMENDATION:

That the correspondence be received and noted.

ATTACHMENTS

- 1 Update on Bills before Parliament Local Government NSW Weekly 43/14 - 7 November 2014

Report Prepared By:

Lorraine Abboud-Safi
Executive Assistant to Group Manager

Report Approved By:

Roy Newsome
Group Manager - Corporate Services

PRECIS OF CORRESPONDENCE 1 (continued)

ATTACHMENT 1



Message from the President

Like councils, Local Government NSW (LGNSW) does a lot of work behind the scenes on behalf of Local Government and communities. It's timely for us to provide updates on current issues, bills, regulations and reforms facing the NSW Local Government sector that we have actively been working on over the past days and weeks.

Local Government Amendment (Red Tape Reduction) Bill 2014

Recently, I have been busy trying to secure changes to the Local Government Amendment (Red Tape Reduction) Bill 2014 on two main issues – delegation of tendering and the advertising of senior positions. In relation to tenders, LGNSW has concerns about the drafting of the Bill that would allow delegation to anyone, introducing corruption risks. While we agreed with the threshold for tenders being lifted to \$250,000, this limit should be for all councils or it will create two classes of councils. We also want to ensure transparent recruitment to senior positions.

Local Government Amendment (Elections) Bill 2014

I have also been active conveying our reservations about the provision for exclusive postal voting in NSW council elections, inconsistencies between the Bill and the *Fit for the Future* program, and the potential for cost-shifting. This is in keeping with the results of our survey we conducted with our members on aspects the Bill. We support voters having the choice between three different methods of voting at each election – pre-poll, attendance, or postal. Exclusive postal voting is a step too far.

Rural Councils

On *Fit for the Future*, the LGNSW Chief Executive and staff attended two meetings held in Sydney and Dubbo by the Office of Local Government on the proposed 'rural council model'. While there was much discussion, there remains a lack of any real clarity about the 'rural council model'. We will be pushing for further consultation to ensure that rural councils get a say on the governance structure proposed for them.

Federation White Paper

Finally, we met with the Department of Premier & Cabinet earlier this week to discuss their approach to the Federation White Paper and the implications and opportunities for Local Government in Federation Reform.

As these Bills and the Federation White Paper progresses, more updates will be provided, along with ongoing communication on the NSW Government's *Fit for the Future* reform package.

Yours sincerely,

LGNSW President
Cr Keith Rhoades AFSM

NOTICES OF MOTION

1 MEMBERSHIP FOR THE SPORT AND RECREATION WHEELED SPORTS ADVISORY COMMITTEE - Deputy Mayor, Councillor Roy Maggio

File Number: CLM/14/1/4/6 - BP14/1436

MOTION:

As Chairman of the Sport and Recreation Wheeled Sports Advisory Committee, I have received an expression of interest from these community people to join the Sport and Recreation Wheeled Sports Advisory Committee.

That Council accept these members of the Local Sporting Community to join the Sport and Recreation Wheeled Sports Advisory Committee affected immediately:-

- Mr Lindsay Donald – West Ryde Rovers Football Club.
- Ms Kim Clifton – Ryde Panthers Football Club.
- Ms Lina Candy – Putney Rangers Football Club.
- Mr Chris Rutter – Putney Rangers Football Club.
- Ms Suzanne Galea – Ravens Sports Club Admin.
- Mr Michael Masulans – Eastwood St Andrews AFC.

2 NATIONAL YOUTH WEEK 2015 - Deputy Mayor, Councillor Roy Maggio

File Number: CLM/14/1/4/6 - BP14/1453

MOTION:

Section 3 of the *Local Government Act (NSW) 1993* provides that part of Council's Charter is to promote and to provide a plan for the needs of children.

That Ryde City Council request the youth council to examine ways of providing a program of wide variety activities and events for National Youth Week 10-19 April 2015 across the Ryde LGA.

That the program be reported to Council in February 2015 with a review of allocating funds towards National Youth Week dedicated to providing programs and activities for the youth across the Ryde LGA.

CONFIDENTIAL ITEMS

11 REQUEST FOR TENDER - COR-RFT-09/14 - WASTE REPORT

Confidential

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

Report prepared by: Service Unit Manager – Business Infrastructure

File Number: BPU/08/5/3/13 - BP14/1402

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12 COR-EOI-12/14 - ESTABLISH A PANEL OF CONTRACTORS FOR HOME MODIFICATIONS AND MAINTENANCE 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: (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Report prepared by: Team Manager - Home Modification & Maintenance Services

File No.: GRP/09/4/10 - BP14/1235

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13 INVESTMENT PROPERTY MATTER

Confidential

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

Report prepared by: Project Manager; Section Manager – Property and Development

File No.: BPU/08/5/3/11 - BP14/1407

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14 INVESTMENT PROPERTY MATTER

Confidential

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

Report prepared by: Project Manager; Section Manager – Property and Development
File No.: BPU/08/5/3/13 - BP14/1406
Page: 231

15 COR-RFT-16/14 – CONSTRUCTION OF ONE FOUR BEDROOM AND TWO THREE BEDROOM DWELLINGS AT 6 RESERVE STREET, WEST RYDE

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: (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it; AND (d) (ii) information that would, if disclosed, confer a commercial advantage on a competitor of the council; AND (d) (iii) information that would, if disclosed, reveal a trade secret.

Report prepared by: Project Manager
File No.: PCM2014/52 - BP14/1422
Page: 240

16 EXPRESSION OF INTEREST FOR THE PROVISION OF LEGAL 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; AND (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it; AND (d) (ii) information that would, if disclosed, confer a commercial advantage on a competitor of the council.

Report prepared by: Manager – Governance, Risk and Audit; General Counsel
File No.: GRP/09/7/8 - BP14/1442
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