



6 FEBRUARY 2014

NOTICE OF MEETING

You are advised of the following meeting:

TUESDAY 11 FEBRUARY 2014.

Meeting of Council Meeting No. 1/14

Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde - 7.30pm

English

If you do not understand this letter, please come to the Ryde Civic Centre, Devlin Street, Ryde, to discuss it with Council staff who will arrange an interpreter service. Or you may ring the Translating & Interpreting Service on 131 450 to ask an interpreter to contact Council for you. Council's phone number is 9952 8222. Council office hours are 8.30am to 4.30pm, Monday to Friday.

Arabic

إذا كنت لا تفهم محتويات هذه الرسالة، فالرجاء الاتصال بمركز مجلس بلدية رايد Ryde Civic Centre، وعنوانه: Ryde، Devlin Street، لمناقشتها مع العاملين في المجلس عن طريق مترجم، يستعين به العاملون لمساعدتك. أو يمكنك، بدلاً من ذلك، أن تتصل بمكتب خدمات الترجمة TIS على الرقم 131 450 وأن تطلب من أحد المترجمين أن يتصل بالمجلس نيابة عنك. رقم تليفون المجلس هو 9952 8222، وساعات العمل هناك هي من الساعة 8.30 صباحاً إلى 4.30 بعد الظهر من يوم الاثنين إلى يوم الجمعة.

Armenian

Եթէ այս նամակը չէք հասկնար, խնդրեմ եկէք՝ *Բայր Սիվիլ Սենթրը, Տելվին* փողոց, Բայր, իստակցելու Քաղաքապետարանի պաշտօնեաներուն հետ, որոնք թարգմանիչ մը կրնան կարգադրել: Կամ, կրնաք հեռաձայնել Թարգմանութեան Սպասարկութեան՝ 131 450, եւ խնդրել որ թարգմանիչ մը Քաղաքապետարանին հետ կապ հաստատէ ձեզի համար: Քաղաքապետարի հեռաձայնի թիւն է՝ 9952 8222: Քաղաքապետարանի գրասենեակի ժամերն են՝ կ.ա. ժամը 8.30 - կ.ե. ժամը 4.30, Երկուշաբթիէն Ուրբաթ:

Chinese

如果您看不懂這封信，請到位于 Devlin Street, Ryde 的禮特區市府禮堂 (Ryde Civic Centre) 與區政廳工作人員討論，他們將會給您安排傳譯員服務。或者您自己打電話給“翻譯及傳譯服務”，電話：131 450，請他們替您與區政廳聯係。區政廳的電話號碼是：9952 8222。區政廳工作時間是：周一至周五，上午 8.30 到下午 4.30。

Farsi

اگر این نامه را نمی فهمید لطفاً به مرکز شهرداری رايد در Devlin Street مراجعه کنید. کارمندان شهرداری ترتیب استفاده از يك مترجم را براي شما خواهند داد. یا ميتوانيد به سرويس ترجمه کتبي و شفاهي شماره 131 450 تلفن بزنيد و بخواهيد که يك مترجم از جانب شما با شهرداری تماس بگیرد. شماره تلفن شهرداری 9952 8222 و ساعات کار از 8.30 صبح تا 4.30 بعد از ظهر مي باشد.

Italian

Le persone che hanno difficoltà a capire la presente lettera, sono pregate di presentarsi al Ryde Civic Centre in Devlin Street, Ryde, e parlarne con gli impiegati municipali che provvederanno a richiedere l'intervento di un interprete. Oppure possono chiamare il Translating & Interpreting Service al 131 450 e chiedere ad uno dei loro interpreti di mettersi in contatto con il comune di Ryde. Il numero del comune è 9952 8222. Gli uffici comunali sono aperti dalle 8.30 alle 16.30, dal lunedì al venerdì.

Korean

이 편지를 이해할 수 없으시면 Ryde의 Devlin Street에 있는 Ryde Civic Centre로 오셔서 카운슬 직원과 상담하여 주십시오. 저희 직원이 통역 서비스를 연결해 드릴 것입니다. 아니면 131 450번으로 통번역 서비스(TIS)에 전화하셔서 통역사에게 대신 카운슬에 연락해 주도록 부탁하셔도 됩니다. 카운슬 전화 번호는 9952 8222번입니다. 카운슬의 업무 시간은 오전 8:30부터 오후 4:30, 월요일에서 금요일까지입니다.

Meeting Date: Tuesday 11 February 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.

NOTICE OF BUSINESS

Item		Page
1	REQUEST FOR LEAVE OF ABSENCE - Councillor Artin Etmekdjian.....	1
2	CONFIRMATION OF MINUTES - Council Meeting held on 10 December 2013	2
3	REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 1/14 held on 4 February 2014.....	27
4	ADOPTION OF THE YAMBLE RESERVE PLAN OF MANAGEMENT AND AUTHORISATION OF LICENCE FOR SOCIAL ENTERPRISE CAFE	35
5	REGIONAL WASTE PROJECT - Application for Consent under Section 358 of the Local Government Act 1993.....	40
6	FIRST STATE LOBBYIST AND DEPARTMENT OF PLANNING AND INFRASTRUCTURE MEETING	43
7	LOCAL INFRASTRUCTURE BENCHMARK COSTS.....	52
8	CONTRACTUAL CONDITIONS OF SENIOR STAFF - Report to Council in Accordance With Section 339 of the Local Government Act 1993	75
9	COMMUNITY COUNCIL MEETINGS	78
10	POLICY FOR THE INTERFACE AND DAY TO DAY OVERSIGHT OF THE GENERAL MANAGER BY THE MAYOR INCLUDING MAYOR'S ROLES AND RESPONSIBILITIES.....	86
11	STATEMENT OF BUSINESS ETHICS	108
12	INVESTMENT REPORT - November and December 2013	119
13	SOCIAL MEDIA FOR THE PUBLIC SECTOR CONFERENCE - Melbourne - 21 to 22 May 2014	143

PRECIS OF CORRESPONDENCE

1	NORTH RYDE STATION PRECINCT DEVELOPMENT CONTROL PLAN 2013	147
2	TOILET FACILITY AT SAGAR PLACE	149
3	NSW TAXI TRANSPORT SUBSIDY SCHEME.....	152

NOTICES OF MOTION

1	COUNCIL PARKING INFRINGEMENT POLICIES AND IMPLEMENTATION - Councillor Jeff Salvestro-Martin.....	156
2	MORRISON BAY PARK PLAYING FIELDS - Councillor Ivan Petch.....	156

CONFIDENTIAL ITEMS

14	REQUEST FOR TENDER - PLANT HIRE TENDER RATES - 2014.....	158
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1 REQUEST FOR LEAVE OF ABSENCE - Councillor Artin Etmekdjian

Report prepared by: Meeting Support Coordinator
File No.: CLM/14/1/4/13 - BP14/118

REPORT SUMMARY

Councillor Etmekdjian has requested a Leave of Absence from Friday, 7 February 2014 to Friday, 14 February 2014 inclusive.

RECOMMENDATION:

That Councillor Etmekdjian's Leave of Absence for the period from Friday, 7 February 2014 to Friday, 14 February 2014 inclusive be approved.

2 CONFIRMATION OF MINUTES - Council Meeting held on 10 December 2013

Report prepared by: Meeting Support Coordinator
File No.: CLM/14/1/4/2 - BP14/122

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 25/13, held on 10 December 2013 be confirmed.

ATTACHMENTS

- 1 Minutes - Ordinary Council Meeting - 10 December 2013**

ITEM 2 (continued)

ATTACHMENT 1

Council Meeting
MINUTES OF MEETING NO. 25/13

Meeting Date: Tuesday 10 December 2013

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

Time: 7.30pm

Councillors Present: The Mayor, Councillor Maggio and Councillors Chung, Etmekdjian, Laxale, Li, Pendleton, Perram, Petch, Pickering, Salvestro-Martin and Yedelian OAM.

Note: Councillor Salvestro-Martin arrived at the meeting at 7.36pm during the presentation of the Mayor's Bushfire Appeal cheque.

Note: Councillor Petch arrived at the meeting at 7.39pm during the presentation of the Excellence in the Environment Award. He left the meeting at 9.35pm during consideration of Item 6 and was not present for voting on Items 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, Precis of Correspondence 1, Precis of Correspondence 2 and Precis of Correspondence 3.

Apologies: Nil.

Leave of Absence: Councillor Simon.

Staff Present: Acting General Manager, Acting Group Manager – Community Life, Acting Group Manager – Corporate Services, Group Manager – Environment and Planning, Group Manager – Public Works, General Counsel, Manager – Urban Planning, Manager – Environment, Manager – Communications and Media, Project Manager, Environmental Engineer, Coordinator – Digital Communications and Section Manager – Governance.

PRAYER

Major Topher Holland of The Salvation Army was present and offered prayer prior to the commencement of the meeting.

LEAVE OF ABSENCE

Note: Councillors Petch and Salvestro-Martin were not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Laxale and Pickering)

That Council approve a Leave of Absence for Councillor Simon for tonight's Council Meeting, 10 December 2013.

ITEM 2 (continued)

ATTACHMENT 1

Record of Voting:

For the Motion: Unanimous

DISCLOSURES OF INTEREST

The Mayor, Councillor Maggio disclosed a Less than Significant Non-Pecuniary Interest in Item 11 – Code of Conduct - Status Report for the reason that the matter is about himself.

The Mayor, Councillor Maggio disclosed a Less than Significant Non-Pecuniary Interest in Item 4 – Second Avenue, Eastwood Draft Site Specific DCP - Outcomes of Consultation for the reason that he is a member of the Ryde Eastwood Leagues Club.

Councillor Etmekdjian disclosed a Less than Significant Non-Pecuniary Interest in Item 2(2) – 58-60 Falconer Street, West Ryde – LDA2012/0124, for the reason that he resides in Falconer Street, West Ryde.

Councillor Etmekdjian disclosed a Less than Significant Non-Pecuniary Interest in Item 4 – Second Avenue, Eastwood Draft Site Specific DCP - Outcomes of Consultation for the reason that he is a patron member of the Ryde Eastwood Leagues Club.

Councillor Perram disclosed a Less than Significant Non-Pecuniary Interest in Item 4 – Second Avenue, Eastwood Draft Site Specific DCP - Outcomes of Consultation for the reason that he is a member of the Ryde Eastwood Leagues Club.

Councillor Yedelian OAM disclosed a Less than Significant Non-Pecuniary Interest in Item 4 – Second Avenue, Eastwood Draft Site Specific DCP - Outcomes of Consultation for the reason that he is an ordinary member of the Ryde Eastwood Leagues Club.

PRESENTATION - MAYOR'S BUSHFIRE APPEAL

The Mayor, Councillor Maggio presented Major Topher Holland from The Salvation Army with a cheque in the amount of \$7,610.63 for the Blue Mountains and Central Coast communities affected by the bushfires. The Mayor, Councillor Maggio also advised that a further \$1,000 has been pledged by Ryde Carlile Swimming Club.

PRESENTATION - EXCELLENCE IN THE ENVIRONMENT AWARD

Council's Manager - Environment, Sam Cappelli presented the Mayor, Councillor Maggio with the 2013 NSW Excellence in the Environment 'Communication, Education and Empowerment Award' received from the Local Government NSW for the River to River Corridors Project.

ITEM 2 (continued)

ATTACHMENT 1

PRESENTATION - SES WOW DAY

The Mayor, Councillor Maggio presented Councillor Yedelian OAM, on behalf of the City of Ryde, with a thank you Certificate from the NSW State Emergency Service & NRMA Insurance for participation in Wear Orange to Work Day.

PRESENTATION - RYDE ROLLER COASTER RUN

The Mayor, Councillor Maggio presented a Certificate of Appreciation to the City of Ryde for their support and sponsorship for the 2013 Ryde Roller coaster Run.

TABLING OF PETITIONS

No Petitions were tabled.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:

Name	Topic
Vic Tagg (on behalf of the Eastwood Chamber of Commerce)	Item 5 – Eastwood Town Centre Masterplan
Kenny Lee	Item 5 – Eastwood Town Centre Masterplan
Chris McCarthy (on behalf of the Ryde Eastwood Leagues Club)	Item 4 - Second Avenue, Eastwood Draft Site Specific DCP - Outcomes Of Consultation
Grant Mayer	MM39/13 – Investigation of Options – NRL West Tigers

SUSPENSION OF STANDING ORDERS

Note: Councillor Salvestro-Martin left the meeting at 7.54pm and was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Pickering and Yedelian OAM)

That Standing Orders be Suspended in order to recognise Council's General Counsel, the time being 7.54pm.

Record of Voting:

For the Motion: Unanimous

ITEM 2 (continued)

ATTACHMENT 1

RECOGNITION OF COUNCIL'S GENERAL COUNSEL

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

RESOLUTION: (Moved by Councillors Pickering and Yedelian OAM)

That Council recognises the contribution made by Bruce McCann in his role as General Counsel and wishes him all the best for his future endeavours.

Record of Voting:

For the Motion: Unanimous

ORDER OF BUSINESS

MOTION: (Moved by Councillors Yedelian OAM and Pickering)

That Council now consider the following Items, the time being 7.58pm:

- Mayoral Minute 39/13 - Investigation of Options - NRL West Tigers.
- Item 4 - Second Avenue, Eastwood Draft Site Specific DCP - Outcomes of Consultation.
- Item 5 - Eastwood Town Centre Master Plan.
- Notice of Motion 1 - Centenary of Anzac and Commemoration of WW1 Committee Funding Options

Note: Councillor Salvestro-Martin returned to the meeting at 7.59pm.

AMENDMENT: (Moved by Councillors Laxale and Perram)

That Council now consider the following Items, the time being 7.59pm:

- Mayoral Minute 39/13 - Investigation of Options - NRL West Tigers.
- Item 4 - Second Avenue, Eastwood Draft Site Specific DCP - Outcomes of Consultation.
- Item 5 - Eastwood Town Centre Master Plan.
- Notice of Motion 1 - Centenary of Anzac and Commemoration of WW1 Committee Funding Options
- Item 11 - Code of Conduct - Status Report

On being put to the Meeting, the voting on the Amendment was four (4) votes For and seven (7) votes Against. The Amendment was **LOST**. The Motion was then put and **CARRIED**.

ITEM 2 (continued)

ATTACHMENT 1

Record of Voting:

For the Amendment: Councillors Laxale, Pendleton, Perram and Petch

Against the Amendment: The Mayor, Councillor Maggio and Councillors Chung, Etmekdjian, Li, Pickering, Salvestro-Martin and Yedelian OAM

RESOLUTION: (Moved by Councillors Yedelian OAM and Pickering)

That Council now consider the following Items, time being 8.00pm:

- Mayoral Minute 39/13 - Investigation of Options - NRL West Tigers.
- Item 4 - Second Avenue, Eastwood Draft Site Specific DCP - Outcomes of Consultation.
- Item 5 - Eastwood Town Centre Master Plan.
- Notice of Motion 1 - Centenary of Anzac and Commemoration of WW1 Committee Funding Options

Record of Voting:

For the Motion: Unanimous

MAYORAL MINUTES

39/13 INVESTIGATION OF OPTIONS - NRL WEST TIGERS - The Mayor, Councillor Roy Maggio

Note: Grant Mayer addressed the meeting in relation to this Item.

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

- (a) That Council support the investigation into the feasibility of the West Tigers Football Club being relocated to the ELS Hall Park and Indoor Sports Centre.
- (b) That Council note that these investigations will be undertaken at minimal cost to Council, with any additional costs being reported to Council in the March Quarterly Review.
- (c) That a further report be provided to Council in March 2014 on the results of the investigations undertaken.
- (d) That all users of ELS Hall Park be advised of this proposal.

Record of Voting:

For the Motion: Unanimous

ITEM 2 (continued)

ATTACHMENT 1

COUNCIL REPORTS

4 SECOND AVENUE, EASTWOOD DRAFT SITE SPECIFIC DCP - Outcomes of Consultation

Note: The Mayor, Councillor Maggio disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that he is a member of the Ryde Eastwood Leagues Club.

Note: Councillor Etmekdjian disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that he is a patron member of the Ryde Eastwood Leagues Club.

Note: Councillor Perram disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that he is a member of the Ryde Eastwood Leagues Club.

Note: Councillor Yedelian OAM disclosed a Less than Significant Non-Pecuniary Interest in Item 4 – Second Avenue, Eastwood Draft Site Specific DCP - Outcomes of Consultation for the reason that he is an ordinary member of the Ryde Eastwood Leagues Club.

Note: Chris McCarthy (on behalf of the Ryde Eastwood Leagues Club) addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Etmekdjian and Perram)

- (a) That Council adopt the Draft *Ryde Development Control Plan Part 6.7 Second Avenue (9-19) Eastwood* as amended in response to submissions and included as **ATTACHMENT 2** and issues outlined in this report.
- (b) That Council place a public notice in the local newspaper in accordance with the *Environmental Planning and Assessment Regulation 2000* to bring into effect the *Ryde Development Control Plan 2010 Part 6.7 Second Avenue (9-19) Eastwood*.
- (c) That Council provides the Director-General with a copy of the *Ryde Development Control Plan Part 6.7 Second Avenue (9-19) Eastwood* amendment to Ryde DCP 2010 as adopted, within 28 days of the making of the plan in accordance with the *Environmental Planning and Assessment Regulation 2000*.
- (d) That Council endorse consideration of a variation to the site area dwelling control under Clause 4.5A Density controls for Zone R2 Low Density Residential to allow a maximum of 31 dwellings on the land the subject of *Ryde Development Control Plan Part 6.7 Second Avenue (9-19) Eastwood*, subject to the submission of a development application which:

ITEM 2 (continued)

ATTACHMENT 1

- Includes a request for variation providing the relevant justification under Clause 4.6 Exceptions to Development Standards of LEP 2010.
- Demonstrates compliance in particular with:
 - A maximum FSR of 0.5:1 as required under Council's LEP;
 - A maximum site coverage of 40%;
 - Minimum open space area requirements identified in the Draft DCP attached to this report and implementing Council's resolution of 11 October 2011;
 - Minimum side and rear setbacks identified in the draft DCP attached to this report (that exceed existing multi dwelling housing setbacks); and
 - Minimum car parking requirements identified in the Draft DCP attached to this report.

- (e) That Council advise the proponent and all those who made submissions of Council's decision.

Record of Voting:

For the Motion: Unanimous

5 EASTWOOD TOWN CENTRE MASTER PLAN

Note: A Memorandum from the Group Manager - Environment and Planning dated 6 December 2013 and Feasibility Report was tabled in relation to this Item and a copy is ON FILE.

Note: Vic Tagg (on behalf of the Eastwood Chamber of Commerce) and Kenny Lee addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Perram and Li)

That the Eastwood Town Centre Master Plan be placed on public exhibition for a period of at least six weeks, commencing in February 2014, and that following the public exhibition period, a further report be presented to Council.

Record of Voting:

For the Motion: Unanimous

ITEM 2 (continued)

ATTACHMENT 1

NOTICE OF MOTION

1 CENTENARY OF ANZAC AND COMMEMORATION OF WW1 COMMITTEE FUNDING OPTIONS - Councillor Jerome Laxale

RESOLUTION: (Moved by Councillors Laxale and Yedelian OAM)

- (a) That the Acting General Manager consult with the Ryde Centenary of Anzac and Commemoration of WW1 Committee and staff in regards to the "Ryde Remembers" commemorative programme of projects from 2014 and beyond.
- (b) That the Acting General Manager report back on internal and external funding opportunities for projects identified as a priority by the Committee.

Record of Voting:

For the Motion: Unanimous

MAYORAL MINUTES

34/13 MAYOR'S BUSHFIRE APPEAL - The Mayor, Councillor Roy Maggio

Note: Councillor Li left the meeting at 8.46pm and was not present for consideration or voting on this Item.

Note: The Mayor, Councillor Maggio presented Major Topher Holland from The Salvation Army with a cheque in the amount of \$7,610.63 for the Blue Mountains and Central Coast communities affected by the bushfires earlier in the meeting as outlined in these Minutes.

RESOLUTION: (Moved by The Mayor, Councillor Maggio and Councillor Yedelian OAM)

- (a) That as Mayor, I present the cheque, totalling \$7,610.63 of the funds raised by the Mayor's Bushfire Appeal, to the Salvation Army Bushfire Appeal.
- (b) That Council endorse hosting a Twenty20 cricket match between Hornsby Shire Council and Ryde City Council in February 2014 with all donations being presented to the Salvation Army Bushfire Appeal and that the Acting General Manager be delegated authority to make all necessary arrangements to organise this event.
- (c) That Council promote the event in conjunction with Hornsby Shire Council and advertise through local newspapers, the Mayor's Community Message and social media.

ITEM 2 (continued)

ATTACHMENT 1

- (d) That the City of Ryde thank Hornsby Shire Council, the City of Ryde staff and the community for their support of this Appeal.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Li returned to the meeting at 8.48pm.

35/13 VOLUNTEER READING PROGRAM - The Mayor, Councillor Roy Maggio

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

That Council staff prepare a brief report regarding the feasibility of running a trial program in one of Council's Libraries involving a seniors volunteer or other volunteer, reading to children who are in the care of the Library concerned. The report is to be completed in six months.

Record of Voting:

For the Motion: Unanimous

36/13 OFFICIAL OPENING OF WEST RYDE CARPARK - The Mayor, Councillor Roy Maggio

RESOLUTION: (Moved by The Mayor, Councillor Maggio and Councillor Yedelian OAM)

- (a) That Council support and endorse a community event on Saturday, 14 December 2013 from 10.00am – 1.00pm to celebrate the official opening of Council's public car park at West Ryde.
- (b) That the community event and official opening of the public car park be advertised through Council's normal media channels including the Mayor's Community Message.
- (c) That Council congratulate the Acting General Manager, Mr Roy Newsome and relevant staff for their efforts in relation to this matter.

Record of Voting:

For the Motion: Unanimous

ITEM 2 (continued)

ATTACHMENT 1

37/13 APPOINTMENT OF ACTING GENERAL MANAGER - The Mayor, Councillor Roy Maggio

RESOLUTION: (Moved by The Mayor, Councillor Maggio and Councillor Yedelian OAM)

- (a) That Council appoint Mr Dominic Johnson to act in the role of Acting General Manager from 21 December 2013 to 14 January 2014.
- (b) That upon the return of Mr Newsome on 14 January 2014, Mr Newsome is to continue in the role of Acting General Manager.

Record of Voting:

For the Motion: Unanimous

38/13 RYDE RIVERWALK - RECEIPT OF FUNDING - The Mayor, Councillor Roy Maggio

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

- (a) That Council note the correspondence received from our local Federal Member for Bennelong, Mr John Alexander OAM MP.
- (b) That Council thank Mr Alexander and Mr Truss for their efforts in securing federal funding for the Ryde River Walk and other projects listed on the attached correspondence.
- (c) That staff prepare a report on the implications of the receipt of the federal funding.
- (d) That details of the federal funding of the Ryde River Walk be advertised extensively in the local community through press, Mayor's Community Message and social media.

Record of Voting:

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

Against the Motion: Councillors Petch and Salvestro-Martin

39/13 INVESTIGATION OF OPTIONS - NRL WEST TIGERS - The Mayor, Councillor Roy Maggio

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

ITEM 2 (continued)

ATTACHMENT 1

40/13 LIVVIS PLACE - PEOPLES CHOICE AWARD - The Mayor, Councillor Roy Maggio

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

- (a) That Council acknowledge the receipt of the Sydney Morning Herald Premier's People's Choice award for a new public space recently awarded to Livvi's Place in Yamble Reserve.
- (b) That an appropriate event be held in 2014 to celebrate the receipt of this award.

Record of Voting:

For the Motion: Unanimous

COUNCIL REPORTS

1 CONFIRMATION OF MINUTES - Council Meeting held on 26 November 2013

Note: Councillor Salvestro-Martin left the meeting at 8.55pm and was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Petch and Pickering)

That the Minutes of the Council Meeting 24/13, held on 26 November 2013 be confirmed.

Record of Voting:

For the Motion: Unanimous

2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 18/13 held 3 December 2013

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

RESOLUTION: (Moved by Councillors Etmekdjian and Pickering)

That Council determine Item 2 of the Planning and Environment Committee report 18/13 held on 3 December 2013, noting that Items 1 and 3 were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

ITEM 2 (continued)

ATTACHMENT 1

2 58 - 60 FALCONER STREET, WEST RYDE. LOT 1 DP 953646 and LOT 2 DP102049. Demolition of 2 dwellings and construction of infill development under the Affordable Housing State Environmental Planning Policy - 10 strata titled town houses - LDA2012/0124.

Note: Councillor Etmekdjian disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that he resides in Falconer Street, West Ryde.

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

RESOLUTION: (Moved by Councillors Pickering and Laxale)

(a) That Local Development Application No. 2012/0124 at 58 - 60 Falconer Street, West Ryde, being LOT 1 of Deposited Plan 953646 and LOT 2 of Deposited Plan 102049 be **REFUSED** for the following reasons:

1. The proposal is contrary to Section 79C(1)(a)(i) of the *Environmental Planning and Assessment Act 1979* as it fails to meet the objectives of the R2 Low Density Residential Zone in the Ryde Local Environmental Plan 2010.

Particulars

- a) The proposal does not ensure that *"the general low density nature of the zone is retained and that development for the purposes of dual occupancy (attached) and multi dwelling housing (attached) do not significantly alter the character of a location or neighbourhood"*.
- b) The proposal does not ensure that *"new development complements or enhances the local streetscape."*

2. The proposal is contrary to Section 79C(1)(a)(ii) of the *Environmental Planning and Assessment Act 1979* as it fails to satisfy the provisions of the Draft Ryde Local Environmental Plan 2011.

Particulars

- a) The *proposal* is contrary to Clause 4.3(2C) Height of Buildings in Zone R2.
3. The proposal is contrary to Section 79C(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979* as it fails to satisfy the requirements of the Ryde Development Control Plan 2010.

ITEM 2 (continued)

ATTACHMENT 1

Particulars

- a) The proposal is contrary to the objectives of Part 3.5 - Multi Dwelling Housing (attached) within the Low Density Residential Zone of the RDCP as it will:
 - Not complement existing development and streetscape
 - Result in a housing development that is not designed to a high aesthetic standard
 - Adversely affect the amenity of occupants of adjoining land and
 - Result in a multi dwelling housing (attached) development of a scale that is not related to the character of the area
 - b) The proposal does not comply with the minimum floor to ceiling height requirement of Part 3.5 of the RDCP.
 - c) The proposal does not comply with the rear setback and second street frontage setback requirements of Part 3.5 of the RDCP.
 - d) The garage and car parking layout dominates the development and is contrary to the provisions of Part 3.5 of the RDCP.
 - e) The proposal has not demonstrated compliance with the accessibility requirements of Parts 3.5 or 9.2 of the RDCP.
 - f) The proposal is unsatisfactory with regard to the Building Form requirements of Part 3.5 of the RDCP.
4. Pursuant to Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*, the cumulative impacts of the proposed development's failure to comply with the provisions and requirements of State Environmental Planning Policy (Affordable Rental Housing) 2009, Ryde LEP 2010 and Ryde DCP 2010 will result in a development whose scale, form, density and design is inconsistent with existing development in the area and detract from the character and the amenity of the locality.
5. Pursuant to Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, the proposed development is not in the public interest as the development is inconsistent with the scale and intensity of development that the community can reasonably expect to be provided on this site.
6. Pursuant to Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, the proposed development is not in the public interest, pertaining to the number of objections that have been received in relation to the proposal.
- (b) That the persons who made submissions be advised of Council's decision.

ITEM 2 (continued)

ATTACHMENT 1

Record of Voting:

For the Motion: The Mayor, Councillor Maggio and Councillors Etmekdjian, Laxale, Li, Pendleton, Perram, Petch and Pickering

Against the Motion: Councillors Chung and Yedelian OAM

3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 17/13 held on 3 December 2013

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

RESOLUTION: (Moved by Councillors Perram and Petch)

That Council determine Item 4(d) of the Works and Community Committee report 18/13 held on 3 December 2013, noting that Items 1, 2, 3 and 4(a), 4(b), 4(c), 4(e), 4(f), 4(g), 4(h), 4(i), 4(j), 4(k), 4(l), 4(m), 4(n) and 4(o) were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

4 TRAFFIC AND PARKING MATTERS PRESENTED TO RYDE LOCAL TRAFFIC COMMITTEE held on 21 November 2013

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

RESOLUTION: (Moved by Councillors Perram and Petch)

- (d) (i) That Council investigate the “option” of allowing the waste trucks to undertake a three (3) point turn at the eastern end of Amiens Street by utilising the two (2) existing driveways that directly face each other.
- (ii) That Council seek agreement from the residents who are directly affected.
- (iii) That Council, subject to parts (i) and (ii) being agreed to, undertake the necessary engineering works to facilitate the waste truck three (3) point turn in Amiens Street to be funded from Council’s domestic waste reserve.

Record of Voting:

For the Motion: Unanimous

ITEM 2 (continued)

ATTACHMENT 1

4 SECOND AVENUE, EASTWOOD DRAFT SITE SPECIFIC DCP - Outcomes of Consultation

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

5 EASTWOOD TOWN CENTRE MASTER PLAN

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

Note: Councillor Salvestro-Martin returned to the meeting at 9.28pm.

6 PROPOSED VOLUNTARY PLANNING AGREEMENT FOR A MIXED USE DEVELOPMENT. LOT 1 and 2 in DP437223, LOT in DP445440, LOT 2 in DP9135 and plan SP34035, 136-140 Victoria and 2-10 Wharf Roads, Gladesville.

Note: Councillor Petch left the meeting at 9.35pm during consideration of this matter and did not return. He was not present for voting on this Item.

RESOLUTION: (Moved by Councillors Yedelian OAM and Petch)

- (a) That if the Joint Regional Planning Panel resolves to approve Local Development Application 2013/0220 at 2-10 Wharf Road, Gladesville & 134-140 Victoria Road, Gladesville then Council give 'in principle' support to the Voluntary Planning Agreement made by Hindmarsh Development Australia Pty Limited as prepared by Sparke Helmore Lawyers.
- (b) That the above be communicated to the Joint Regional Planning Panel at the time of determination of the application, and
- (c) That the Group Manager Environment and Planning be delegated to finalise the Voluntary Planning Agreement with Hindmarsh Development Australia Pty Limited in accordance with the submitted Voluntary Planning Agreement and the applicable legal requirements under the *Environmental Planning and Assessment Act 1979*;

Record of Voting:

For the Motion: Unanimous

ITEM 2 (continued)

ATTACHMENT 1

7 COUNCIL CONSIDERATION OF FOUR RECOMMENDATIONS MADE BY THE HERITAGE ADVISORY COMMITTEE

Note: Councillor Petch was not present for consideration or voting on this Item.

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

- (a) That Council congratulate Council Staff and consultants Tanner and Associates Architects for undertaking the Stage 1 Conservation works on Addington House.
- (b) That Council as part of the ongoing maintenance program remove the two tree stumps in the front garden of Addington House and replant the area with lawn.
- (c) That Council gives the members of the Heritage Advisory Committee in-kind support for a series of events celebrating the 150th anniversary of the birth of Banjo Patterson to be held commencing February 2014.
- (d) That Council notes the value of archaeological mapping and will give due consideration to such a project should funding become available.

Record of Voting:

For the Motion: Unanimous

8 2013/2014 CHRISTMAS NEW YEAR ARRANGEMENTS - DELEGATIONS TO THE MAYOR AND ACTING GENERAL MANAGER

Note: Councillor Petch was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Yedelian OAM and Pickering)

- (a) That during the period 11 December 2013 to 4 February 2014, the Mayor and Acting 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 Acting General Manager under this resolution, be communicated to all Councillors as soon as practicable via email.

Record of Voting:

For the Motion: Unanimous

ITEM 2 (continued)

ATTACHMENT 1

9 PUBLIC INTEREST DISCLOSURES

Note: Councillor Petch was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Yedelian OAM and Pickering)

That Council adopt the **ATTACHED** 'Public Interest Disclosures Internal Reporting Policy' and Procedure.

Record of Voting:

For the Motion: Unanimous

10 ACCESS ADVISORY COMMITTEE - MINUTES OF 20 NOVEMBER MEETING

Note: Councillor Petch was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Pendleton and Laxale)

- (a) That Council endorse nomination of Seaja Chang, Community Services Coordinator, Catholic Community Services, for a position on this Advisory Committee.
- (b) That Council write to the State Minister for Transport, The Hon. Gladys Berejiklian MP, supporting an increase in the financial support available to eligible people under the NSW Taxi Transport Subsidy Scheme, indicating Council's support for the Spinal Cord Injury Australia's campaign.
- (c) That Council write to local Members of Parliament requesting that they make representations to the State Minister for Transport, The Hon. Gladys Berejiklian MP, on behalf of City of Ryde residents seeking an increase in the financial support available to eligible people under the NSW Taxi Transport Subsidy Scheme and indicating Council's support for the Spinal Cord Injury Australia's campaign.

Record of Voting:

For the Motion: Unanimous

11 CODE OF CONDUCT - STATUS REPORT

Note: The Mayor, Councillor Maggio disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that the matter is about himself.

Note: Councillor Petch was not present for consideration or voting on this Item.

ITEM 2 (continued)

ATTACHMENT 1

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

- (a) That Council note the actions taken as detailed in this report.
- (b) That Councillor Maggio now provide verbal apologies to both Councillors and Council staff in accordance with Council's resolution.

Record of Voting:

For the Motion: Unanimous

Note: The Mayor, Councillor Maggio provided verbal apologies to both Councillors and staff in accordance with Council's resolution, the time being 9.45pm.

LATE ITEMS

15 ENFORCEMENT OF PARKING POLICY - REVIEW OF STATE DEBT RECOVERY OFFICE ADMINISTRATIVE SERVICE AND COUNCIL'S INTERNAL REVIEW PROCEDURE

Note: Councillor Petch was not present for consideration or voting on this Item.

MOTION: (Moved by Councillors Li and Yedelian OAM)

- (a) That Council renew the 'Premium' Service Level Agreement with the State Debt Recovery Office for the provision of administrative services for processing penalty notices issued by Council's Rangers.
- (b) That Council continue to provide an internal procedure for appealing infringement notices comprising of a technical review (by Council's Adjudication Officer) in accordance with the State Debt Recovery Office and the Attorney General's guidelines.
- (c) That Council undertake regular surveys of recipients of parking fines that are referred to and assessed by Council's Adjudication Officer in order to gain feedback regarding their customer service experience and the results be provided in the Councillor Information Bulletin on a quarterly basis.

AMENDMENT: (Moved by Councillors Pickering and Pendleton)

- (a) That Council renew the 'Premium' Service Level Agreement with the State Debt Recovery Office for the provision of administrative services for processing penalty notices issued by Council's Rangers.
- (b) That Council continue to provide an internal procedure for appealing infringement notices comprising of a technical review (by Council's Adjudication Officer) in accordance with the State Debt Recovery Office and the Attorney General's guidelines.

ITEM 2 (continued)

ATTACHMENT 1

- (c) That as part of the current annual survey, qualitative feedback be collected with regards to the customer service experience and process involved with the issuance of fines including views on parking regulations and potential improvements.

On being put to the Meeting, the voting on the Amendment was seven (7) votes For and three (3) votes Against. The Amendment then became the Motion.

Record of Voting:

For the Amendment: Councillors Chung, Etmekdjian, Laxale, Li, Pendleton, Perram and Pickering

Against the Amendment: The Mayor, Councillor Maggio and Councillors Salvestro-Martin and Yedelian OAM

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

- (a) That Council renew the 'Premium' Service Level Agreement with the State Debt Recovery Office for the provision of administrative services for processing penalty notices issued by Council's Rangers.
- (b) That Council continue to provide an internal procedure for appealing infringement notices comprising of a technical review (by Council's Adjudication Officer) in accordance with the State Debt Recovery Office and the Attorney General's guidelines.
- (c) That Council undertake a survey of all City of Ryde residents to be issued with the next rates notice regarding Parking Management and Policy in the City of Ryde.

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

Record of Voting:

For the Amendment: The Mayor, Councillor Maggio and Councillors Li, Salvestro-Martin and Yedelian OAM

Against the Amendment: Councillors Chung, Etmekdjian, Laxale, Pendleton, Perram and Pickering

RESOLUTION: (Moved by Councillors Pickering and Pendleton)

- (a) That Council renew the 'Premium' Service Level Agreement with the State Debt Recovery Office for the provision of administrative services for processing penalty notices issued by Council's Rangers.

ITEM 2 (continued)

ATTACHMENT 1

- (b) That Council continue to provide an internal procedure for appealing infringement notices comprising of a technical review (by Council's Adjudication Officer) in accordance with the State Debt Recovery Office and the Attorney General's guidelines.
- (c) That as part of the current annual survey, qualitative feedback be collected with regards to the customer service experience and process involved with the issuance of fines including views on parking regulations and potential improvements.

Record of Voting:

For the Motion: Councillors Chung, Etmekdjian, Laxale, Li, Pendleton, Perram, Pickering, Salvestro-Martin and Yedelian OAM

Against the Motion: The Mayor, Councillor Maggio

16 WEST RYDE DEVELOPMENT - COLES REVISED CAR PARK MANAGEMENT PLAN

Note: Councillor Petch was not present for consideration or voting on this Item.

Note: Councillor Salvestro-Martin left the meeting at 10.28pm and was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Yedelian OAM and Etmekdjian)

- (a) That Council adopt the revised Car Park Management Plan forming **ATTACHMENT 2** to this report, subject to Coles obtaining any other required statutory approvals, and
- (b) That Council delegate to the Acting General Manager the authority to finalise and execute the revised Car Park Management Plan, noting that further changes may be necessary.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Salvestro-Martin returned to the meeting at 10.30pm.

ITEM 2 (continued)

ATTACHMENT 1

PRECIS OF CORRESPONDENCE FOR CONSIDERATION

1 CROWN LANDS AMENDMENT BILL

Note: Councillor Petch was not present for consideration or voting on this Item.

Note: Councillor Etmekdjian left the meeting at 10.30pm and was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Perram and Pendleton)

That the correspondence be received and noted.

Record of Voting:

For the Motion: Unanimous

2 CLARIFICATION REGARDING CLAUSES 4.21 AND 4.23 OF THE CODE OF CONDUCT

Note: Councillors Etmekdjian and Petch were not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Pickering and Pendleton)

That the correspondence be received and noted.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Etmekdjian returned to the meeting at 10.35pm.

3 RYDE LOCAL AREA COMMAND - SUPERINTENDANT JOHN DUNCAN

Note: Councillor Petch was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Pickering and Pendleton)

That this correspondence be received and noted.

Record of Voting:

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

Against the Motion: Councillors Laxale and Salvestro-Martin

ITEM 2 (continued)

ATTACHMENT 1

NOTICE OF MOTION

**1 CENTENARY OF ANZAC AND COMMEMORATION OF WW1 COMMITTEE
FUNDING OPTIONS - Councillor Jerome Laxale**

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

CLOSED SESSION

ITEM 12 - SUPPLY OF SOIL AND AGGREGATE SCREENING PLANT: COR-RFT-17/13

Confidential

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

**ITEM 13 - REQUEST FOR TENDER - RALC SURF ATTRACTION - TENSILE
MEMBRANE (SHADE) STRUCTURE - COR-RFT-04/13**

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.

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.

RESOLUTION: (Moved by Councillors Pickering and Etmekdjian)

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

Record of Voting:

For the Motion: Unanimous

ITEM 2 (continued)

ATTACHMENT 1

Note: Council closed the meeting at 10.36pm. The public and media left the chamber.

12 SUPPLY OF SOIL AND AGGREGATE SCREENING PLANT: COR-RFT-17/13

Note: Councillor Petch was not present for consideration or voting on this Item.

RECOMMENDATION: (Moved by Councillors Pickering and Etmekdjian)

- (a) That Council accept the tender from Jaws Crushers for the Screencat 5030 Track Screen to the amount of \$169,000 as recommended in the Tender Evaluation Report.
- (b) That Council advise all the respondents of Council's decision.

Record of Voting:

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

Against the Motion: Councillor Salvestro-Martin

13 REQUEST FOR TENDER - RALC SURF ATTRACTION - TENSILE MEMBRANE (SHADE) STRUCTURE - COR-RFT-04/13

Note: Councillor Petch was not present for consideration or voting on this Item.

RECOMMENDATION: (Moved by Councillors Chung and Pickering)

- (a) That Council accept the tender from Mak Max Pty Ltd for the sum of \$408,817 ex GST as recommended in the Tender Evaluation report
- (b) That Council delegate to the General Manager the authority to enter into a contract with Mak Max Pty Ltd for the sum of \$408,817 ex GST on the terms contained within the tender and for minor amendments to be made to the contract documents that are not of a material nature.

Record of Voting:

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

Against the Motion: Councillor Salvestro-Martin

ITEM 2 (continued)

ATTACHMENT 1

14 ADVICE ON COURT ACTIONS

Note: Councillor Petch was not present for consideration or voting on this Item.

RECOMMENDATION: (Moved by Councillors Pickering and Etmekdjian)

That the report of the General Counsel be received.

Record of Voting:

For the Motion: Unanimous

OPEN SESSION

RESOLUTION: (Moved by Councillors Pickering and Etmekdjian)

That Council resolve itself into open Council.

Record of Voting:

For the Motion: Unanimous

Note: Open Council resumed at 10.53pm.

RESOLUTION: (Moved by Councillors Pickering and Etmekdjian)

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 10.55pm.

CONFIRMED THIS 11TH DAY OF FEBRUARY 2014

Chairperson

3 **REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 1/14 held on 4 February 2014**

Report prepared by: Meeting Support Coordinator
File No.: CLM/14/1/4/2 - BP14/114

REPORT SUMMARY

Attached are the Minutes of the Planning and Environment Committee Meeting 1/14 held on 4 February 2014. The Minutes will be listed for confirmation at the next Planning and Environment Committee Meeting.

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

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

2 20 AMIENS STREET, GLADESVILLE - LOT A DP 27326. Development Application for demolition and construction of a new part 2 / part 3 storey dwelling, pool, front fence and landscaping. LDA2013/0211.

MOTION: (Moved by Councillors Chung and Pickering)

That LDA2013/0211 at 20 Amiens Street, Gladesville be deferred to allow the applicant to submit amended plans to address the third storey non-compliance with Council policy, with the plans to be re-notified to all objectors and adjoining owners and a further report be prepared for referral to the Planning and Environment Committee as soon as practicable.

AMENDMENT: (Moved by Councillors Laxale and Pickering)

- (a) That LDA2013/0211 at 20 Amiens Street, Gladesville being LOT A DP 27326 be approved subject to the **ATTACHED** conditions (**Attachment 1**):
- (b) That the persons who made submissions be advised of Council's decision.

On being put to the Meeting, the voting on the Amendment was three (3) votes For and one (1) vote Against. The Amendment then became the Motion.

Record of Voting:

For the Amendment: Councillors Etmekdjian, Laxale and Pickering

Against the Amendment: Councillor Chung

ITEM 3 (continued)**RECOMMENDATION:** (Moved by Councillors Laxale and Pickering)

- (a) That LDA2013/0211 at 20 Amiens Street, Gladesville being LOT A DP 27326 be approved subject to the **ATTACHED** conditions (**Attachment 1**):
- (b) That the persons who made submissions be advised of Council's decision.

Record of Voting:For the Motion: Councillors Etmekdjian, Laxale and PickeringAgainst the Motion: Councillor Chung

Note: This matter will be dealt with at the Council Meeting to be held on **11 FEBRUARY 2014** as dissenting votes were recorded.

3 78-80 WINBOURNE STREET EAST, WEST RYDE. LOT 19 & 20 DP 28855.
Multi dwelling housing: 6 units - 2 x two storey units at the front (1 x 3 and 1 x 4 bedroom) and 4 x single storey 3 bedroom units at the rear & strata subdivision - LDA2013/0222.

RECOMMENDATION: (Moved by Councillors Chung and Laxale)

- (a) That Local Development Application No. 2013/222 at 78-80 Winbourne Street East, West Ryde being LOT 19 and 20 DP 28855 be deferred to enable the applicant to submit amended plans including reducing the number of villas and also to address recommended reasons for refusal identified in the assessment report, namely:
 - 1. The proposal does not comply with Council's DCP 2010 – Part 3.5 Multi Dwelling Housing (attached), in particular the controls regarding, Non-preferred location – Slope of site, Solar access, Landscaping – pervious area, Side and Rear setbacks, Visual and Acoustic Privacy, Streetscape – internal driveway width and garage dominance (unit 1) and internal setbacks.
 - 2. The proposal will have unacceptable impacts on adjoining properties in terms of visual privacy, and the proposed methods of addressing these impacts will cause unacceptable amenity impacts.
 - 3. The proposal as submitted is unsatisfactory in terms of solar access and overshadowing, in relation to impacts both on the courtyards of units 5 and 6 within the development, and also impacts on the adjoining development at No 76 Winbourne Street to the south. As a result, there will be poor levels of amenity to the occupants of both this development and the adjoining development.

ITEM 3 (continued)

4. The proposal as submitted is unsatisfactory in terms of vehicle access and manoeuvring, particularly from the car spaces for units 3, 4 and 5.
 5. The proposal as submitted is unsatisfactory in terms of the design of the driveway, which causes adverse visual impacts associated with the extent of hard-paving near the front of the site.
 6. Objections received from adjoining owners.
- (b) That the amended plans be re-notified to all objectors and adjoining owners. If no further submissions are received, the application can be dealt with under delegation of the Group Manager - Environment and Planning. Alternatively, if submissions are received, a further report be referred to the Planning and Environment Committee as soon as practicable.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **11 FEBRUARY 2014** as substantive changes were made to the published recommendation.

ATTACHMENTS

- 1 Minutes - Planning and Environment Committee - 4 February 2014

ITEM 3 (continued)

ATTACHMENT 1

**Planning and Environment Committee
MINUTES OF MEETING NO. 1/14**

Meeting Date: Tuesday 4 February 2014

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

Time: 5.01pm

Councillors Present: Councillors Etmekdjian (Chairperson), Chung, Laxale and Pickering.

Note: Councillor Pickering arrived at the meeting at 5.05pm and was present for consideration of Items 2, 3 and 4 only.

Apologies: Councillor Yedelian OAM.

Absent: Councillor Salvestro-Martin.

Staff Present: Group Manager – Environment and Planning, Service Unit Manager – Assessment, Acting Service Unit Manager – Environmental Health and Building, Team Leader – Assessment, Consultant Town Planner – Creative Planning Solutions, Assessment Officer – Town Planner, Assessment Officer, Senior Development Engineer, Team Leader – Strategic Planning, Heritage Officer, Business Support Coordinator – Environment and Planning and Section Manager – Governance.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

1 CONFIRMATION OF MINUTES - Meeting held on 3 December 2013

Note: Councillor Pickering was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Chung and Laxale)

That the Minutes of the Planning and Environment Committee 18/13, held on Tuesday 3 December 2013, be confirmed.

Record of Voting:

For the Motion: Unanimous

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

ITEM 3 (continued)

ATTACHMENT 1

2 20 AMIENS STREET, GLADESVILLE - LOT A DP 27326. Development Application for demolition and construction of a new part 2 / part 3 storey dwelling, pool, front fence and landscaping. LDA2013/0211.

Note: Peter Coorey (objector), Richard Sheldrake (objector), Clive Furnass (objector), Con Tsintarakis (objector), Michael DePalo (objector also representing Katherine DePalo), Farah Georges (objector representing Budawi Issac), Alec Pappas (applicant's architect) and Matthew Benson (applicant's planner) addressed the Committee in relation to this Item.

Note: Councillor Pickering arrived at the meeting at 5.05pm during public participation on this Item.

Note: An email from Buddy Isaac dated 2 February 2014 and photographs were tabled in relation to this matter and copies are ON FILE.

Note: A heritage impact report from Council's Heritage Officer dated 22 January 2014 and the Statement of Heritage Impact Report from Rappoport Pty Ltd dated September 2013 were tabled in relation to this matter and copies are ON FILE.

Note: Correspondence from Con and Christine Tsintarakis dated 4 February 2014 was tabled in relation to this matter and a copy is ON FILE.

MOTION: (Moved by Councillors Chung and Pickering)

That LDA2013/0211 at 20 Amiens Street, Gladesville be deferred to allow the applicant to submit amended plans to address the third storey non-compliance with Council policy, with the plans to be re-notified to all objectors and adjoining owners and a further report be prepared for referral to the Planning and Environment Committee as soon as practicable.

AMENDMENT: (Moved by Councillors Laxale and Pickering)

- (a) That LDA2013/0211 at 20 Amiens Street, Gladesville being LOT A DP 27326 be approved subject to the **ATTACHED** conditions (**Attachment 1**):
- (b) That the persons who made submissions be advised of Council's decision.

On being put to the Meeting, the voting on the Amendment was three (3) votes For and one (1) vote Against. The Amendment then became the Motion.

Record of Voting:

For the Amendment: Councillors Etmekdjian, Laxale and Pickering

Against the Amendment: Councillor Chung

ITEM 3 (continued)

ATTACHMENT 1

RECOMMENDATION: (Moved by Councillors Laxale and Pickering)

- (a) That LDA2013/0211 at 20 Amiens Street, Gladesville being LOT A DP 27326 be approved subject to the **ATTACHED** conditions (**Attachment 1**):
- (b) That the persons who made submissions be advised of Council's decision.

Record of Voting:

For the Motion: Councillors Etmekdjian, Laxale and Pickering

Against the Motion: Councillor Chung

Note: This matter will be dealt with at the Council Meeting to be held on **11 FEBRUARY 2014** as dissenting votes were recorded.

3 78-80 WINBOURNE STREET EAST, WEST RYDE. LOT 19 & 20 DP 28855. Multi dwelling housing: 6 units - 2 x two storey units at the front (1 x 3 and 1 x 4 bedroom) and 4 x single storey 3 bedroom units at the rear & strata subdivision - LDA2013/0222.

Note: Peter Hall (applicant's architect) and John Boumerhe (applicant) addressed the Committee in relation to this Item.

Note: Correspondence from Peter Hall Architects Pty Ltd dated 4 February 2014, photographs and maps were tabled in relation to this matter and copies are ON FILE.

RECOMMENDATION: (Moved by Councillors Chung and Laxale)

- (a) That Local Development Application No. 2013/222 at 78-80 Winbourne Street East, West Ryde being LOT 19 and 20 DP 28855 be deferred to enable the applicant to submit amended plans including reducing the number of villas and also to address recommended reasons for refusal identified in the assessment report, namely:
 - 1. The proposal does not comply with Council's DCP 2010 – Part 3.5 Multi Dwelling Housing (attached), in particular the controls regarding, Non-preferred location – Slope of site, Solar access, Landscaping – pervious area, Side and Rear setbacks, Visual and Acoustic Privacy, Streetscape – internal driveway width and garage dominance (unit 1) and internal setbacks.
 - 2. The proposal will have unacceptable impacts on adjoining properties in terms of visual privacy, and the proposed methods of addressing these impacts will cause unacceptable amenity impacts.

ITEM 3 (continued)

ATTACHMENT 1

3. The proposal as submitted is unsatisfactory in terms of solar access and overshadowing, in relation to impacts both on the courtyards of units 5 and 6 within the development, and also impacts on the adjoining development at No 76 Winbourne Street to the south. As a result, there will be poor levels of amenity to the occupants of both this development and the adjoining development.
 4. The proposal as submitted is unsatisfactory in terms of vehicle access and manoeuvring, particularly from the car spaces for units 3, 4 and 5.
 5. The proposal as submitted is unsatisfactory in terms of the design of the driveway, which causes adverse visual impacts associated with the extent of hard-paving near the front of the site.
 6. Objections received from adjoining owners.
- (b) That the amended plans be re-notified to all objectors and adjoining owners. If no further submissions are received, the application can be dealt with under delegation of the Group Manager - Environment and Planning. Alternatively, if submissions are received, a further report be referred to the Planning and Environment Committee as soon as practicable.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **11 FEBRUARY 2014** as substantive changes were made to the published recommendation.

4 94 ADELAIDE STREET, MEADOWBANK. LOT 5 DP 9072. Local Development Application for a new 1.5m high front fence and retaining walls. LDA2013/0391.

Note: Peter Nash (objector on behalf of Ron and Beryl Nash) and James Sia (applicant) addressed the Committee in relation to this Item.

Note: Correspondence from Ron and Beryl Nash dated 2 February 2014 and photographs were tabled in relation to this matter and copies are ON FILE.

RESOLUTION: (Moved by Councillors Laxale and Pickering)

- (a) That Local Development Application No. LDA2013/0391 at 94 Adelaide Street, Meadowbank being LOT 5 DP 9072 be approved subject to conditions of consent contained in **ATTACHMENT 1**.
- (b) That the persons who made submissions be advised of Council's decision.

ITEM 3 (continued)

ATTACHMENT 1

Record of Voting:

For the Motion: Unanimous

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

The meeting closed at 6.48pm.

CONFIRMED THIS 18TH DAY OF FEBRUARY 2014.

Chairperson

4 ADOPTION OF THE YAMBLE RESERVE PLAN OF MANAGEMENT AND AUTHORISATION OF LICENCE FOR SOCIAL ENTERPRISE CAFE

Report prepared by: Section Manager, Open Space Planning and Assets

File No.: GRP/09/4/10 - BP14/79

REPORT SUMMARY

The City of Ryde prepared a Plan of Management for Yamble Reserve in 2010 which was subsequently adopted by Council on 19 October 2010. Since the adoption of the Plan of Management, Yamble Reserve has undergone a significant transformation with the construction of the popular Livvi's Place Playground.

Yamble Reserve has now developed into a regionally significant and socially important place for the whole community to recreate in a fully inclusive space. Community visitation to the Reserve and playground has grown substantially and indicators suggest that over 300 people visit the playground each day during the week with weekend and school holiday visitation exceeding 1,000 people per day with the average visit in excess of 90 minutes.

The partnership between Council and the Touched by Olivia Foundation continues to deliver benefits to the community and there is an opportunity to continue this with the placement of a social enterprise café within Yamble Reserve.

To enable the installation of a café within the Reserve, the Addendum to the Plan of Management and notification of the licence proposal for the Touched By Olivia Foundation has been on public exhibition. At the conclusion of the exhibition period, no community feedback was received on either of these two items.

The purpose of this report is to adopt the Plan of Management Addendum for Yamble Reserve Plan of Management that includes the change in use and expresses authorisation of the licence of an area of Yamble Reserve to the Touched By Olivia Foundation for the purposes of operating a social enterprise café, as prescribed by the Local Government Act.

The timing of the implementation and operation of this social enterprise café at Yamble Reserve, should Council adopt the recommendations outlined in this report, will depend on the lodgement of a DA by the Foundation and granting of consent.

Whilst Council staff understand that the Foundation is still interested in pursuing the operation of the cafe, should the Foundation indicate their intention to not proceed with the project or fail to lodge a development application by 30 June 2014, Council will have the option of considering alternate organisations being granted the social enterprises café licence.

ITEM 4 (continued)**RECOMMENDATION:**

That Council adopt the revised Yamble Reserve Plan of Management.

ATTACHMENTS

- 1 Amended Yamble Park Plan of Management for Adoption - CIRCULATED UNDER SEPARATE COVER

Report Prepared By:

Fiona Morrison
Section Manager, Open Space Planning and Assets

Report Approved By:

Tatjana Domazet
Service Unit Manager - Open Space

Baharak Sahebekhtiari
Acting Group Manager - Community Life

ITEM 4 (continued)**Background**

At the Council Meeting of 12 November 2013, Council resolved the following:

- a) *That Council endorse the use of Yamble Reserve for the purposes of a social enterprise café and amend the Plan of Management accordingly.*
- b) *That Council place the Yamble Reserve Plan of Management Addendum 1 on public notice in accordance with the Local Government Act for a period of 6 weeks.*
- c) *That a report be returned to Council for further consideration and adoption following the public exhibition period of the Addendum to the Plan of Management.*
- d) *That Council approve in principle licencing of part of Yamble Reserve to the Touched by the Olivia Foundation for a period of 2 years with a further 3 years option for the social enterprise café, subject to the public notification process.*
- e) *That Council undertake public notification process of the proposed licence in accordance with Section 47a of the Local Government Act.*
- f) *That, should there be no objections received by Council on the licence proposal, the General Manager be given delegated authority to sign the licence and other relevant documents, as per conditions outlined in the body of this report.*
- g) *That due to the nature of this matter and that the Touched by Olivia Foundation is a non-profit organisation, that Council support an exemption under Section 55(3)(e) of the Local Government Act.*

This report summarises the outcomes of the public exhibition and provides information on the next steps needed to be undertaken to progress a social enterprise café at Yamble Reserve.

Discussion

The Plan of Management Addendum was placed on public exhibition, commencing 20 November 2013 and concluded on 17 January, 2014. During this exhibition period, two items were presented to the community for comment:

1. Revised Yamble Reserve Plan of Management
2. Proposed licence for a social enterprise café in Yamble Reserve.

ITEM 4 (continued)

At the conclusion of the exhibition period, Council did not receive any submissions on either the revised Plan of Management or the proposed licence.

Consequently, the Plan of Management Addendum for Yamble Reserve (Distributed Under Separate Cover) is presented to Council for adoption.

With regard to the licence, as there were no community objections to the proposal, the General Manager can, in accordance with the Council resolution of 20 November 2013 and under delegated authority sign the licence and other relevant documents a for a period of two years with a three years option, at Council discretion.

The proposed licence with the Touched By Olivia Foundation is based on the following terms and conditions:

- The licence period is for two years with a three year option, at Council's discretion;
- The café will operate seven days per week between the hours of 8.00am – 8.00pm, subject to a DA consent;
- A request for a one year rent free period; this is considered a reasonable request given the initial set up cost and need to establish the social enterprise business;
- A rent from year two onwards to be negotiated with the Foundation, subject to a ratchet clause and annual CPI increase;
- The Foundation is to cover all operational costs, including utilities (water, electricity);
- The Foundation is to cover the cost of transport, construction of the café and connection to the services;
- The Foundation will be required to return the site to its original condition at the termination of the licence.

Theses licence terms and conditions were discussed and agreed with the Foundation staff at the meeting on 21 October 2013. At this meeting, the Foundation agreed to cover the associated cost of the installation and connection to the services for the café. This may be done for the Foundation by the qualified and licenced contractors on volunteer basis.

The long term impact on the Reserve would be minimal.

Financial Implication

There is no financial implication arising from the adoption of the Plan of Management Addendum. Installation and operation of the social enterprise café will be at no cost to Council apart from the cost of undertaking the planning and assessment of the proposal.

ITEM 4 (continued)

The following table provides a summary of installation costs that will be paid for by the Touched by Olivia Foundation.

Item	Budget*	Source of Funds
Café structure and all internal fixtures	\$Nil	Structure and fittings will be provided by the Foundation through sponsorship with commercial partners
Footings	\$5,000	The Foundation
Service connection (water, electricity and sewer)	\$15,000	The Foundation
Access to the Café for service area and additional rubbish bins	\$20,000	The Foundation

Note: * Approximate budget

The Next Steps

The following actions were identified in the Council report on 12 November 2013 that were required to formalise the proposed café use in Yamble Reserve. The summary of these actions and their status is reported below:

1. Council resolution to support the use of Yamble Reserve for a social enterprise café and public exhibition of an Addendum to the Yamble Reserve Plan of Management that will incorporate the café use at the Reserve – completed;
2. Council's support in principal to licence part of the Reserve to Touched By Olivia Foundation for the operation of a social enterprise café - completed;
3. Public notification of the proposed licence to Touched By Olivia Foundation for the operation of a social enterprise café at Yamble Reserve – completed;
4. Council adoption of the amended Plan of Management incorporating café use and expressly authorising licence to Touched by Olivia Foundation – to be completed by the adoption of this report;
5. A development application for the construction of the Café to be submitted by the Foundation and assessed by Council – not submitted to date.
6. A DA consent received and a licenced signed by both parties – subject to lodgement of a DA.

The progress of the café is now dependent upon the Touched by Olivia Foundation submitting a development application for the construction of the café within the Park. Council understands that the Foundation is still interested in pursuing the café and they have indicated that they are working towards submitting a Development Application in the near future.

Council has the option of considering alternate organisations being granted the social enterprises café licence should the Touched by Olivia Foundation choose not to proceed or fail to lodge a development application by 30 June 2014.

5 REGIONAL WASTE PROJECT - Application for Consent under Section 358 of the Local Government Act 1993

Report prepared by: Acting Service Unit Manager - Business Infrastructure**File No.:** GRP/09/3/10 - BP13/1819

REPORT SUMMARY

The purpose of this report is to seek Council's approval to apply to the Minister for Local Government for consent under section 358 of the *Local Government Act 1993* to enter into a participation agreement with each of the other member councils of NSROC who are participating in the regional waste project. The Northern Sydney Councils Waste Alliance Agreement specified the roles and responsibilities of Councils participating in and managing a joint contract for waste disposal and processing.

RECOMMENDATION:

That Council apply to the Minister for Local Government for consent under section 358 of the *Local Government Act 1993* to enter into a participation agreement with each of the other member councils of NSROC who are participating in the regional waste project.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Joe So

Acting Service Unit Manager - Business Infrastructure

Report Approved By:

George Dedes

Group Manager - Public Works

ITEM 5 (continued)**Background**

At its meeting held on 11 June 2013, Council resolved:

That Council:

- (a) *participate in preparations to go to tender for procurement of waste disposal/processing services for NSROC Councils for a contract commencing in 2014, noting that a further report on tender criteria will come to Council for final agreement as to participation in the tender.*
- (b) *be part of an application for authorisation (through revocation and substitution of 2003 authorisation) from the Australian Competition and Consumer Commission for group purchasing of waste disposal services.*
- (c) *participate in formal arrangements with NSROC Councils as shown diagrammatically on page 5 of **CONFIDENTIAL ATTACHMENT 1 – CIRCULATED UNDER SEPARATE COVER**, and to contribute \$8,286 to the costs of establishing partnership arrangements for shared services procurement and management by NSROC Councils, commencing with the waste disposal tender.*
- (d) *contribute \$13,395 to the governance structure establishment costs on an equal basis amongst all NSROC Councils, and the tender preparation costs in line with volume participation in the waste contract.*

The report to Council made at that time set out the proposed governance arrangements for the regional waste project and Council resolved to participate in a formal alliance arrangement with NSROC Councils to ensure transparent protocols in relation to the regional waste service.

The alliance agreement between councils has been drafted and is designed to establish a clear legal relationship between councils for the purpose of cooperative procurement of waste services, and to spell out the rules and procedures for the management of the service.

In July 2013 the advice of the Division of Local Government was sought in respect of the alliance agreement. The Chief Executive advised that councils must seek the Minister for Local Government's approval to enter into the agreement, as it is deemed to fall within the requirement that a council obtain prior approval from the Minister to form an 'entity'. This position was as anticipated in the earlier report to councils. However the advice from the Division of Local Government was that the wording of the adopted recommendations was not sufficiently specific and that each council planning to enter into the agreement would need to pass a specific resolution to support making an application under section 358.

ITEM 5 (continued)**Discussion**

The regional waste tender is a joint procurement opportunity made possible by the broad harmonisation of NSROC Councils' waste disposal contract termination dates. Between 2014 and 2015 all seven NSROC councils are in a position to join a shared contract for waste services. The benefits of the shared approach to the market were set out in detail in the report considered by all NSROC Councils in May/June, and the strategic and likely commercial advantages explained in that report are unchanged.

Establishing the alliance agreement requires a special resolution by Councils, as noted above, in respect of section 358 approval. Under DLG Circular 07/49 as well as requiring a special resolution from participating councils, the submission to the Minister will have to address four other criteria, namely:

- *Is the proposal consistent with the functions of the council or an existing service that the council provides?*
- *Will the proposed entity be legally separated from the council?*
- *Is the council currently financially viable?*
- *What is the impact of the proposal on existing council staff?*

None of these criteria present problems for the application by NSROC Councils, as there is no staff displacement related to the project, legal separation is not relevant, councils are financially viable and waste management is an existing and core role of local government.

The alliance agreement allows for other councils to join the arrangement.

Financial Implications

NSROC Councils have already contributed funds to the establishment of the agreements and no further contributions are required to implement this recommendation.

Conclusion

The regional waste project has taken longer to deliver than expected for a number of reasons, including staffing changes at NSROC and the emergence of the merger proposal between NSROC and SHOROC.

As it is now clear that these matters can be concurrently managed while the project is progressed, it is a matter of urgency to seek the Minister's approval to enter into the alliance agreement that will set out the roles of councils in decision making and governance for the operation of the shared waste contract.

Consultation

- | | |
|---------------------------------|------------------------------|
| ▪ Division of Local Government | ▪ Group Manager Public Works |
| ▪ NSROC | ▪ Waste Section |
| ▪ Office of the General Manager | |

6 FIRST STATE LOBBYIST AND DEPARTMENT OF PLANNING AND INFRASTRUCTURE MEETING

Report prepared by: Business Support Co-ordinator
File No.: GRP/09/6/5 - BP13/1818

REPORT SUMMARY

At its meeting of 12 November 2013 Council resolved:

- (a) *That the General Manager provide a detailed report to Councillors on the meeting between lobbyist firm, 1st State, and Council officials in relation to discussions detailed in the Sydney Morning Herald article "Lobbyist caught up in Ryde Enquiry" (19/08/13)*
- (b) *That Council's report should detail specifics of representations made by First State in relation to 31-33 Waterloo Rd Macquarie Park and the draft Masterplan of Macquarie Park.*

On 20 November 2012 a meeting initiated by the Department of Planning & Infrastructure (DoPI) was attended by Council staff. This meeting was organised by DoPI at the request of lobbyists (First State) working on behalf of proponents seeking the rezoning of 31-33 Waterloo Rd, Macquarie Park. The purpose of the meeting was for the proponents to gauge the DoPI's position on the rezoning of the site.

RECOMMENDATION:

That the information provided in the report be noted.

ATTACHMENTS

- 1** Extract from Committee of the Whole Minutes - 3 June 2008
- 2** Extract from Minutes of Council Meeting 12 June 2012
- 3** Meeting Minutes - DoPI and First State - 20 November 2012

Report Prepared By:

Dyalan Govender
Business Support Co-ordinator

Report Approved By:

Dominic Johnson
Group Manager - Environment & Planning

ITEM 6 (continued)**Background**

At its meeting of 12 November 2013 Council resolved:

- (a) *That the General Manager provide a detailed report to Councillors on the meeting between lobbyist firm, 1st State, and Council officials in relation to discussions detailed in the Sydney Morning Herald article "Lobbyist caught up in Ryde Enquiry" (19/08/13)*
- (b) *That Council's report should detail specifics of representations made by First State in relation to 31-33 Waterloo Rd Macquarie Park and the draft Masterplan of Macquarie Park.*

Context

At its meeting of 3 June 2008 Council made the following resolution in relation to 31-33 Waterloo Rd:

RESOLUTION: (Moved by Councillors Yedelian and Tagg)

- (g) *That reference to No's 115, 117 and 119 Wicks Road and 33 Waterloo Road (Corner Waterloo and Lane Cove Roads) be deleted from the DDCP & DLEP and discussions continue with those land owners until design solutions are determined and a further report be presented to Council on appropriate amendments to the DCP & LEP.*

Record of Voting

For the Motion: The Mayor, Councillor Petch and Councillors Campbell, McCosker, Netterfield, O'Donnell, Perram, Ryan, Tagg, Wilde OAM and Yedelian.

Against the Motion: Councillor Butterworth

Subsequently, numerous meetings were held with the landowners and their representatives.

At its meeting of 12 June 2012 Council made the following resolution in relation to the site (**ATTACHMENT 2**):

RESOLUTION: (Moved by Councillors Yedelian and Tagg)

- 1) *That within the next seven days, the Council write to the Landowner of 31 to 33 Waterloo Road, Macquarie Park and request that they prepare a residential commercial mix draft master plan for the sites, in accordance with the principals of a transit orientated development to activate the precinct.*

ITEM 6 (continued)

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

Record of Voting:

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

Against the Motion: Councillors Campbell and O'Donnell

Discussion

On 20 November 2012 a meeting initiated by the Department of Planning & Infrastructure (DoPI) was attended by Council staff. This meeting was organised by DoPI at the request of lobbyists (First State) working on behalf of proponents seeking the rezoning of 31-33 Waterloo Rd, Macquarie Park. The purpose of the meeting was for the proponents to gauge the DoPI's position on the rezoning of the site (given the proposed rezoning is contrary to the strategic direction outlined for the area in both the DoPI's strategic documents and Council's planning controls for Macquarie Park). Council staff kept minutes of the meeting for Council's records (**ATTACHMENT 3**)

At the meeting, the proponents (represented by Mr Niel Harley of First State, Mr Terry Morris, and Mr Andy Ludvick) outlined the owner's desire (Mr John Goubran – Investron Pty Ltd), for the site to be rezoned to allow for a mix of residential development. They asked the DoPI to indicate whether it had any objections to such an outcome.

The proponents outlined a rationale for residential development in the corridor to meet housing targets and identified other determinations which, in their opinion, provide some precedent, including Winton, Mirvac, Allengrove, and the Proposed TCA plan.

ITEM 6 (continued)

Council staff indicated that Council had resolved for a site specific masterplan to be developed for the site and that the involvement of a lobbyist and the DoPI in this process was irregular. Council staff also noted that the site is located in what the Sub-regional Plan identifies as a specialist employment centre and was not identified for residential development.

The DoPI noted the Draft metropolitan strategy reinforces the characterisation of the corridor as a commercial centre and that there is a need to protect the area given its wider importance as a commercial centre. The DoPI agreed that as a local planning matter any decision to rezone the site lies with Council. The Department also indicated that it would expect any introduction of residential development in the commercial core to be accompanied by an evidence-based review detailing the current supply of commercial development in the area and the impact such a change would have on the commercial core, and also establishing the need for residential development on the site.

The lobbyist stated that he did not consider the involvement of First State to be irregular.

It is noted that the purpose of the meeting was for the proponents to discuss their proposal with the DoPI and that Council officers were invited to attend by the DoPI. In accordance with its policy, the DoPI listed the meeting on its Lobbyist Contact Register, which can be viewed on the DoPI website (note: the DoPI register does not include meeting minutes. The minutes of the meeting are attached for Councillor's reference).

Conclusion

At this stage Council is still awaiting the lodgement of a site specific master plan, which addresses the requirements of the resolution of 12 June 2012.

ITEM 6 (continued)

ATTACHMENT 1

City of Ryde

Committee of the Whole Page 2

2 MACQUARIE PARK CORRIDOR – ADOPTION OF REVISED PLANNING DOCUMENTS

Note: The Committee received a PowerPoint presentation on the Macquarie Park Corridor Planning Documents from the Group Manager – Environment & Planning.

Report: The Committee received addresses from the following people on this item:

- Mr David Furlong and Ms Marian Higgins (TPG Planning Consultants) on behalf of John Goubran & Associates.
- Mr Tony Moody and Paul Stubbs from Wicks Road.
- Mr Aaron Chandler from APP representing Johnson & Johnson.
- Mr Peter Hunt representing AMP/Macquarie Centre
- Mr Anthony Otto from Winten Group
- Mr Paul Watkins from Lipman Group
- Mr David Lindley from Honeysuckle Property Group

RESOLUTION: (Moved by Councillors Yedelian and Tagg)

- (a) That the supplementary report of the Place Manager Major Centres, dated 28 May 2008 on the "Macquarie Park Corridor – Adoption of Revised Planning Documents, be received and noted.
- (b) That the report by the Place Manager Major Centres and Senior Strategic Planner, dated 15 May 2008, on the "Macquarie Park Corridor – adoption of revised planning documents" be received and noted.
- (c) That the "Submissions Summary and Recommended Responses table" dated 15 May 2008 be received and noted.
- (d) That the recommended changes to the "City of Ryde Development Control Plan 2006 Part 4.5 Macquarie Park Corridor" as outlined in tables 1, 2 and 3 attached to this report and in the "Submissions Summary and Recommended Responses Table" dated 15 May 2008 be adopted.
- (e) That the General Manager be delegated the authority to incorporate the adopted changes and other minor amendments to the "City of Ryde Development Control Plan 2006 Part 4.5 Macquarie Park Corridor" and to amend the "Macquarie Park Corridor Draft Public Domain Technical Manual" to reflect these adopted changes and minor amendments, and place a public notice in a local newspaper to bring the plan into effect.

Minutes of the Committee of the Whole Meeting No. 08/08, dated 3 June 2008.

General Manager

Mayor

ITEM 6 (continued)

ATTACHMENT 1

City of Ryde

Committee of the Whole Page 3

- (f) That development sites at all quarters of the intersection of Waterloo Road and Lane Cove Roads be dealt with equitably in terms of height, site ratio, floor space ratio, community development incentives and that the Group Manager – Environment and Planning negotiate with land owners to give incentives to allow road widening if required.
- (g) That reference to No's 115, 117 and 119 Wicks Road and 33 Waterloo Road (Corner Waterloo and Lane Cove Roads) be deleted from the DDCP & DLEP and discussions continue with those land owners until design solutions are determined and a further report be presented to Council on appropriate amendments to the DCP & LEP.
- (h) That the provisions of the DCP relating to landscaping (Section E2.1) be amended to:
 - i. prohibit carparking in the landscape setback (however underground carparking which has no impact on the landscaping is acceptable);
 - ii. ensure all planting consists of mature species of plants; and
 - iii. ensure all landscaping plans are to the satisfaction of Council.
- (i) That regular inspections be undertaken by Council staff to ensure compliance with approved landscaping plans in the Macquarie Park Area.
- (j) That Council expresses its appreciation to the General Manager and staff for their work on the Macquarie Park Corridor Planning Documents to date.

Record of Voting

For the Motion: The Mayor, Councillor Petch and Councillors Campbell, McCosker, Netterfield, O'Donnell, Perram, Ryan, Tagg, Wilde OAM and Yedelian.

Against the Motion: Councillor Butterworth.

The meeting closed at 11.13pm.

CONFIRMED THIS 17TH DAY OF JUNE 2008

Chairperson

Minutes of the Committee of the Whole Meeting No. 08/08, dated 3 June 2008.

General Manager

Mayor

ITEM 6 (continued)

ATTACHMENT 2



EXTRACT FROM MINUTES OF COUNCIL MEETING
NO. 9/12 AT ITS MEETING HELD ON 12 JUNE 2012.

MATTER OF URGENCY – LANDOWNERS OF WATERLOO ROAD, MACQUARIE PARK

RESOLUTION: (Moved by Councillors Yedelian OAM and Tagg)

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

Record of Voting:

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

Against the Motion: Councillors Campbell and O'Donnell

ITEM 6 (continued)

ATTACHMENT 3

MEETING RECORD

City of Ryde

Subject:	31-3 Waterloo Road			Page 1 of 2
Date:	20 November 2012			
File:				
Present:	DOPI	Council	Proponent	
	Juliet Grant (JG)	Dominic Johnson (DJ)	Terry Morris	
	Susan Sky (SS)	Meryl Bishop	Neil Harley (NH)– First State	
	Danijela Karac		Andy Ludvick (AL)	

Details of Meetings

Council resolution – Masterplan prepared to respond to the resolution dated 12 June 2012
Issue will relate to built form and land use

Matters raised by Andy Ludvick/Proponent

- AL outlined a strong rationale for residential development in the corridor based on recent submission on parliamentary enquiry regarding development to support rail corridors. Housing numbers/targets to be met in centres – this proposal supports this target
- Suggested approach – use of schedule 1 in the LEP to allow residential development on the site instead of a broad rezoning of the land
- Proposed Development has been benchmarked against the Winton approval
- Summary of Development
 - Access via Waterloo Road
 - FSR 5:1
 - Height 70m – 33 Waterloo
35.5m – 31 Waterloo
 - Setbacks – Waterloo Road indicates open space/setbacks
 - Active frontage proposed on Waterloo Road
 - Recent approval outlined – including Winton, Mirvac, Allengrove and TCA (proposed plan) – provide a precedent for the development
 - Referenced the subject site is a “linked site” (providing a residential focus at the station) between TCA/Allengrove and the station

DOPI Comments

- JG/SS
 - Why not use the building for commercial and has any economic analysis been done to support the claim that there is an over supply of commercial space in this part of the corridor

City of Ryde Comments

- DJ
 - Process being undertaken with the Department/Minister is “irregular” - in particular the use of a lobbyist
 - Emergency motion put forward by Council has resulted in the resolution to prepare the masterplan
 - Sub Regional Plan – indicates that this is a specialist employment centre
 - Site specific masterplan – some concerns with FSR at 5:1 but height is in the vicinity of the proposed 65m

Comments by DOPI

- Local planning matter and it is a Council decision – DoPI has not comment on built form but has issues with land use – there is a need to protect the area as a commercial centre given its importance for Sydney. Draft metropolitan strategy reinforces the corridor as a commercial centre
- Decision to rezone the site falls with Council

ITEM 6 (continued)

ATTACHMENT 3

MEETING RECORD

City of Ryde

Subject:

Page 2 of 2

- The need for the proponent to provide greater evidence on the need for residential

Comments by Proponent

- NH – Concerns about DJ's comment that the process is "irregular" – concerns that this comment infers the process being undertaken is inappropriate

Z:\DEVBLD\General\SammieK\Meryl Bishop\Minutes

7 LOCAL INFRASTRUCTURE BENCHMARK COSTS

Report prepared by: Development Contributions Coordinator
File No.: COR2008/273 - BP14/101

REPORT SUMMARY

The purpose of this report is to seek Council endorsement for the lodging of a submission to the Independent Pricing and Regulatory Tribunal in relation to its Local Infrastructure Benchmark Cost report.

As part of its reform of Planning legislation the NSW Government proposes to standardise infrastructure costs across all councils by means of infrastructure cost benchmarks. The NSW Government has tasked the IPART with consulting with stakeholders and submitting a report on Local Infrastructure Costs to the Department of Planning and Infrastructure.

Council has responded to the invitation to make a submission by taking part in a roundtable discussion organised by IPART and coordinating the comments of its internal infrastructure cost specialists to produce a formal document of response with the aim of submitting it to IPART before the deadline of 28 February 2014.

Council largely supports the intent to standardise infrastructure benchmarks across NSW. However, our proposed submission makes the following points:

- Further costing information and cost guidance is required to reduce exclusions from the benchmarked items and to reduce Council's exposure to cost disputes with developers.
- Greater recognition of the need for varying infrastructure standards set within a Local Government Area (LGA), because of Development Control Standards, and between Councils due to differences in topography and circumstances of development.
- Further work is required on the 14 excluded non-benchmarked items and we recommend that other items be added to this list.
- Further work is required to establish a firm review and escalation process for benchmarks into the future.

RECOMMENDATION:

That Council endorse the submission of the Local Infrastructure Benchmark Cost Response to IPART Draft Report of February 2014 to IPART before the submission deadline of 28 February 2014.

ITEM 7 (continued)**ATTACHMENTS**

- 1** IPART Facts Sheet - Information Paper response summary - November 2013
- 2** Local Infrastructure Benchmark Costs - Response to the IPART Draft Report of November 2013

Report Prepared By:

Malcolm Harrild
Development Contributions Coordinator

Report Approved By:

Meryl Bishop
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Group Manager - Environment & Planning

ITEM 7 (continued)**History**

The NSW Government has decided to reform Planning legislation. To this end it published a White Paper “A New Planning System for NSW” in 2013 and carried out a number of consultative processes before submitting its Planning Bill to the NSW Parliament late in 2013. That Bill was originally passed by the Lower House but a number of significant changes were required by the Upper House and debate on the Planning Bill was deferred by the NSW Lower House on 28 November 2013 until NSW Parliament reconvened in 2014.

Integral to the new Bill are changes to the development contributions system, currently called Section 94 and Section 94A contributions. These contributions are levied by Councils on developments to fund local infrastructure works to support community amenities and services. The Bill proposes that the costs of items included in local infrastructure plans will be standardised in accordance with benchmarks agreed by the Infrastructure Contributions Taskforce. The Taskforce has identified a range of benchmarks that need to be developed.

The Department of Planning and Infrastructure has therefore appointed the Independent Pricing and Regulatory Tribunal (IPART) to investigate local infrastructure cost benchmarks or appropriate processes that councils can use to estimate the efficient costs of local infrastructure.

The terms of reference for IPART include:

- Identify infrastructure items for which benchmark costs can be reasonably established, and infrastructure items for which benchmarks cannot be reasonably be established.
- Estimate benchmark costs for infrastructure items, where reasonable.
- Identify methods that are likely to lead to efficient costs for infrastructure.
- Identify how costs may vary across different regions or development settings
- Recommend a method for updating cost benchmarks.
- Recommend any relevant adjustments that councils should use to estimate the cost of infrastructure.
- Recommend methodologies for determining the value of land purchased or provided by councils.
- Recommend effective mechanisms for resolving disputes about the application of benchmarks, and
- Identify and describe the main planning and environmental standards that councils are required to meet through the provision of local infrastructure (i.e. what are councils required by outside agencies to provide?)

ITEM 7 (continued)

In accordance with its terms of reference IPART put in place a consultative process for councils to comment upon proposed the benchmark costs and methodologies.

The draft report Local Infrastructure Benchmark Costs and Facts Sheet (**ATTACHMENT 1**) were received by Council for comment on 29 November 2013 with an invitation to attend a roundtable discussion of the proposed benchmarks on 3 December 2013 and to make submissions to IPART by 17 January 2014.

IPART's unreasonably brief timetable was explained at the roundtable meeting as an outcome of the original program the Department had estimated for the passing of the Planning Bill. In response to criticisms of this timetable a Local Government Mailbox email was published on 6 January extending the date for submissions from 17 January to 28 February.

Context

Infrastructure costs represent Council owned structures such as roads, footpaths, street lighting, stormwater drains and pollutant traps, park furniture, landscaping, fencing and sports fields. The term "infrastructure" also includes community facilities such as swimming pools, libraries and childcare centres.

The proposed infrastructure benchmarks, prepared by Evans and Peck for IPART, each note:

- The scope of the work (e.g. form of construction and dimensions),
- Exclusions from the scope.
- Any "sub items" affecting the scope, (e.g. different footpath widths or pipe dimensions)
- Any standards that may apply either from external sources (e.g. Roads and Maritime Services-Road Design Guide) or from the Council applying the benchmark, and from these steps provide
- The subsequent base cost by unit (e.g. linear or square metre).

For each benchmark adjustment factors and contingencies are proposed in addition to the base cost to allow for regional considerations (e.g. work distance from source) and congestion (e.g. accessibility of the work site) and a contingency percentage for unforeseeable risks (e.g. site contamination).

IPART's draft report contains 60 detailed benchmarks divided into categories of transport, stormwater, local open space embellishment, district open space embellishment and community facilities.

ITEM 7 (continued)

Another 14 infrastructure costs have been identified but no costs provided for the reasons that the scopes of work vary too greatly and that there may be no “typical” configurations on which to base costs.

In addition to proposing standardised benchmarks and methods to align those benchmarks to local conditions and circumstances, the draft report also suggests approaches councils may use to value the land they may dispose of, or acquire, in the process of meeting infrastructure requirements. This appears to be an issue more for councils in growth areas (e.g. Blacktown and Camden) than for councils like Ryde where infill rather than greenfield development is the norm.

The introduction of infrastructure benchmarks is dependent upon the Planning Bill and its associated administration and regulatory legislation being gazetted. The timetable for that to happen is unknown. Discussions with senior staff at IPART and the Department of Planning and Infrastructure point to a reasonable transition period being allowed, following gazettal, for Councils to move from their existing development contribution processes and infrastructure cost models to new local infrastructure contribution plans and benchmarked infrastructure costs. The effects of introducing infrastructure benchmarks may therefore not be felt by City of Ryde for a significant period. It is however appropriate to respond to IPART’s invitation for submissions at this time to ensure Council’s views are made known.

Consultation

The compressed timetable from IPART did not provide time for consultation with any of City of Ryde’s external stakeholders.

However, the roundtable meeting chaired by IPART on 3 December 2013 was helpful and its structure elicited a variety of comments from offices of other Councils, IPART representatives and Government consultants.

The roundtable agenda was used to guide internal meetings with internal City of Ryde senior stakeholders from Financial Services and the Public Works Group’s Sections of Infrastructure Integration, Asset Systems, Traffic and Governance, Project Development and Operations.

The internal stakeholders were provided with IPART’s documents and asked to comment on a draft submission structured in accordance with the agenda of the roundtable table meeting, which identified the key discussion points of IPART’s draft report.

Financial Implications

Adoption of the recommendation will have no financial impact.

ITEM 7 (continued)**Options**

Council has two options in regard to the invitation to make a submission in regards to IPART's draft report, Local Infrastructure Benchmark Costs.

Option 1 is to decline the invitation and risk any matter of interest to the City of Ryde remaining unrecognised.

Option 2 is to utilise the pooled knowledge and experience of Council's internal stakeholders and ensure the City of Ryde's views are noted by submitting "Local Infrastructure Benchmark Costs Response to the IPART Draft Report of November 2013" (**ATTACHMENT 2**) to IPART by the submission deadline of 28 February 2014.

This submission addresses IPART's draft report in terms of its major subjects, benchmarks, contingency allowance, benchmark escalation, standards influencing the cost of infrastructure, land valuation and escalation of land costs and dispute resolution mechanisms. It reflects the views of senior Council staff closely involved with infrastructure costing and provision.

If Council endorses lodging the proposed submission, it will be made available on IPART's website with all other submissions.

ITEM 7 (continued)

ATTACHMENT 1



Independent Pricing and Regulatory Tribunal

FACT SHEET

Information Paper response summary

Based on responses received to the Information Paper on benchmark costs for local council infrastructure contributions.

IPART released an Information Paper inviting comments about our work on developing benchmark costs and appropriate cost methodologies for local infrastructure items. As part of our work we are also investigating a number of associated issues including how to update the benchmarks, how to value land, and mechanisms for dispute resolution.

IPART has received 24 responses to the Information Paper. This Factsheet provides a summary of the responses.

For which infrastructure items would benchmark costs be most useful?

The majority of respondents believe it would be feasible and useful to benchmark infrastructure items. Items that were identified as being useful to benchmark include:

- ▼ Roads and transport infrastructure – intersections, roundabouts, parking, some road works (widening), footpaths, cycleways, shared paths, bus shelters, pedestrian crossings and refuges, road pavements for different classes of road, kerb and guttering.
- ▼ Stormwater – constructed wetlands, pipes.
- ▼ Open space – park furniture, turfing and soft surfaces, landscaping, lighting, irrigation, paving, shade structures, changerooms and toilets, recreation facilities (sporting fields), playgrounds, floodlighting, fencing.
- ▼ Community facilities – community facilities, childcare centres, libraries.

A number of respondents stated benchmark costs would be difficult to develop for some items. Respondents identified the following infrastructure items or situations where it would be difficult to establish or apply benchmarks:

- ▼ Roads, and traffic management facilities
- ▼ playgrounds and toilets
- ▼ drainage, stormwater pipes, pits and culverts
- ▼ where terrain conditions impact costs.

ITEM 7 (continued)

ATTACHMENT 1

Typically respondents considered that stormwater drainage and roads and traffic management would be difficult to benchmark. This is because they vary in design for each location (including the amount/depth of excavation).

Some of these respondents believed the development of common benchmark costs may be problematic or unrealistic across NSW.

A few respondents focused on 'rates of provision' for infrastructure items. A rate of provision refers to the number or type of facilities, or amount of open space councils consider necessary to provide. This is an important aspect of the cost of infrastructure but IPART is not establishing benchmark rates of provision as part of this project.

Other comments received included:

- ▼ the benchmarks would be most useful once a base level of site preparation is determined
- ▼ the establishment of benchmarks would need to consider regional differences (ie, areas west of coastal NSW should be treated differently)
- ▼ it will be difficult to benchmark costs as design standards change and benchmarks would need to cover a broad range of circumstances.

The preferred composition of the 'essential' infrastructure list was discussed by a respondent. The Infrastructure Contributions Taskforce will be making recommendations on the composition of the 'essential' infrastructure list. IPART is undertaking the benchmarking project using a list provided by this group.

[Is the Austroads classification the best available method for developing a list of essential local road infrastructure items, and what classification of roads should be considered local infrastructure?](#)

The majority of respondents believe the Austroads classification is the best available method. Some respondents stated that Austroads is widely used and that it is considered appropriate. Other respondents do not agree that the Austroads classification is the most suitable method to use. One specific response raised concerns that the Austroads classifications would conflict with the *Roads Act* classifications.

Most respondents agree that all roads up to 'Regional' and 'State' road classifications should be considered local (ie, can be funded through local contributions). Respondents predominantly believe that local and collector roads should be defined as local infrastructure. However, there is division on whether sub-arterial roads should also be defined as local infrastructure.

Some respondents had different items in their contributions plans. For example, a response stated sub-arterial, arterial and collector roads are included in contributions plans, with local roads typically provided by developers.

ITEM 7 (continued)

ATTACHMENT 1

However, another response asked for a distinction between local and regional arterial and sub-arterial roads.

[Are there any existing hierarchies or typologies to which benchmarks could be applied for playgrounds, stormwater basins or other specific infrastructure items?](#)

Respondents largely consider that hierarchies or typologies can be developed for one or more of the following infrastructure items:

- ▼ playgrounds
- ▼ open space, including parks
- ▼ civic spaces
- ▼ embellishment works for basins (outlet works, landscaping)
- ▼ stormwater infrastructure (including pipes, pits, channels and culverts) based on storm events
- ▼ recreation facilities such as sporting fields.

Respondents have stated that site specific conditions, such as topography, will impact on hierarchies/typologies for items.

A recommendation was put forward for the use of the Landcom design guidelines when developing appropriate hierarchies or typologies.

[What factors contribute to variations in the costs of the same types of infrastructure and how significant are these variations?](#)

Almost all respondents consider that there are factors that will contribute to variations in infrastructure costs. These factors include:

- ▼ location of infrastructure works (ie, established or greenfield locations)
- ▼ site specific conditions (eg, soil conditions, flooding, contamination)
- ▼ tipping or disposal fees
- ▼ utility relocation
- ▼ topography (including landforming and construction constraints)
- ▼ access to infrastructure providers (and competition to larger projects)
- ▼ proximity and availability to materials and labour
- ▼ transportation costs for materials/supplies
- ▼ climate (ie, weather, coastal locations, amount of rainfall)
- ▼ environmental factors (eg, threatened species)
- ▼ site accessibility in brownfield areas
- ▼ economies of scale (ie, size of the infrastructure project)
- ▼ timeframes for infrastructure delivery

ITEM 7 (continued)

ATTACHMENT 1

- ▼ if the infrastructure needs to be connected to 'State' infrastructure (ie, connecting a local road to a State road).

Other factors that some respondents believe may contribute to infrastructure costs include:

- ▼ population demographics or characteristics
- ▼ increasing community expectations
- ▼ sustainability standards
- ▼ long term robustness and low maintenance versus low initial delivery.

[What methods does the council use to ensure that it estimates efficient costs for infrastructure with no benchmarks?](#)

A large number of respondents use one or more of the following methods to estimate the efficient cost for infrastructure with no benchmark:

- ▼ review costs from similar projects in the LGA
- ▼ review comparable experiences from other council areas
- ▼ tender prices for 'like' projects
- ▼ panel of preferred contractors
- ▼ historical prices and allowing for cost increases using Consumer Price Index (CPI) or land value
- ▼ cost estimation guides (ie, Rawlinsons Australian Construction Handbook)
- ▼ use of internal or external quantity surveyors
- ▼ compare costs to council rates (developed from historical costs)
- ▼ desktop research.

A response suggested using either a bottom up or historical approach. The bottom up approach uses council's available resources including budget preparation documents and contractor price schedules.

[What index or indices should be applied to costs for different infrastructure items including land?](#)

Over half of the respondents stated that separate indices should be applied to capital works and land.

The indices that the respondents thought would be most applicable to the capital works included:

- ▼ CPI
- ▼ the Australian Bureau of Statistics (ABS) Producer Price Indices (PPI)
- ▼ the ABS 'Road and Bridge Construction Index for NSW'
- ▼ Building Price Index could be applied to capital works.

ITEM 7 (continued)

ATTACHMENT 1

Other comments included a range of suggestions:

- ▼ the use of the ABS – Housing Price Index – Established House Prices (Sydney) could be applied to land but should be regionally specific
- ▼ the use of the ABS Implicit Price Deflator: Engineering Construction (IPD) index for engineering infrastructure
- ▼ that a land value index(es) is the best way to index land valuations
- ▼ there was a divided response about the use of CPI as a relevant index
 - as CPI does not consider fluctuations in construction costs, and does not accurately reflect increases in construction or land costs
 - CPI is used to index most or all capital works and land for an area.
- ▼ that regional published construction prices indices (from Rawlinsons) are acceptable indices
- ▼ it is appropriate to use Cordell Construction cost index to index infrastructure as it has a rural cost factor a consistent approach to indexing should be applied, along with standardising the timeframe for when land and capital works are indexed that the NSW Land & Property Land Value Tables could be used to index land, however, this would require further differentiation between land types
- ▼ having the option to apply a net present value (NPV) model using either a real or nominal method to calculate the contribution rate.

What methods should councils use to cost land?

Most respondents use one or a combination of the following methods to cost land:

- ▼ Councils engage an independent valuer to assess specific sites based on local circumstances rather than applying an average generic value. Respondents consider that this method is fair for councils, landowners and developers, and is legally defensible.
- ▼ Councils use the historical purchase price of the land and index the cost using CPI (All Groups) Sydney (For land already acquired by council).
- ▼ Councils use valuations from the Valuer-General
- ▼ Councils use sales based values of actual sales in the area.

Councils are mindful of the Land Acquisition (Just Terms Compensation) Act 1991.


Generally respondents believe that land should be based on market value.

Other comments regarding land valuation included:

- ▼ That if the land is to be acquired, the highest and best use scenario should be applied.
- ▼ Using the assessable (rateable) value of the land is appropriate.

ITEM 7 (continued)

ATTACHMENT 1

- 
- ▼ Having specific sites valued every 4 years by a registered valuer improves the value of adjoining or similarly zoned land (ie, given the same value).
 - ▼ Consideration could be given to an annual index to be applied to valuations, however, this would not take into account specific market changes.
 - ▼ That land costs are the most problematic cost items in contributions plans, especially in release areas.
 - ▼ There is conflict between the *Land Acquisition (Just Terms Compensation) Act 1991* which requires land to be costed at market value, and section 94 of the *Environmental Planning and Assessment (EP&A) Act 1979* which permits the dedication of land free of cost as a condition of consent.
 - ▼ It is appropriate to apply discounts on the value of land where it is affected by flooding or riparian corridors.

It should be considered that land values are also likely to increase as surrounding land is developed. This uplift in value makes it difficult to make assumptions about the timing for the dedication of land. The acquisition of land is out of council's control unless the acquisition is compulsory.

Other alternatives could be to:

- ▼ Require an open space strategy prior to the release of land. This would secure the value of land required from developers through Voluntary Planning Agreements (VPAs).
- ▼ Amend the legislation to reflect that land that has received a material benefit from rezoning be discounted.

[What approach should councils use to estimate contingency allowances and why?](#)

Approximately half of respondents believe a contingency allowance can vary between 7 to 30%. Of these, most respondents consider a contingency of 10 to 20% to be acceptable, depending on the stage and size of the project, with reasons including:

- ▼ the stage/risk of the project (ie, 20% for concept design and 10 to 15% for detailed design)
- ▼ the size of the project (ie, 10% for smaller projects and 20% for larger projects)
- ▼ specific percentages for specific works (ie, 6% for preliminaries or 7% for variations due to latent conditions).

A number of respondents stated that the level of contingency would depend on the project stage (ie, concept or detailed design).

A specific response stated for road projects at concept stage a contingency of 75% applies. Whilst a few respondents deem a contingency from 30 to 50% at the concept stage to be appropriate for infrastructure items.

ITEM 7 (continued)

ATTACHMENT 1

A response recommended that a contingency allowance could be based on the construction cost, with a higher contingency for larger projects.

The types of events which respondents envisaged contingency allowances should cover included:

- ▼ costs for civil works only
- ▼ costs for below-ground works (contamination)
- ▼ unforeseen price rises in materials.

What approach should councils use to estimate its council 'on costs', eg, professional fees or project management fees? Will these vary according to infrastructure categories or items?

Respondents provided a range of responses about how to estimate council 'on costs', with these costs varying significantly.

Many respondents use one of the following methods to estimate council 'on costs':

- ▼ a percentage loading tied to construction costs to determine council 'on costs'
- ▼ using accepted industry standards, for example from cost estimating guides (such as Rawlinsons) or from industry bodies
- ▼ actual 'client' costs determined from 'like' projects
- ▼ historical trends in council 'on costs'
- ▼ determining the number of expected hours and fees to be occurred for the project.

Numerous respondents consider an appropriate estimate for council 'on costs' is 10 to 20% (design and project management costs).

The council 'on cost' estimates may vary depending on the infrastructure type. For example, one response stated a reasonable estimate for design fees for stormwater and transport infrastructure was 10 to 15%. However, this is generally lower for open space and community facilities, at about 10%.

Some respondents believe it would be useful to develop typical council 'on costs'. One response stated it would be very useful if typical council 'on costs' were developed on a sliding scale based on the scale of a project.

Another respondent believes council 'on costs' should include administration, accounting and financial management expenses, advertising, insurance and legal fees, labour, rent, repairs, supplies, taxes, utility bills and travel expenditures.

ITEM 7 (continued)

ATTACHMENT 1

Does your council develop its own technical standards? If so, why does this occur, and what are these standards based on?

A large number of respondents have technical standards which are based on or reference one or more of the following:

- ▼ Australian Standards
- ▼ Building Code of Australia
- ▼ Australian Rainfall and Runoff
- ▼ Austroads
- ▼ Plumbing Code of Australia
- ▼ WSA Code
- ▼ NAT-SPEC
- ▼ ANZECC guidelines
- ▼ Roads and Maritime Services (RMS) standards and guidelines.

Modifications to the technical standards occur to suit local conditions or site specific issues. Modification may also reflect local aspirations or respond to local characteristics which are not addressed in baseline standards.

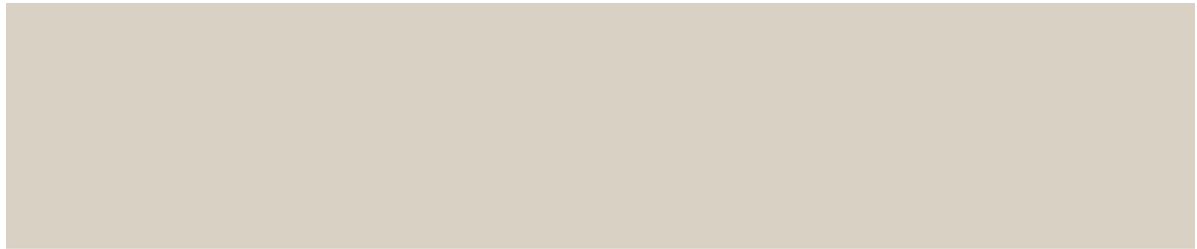
Are there any technical standards you think are unnecessary or excessive?

A couple of respondents believe that the technical standards sought by RMS are often excessive. The respondents also state that little justification is also provided for the over-specification of works. This is particularly relevant to road infrastructure where technical standards (such as Austroads or Australian Standards) exist.

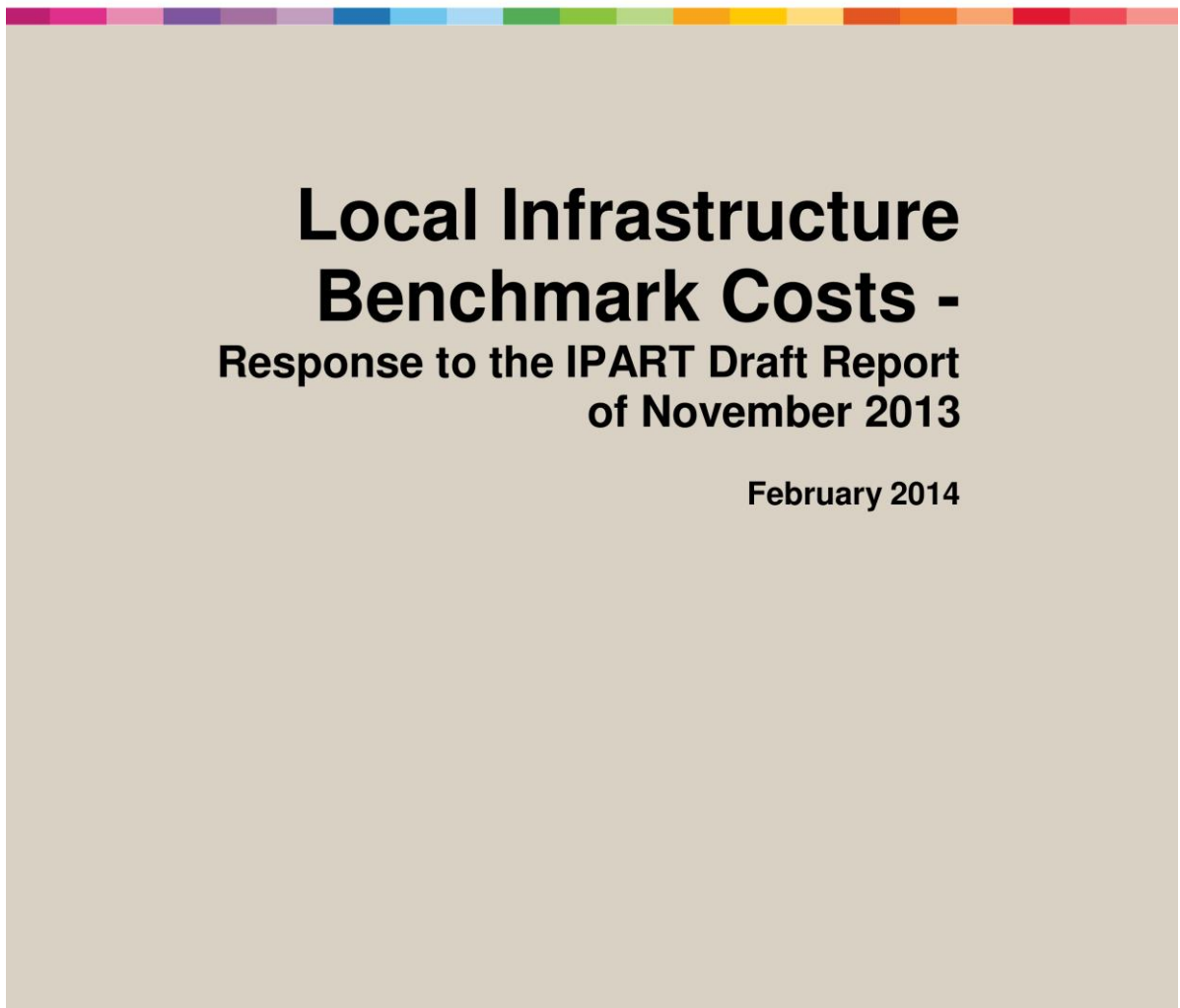
A response specifically stated that generally there were no technical standards that are excessive or unnecessary but that cost had increased in recent years due to adherence with environmental and planning legislative requirements. They believe a review process for individual projects should be considered.

ITEM 7 (continued)

ATTACHMENT 2



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ITEM 7 (continued)

ATTACHMENT 2



Introduction

Following IPART's invitation in late 2013 to comment upon "Benchmark costs for local council infrastructure contributions", this Response follows the subject headings of the roundtable meeting chaired by IPART on 3 December 2013 held to gather initial reactions to the Local Infrastructure Benchmark Costs Draft Report issued by IPART in November 2013 (Draft Report)

The issues have been reviewed by senior Council officers involved with infrastructure matters.

Executive Summary

A. Benchmarks

A number of detailed queries are listed for the sixty benchmark costs. Council is also concerned that the variety of non-costed exclusions within benchmarks exposes Councils to disputes. The fourteen non-benchmarked items, and the others suggested in this document, also need further input from IPART's appointed Quantity Surveyors. It is recommended that every effort is made to provide as much cost guidance as possible for benchmarks and to minimise the number of non-costed benchmarks.

B. Contingency Allowance

The principle is agreed. However Council requests that the percentage ratings for Open Space are increased.

C. Benchmark Escalation

The three ABS Indexes proposed by IPART are accepted in principle. Council believes there should be additional mechanisms for securing the index baseline for simultaneous annual review across all councils and a facility provided by IPART by which Councils can lodge all relevant issues to assist in the longer term periodic review of the benchmarks.

D. Standards Influencing the Cost of Infrastructure

It is recommended that IPART's document formally acknowledges that each Council may have documented standards requiring compliance with varying benchmarks (for the same category of work) in different parts of its LGA. It is also suggested that external standards and influences are fully identified within IPART's Report.

E. Land Valuation and Escalation of Land Costs

Council recommends that independent valuation to market should be used for all land transactions. It further recommends that land held within Councils' portfolios is not constantly updated because the true value of land occurs only at the time of each transaction,

F. Dispute Resolution Mechanisms

It is recommended that the proposal to use JRPP and IHAP resources is abandoned and that IPART consider a role for NSW Public Works to arbitrate between Councils and developers on benchmark cost disputes.



ITEM 7 (continued)

ATTACHMENT 2



A. Benchmarks and Other Infrastructure

The following comments relate to the 60 benchmarks provided in the Draft Report and item numbers replicate the benchmark codes.

Benchmarked Items

Overview

The exclusions listed in the key scope assumptions of many benchmarks present difficulties;

- There are no cost rates or cost ranges given for the excluded items;
- No method is suggested to integrate the excluded costs with the base benchmark cost to underpin the total benchmark cost: the models provided do not explain whether the base cost is increased by the exclusions and therefore subject to the adjustment factors and contingency or if the exclusions are dealt with separately;
- Many exclusions, such as traffic control, offsite material disposal, signage, retaining walls and handrails could significantly impact benchmark base costs.

The following numbering system reflects the benchmark numbers allocated by IPART.

1. Transport

1.1

The rate of \$50/T for the removal and disposal of spoil to an offsite location is incorrect. Experience indicates a rate of up to \$300/T is more appropriate for the Sydney metropolitan area.

1.2

It is more usual for a road to be widened by increasing the width on both sides which requires the remodelling of double lengths of kerb and gutter, laybacks, driveways, parking and traffic marking. At intersections the extent of the work is multiplied.

1.4

Narrow roads require parking controls. Driveway provision and intersection treatments should be included.

1.5

A 5 metre wide road is too narrow, experience suggests at least 5.5m for one way working (traffic control facilities required) and the suggested roll-top gutter could encourage illegal parking on the footpath area presenting a safety hazard for passengers and pedestrians. It also be noted that in Ryde's experience 5 metres is insufficient for a garbage truck to pass a parked car, presenting significant property servicing issues. Ryde's minimum requirement is for a 6.5 metre roadway with an adjacent footpath of 1.5 metres.

1.10

In Sub-item 1.10.3 the concrete slab thickness for the shared cycleway/pedestrian footpath is given as 125mm. However the RMS standard for a facility of this type is a 150mm thick slab. Shared use footpaths require traffic and directional marking, which has been omitted from this benchmark.

1.11

1.2 metre wide footpaths are too narrow, 1.5 metres provides the minimum acceptable width for the passing of a wheelchair and pedestrian. 80mm thick unreinforced concrete paths are inadequate and need to be 100mm thick reinforced concrete to withstand casual service vehicle parking and root uplift pressure.



ITEM 7 (continued)

ATTACHMENT 2

1.12

Unsignalised intersections do not have median refuges without a traffic facility.

1.13

This scope is confusing. Signalised intersections rarely have median pedestrian refuges. The design may however require refuges and islands for traffic delineation. The splays referred to are likely to require land acquisition in a built up area. The item is titled "construction of a signalised intersection" but the scope defines the installation of signals on an existing intersection (albeit newly constructed). To convert an intersection to a signalised intersection to RMS standards is likely to require road widening (4 trafficable lanes) and realignment of the kerbs and footpaths. Extensive traffic control would be required during construction together with initial design and approval costs (the latter two items have been omitted from the benchmark). Traffic management costs also need to be recognised in this benchmark. If an intersection is particularly busy or critical to traffic flow, the potential for night-time work (and subsequent cost increases) should be noted. The cost of demolishing any existing roundabouts or footpaths may need to be itemised when constructing a signalised intersection.

1.16

The shelter dimensions given would not meet Transport Disability standards. The benchmark cost must reflect DDA compliance such as directional signage, tactile pavers, seating, handrails and circulation space.

1.17

The meter box and power connection are a major component of the cost and the benchmark makes no allowance for whether the power is already underground or not. The lamps nominated are not LED. The listed cost is too low. The cost of multifunction poles needs to be represented because they are becoming the standard in town centres for many LGAs.

2. Stormwater

2.1 to 2.7

Allowance should be made for the offsite disposal of surplus excavated material. It should be recognised that some of this material may be contaminated and require specialised disposal.

2.2 to 2.7

The Standards for each benchmark include those from Port Macquarie Council and Camden Council Engineering. Given the likelihood that each Council may have its own standards for stormwater works, these secondary sources should be omitted or a general reference made to "pertinent LGA stormwater management standards to apply" or similar.

2.5 and 2.7

Benchmark 2.5 (gully pit) should include connection to an existing system outlet. Creek outlets require special mention and benchmark 2.7 is inadequate for that. At diameters above 600mm precast pits are suitable only for access, not for connection with other pipes at angles.

3a. Local Open Space Embellishment

3a.1

The rate of \$30/T for disposal of debris to a recycling facility is too low. A rate up to \$300/T is more appropriate for metropolitan Sydney.

ITEM 7 (continued)

ATTACHMENT 2



3a.2

The rate for tree removal should include costs for services protection and traffic control.

3a.5

Timber edging is no longer used by Ryde to edge soft-fall areas - more sustainable and low maintenance materials are preferred, such as recycled plastic or concrete.

3a.6

Granite pavers 300mm x 600mm x 60mm should be listed as an option as these materials are now mandated in Development Control Plans for town centres.

3a.19

The four categories of planting are considered inadequate and a wider range of plant sizes should be provided

3a.21

Electrical works and network connections need to be included.

3b. District Open Space Embellishment

3b1 to 3b.6

All previous comments relating to exclusions and Local Open Space Embellishment apply.

4. Community Facilities

4.1 to 4.7

All previous comments relating to exclusions apply. In the particular case of accommodation structures the exclusion of site works, excavation, car parking and furniture, fittings and equipment is of concern as these components can amount to a cost as large as the benchmarked construction cost.

None of the benchmarks for these facilities include the requirement for signage. Virtually all the examples would require new or amended street signs and some could be comparatively expensive if changes need to be made to map styled signs.

Non-Benchmarked Items

Overview

There is a concern that omission of benchmarks for 14 items could lead to difficulties and IPART should make further attempts to produce costs for them in the interests of minimising the risk of disputes with developers. Of particular concern are non-benchmarked items for,

- Removal and disposal of contaminated material
- Asbestos removal (evidence NBN's difficulties with Telstra's pits)
- Utilities protection, relocation and adjustment (the latter two actions have high potential costs)
- New utilities installation
- Demolition and site clearance (with associated material disposal)



ITEM 7 (continued)

ATTACHMENT 2



Some further items have been identified which could produce useful benchmarks:

Transport

- Road resurfacing – this could be required due to intensification of use in a location subject to redevelopment and the various options of AC layer thicknesses would need to be provided.
- Shared use off-road pathway – unlike the items described in benchmark 1.10 this would apply within parks and open spaces isolated from vehicle routes and may require separate lighting and signage.
- As noted previously in item 1.17, the street lighting that has been benchmarked is restrictive. Multifunction poles (MFPs) of heights ranging from 4m to 9m with and without banner arms should be benchmarked.

Stormwater

- Rain garden – water sensitive urban design (WSUD) may require such facilities.
- Water harvesting and recycling – this aspect of WSUD is gaining in popularity as sustainable design becomes more important.
- Creek rehabilitation – the integration of natural features into stormwater management strategies requires a sustainable approach and rock armouring, weed removal and replanting are becoming design components of those strategies.
- Sea and river walls - although not strictly part of stormwater management facilities (although some outlets may exist in them) coastal and riverine Councils may require these works to be carried out as part of a development, particularly on undeveloped or reclaimed land.

Open Space Embellishment

- Public art - other than “feature architectural enhancements to the external envelope” on community buildings, public art, which is gaining in popularity as an open space embellishment is not mentioned in the benchmarks. Public art is an important feature used to differentiate open spaces and neighbourhood character.

Community Facilities

- Library Upgrade – item 4.2 benchmarks (with critical exclusions) a notional single storey library of 1,000m². However, increased residential population and changed demographics may require the upgrading, remodelling and expansion of an existing library. A range of benchmark rates for this type of work would be helpful.

B. Contingency Allowance

The principle of using the mid-point contingency allowances is appreciated but the experience of Ryde Council is that the contingencies proposed for Stormwater works (30% Strategic Review and 20% Business Case) needs to be applied to Open Space (proposed as 20% Strategic Review and 15% Business Case) as the effort required and the uncertainties of open space projects matches that of stormwater management schemes.

C. Benchmark Escalation

The principle of applying the three ABS indexes identified by IPART is interesting considering that over the period September 1998 to September 2012 the index growth over the three ranges indicates construction cost increases ranging from 60.4% to 70.5%. In the same period the CPI index for All Groups Sydney increased from 68 to 102.2, a cost growth of 50.3%. This illustrates the real cost of construction and authenticates the use of these three indexes as recommended by IPART.



ITEM 7 (continued)

ATTACHMENT 2



To ensure a consistent approach across all Councils, bearing in the mind the potential for annual benchmark cost reviews to be carried out, it is suggested that IPART updates and publishes the indexed benchmarks annually for access by all Councils and perhaps considers establishing a single update review anniversary to synchronise benchmarks for all Councils.

As IPART is suggesting a four yearly review of the scope of benchmarks it is suggested that IPART provides a "review portal" whereby anomalies, queries and proposed new benchmarks could be lodged by Councils at any time for inclusion in IPART's review. This would assist in capturing issues over time despite changes in Councils' staff. It would facilitate the gradual growth of a pool of Local Government knowledge to assist with the four yearly review.

D. Standards Influencing the Cost of Infrastructure

Different Development Control Plans apply to parts of the Ryde LGA and these include the standard of finishes in the public domain (e.g. footpaths may vary between asphalt, concrete and granite pavers). In addition to this, strategic plans for other infrastructure (e.g. open space and stormwater management) drive standards which do not apply equally across all parts of the Ryde area. Consequently the benchmarks to be used in Ryde will therefore vary in accordance with the character of the area (e.g. a town centre) and strategic infrastructure initiatives (e.g. flood mitigation).

Many external influences impact the cost of infrastructure works and experience has shown that contingency allocations are not always sufficient to cover the requirements of other authorities, examples are;

- Roads and Maritime Services, whose standards influence a broad range of transport infrastructure, particularly in the vicinity of signalised intersections,
- Sydney Water in regard to water supply and sewage,
- Telstra, NBN and other communication utilities in regard to telecommunications infrastructure, and
- Energy Australia, Ausgrid and other power supply authorities in regard to power supply infrastructure.

There are also standards over which Council has no control that produce compliance derived cost impacts upon infrastructure, examples of which are;

- Disabled access standards influencing pedestrian pathways, bus shelter and seating design, and train and taxi interfaces,
- Adjustment and relocation of utilities (Guide to Codes and Practices - Streets Opening), and
- Street lighting.

It is suggested that IPART formally recognises that benchmarks may vary within Local Government Areas, in accordance with the internal urban design standards adopted by Councils, and that the external influences and standards listed above are recorded as benchmark adjustment factors.

E. Land Valuation and Escalation of Land Costs

The following comments are structured to align with headings in Chapter 7 of IPART's Draft Report of November 2013.

Estimating the cost of land in a local infrastructure plan.

- In commercial non-property investment organisations the cost of land is held at book (acquisition) value.



ITEM 7 (continued)

ATTACHMENT 2

- Constant land revaluation would distort a commercial organisation's annual reporting.
- The value of land is subject to demand and subsequently volatile.
- CPI indexing of land value is therefore inappropriate.

Council suggests that land is held at acquisition cost, not escalated whilst held but independently valued to market upon disposal.

What approach should councils take to costing land it needs to acquire in a plan?

- Council can acquire land by private agreement or compulsory acquisition.
Council submits that a market valuation performed by an independent, accredited and suitably qualified valuer would be the correct approach in both cases.

Costing land acquisitions in greenfield developments

This is not applicable to Ryde and the only equitable solution is to acquire land at the appropriate market value for its intended use. If the land is planned to be acquired in the latter years of new development on adjacent land in accordance with a strategic acquisition plan, Council should be monitoring the adjacent land values as that development occurs in order not to underestimate the cost of acquiring land in its vicinity.
If land is acquired as "greenfield" at an appropriate market value (e.g. undeveloped) and later sold in parcels at a greater market value to developers, Councils should make themselves aware in advance of any tax implications.

Land to be acquired from dedication by developers

If the land is dedicated through an agreement by which the developer gains another benefit (e.g. increased FSR), the land should be valued according to the use to which it is put (e.g. pathway, road, and park) or according to the cost of developing it to fulfil that use. Generally in City of Ryde the landowner retains the development potential which is transferred to other parts of the site e.g. shopping centre plaza, library and in Macquarie Park. The land therefore should be valued in accordance with its proposed use e.g. road or park.

What approach should councils take to costing council-owned land in a plan?

As previously noted, land should be held at acquisition value and valued to market upon transaction.

Estimate of current market value.

As noted previously, CPI is an inappropriate mechanism and Council recommends an independent valuation in accordance to market for the intended use of the land.

Under legislation Council owned and Crown Land in Council's care and management must be classified "Operational" or "Community". Given the constraints on land classified "Community" it should be assumed that this has little if any value. Land classified "Operational" is most likely to be subject to market valuation.

Updating land costs in a local infrastructure plan

As previously noted, CPI indexing would be an unrealistic approach, only a valuation to market would be sustainable but Council does not support constant updating of value; the value can be determined only by market conditions at the date of disposal.

In summary, the suggestions by IPART that Council land should be valued at its original acquisition cost plus CPI or that a Council should develop its own land value index are not favoured because,

- Land values are not driven by CPI but by movement in the property market and applying CPI would result in values becoming misaligned to market values;
- The acquisition cost of some Council land may be lost in time;
- Land may have been acquired at a date for which no existing index has appropriate data;

ITEM 7 (continued)

ATTACHMENT 2



- Councils are not experts in land valuation and it would be complex and costly for Councils to develop their own valuation methodologies;
- The risk that adjacent Councils use different approaches to valuation may hamper the settlement of disputes with developers, and
- Unique valuation methodologies could pose significant problems for developments involving land that straddles LGA borders.

The property market currently uses a well proven land and property valuation system that utilises market activity and site comparison to derive value. Commercial property enterprises successfully apply this approach and independent valuation is offered by many professional practitioners.

Council recommends that the only widely accepted accurate and consistent updating process would be market valuation. However, Council does not support the ongoing updating of market valuations for Local Government property. In the private sector, where property is not considered "core business", it is typically held at book cost or "inventory value". A fresh market valuation is undertaken only upon the occasion of an acquisition or sale, or if the owner wishes to "deal" with the asset. Local Government property should be dealt with in the same manner.

F. Dispute Resolution Mechanisms

It is agreed that resolution of a dispute between Council and a developer concerning infrastructure costs would benefit from referral to a third party for final arbitration. However it is not agreed that the JRPP or IHAP would have the appropriate resources to handle such matters.

The nature of such disputes may require broad construction, contract and infrastructure project management experience. It is therefore suggested that NSW Public Works would be positioned to arbitrate in such disputes. The outcome of the arbitration would be reported to IPART as the outcome may bear upon the benchmark scopes and costs.

end.



8 CONTRACTUAL CONDITIONS OF SENIOR STAFF - Report to Council in Accordance With Section 339 of the Local Government Act 1993

Report prepared by: Manager - Human Resources
File No.: GRP/09/5/6/4 - BP14/21

REPORT SUMMARY

Section 339 of the Local Government Act 1993 requires the General Manager to report to Council, at least once annually, on the contractual conditions of Senior Staff.

This report summarises the remuneration levels for each of Council's designated Senior Staff as at 31 December 2013. Also included are the effective dates for the respective employment contracts. This report also proposes that the position of General Counsel be determined a designated senior staff position.

The provision of this report meets the requirements of Section 339 of the Local Government Act 1993.

It should be noted that should Council wish to discuss this matter in detail, it would be appropriate to defer the Item for consideration in Closed Session in accordance with Section 10A of the Local Government Act which provides that a meeting can be closed for consideration of personnel matters concerning particular individuals (other than Councillors).

RECOMMENDATION:

- (a) That Council note the details of this report relating to Council's Senior Staff positions, in accordance with the requirements of Section 339 of the Local Government Act 1993.
- (b) That Council endorse the addition of the position of General Counsel as a designated Senior Staff position.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Melissa Attia
Manager - Human Resources

Report Approved By:

Roy Newsome
Acting General Manager

ITEM 8 (continued)**Discussion**

Section 339 of the Local Government Act 1993 requires the following:

The general manager must, at least once annually, report to the council on the contractual conditions of senior staff.

The purpose of this report is to meet Council's reporting obligation in relation to this provision.

It is noted that in accordance with the Local Government Act General Regulation clauses 217(1)(b) and 217(1)(c) that Council's annual report contains details relating to the remuneration of the General Manager and Senior Staff members.

As at 31 December 2013 Council had five designated Senior Staff positions which were as follows:

- General Manager
- Group Manager – Corporate Services
- Group Manager – Environment and Planning
- Group Manager – Public Works
- Group Manager – Community Life

The positions are currently occupied as follows:

- General Manager - vacant (Roy Newsome Acting General Manager)
- Group Manager Corporate Services – John Todd, Chief Financial Officer, currently acting in this role
- Group Manager Environment and Planning – Dominic Johnson
- Group Manager Public Works – George Dedes
- Group Manager Community Life – Baharak Sahebekhtiari, Manager Community and Culture, currently acting in this role

As at 31 December 2013, the positions of General Manager and Group Manager Community Life were vacant, as detailed above.

The position of General Counsel was vacated effective 6 January 2014 and recruitment for this position has commenced. This position is proposed to be a Senior Staff position on the standard Division of Local Government Senior Staff employment contract. It is recommended that Council support the position being made a Senior Staff position.

In accordance with s339 of the Local Government Act 1993, the following table summarises the terms of the current employment contracts for the designated Senior Staff positions listed above as at 31 December 2013.

ITEM 8 (continued)

Position	Name	Contract Start Date	Contract End Date	ATRP (Annual Total Remuneration Package)
General Manager	Vacant	Not applicable	Not applicable	Circa \$300,000 - \$330,000
Group Manager Corporate Services	Roy Newsome	12 September 2010	11 September 2015	\$245,141.47
Group Manager Environment and Planning	Dominic Johnson	27 January 2014	26 January 2017	\$258,220.37
Group Manager Public Works	George Dedes	23 September 2013	22 January 2016	\$231,102.11
Group Manager Community Life	Vacant	Not applicable	Not applicable	Circa \$200,000 - \$230,000
General Counsel (proposed to be a designated Senior Staff position)	Vacant	Not applicable	Not applicable	Position has been advertised up to \$200,000 ATRP

It should be noted that the ATRP (Annual Total Remuneration Package) is inclusive of all salary, vehicle and superannuation components for each of these positions.

All other contractual conditions for these employees are in accordance with the Division of Local Government Senior Staff Contract of Employment.

Financial Implications

Adoption of the recommendation will have no financial impact as the remuneration for these employees is provided for in Council's adopted Delivery Plan.

9 COMMUNITY COUNCIL MEETINGS

Report prepared by: Section Manager - Governance
File No.: CLM/13/1/4/2 - BP13/1486

REPORT SUMMARY

This report sets out the details of conducting the 2013 Community Council Meetings at community facilities and reviews the effectiveness of those meetings. It considers the costs, attendance rates as well as strengths and weaknesses of the meetings.

The purpose of this report is to provide Council with an analysis of the Community Council Meetings and to provide options for Council's consideration regarding the conduct of three sessions in 2014. This report recommends that in lieu of the more formal Community Council Meetings that three Community drop-in Sessions be conducted throughout 2014.

RECOMMENDATION:

- (a) That Council endorse conducting three Community drop-in Sessions in 2014 as set out in this report in each of the wards during the period from April to June 2014 (not necessarily on a Tuesday).
- (b) That Council endorse the preferred option (Option 3) as set out in this report and allocate the amount of \$19,100 from working capital for the purpose of conducting three Community drop-in Sessions in 2014 and that the amount be consolidated into the next Quarterly Review.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Amanda Janvrin
Section Manager - Governance

Report Approved By:

Shane Sullivan
Service Unit Manager - Customer Service and Governance

John Todd
Acting Group Manager - Corporate Services

ITEM 9 (continued)**Discussion**

The purpose of this report is to provide Council with a review of the effectiveness of the Community Council Meetings held in 2013 and to consider an alternative option for 2014.

History

In 2013, Community Council Meetings were held in each ward as follows:-

- Tuesday, 30 April 2013 at North Ryde School of Arts Community Centre, 201 Cox's Road, North Ryde (East Ward).
- Tuesday, 18 June 2013 at Shepherds Bay Community Centre, 3A Bay Drive, Meadowbank (Central Ward).
- Tuesday, 5 November 2013 at West Ryde Community Hall, 3-5 Anthony Road, West Ryde (West Ward).

The meetings were conducted as a General Purpose Committee Meeting as provided in the adopted Code of Meeting Practice.

Community Attendance at the 2013 Community Council Meetings

The following table outlines the approximate numbers of community attendees at each of the Community Council Meetings. It is noted that not all community attendees were willing to sign in and that the attendance numbers were based on head count at a point in time at each of the meetings.

As the below figures show, community attendance at these meetings was poor.

It should also be noted that some members of the community attended all three meetings.

Ward	Venue	Approximate Number of Attendees
East	North Ryde School of Arts Community Centre, 201 Cox's Road, North Ryde	40
Central	Shepherds Bay Community Centre, 3A Bay Drive, Meadowbank	15
West	West Ryde Community Hall, 3-5 Anthony Road, West Ryde	35

ITEM 9 (continued)**Costs incurred in conducting the 2013 Community Council Meetings**

There were various additional costs associated with conducting the Community Council Meetings including engaging external service providers to set up audio visual equipment, catering, advertising costs (specifically letter box distribution) and additional staff time to set up at the venues. These costs are set out below:

Audio and Voting Equipment

As Community Council Meetings replicate the set up of a Council meeting with regards to all audio visual equipment (microphones, screens and voting etc), a financial impact of approximately \$2,300 per meeting was incurred as external service providers were engaged to set up and break down the equipment.

Each of the venues had some audio visual equipment, enough for a microphone and presentation, however, as these events were Community Council Meetings the microphone and voting systems were required.

Catering

Prior to the commencement and also at the conclusion of each of the 2013 Community Council Meetings, catering was provided for Councillors and members of the public at a cost of approximately \$800 per meeting.

The catering was generally well received with the times before and, particularly, after the meetings providing Councillors, the community and staff a more informal environment in which to discuss matters.

Printing and Distribution (Advertising)

Leaflets were printed and letter box dropped to every household within the ward for each particular Community Council Meeting. The cost for the letterbox distribution was approximately \$2,500 per ward.

In addition, flyers were printed in-house and distributed through Council's Advisory Committees and business contacts such as the Ryde Business Forum and Chambers of Commerce at a cost of approximately \$100.

Staff time

It should be noted that additional staff time was required for setting up each of the venues for the meetings. The cost for the additional staff time is approximately \$1,200 per meeting.

This cost reflects only the actual additional amount paid. It does not include provision for staff time for members of the Executive Team or the Managers present.

ITEM 9 (continued)*Security*

Security was engaged at a cost of \$600 per meeting.

Total Cost per Community Council Meeting

The total costs (including GST) incurred for conducting the Community Council Meetings in 2013 was \$7,500 per meeting. These costs are broken down as follows:

Audio Visual and Voting Equipment	\$2,300
Catering	\$ 800
Printing and Distribution (Advertising)	\$2,600 (including letterbox drop)
Staff Time	\$1,200
Security	<u>\$ 600</u>
TOTAL	\$7,500

Advantages of the Community Council MeetingsCommunity interaction and participation

The key advantage of the Community Council Meeting format was that it provided Council with an opportunity to interact with the community at a more local level. It exposed attendees to the process of a formal meeting while still affording them an opportunity to raise matters of local concern.

Agenda Items reflect areas of interest for the individual Ward

Items listed on each Agenda for the Community Council Meetings, where possible reflected areas of interest for the particular location/ward. A presentation was also given at each meeting outlining Council's Achievements for 2012/2013 and Proposed Initiatives/Works for 2013-2017 for the particular ward.

Positive response to change in process

There was some positive feedback from attendees that Council was conducting an event in the local community rather than the Civic Centre. Some attendees expressed their gratitude to Council for coming to the community and their initiative in conducting the event.

Increased Council Profile

The different meeting format, which brought the meeting to the residents did attract some residents who do not regularly (if at all) attend Council meetings. The communication of the meeting to all community members also increased Council's profile and communicated a willingness of Council to be more available to community members.

ITEM 9 (continued)**Disadvantages of the Community Council Meetings**Inability for Council to make determinations at the Meeting

Council, at its meeting held on 11 December 2012, resolved that the format for the meetings shall be a General Purpose Committee to be known as Community Council Meetings. One aspect of this model is that Council could not make determinations at this meeting and matters considered would need to be referred to the subsequent Council Meeting for determination. This can be quite frustrating for members of the community as no decisions are made at the meeting.

Formality of the Meetings

Community Council Meetings are effectively a Council Meeting being held at a venue, other than the Council Chambers and as such these meetings are set up and run in exactly the same way as a formal Council Meeting.

Whilst it is Council's intention to more effectively engage with the community - this Town Hall approach may not be the most conducive set up to achieve the desired aims.

The formal setting keeps Councillors separated from community and creates a less approachable feel, this is particularly evident in situations where the issues are contentious, and can create an adversarial style to the 'question and answer' component of the meeting.

The Town Hall style also requires community members to voice concerns or questions in a public forum which may not be the most comfortable approach for all community members, particularly those that are attending a Council meeting for the first time. This style can be intimidating and does not encourage new attendees to participate. This was evidenced by the number of people who attended and spoke at more than one of the community meetings and the number of new attendees who did not speak at all.

In order to achieve the desired result of increased community engagement, a different approach which caters for a number of communication approaches may be more effective and appealing to a broader audience.

Inability for Council to resolve community questions/issues at the Meeting

At the end of each Community Council Meeting a Public Forum was held where members of the public were invited to address Council in an open Q&A session. Many of the questions/issues raised by members of the community had to be taken on notice and remained unresolved at the conclusion of the meeting. This left some members of the community feeling dissatisfied because their questions/issues were not appropriately addressed at the meeting.

ITEM 9 (continued)IT Limitations

Conducting Community Council Meetings at offsite locations impacts on the ability of staff to access the Council IT network and alternative arrangements need to be made to ensure adequate access and minute taking capabilities.

As Community Council Meetings replicate the set up of a Council meeting with regards to all audio visual equipment (microphones, screens and voting etc), the engagement of external service providers was required to set up and break down the equipment.

Alternative Option for 2014 - Community drop-in Sessions

In considering the above advantages and disadvantages of the Community Council Meetings, consideration has been given to a model that leverages the positive aspects while minimising some of the less positive aspects. This was done by Governance staff in consultation with the Communications and Media Unit.

As a result, it is proposed that Council give consideration to the conduct of Community drop-in Sessions in each ward that facilitate Councillor and public participation without the formality of a Council Meeting.

It is proposed to alter the format of the meetings from General Purposes Committees (Community Council Meetings) to Community drop-in Sessions with a less structured format, no published Business Paper and more flexible community participation opportunities.

These Community drop-in Sessions would be held at an offsite venue in each ward. It is proposed to provide a 20 minute presentation to the meeting outlining key points of the Delivery Plan to be followed by a one hour session where members of the community could engage directly with Councillors, members of the Executive Team and key staff to raise issues or ask questions and, where possible, have them resolved.

These meetings could be held during the public exhibition period of the Delivery Plan (April to June 2014 – not necessarily on a Tuesday) to allow attendees to contribute to the process.

Members of the community would be encouraged to register their issue/question prior to the meeting. This would enable the appropriate staff matter experts to be available at the meeting and would also ensure that Councillors and staff would be aware of the issues to ensure that they can be properly addressed.

Community members who attend the meetings and have not registered their issue/question prior would be encouraged to register upon arrival at the meeting. However, as is currently the case, attendees would be able to raise matters without notice.

ITEM 9 (continued)

In addition, where Council is aware of specific areas of interest or concern, targeted information or presentations would be provided. This would be similar to the participation of Coles at the West Ryde Community Council Meeting.

Community members would also be given the opportunity to make a meeting time with a specific Councillor to raise their concerns. This will give Councillors the opportunity to further liaise with their constituents, understand their concerns and be a part of the process of addressing their concerns in real time.

The aim of this proposed format to retain the opportunities for participation that exist with the current Community Council Meeting format and expand them to remove some of the possible barriers to increased participation, such as the formality of the meeting and frustration with a lack of resolution to specific matters.

Community Facilities within each Ward

Upon reviewing the community facilities located within each of the wards, the venues used for the 2013 Community Council Meetings are considered appropriate for holding the 2014 Community drop-in Sessions.

Advertising

It is proposed that the Community drop-in Sessions be advertised on the Council website, in the Council Column, the Mayoral Column, through Council's Advisory Committees and business contacts such as the Ryde Business Forum and Chambers of Commerce.

It is also proposed to letter box drop every household within the ward for each particular Community drop-in Session and to also promote these Sessions through social media avenues such as Facebook.

Financial Implications

The costs associated with conducting a Community drop-in Session would be similar to the costs incurred in conducting a Community Council Meeting.

It should be noted, however, that as there is no requirement for the Community drop-in Session to be set up like a Council Meeting, there would be no costs associated with Audio Visual and Voting Equipment. In addition, the venue costs would be waived.

The cost of conducting a Community drop-in Session (including GST) with standard letterbox delivery is broken down as follows:

Advertising	\$1,200
Printing and Distribution	\$5,600 (standard letterbox drop)
Catering	\$ 800
Staff Time	\$1,500
Security	\$ 600
TOTAL	\$9,700

ITEM 9 (continued)

There is currently \$10,000 remaining in the allocation for the conduct of the Community Council Meetings.

The table below outlines the financial impact of each of the three options set out under the Options heading:

Option	Current approved budget	Estimated cost	Surplus/ (Deficit)
1 - Do Nothing	\$10,000	\$Nil	\$10,000
2 - Community Council Meeting	\$10,000	\$22,500	(\$12,500)
3 - Community drop-in Session	\$10,000	\$29,100	(\$19,100)

Options

1. Do Nothing

Council could resolve not to conduct any Community Council Meetings or Community drop-in Sessions in 2014 and just run community engagement on an as required basis.

This option will result in a saving of \$10,000 in the 2013/14 Operational Budget.

2. Community Council Meetings

Council could resolve to continue to conduct the General Purposes Committees (Community Council Meetings) at the following venues and dates:-

- Tuesday, 29 April 2014 – to be held at North Ryde School of Arts Community Centre, 201 Cox's Road, North Ryde.
- Tuesday, 29 July 2014 – to be held at Shepherds Bay Community Centre, 3A Bay Drive, Meadowbank.
- Tuesday, 30 September 2014 – to be held at West Ryde Community Hall, 3-5 Anthony Road, West Ryde.

Should Council resolve to conduct three General Purposes Committee (Community Council Meetings) at offsite venues in 2014, it will result in a financial impact of \$22,500 and this requires additional funding of \$12,500. This will require Council to allocate this amount from working capital, to be consolidated into the next Quarterly Review.

3. Community drop-in Sessions – Preferred Option

Should Council resolve to conduct three Community drop-in Sessions at offsite venues in 2014 (with standard letterbox delivery), it will result in a financial impact of \$29,100 and this requires additional funding of \$19,100. This will require Council to allocate this amount from working capital, to be consolidated into the next Quarterly Review.

10 POLICY FOR THE INTERFACE AND DAY TO DAY OVERSIGHT OF THE GENERAL MANAGER BY THE MAYOR INCLUDING MAYOR'S ROLES AND RESPONSIBILITIES

Report prepared by: Governance Support Coordinator
File No.: CLR/07/8/23 - BP14/26

REPORT SUMMARY

This report proposes amendments to the City of Ryde Protocol - *Mayor's Roles and Responsibilities* and the *Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor*.

These amendments were identified following discussions at the Council Meeting of 12 November 2013, which led to a resolution that a report be provided to Council regarding these two documents. Upon reviewing the documents it was considered appropriate that they be combined to better outline all the relevant information and to reduce the need to cross reference. It is felt that this will help make the Policy and Guidelines more useful and easier to comply with.

In addition to combining the documents the proposed amendments provide details and clarification regarding:

1. Appropriate use of Mayoral Robes and Chains;
2. Mayoral meetings with politicians, constituents, lobbyists and developers;
3. The Mayor's use of policy-making functions between Council meetings;
4. The roles of the Mayor and General Manager when setting the Agenda for Council Meetings and calling Extraordinary Council Meetings; and
5. Meetings between the Mayor, or his nominee and the Executive Team.

It is recommended that Council adopt the amended *Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor – including Mayor's Roles and Responsibilities* (**ATTACHED**).

RECOMMENDATION:

That Council adopt the (**ATTACHED**) *Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor – including Mayor's Roles and Responsibilities*).

ATTACHMENTS

- 1 Policy for the Interface and Day-to-day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities

ITEM 10 (continued)

Report Prepared By:

Lorie Parkinson
Governance Support Coordinator

Report Approved By:

Shane Sullivan
Service Unit Manager - Customer Service and Governance

John Todd
Acting Group Manager - Corporate Services

ITEM 10 (continued)**Discussion**

At the meeting of 12 November 2013, Council considered the *Policy on the Payment of Expenses and Provision of Facilities for the Mayor and other Councillors* (Item 7), and the *Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor* (Item 8).

During these discussions a number of issues were raised by Councillors, including:

1. Appropriate use of Mayoral Robes and Chains, and Mayoral expenses associated with civic events;
2. Mayoral meetings with politicians, constituents, lobbyists and developers; and
3. The Mayor's use of policy-making functions between Council Meetings.

As a result, during consideration of Item 8 - Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor, Council resolved (inter alia):

- (c) That a further report be provided to Council on 11 February 2014 regarding the *Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor* and the *Mayor's Roles and Responsibilities* document.

This further report is now provided to Council for consideration.

Proposed Changes to these Policies

This report proposes amendments to these two documents to provide clarification on the three points raised above, and consistency between the documents. It is also proposed that the two documents be combined to provide one consistent reference point.

During this review it was identified that further explanation was required regarding the following to reflect the legislation and recent resolutions of Council:

1. The roles of the Mayor and General Manager when setting the Agenda for Council meetings and calling extraordinary Council meetings; and
2. Meetings between the Mayor, or his nominee and the Executive Team.

Details of the changes proposed to address the points above, are given in the following section of this report. Within the revised documents, the proposed additions are shown in ***bold italic***, and deletions with ~~striketrough~~. This has been done to the best of staff's ability, given the documents have now been combined.

ITEM 10 (continued)**Details of Proposed Changes****1. Appropriate use of Mayoral robes and chains, and Mayoral expenses associated with Civic events**

The following paragraphs are proposed to be inserted to provide guidance to the Office of the Mayor.

The Mayoral chains and robes are generally only to be worn at official Council functions. Should the Mayor identify another event or occasion where it would be appropriate for the ceremonial clothing to be worn, a prior resolution of Council is required.

In accordance with the Policy on the Payment of Expenses and Provision of Facilities for the Mayor and other Councillors, Council shall meet the cost of providing refreshments and associated expenses for civic receptions hosted by the Mayor at Council premises, subject to funds being available within the appropriate allocation.

2. Mayoral meetings with politicians, constituents, lobbyists and developers

At the Council Meeting of 12 November 2013, concerns were raised regarding meetings with politicians, lobbyists, developers and other constituents, specifically the need for:

- consultation with Councillors before meetings with politicians/ministers, including appropriate representation and meeting content;
- meeting and other appointment information to be published in the Councillor Information Bulletin and Mayor's Diary; and
- all Councillors to be aware of relevant Council resolutions.

The particular resolutions referred to were:

Council resolution of 27 September 2005

"That in the interest of transparency, all significant meetings held by the Mayor, or by the Mayor's nominee with parties participating or seeking to participate in development or other activities in the city of Ryde, be reported to all Councillors via the Councillors Bulletin papers on a fortnightly basis.

By appearing in the Councillors Bulletin this will have no adverse impact on legitimate commercial-in-confidence considerations, but the transparency will ensure that the community's interests are not compromised or prejudiced.

ITEM 10 (continued)Council resolution of 22 November 2011

- a) *That Council staff accompany the Mayor at any meeting with a State Minister or member at which Council business will be discussed;*
- b) *That a report of the meeting be presented to Councillors through the Councillors' Information Bulletin and if appropriate, through the Council business papers;*
- c) *That the report include all matters raised, any advice or commitments given by either side and any other relevant information to ensure that Council remains fully informed.*

Therefore it is proposed that the details on political, constituent, developer and lobbyist meetings are included in the policy. These additions are shown in the **ATTACHED** in ***bold italic***.

Where possible, detail has been included in the policy to ensure transparency as to the source of the information, for example, whether the information is from the Local Government Act or a result of a previous Council resolution.

3. The Mayor's use of policy-making functions between Council meetings

This issue is addressed within the policy, and the section has been clarified to confirm that:

- this function is granted in accordance with Section 226 of the Local Government Act;
- any action is required to be reported to the next available Council meeting through a Mayoral Minute; and
- it is recommended that the Mayor liaise and seek guidance from the General Manager prior to taking any action.

It is also noted that details has been included in the Policy to set out the roles and responsibilities of the Mayor, Deputy Mayor and General Manager. This addition provides further context to the Policy and clarity regarding the functions of each office as provided by the current legislation.

ITEM 10 (continued)**4. The roles of the Mayor and General Manager when setting the Agenda for Council meetings and calling extraordinary Council meetings**

These points are addressed within both policy documents, and the sections have been clarified to provide consistency and to include details of:

- the General Manager's role in setting the agenda in accordance with Section 240 of the *Local Government Regulation*; and
- the requirements to call and Extraordinary Meeting as set out in section 366 of the *Local Government Act*.

5. Meetings between the Mayor, or his nominee, and the Executive Team.

This issue is addressed within the Policy, and the relevant section has been clarified and expanded to represent current practice and document Council resolutions and discussion.

Financial Implications

Adoption of the recommendation will have no financial impact.

ITEM 10 (continued)

ATTACHMENT 1

Policy for the Interface and Day-to-day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities



Scope

This policy governs the appropriate interface between the Mayor of the City of Ryde and the General Manager in keeping with the Director General's *Guidelines for the Appointment and Oversight of the General Manager* and other related policies and guidelines.

The relationship between the General Manager and the Mayor of the City of Ryde is a critical interface required to ensure that the Mayor's role in the day-to-day management of the General Manager is transparent and appropriately delegated by Council. Constructive professional relationships between the Mayor and the General Manager are essential to enable the effective executive management of the Council.

This policy also includes the Mayor's Roles and Responsibilities in accordance with the Local Government, relevant guidelines and Council Policies.

The purpose of this Policy is to provide, as far as practicable, a single source of information regarding the Interface between the Mayor and General Manager, as well as the Mayor's Roles and Responsibilities. As a result, there are a number of references to legislation, existing Council Policies and resolutions of Council.

Role of the Mayor

Section 226 of the Local Government Act sets out the role of 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.*

Role of the Deputy Mayor

Section 231 of the *Local Government Act* describes the role of the Deputy Mayor as follows:

The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor.

Policy for the Interface and Day-to-Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities		
Owner: Customer Service and Governance	Accountability: Mayor and Councillor Support Service	Policy Number: CSG
Trim Reference: D14/6655	Review: following Council election (every four years)	Adopted by Council – Draft for Council meeting 11 February 2014

ITEM 10 (continued)

ATTACHMENT 1

**Policy for the Interface and
Day-to-day Oversight of the General
Manager by the Mayor including
Mayor's Roles and Responsibilities**



Functions of the General Manager

Section 335 of the Local Government Act sets out the functions of General Manager as follows:

- (1) The general manager is generally responsible for the efficient and effective operation of the council's organisation and for ensuring the implementation, without undue delay, of decisions of the council.***
- (2) The general manager has the following particular functions:***
 - to assist the council in connection with the development and implementation of the community strategic plan and the council's resourcing strategy, delivery program and operational plan and the preparation of its annual report and state of the environment report***
 - the day-to-day management of the council***
 - to exercise such of the functions of the council as are delegated by the council to the general manager***
 - to appoint staff in accordance with an organisation structure and resources approved by the council***
 - to direct and dismiss staff***
 - to implement the council's equal employment opportunity management plan.***
- (3) The general manager has such other functions as may be conferred or imposed on the general manager by or under this or any other Act.***

Purpose

The aim of the policy is to strengthen the executive management of the Council by detailing the relationship, the appropriate interface and the day-to-day oversight by the Mayor of the General Manager and aims to ensure that there is a clear understanding between the General Manager and the Mayor of the day. It will ensure that expectations and transparency of the interface between the Mayor and General Manager is consistently applied to strengthen and maintain a positive working relationship between both parties.

Policy for the Interface and Day-to-Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities		
Owner: Customer Service and Governance	Accountability: Mayor and Councillor Support Service	Policy Number: CSG
Trim Reference: D14/6655	Review: following Council election (every four years)	Adopted by Council – Draft for Council meeting 11 February 2014

ITEM 10 (continued)

ATTACHMENT 1

Policy for the Interface and Day-to-day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities



This document also aims to provide clarity and transparency regarding the role and responsibilities of the Mayor in accordance with Section 226 of the Local Government Act, that is to “exercise such functions of the Council as the Council determines”.

Guidelines / Procedures

This policy is drafted to ensure compliance with appropriate legislative requirements, existing Council policies and is supported by the attached Guidelines.

References – Legislation and City of Ryde Policies

- The Local Government Act 1993 **and Regulations**
- Public Interest Disclosures Act 1994
- Anti-Corruption Safeguards and the NSW Planning System – ICAC 2012
- Division of Local Government – Guidelines for the Appointment and Oversight of General Managers (**July 2011**)
- City of Ryde Code of Conduct
- City of Ryde Code of Meeting Practice
- City of Ryde Media Policy
- City of Ryde Expenses Relating to The General Manager and Senior Staff Policy
- City of Ryde Corporate Credit Card Policy
- City of Ryde Gifts and Benefits Policy
- City of Ryde Public Interest Disclosures Internal Reporting Policy
- **City of Ryde** Policy on Ethical Lobbying
- **City of Ryde Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors Policy**
- **City of Ryde Guideline on the Interaction between Councillors and Staff**

Review Process and Endorsement

This Policy should be reviewed each term of Council and endorsed by the Council.

Policy for the Interface and Day-to-Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities		
Owner: Customer Service and Governance	Accountability: Mayor and Councillor Support Service	Policy Number: CSG
Trim Reference: D14/6655	Review: following Council election (every four years)	Adopted by Council – Draft for Council meeting 11 February 2014

ITEM 10 (continued)

ATTACHMENT 1

Guidelines for the Interface and Day-to-day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities



1. The General Manager's Appointment

The Mayor will establish and chair a selection panel for the purpose of selecting the General Manager in accordance with the *Guidelines for the Appointment and Oversight of General Managers* (Division of Local Government, July 2011).

In 2009, the process for the appointment of a recruiter and subsequent selection of a General Manager provided for the participation of all Councillors.

2. Management of the General Manager's Performance *including the Mayor's Responsibilities*

The General Manager's performance management process will be conducted annually in accordance with the *Guidelines for the Appointment and Oversight of General Managers* (Division of Local Government, July 2011).

The Mayor will chair the Performance Review Panel and oversee the appointment of an external facilitator to assist with the process of performance appraisal and the development of performance plans.

The Division's Guidelines set out the following actions that are to be taken as part of this process. The Mayor, as chair of the Performance Review Panel, is responsible for these actions:

- Ensuring all Councillors not on the panel can contribute to the process by providing feedback to the Mayor on the General Manager's performance.
- Ensuring all Councillors are notified of relevant dates in the performance review cycle.
- Ensuring all Councillors are kept advised of the Panel's findings and recommendations.
- Reporting to Council in closed session the findings and recommendations of the Review Panel.

3. Audit of the General Manager's Accountabilities

If the Mayor is a member of the City of Ryde Audit ***and Risk*** Committee, the Mayor will participate in setting the priorities and the program of the audit of Council's operations, to ensure independent oversight of the risk and compliance environment of the General Manager's accountabilities.

The Mayor will also be briefed annually by Council's external auditors to ensure robust financial reporting is in place.

Guidelines for the Interface and Day-to-Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities		
Owner: Customer Service and Governance	Accountability: Mayor and Councillor Support Service	Issue: (date)
Trim Reference: D14/6655	Policy: Policy for the Interface and Day-to-Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities	Adopted by Council – Draft for Council meeting 11 February 2014

ITEM 10 (continued)

ATTACHMENT 1

Guidelines for the Interface and Day-to-day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities



4. The General Manager's Leave Applications

The Mayor will be the approval authority for all leave applications made by the General Manager in accordance with Council's Leave policies.

5. The General Manager's Expense Claims

The Mayor will be the approval authority for all expense claims relating to the General Manager's out-of-pocket expenses and use of Council's Corporate Credit Card in keeping with the General Manager's Terms of Engagement, Council's *Policy on Expenses Relating to the General Manager and Senior Staff*, and Council's *Corporate Credit Card Policy*.

6. The General Manager's Gifts and Benefits Claims

The Mayor or Council's Manager, Risk and Audit will be the acknowledging authority for all Gifts and Benefits Disclosure Forms completed by the General Manager in keeping with the General Manager's Terms of Engagement, and Council's *Gifts and Benefits Policy*.

7. Training and Development – Applications by the General Manager

It is recognised that the General Manager is required to keep abreast of local government issues industry best practice and to keep his/her knowledge and skills relevant. To this end, the General Manager will attend industry seminars conferences and forums such as those provided by the Local Government Managers' Association, the Chief Officers' Group of Australasia, the Local Government NSW conference, and the National General Assembly of Local Government.

When deemed that attendance at an industry forum/conference is appropriate, the General Manager will seek the Mayor's approval to attend.

Should the General Manager seek to attend formal training relating to advancing his/her knowledge and skills and in accordance with Council's policy on Tertiary Education etc, the General Manager will seek the Mayor's approval to do so.

8. Presiding at Council Meetings including the Mayor's Responsibilities

~~Setting the Agenda for Council or Committee Meetings~~

~~Under Section 266 of the Local Government Act, the Mayor presides at meetings of the Council. Clause 240 of the Local Government (General) Regulation 2005 stipulates that the General Manager must cause the agenda for a meeting of Council or a Committee of the Council to be prepared as soon as practicable before the meeting.~~

Guidelines for the Interface and Day-to-Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities		
Owner: Customer Service and Governance	Accountability: Mayor and Councillor Support Service	Issue: (date)
Trim Reference: D14/6655	Policy: Policy for the Interface and Day-to-Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities	Adopted by Council – Draft for Council meeting 11 February 2014

ITEM 10 (continued)

ATTACHMENT 1

Guidelines for the Interface and Day-to-day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities



~~Once the agenda has been set, the General Manager or his/her nominee will meet with the Mayor to discuss the matters on the agenda of either a Council or Committee meeting prior to the meeting being convened. To ensure that the independence of advice to the Council is maintained, the Mayor cannot direct the General Manager or his/her staff to either prepare or remove reports set on an existing or future agenda.~~

Under Section 226 of the Local Government Act, the Mayor presides at meetings of the Council.

Setting the Agenda for Council or Committee Meetings

The Agenda must be set in accordance with Section 240 of the Local Government (General) Regulation, which provides that:

- (1) The general manager must ensure that the agenda for a meeting of the council states:***
 - (a) all matters to be dealt with arising out of the proceedings of former meetings of the council, and***
 - (b) if the mayor is the chairperson - any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and***
 - (c) subject to subclause (2), any business of which due notice has been given.***
- (2) The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is (or the implementation of the business would be) unlawful. The general manager must report (without giving details of the item of business) any such exclusion to the next meeting of the council.***

Once the agenda has been set, the General Manager or his/her nominee may meet with the Mayor to discuss the matters on the agenda of either a Council or Committee meeting prior to the meeting being convened. To ensure that the independence of advice to the Council is maintained, the Mayor cannot direct the General Manager or his/her staff to either prepare or remove reports set on an existing or future agenda.

Guidelines for the Interface and Day-to-Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities		
Owner: Customer Service and Governance	Accountability: Mayor and Councillor Support Service	Issue: (date)
Trim Reference: D14/6655	Policy: Policy for the Interface and Day-to-Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities	Adopted by Council – Draft for Council meeting 11 February 2014

ITEM 10 (continued)

ATTACHMENT 1

Guidelines for the Interface and Day-to-day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities



Clause 240 of the Regulation also stipulates that the General Manager must cause the agenda for a meeting of Council or a Committee of the Council to be prepared as soon as practicable before the meeting. This supplements the Local Government Act requirement (s367) that "the general manager of a council must send to each councillor, at least 3 days before each meeting of the council, a notice specifying the time and place at which and the date on which the meeting is to be held and the business proposed to be transacted at the meeting."

Clause 240 **of the Regulation** also specifies that for meetings where the Mayor is the Chairperson, the Agenda is to include any matter or topic that the Mayor proposes at the time when the Agenda is prepared. This is to be done by way of a Mayoral Minute.

Calling Extraordinary or Special Meetings

In accordance with Council's Code of Meeting Practice, the Mayor does not have the authority, in their own right, to call an Extraordinary or Special Council Meeting.

~~The General Manager may call an extraordinary or special meeting of the Council on any matter or matters considered necessary in accordance with the provisions of the Code of Meeting Practice. The Mayor, in consultation with the General Manager, shall determine the time and place of an extraordinary or special meeting in accordance with Council's Code of Meeting Practice.~~

The Mayor, following a written request signed by at least two Councillors, must call an extraordinary Council meeting. The Mayor can be one of the two Councillors, but the Mayor cannot call extraordinary meetings by him or herself without having a written request with another Councillor's signature. The Mayor must then 'call' the meeting, which is to be held as soon as practical but within fourteen (14) days after the request is made (DLG Meeting Practice Note 1.1.2 and s.366 of the Local Government Act). "Notice of less than 3 days may be given of an extraordinary meeting called in an emergency." (s367(2) of the Local Government Act).

The General Manager must ensure that the agenda for an extraordinary meeting of a council deals only with the matters stated in the notice of the meeting (s242 of the Regulation).

Guidelines for the Interface and Day-to-Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities		
Owner: Customer Service and Governance	Accountability: Mayor and Councillor Support Service	Issue: (date)
Trim Reference: D14/6655	Policy: Policy for the Interface and Day-to-Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities	Adopted by Council – Draft for Council meeting 11 February 2014

ITEM 10 (continued)

ATTACHMENT 1

Guidelines for the Interface and Day-to-day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities



9. Conducting Meetings with Ministers and Members of Parliament

The Mayor will from time to time have reason to meet with Ministers and Members of Parliament to discuss issues of importance to the City of Ryde and the implementation of its *Community Strategic Plan* and Council resolutions.

These meetings are to be included in the Councillors' Information Bulletin Calendar including who the meeting is with, and the topic to be discussed. Where practicable, Councillors are to be consulted in advance of the meeting to ensure all relevant information and issues are gathered.

As per Council's resolution of 22 November 2011, the General Manager and/or his/her nominee will accompany the Mayor to any meeting with a State Minister or Member of Parliament at which Council business will be discussed. ***In accordance with this resolution, "a report of the meeting is to be presented to Councillors through the Councillors' Information Bulletin, and if appropriate, through the Council business papers....the report is to include all matters raised, any advice or commitments given by either side and other relevant information to ensure that Council remains fully informed."***

These actions will ensure appropriate briefings can be given relating to Council's policies, operational matters or strategic impacts relating to the discussions, and to ensure that the follow up of agreed actions at the meeting will take place.

10. Conducting Meetings with Constituents and those wishing to make representations to the Mayor

It is acknowledged that the Mayor will meet with constituents relating to a range of matters and may request the presence of the General Manager. ***In some instances, the General Manager may delegate attendance to the relevant Group Manager or staff member.***

Where possible and appropriate, prior notice of these meetings is to be included in the Councillors' Information Bulletin Calendar, and Councillors are to be consulted to ensure all relevant issues are noted.

The outcomes of meetings of significance are to be reported to Councillors, through Board Vantage, the Councillors' Information Bulletin, or as a Mayoral Minute, as appropriate.

Guidelines for the Interface and Day-to-Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities		
Owner: Customer Service and Governance	Accountability: Mayor and Councillor Support Service	Issue: (date)
Trim Reference: D14/6655	Policy: Policy for the Interface and Day-to-Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities	Adopted by Council – Draft for Council meeting 11 February 2014

ITEM 10 (continued)

ATTACHMENT 1

Guidelines for the Interface and Day-to-day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities



▪ *General Matters*

From time to time the Mayor will request that the General Manager attend meetings with constituents or other parties. Adequate notice (where practicable, no less than three working days) and background information will be given to the General Manager to ensure that the General Manager is able to prepare for the meeting in advance. Meetings will be held in the Mayoral suite during business hours and secretarial support will be provided for meetings that occur to ensure that records are kept detailing the agenda and minutes of the meeting.

▪ *Meetings relating to Complaints*

The Mayor may receive complaints about the level of service provided by the Council's staff. These complaints will be referred to the General Manager prior to any meeting between the complainant, the Mayor and the General Manager taking place. This will ensure that appropriate preparations can be made and will be dealt with in accordance with the Council's *Customer Feedback Policy*. Meetings will be convened as outlined above in General Matters.

Should the complaint relate to a development matter the procedure outlined below will be followed.

▪ *Matters relating to Proposed Development Matters (either Planning Proposals or proposed major Development Applications).*

No meetings will take place with any developer or their representative unless a detailed agenda item is prepared prior to the meeting. Council's *Ethical Lobbying Policy* will apply to meetings attended by those lobbying on behalf of their client. At such meetings the Group Manager Environment and Planning (or his/her nominee) will also be in attendance at the meetings. Meetings will be convened as outlined above in General Matters and will be minuted by the Mayor's secretary or an appropriate Planning staff member.

In accordance with Council's resolution of 27 September 2005, "... in the interest of transparency, all significant meetings held by the Mayor, or by the Mayor's nominee with parties participating or seeking to participate in development or other activities in the city of Ryde, (are to) be reported to all Councillors via the Councillors Bulletin papers on a fortnightly basis."

Guidelines for the Interface and Day-to-Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities		
Owner: Customer Service and Governance	Accountability: Mayor and Councillor Support Service	Issue: (date)
Trim Reference: D14/6655	Policy: Policy for the Interface and Day-to-Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities	Adopted by Council – Draft for Council meeting 11 February 2014

ITEM 10 (continued)

ATTACHMENT 1

Guidelines for the Interface and Day-to-day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities



It is inappropriate for the Mayor to attempt to influence the independent advice of Planning staff on any planning proposal or development assessment report. No meetings will be held on matters where a development application assessment process is already underway, to ensure there can be no perception of inappropriate influence.

11. Public Relations Management

The General Manager will ensure that the Mayor is provided with adequate resources to meet his/her requirements for public relations management. Public relations management relates to the provision of advice and preparation of:

- press releases
- issues management
- speeches
- **Mayoral pieces** in Council publications – *for example the Annual Report.*
- opinion pieces for journals etc.

In accordance with Council's *Media Policy*, both the Mayor and the General Manager can make comments to the media on policy matters. When doing so, the Mayor and General Manager will communicate with members of the press through Council's media advisor to ensure consistency of message. All articles and speeches etc relating to or quoting the Mayor will be approved by the Mayor prior to their release.

The General Manager will comment on administration issues in accordance with the *Media Policy*.

The General Manager will ensure that Council staff provide necessary public relations support for all non-political issues relating to Council's operations and the adopted resolutions of Council. Should the Mayor wish to make commentary that in the opinion of the General Manager is of a political nature and does not relate to matters of Council policy, business or resolution etc, Council's media staff will not be used to draft or place such statements.

12. Mayor's Responsibilities with respect to Council's Media Policy

In accordance with Council's *Media Policy* the Mayor and the General Manager are Council's official spokespersons on all matters. The Mayor may nominate another Councillor to speak on a particular matter.

Guidelines for the Interface and Day-to-Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities		
Owner: Customer Service and Governance	Accountability: Mayor and Councillor Support Service	Issue: (date)
Trim Reference: D14/6655	Policy: Policy for the Interface and Day-to-Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities	Adopted by Council – Draft for Council meeting 11 February 2014

ITEM 10 (continued)

ATTACHMENT 1

Guidelines for the Interface and Day-to-day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities



Council's Media Officer is responsible for the coordinating media liaison and issuing press releases. All media enquiries should be directed to the Media Officer.

In addition:

1. Every Councillor has a right to express a private opinion on any issue, whether or not that opinion reflects Council's official position, but Councillors must carefully identify the role in which they speak or write.
2. Whenever Councillors publicly express their own opinions they must make it clear they are speaking for themselves, unless delegated by the Mayor, and not for Council, unless they are supporting a Council position.
3. When Councillors speak "for the Council" when delegated by the Mayor, they must express and support Council's entire policy on the issue at hand.

13. Managing Complaints *about the General Manager*

All complaints about the General Manager's conduct will be referred to the Mayor and will be managed in accordance with Council's *Customer Feedback Policy*, Council's *Code of Conduct* and if necessary, the Public Interest Disclosures Act 1994 and Council's *Public Interest Disclosures Internal Reporting Policy*. The Mayor may seek the independent assistance of the **Manager, Risk and Audit** Internal Auditor, external experts and Council's General Counsel should she/he so require, when undertaking investigations or seeking advice. The procurement of external experts will be managed by Council's **Manager, Risk and Audit** Internal Auditor.

~~Where the Mayor becomes aware of a possible breach of the Code of Conduct by the General Manager, they may initiate the process for consideration of the matter in accordance with the Code of Conduct without a written complaint. The Mayor also has senior staff available to assist in such matters including Council's Group Manager Corporate Services, General Counsel and the Manager, Risk and Audit.~~

~~In addition, where complaints about the General Manager are received by the Mayor, the Mayor is to advise all Councillors in writing that a complaint has been received and, where appropriate, the nature of the complaint. The Mayor is to advise all Councillors of the intended course of action and subsequently report the complaint handling plan to Council as a confidential Mayoral Minute.~~

All Code of Conduct complaints relating to Councillors made by the General Manager will be made to the Mayor, and managed in accordance with Council's *Code of Conduct* and if necessary the Public Interest Disclosures Act 1994 and Council's *Public Interest Disclosures Internal Reporting Policy*.

Guidelines for the Interface and Day-to-Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities		
Owner: Customer Service and Governance	Accountability: Mayor and Councillor Support Service	Issue: (date)
Trim Reference: D14/6655	Policy: Policy for the Interface and Day-to-Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities	Adopted by Council – Draft for Council meeting 11 February 2014

ITEM 10 (continued)

ATTACHMENT 1

Guidelines for the Interface and Day-to-day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities



Part 13 of the Policy sets out the Mayor's role with regard to Code of Conduct complaints while Part 14 sets out the Mayor's role with regard to Public Interest Disclosure reporting.

14. Mayor's Responsibilities with respect to Council's Code of Conduct

In accordance with Council's *Code of Conduct* the Mayor is responsible for receiving written Code of Conduct complaints about the General Manager. Where the complaint cannot be made in writing the Mayor is to confirm the complaint in writing as soon as possible after the receipt of the complaint.

The Mayor must give consideration to the complainant's preferences in deciding how to deal with the complaint.

Where the Mayor becomes aware of a possible breach of the *Code of Conduct* by the General Manager, they may initiate the process for the consideration of the matter in accordance with the *Code of Conduct* without a written complaint. The Mayor also has senior staff available to assist in such matters including Council's Group Manager Corporate Services, General Counsel or the Manager, Risk and Audit.

The specific provisions regarding Code of Conduct complaints about the General Manager are set out below:

How are code of conduct complaints about the General Manager to be dealt with?

The Mayor must refer the following code of conduct complaints about the general manager to the Division:

- a) *complaints alleging a breach of the pecuniary interest provisions of the Act,*
- b) *complaints alleging a breach of Part 8 of the code of conduct relating to the maintenance of the integrity of the code, and*
- c) *complaints the subject of a special complaints management arrangement with the Division under clause 5.40.*

Where the Mayor refers a complaint to the Division under clause 5.21, the Mayor must notify the complainant of the referral in writing.

Guidelines for the Interface and Day-to-Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities		
Owner: Customer Service and Governance	Accountability: Mayor and Councillor Support Service	Issue: (date)
Trim Reference: D14/6655	Policy: Policy for the Interface and Day-to-Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities	Adopted by Council – Draft for Council meeting 11 February 2014

ITEM 10 (continued)

ATTACHMENT 1

Guidelines for the Interface and Day-to-day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities



Where the Mayor considers it to be practicable and appropriate to do so, he or she may seek to resolve code of conduct complaints about the general manager, other than those requiring referral to the Division under clause 5.21, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation or apology instead of referring them to the complaints coordinator under clause 5.25.

Where the Mayor resolves a code of conduct complaint under clause 5.23 to the Mayor's satisfaction, the Mayor must notify the complainant in writing of the steps taken to resolve the complaint and this shall finalise the consideration of the matter under these procedures.

The Mayor must refer all code of conduct complaints about the general manager other than those referred to the Division under clause 5.21 or resolved under clause 5.23 to the complaints coordinator.

The **detailed** procedure for complaint management is set out in the *Code of Conduct*.

In addition, where complaints about the General Manager are received by the Mayor, the Mayor is to advise all Councillors in writing that a complaint has been received and, where appropriate, the nature of the complaint. In addition, the Mayor is to advise all Councillors of the intended course of action and subsequently report the complaint handling plan to Council as a confidential Mayoral Minute.

15. Mayor's Responsibilities with respect to Public Interest Disclosures

The provisions for the reporting of Public Interest Disclosures are set out in Council's adopted *Internal reporting Policy – Public Interest Disclosures* which aligns to the *Public Interest Disclosures Act, NSW, 1994*.

The Mayor is identified as a Public Interest Disclosure Officer and as such is able to receive complaints regarding Councillors or the General Manager.

In this role the Mayor is responsible for:

- deciding if a report is a protected disclosure
- determining what needs to be done next, including referring it to other authorities
- deciding what needs to be done to correct the problem that has been identified.

Guidelines for the Interface and Day-to-Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities		
Owner: Customer Service and Governance	Accountability: Mayor and Councillor Support Service	Issue: (date)
Trim Reference: D14/6655	Policy: Policy for the Interface and Day-to-Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities	Adopted by Council – Draft for Council meeting 11 February 2014

ITEM 10 (continued)

ATTACHMENT 1

Guidelines for the Interface and Day-to-day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities



The Mayor must make sure there are systems in place in the City of Ryde to support and protect staff who report wrongdoing.

If the report is about the General Manager, the Mayor is also responsible for referring actual or suspected corrupt conduct to the Independent Commission Against Corruption.

To support the Mayor in this role, training will be provided regarding the management and handling of protected disclosures. This training will also be offered to the Deputy Mayor where possible. The Mayor also has senior staff available to assist in such matters including Council's Disclosures Coordinator, General Counsel or the Manager, Risk and Audit.

16. Civic Events, Ceremonies, Conferences and Forums

It is acknowledged that both the Mayor and the General Manager will represent Council at Civic Events, Ceremonies and professional forums etc. When both the Mayor and General Manager are speaking at an event the Mayor will always speak first. Media staff will coordinate the content of each speech to ensure consistency of message and avoid duplication.

When the General Manager is speaking at a forum or conference, he/she will advise the Mayor of the topic of address. The Mayor will respect the independence of the content and the format of the presentation to enable the General Manager to provide his/her professional views. The General Manager must make it clear when doing so if they are not the views of Council or its policies.

When speaking about the City of Ryde Council, Council's policies and views will always be clearly stated by the Mayor and General Manager.

17. Civic and Ceremonial Functions of the Mayoral Office

In accordance with the provisions of the *Local Government Act*, the Mayor will undertake the civic and ceremonial functions of the Mayoral Office.

The Mayoral chains and robes are generally only to be worn at official Council functions. Should the Mayor identify another event or occasion where it would be appropriate for the ceremonial clothing to be worn, a prior resolution of Council should be obtained where practicable.

Guidelines for the Interface and Day-to-Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities		
Owner: Customer Service and Governance	Accountability: Mayor and Councillor Support Service	Issue: (date)
Trim Reference: D14/6655	Policy: Policy for the Interface and Day-to-Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities	Adopted by Council – Draft for Council meeting 11 February 2014

ITEM 10 (continued)

ATTACHMENT 1

Guidelines for the Interface and Day-to-day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities



In accordance with the Policy on the Payment of Expenses and Provision of Facilities for the Mayor and other Councillors, Council shall meet the cost of providing refreshments and associated expenses for civic receptions hosted by the Mayor at Council premises, subject to funds being available within the appropriate allocation in the Mayor's Office Budget.

18. Exercise of Policy Making Functions

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

~~Where practicable, the intent to exercise such functions should be communicated prior to the taking of any action and it is recommended that the Mayor liaise and seek guidance from the General Manager.~~

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.

19. Role of the Deputy Mayor

As provided by s231 of the Act, the Deputy Mayor may exercise any function of the Mayor at the request of the Mayor, or if the Mayor is prevented by illness, absence or otherwise from exercising the function of the Office of the Mayor.

Mayoral Leave of Absence

The Local Government Act deals with an endorsed Leave of Absence in relation to attendance at Council Meetings only.

Where the Mayor applies for and is granted a Leave of Absence, the Mayor must specifically state as part of the application whether this leave applies only to Council Meetings or whether the Deputy Mayor is to assume the Mayoral duties in accordance with the Act and this document. This will also require a resolution of Council with regard to the payment of any fee to the Deputy Mayor from the Mayor's fee to undertake these duties.

Guidelines for the Interface and Day-to-Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities		
Owner: Customer Service and Governance	Accountability: Mayor and Councillor Support Service	Issue: (date)
Trim Reference: D14/6655	Policy: Policy for the Interface and Day-to-Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities	Adopted by Council – Draft for Council meeting 11 February 2014

ITEM 10 (continued)

ATTACHMENT 1

Guidelines for the Interface and Day-to-day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities



Where the Mayor is on an endorsed Leave of Absence, the Deputy Mayor by resolution of Council will undertake the roles as responsibilities of the Mayor in accordance with this document, legislation and relevant Council policies.

Where the Mayor is not present at a Council Meeting, the Deputy Mayor will preside at that meeting without the requirement of a resolution of Council.

20. Updating Relevant Information

Both the Mayor and General Manager will use their best endeavours to keep each other apprised of relevant issues relating to Council's operations and the local government industry. Whilst this should take place on an 'as needs' basis, a more formal regular update meeting may take place between the Mayor and the General Manager and his/her executive team as agreed by both parties.

The Mayor may call fortnightly meetings with the General Manager and the Executive Team. At the Council meeting held 27 August 2013, it was confirmed that any minutes of meetings that the Mayor conducts with the Executive Team were to be provided to all Councillors for their information.

Additionally on 12 February 2013, Council resolved the following with regard to the fortnightly Executive Team meetings:

That the Mayor or his nominated representative attend Council fortnightly Executive Team Meetings noting that some parts of the meeting may be closed sessions due to operational issues (with reasons provided). That the meetings be minuted and copies be provided to all Councillors.

Guidelines for the Interface and Day-to-Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities		
Owner: Customer Service and Governance	Accountability: Mayor and Councillor Support Service	Issue: (date)
Trim Reference: D14/6655	Policy: Policy for the Interface and Day-to-Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities	Adopted by Council – Draft for Council meeting 11 February 2014

11 STATEMENT OF BUSINESS ETHICS

Report prepared by: Governance Support Coordinator
File No.: CLR/07/8/9/8 - BP14/40

REPORT SUMMARY

This report proposes minor changes to the City of Ryde *Statement of Business Ethics* for Council's consideration. This Statement provides information to suppliers and contractors on Council's expectations and requirements of organisations and individuals conducting business with City of Ryde.

This document has been reviewed as part of the Interim Action Plan to address risks raised in the Independent Commission Against Corruption Inquiry, as adopted by Council on 13 August 2013.

This report recommends that Council adopt the **ATTACHED** *Statement of Business Ethics – January 2014*.

RECOMMENDATION:

That Council adopt the **ATTACHED** 'Statement of Business Ethics'.

ATTACHMENTS

- 1 Statement of Business Ethics - January 2014

Report Prepared By:

Lorie Parkinson
Governance Support Coordinator

Report Approved By:

Shane Sullivan
Service Unit Manager - Customer Service and Governance

John Todd
Acting Group Manager - Corporate Services

ITEM 11 (continued)

Discussion

At Council meeting of 13 August 2013, an interim action plan was proposed to address the risks identified during the ICAC hearing – Operation Cavill. One of the initiatives proposed in that Action plan was the review of the City of Ryde ‘Statement of Business Ethics’. The need for this document to be reviewed was also highlighted as a result of the review of Council’s Gifts and Benefits Policy.

The Statement has now been reviewed, with some minor changes being proposed as described below. Additions to the **ATTACHED** statement are highlighted in ***bold italics***, with deletions being shown in ~~striketrough~~.

Background

In 2004, the NSW Independent Commission Against Corruption (ICAC) produced a ‘Guide to Developing a Statement of Business Ethics’. The Commissioner’s introduction says the following;

...a number of ICAC investigations have revealed that a lack of understanding by private sector contractors of core public sector values such as integrity, accountability and objectivity can be extremely damaging not only for the project outcomes but for the reputation of the organisation concerned. Conversely the better the understanding of public sector values and practices the contractor has, the better the outcomes them to be.

As a result, the Statement of Business Ethics aims to communicate and clarify to ensure there are shared understandings of expectations within these business relationships. Subsequently the City of Ryde Executive Team endorsed and adopted the ‘Statement of Business Ethics’ in 2005.

This document applies to all City of Ryde suppliers and contractors, and is referred to on the City of Ryde general website and Tenderlink website. It is specifically noted on procurement documents including purchase orders, requests for quotations and conditions of quotations.

Proposed Amendments

As a result of the review undertake by staff the following amendments are recommended:

- (1) The addition of a message from the General Manager at the opening of the document to emphasise the importance of complying with the Statement.

This message communicates that Council “will put our public duty to the community of Ryde first”, based on the business principles of transparency, merit, impartiality, consistency and accountability, and “provides guidance and articulates what to expect when conducting business with Council.”

ITEM 11 (continued)

- (2) Updating the City of Ryde Values (Section 3) to reflect the current organisational values of Safety, Teamwork, Ethics and Professionalism;
- (3) Adding the following statement in Section 4 – The Responsibilities of Contractors and Business Associates:

Contractors and Suppliers are to ensure that their staff and sub-contractors are made aware of the responsibilities in this Statement of Business Ethics and to take appropriate measures to ensure their compliance.

Mr Jeff Williams, a fraud and ethics consultant recently engaged by Council, identified that this was a desirable addition due to cases of contractors minimising their responsibility by saying they were not accountable for the actions of their subcontractors.

- (4) Updating Section 7 - Gifts and Benefits to reflect Council's recently adopted 'Thank you is Enough – No Gifts' policy. The following paragraphs have been included in this Statement:

City of Ryde adopted a revised Gifts and Benefits policy in September 2013. This policy requires that all Council public officials (staff, Councillors, Council committee members etc) refuse gifts and benefits if offered by any customers, suppliers or contractors. Public officials are required to declare any offers of gifts or benefits (including hospitality), even when refused, no matter what the value. Records of the declarations are maintained in a public register.

As a condition of engagement with the City of Ryde, you accept that you will not offer any gifts or benefits to staff, Councillors or other public officials and that if you do so, your contract could be affected.

Specifically:

- *Suppliers should not give any gifts to City of Ryde officials (including Councillors, Council staff and City of Ryde volunteers) and there should be no expectation that any gifts will be provided.*
- *City of Ryde business partners and suppliers should not pay for any form of entertainment for City of Ryde officials.*
- *External parties should not provide City of Ryde officials with benefits such as social meals, travel or accommodation. The City of Ryde meets all such business costs for its officials.*

Any gift or benefit offered to influence a Council official's decision-making will be considered corrupt conduct and will be reported to the Independent Commission Against Corruption (ICAC).

ITEM 11 (continued)

- (5) Updating Section 11 – Reporting corruption, maladministration and wastage to reflect an amendment to the Public Interest Disclosures Act, 1994.

Since July 2011, independent contractors have been included in this Act and thus protected from reprisal or detrimental action when disclosing corrupt conduct or other specific wrongdoing as long as they adhere to Council's Public Interest Disclosure Internal Reporting Policy.

- (6) Updating the Statement to include references to social media, intellectual property, electronic information etc; and
- (7) Correcting and clarifying terminology and layout to reflect current practice.

Implementation of the revised Statement of Business Ethics

Should Council adopt the revised Statement of Business Ethics, it is proposed that in order to communicate the changes and raise the profile of this document to City of Ryde staff, a news item be placed on the internal staff website. It will also be included in procurement training as it occurs.

Additionally, the placement of the links and references to the Statement of Business Ethics on the City of Ryde website will be reviewed, and further relevant detail included on purchase orders and other procurement documents.

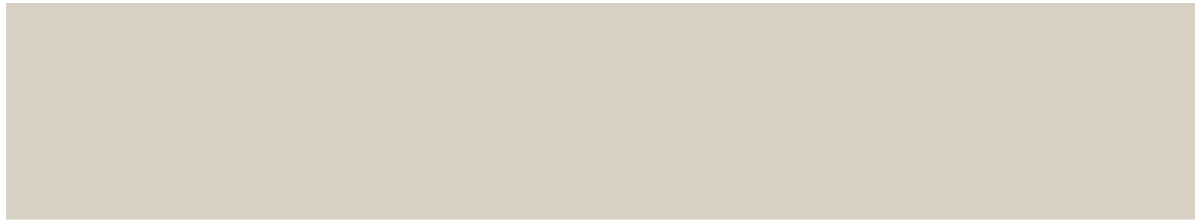
Consideration will also be given to writing to all Council suppliers advising them of the revised Statement of Business Ethics and providing a link to the document. In order to reduce costs, this will likely be done in conjunction with a future planned mail-out regarding procurement and invoice processes.

Financial Implications

Adoption of the recommendation will have no financial impact.

ITEM 11 (continued)

ATTACHMENT 1



Statement of Business Ethics

**Standards for Contractors, their
Employees and Business Associates**

January 2014

ITEM 11 (continued)

ATTACHMENT 1



1. Message from the General Manager

City of Ryde Council is committed to serving our community with integrity, efficiency, professionalism, fairness and impartiality. In conducting business we will put our public duty to the community of Ryde first, based on the following business principles:

- *Business relationships with external parties will be transparent*
- *Procurement decisions will be based on merit, will be impartial and will not take extraneous issues into account*
- *Council procurement decision-making processes will be open (where practicable), consistent and accountable.*

The people of Ryde and those who come in contact with Council, expect nothing less.

This Statement of Business Ethics articulates what to expect and how to behave when conducting business with Council. This business may include: supply of goods and/or services, use of contractors and/or consultants, assessment of development applications and other business partnerships and alliances.

These ethical standards are not an additional requirement in doing business with us but are an integral part of sound commercial practice.

Staff and other Council officials are required to observe a high standard of ethical behaviour and comply with legislation and conduct standards and procedures. Therefore, we expect that while doing business with Council you will abide by this Statement of Business Ethics in all your dealings.

If you feel Council is not meeting the standards set, please make a submission to Council's Service Unit Manager – Risk and Audit or Group Manager – Corporate Services.

Roy Newsome
Acting General Manager

Statement of Business Ethics – Standards for Contractors, their Employees & Business Associates		
Owner: Risk and Audit	Accountability: Service Unit Manager Risk and Audit	Policy Number: GMR001
Trim Reference: D13/42962	Review date: 1 February 2015	Endorsed: Draft to Council 11 February 2014

ITEM 11 (continued)

ATTACHMENT 1



2. Introduction

City of Ryde aims to achieve best value for money in the expenditure of public funds while being fair, ethical and transparent. To achieve this, we rely on our business partners, contractors and suppliers. We expect high standards of behaviour from all firms and individuals that do business with us.

City of Ryde is committed to high ethical standards **and accountability**, and this Statement of Business Ethics sets out the standards the Council requires of its contractors and business associates. These standards are drawn from the *City of Ryde Code of Conduct* which applies to all Councillors, employees and other Council officials.

In dealing with our Council you are responsible for working with Council employees and Councillors to maintain our high ethical standards. City of Ryde expects all parties – Council officials, contractors, sub-contractors, suppliers and other business associates - to perform their duties with integrity, honesty, fairness **and transparency**.

3. The City of Ryde Values and Key Principles

All contractors, their employees and business associates are required to be committed to our Council's values and the key principles on which the Model Code of Conduct for Local Government in NSW is based.

Our Values

<u>Safety</u>	<i>We are committed to preventing injury to ourselves, our team and our community</i>
<u>Teamwork</u>	<i>We work together with respect and support</i>
<u>Ethics</u>	<i>We are honest, responsible and accountable for our actions</i>
<u>Professionalism</u>	<i>We deliver effective services to the community with consistent decision-making</i>

4. The Responsibilities of Contractors and Business Associates

All contractors, their employees and business associates are responsible for ensuring that they act ethically when dealing with City of Ryde and its officials. All parties working for City of Ryde are expected to know and understand the standards in this Statement of Business Ethics.

Contractors and suppliers are to ensure that their staff and sub-contractors are made aware of their responsibilities under this Statement of Business Ethics and to take appropriate measures to ensure their compliance.

Statement of Business Ethics – Standards for Contractors, their Employees & Business Associates		
Owner: Risk and Audit	Accountability: Service Unit Manager Risk and Audit	Policy Number: GMR001
Trim Reference: D13/42962	Review date: 1 February 2015	Endorsed: Draft to Council 11 February 2014

ITEM 11 (continued)

ATTACHMENT 1



When working for our Council you should at all times be courteous towards the public, Councillors and employees and not bring the Council into disrepute. You must obey all relevant laws and contractual obligations.

The Council is committed to providing a work environment free of harassment, bullying or discrimination. Both those who engage in and those who cause, instruct, aid or knowingly permit another person to engage in bullying, harassment or discrimination in the workplace will be held responsible.

City of Ryde has community and environmental responsibilities and you are expected to honour them when doing business with or on behalf of our Council.

Safety is paramount and therefore all persons doing work with or for our Council should protect their safety and others in the work environment and the public arena. Council is responsible for providing a safe work environment and for putting first the health, safety and welfare of Council officials, contractors, their employees and business associates.

5. Conflicts of Interest

If a conflict of interest in your work with our Council exists or arises, you must disclose it to the Council. A conflict of interest arises if your own interests or those of other people close to you, conflict with your obligations to the Council.

A conflict would exist where you have a personal interest, or your relative, company, employer or another person known to you has an interest that could influence the way you carry out your duties for the Council in order to gain either a financial or non-financial benefit.

Where there is a conflict of interest you must put Council's interest ahead of your own private interest.

You must declare any conflict of interest that you identify ***to the Council Manager that engaged you, or with whom you have been dealing.***

6. Council Resources

The use of Council resources by Contractors, subcontractors, suppliers and business associates may only occur when approved by a Council official. Council resources include material, equipment, vehicles, documents, records, data and information.

7. Gifts or benefits

~~Gifts or benefits must not be offered to any Council official, which is designed to gain any advantage for yourself or your organisation, or which the public could reasonably see as likely to cause that Council official to depart from his or her proper course of duty. Token gifts may be given or accepted if the gift is not likely to be seen as compromising.~~

Statement of Business Ethics – Standards for Contractors, their Employees & Business Associates		
Owner: Risk and Audit	Accountability: Service Unit Manager Risk and Audit	Policy Number: GMR001
Trim Reference: D13/42962	Review date: 1 February 2015	Endorsed: Draft to Council 11 February 2014

ITEM 11 (continued)

ATTACHMENT 1



You should not accept any gift in relation to your work at Council, which could influence, or be seen to influence, your impartiality in relation to the work or services you are providing to Council. Cash should not be, in any circumstances, offered to a Council official.

Note: If a gift or benefit is offered to a Council official to influence the way they do their work, they must report it immediately under the Council's policies and procedures.

City of Ryde adopted a Gifts and Benefits policy in September 2013 that requires all Council public officials (Councillors, staff, Council committee members etc) to refuse gifts and benefits offered by any customers, suppliers or contractors. Public officials are required to declare any offers of gifts or benefits (including hospitality), even when refused, no matter what the value. Records of the declarations are maintained in a public register.

As a condition of engagement with the City of Ryde, you accept that you will not offer any gifts or benefits to staff, Councillors or other public officials and that if you do so, your contract could be affected.

Specifically:

- **Suppliers should not give any gifts to City of Ryde officials (including Councillors, Council staff and City of Ryde volunteers) and there should be no expectation that any gifts will be provided.**
- **City of Ryde business partners and suppliers should not pay for any form of entertainment for City of Ryde officials.**
- **External parties should not provide City of Ryde officials with benefits such as social meals, travel or accommodation. The City of Ryde meets all such business costs for its officials.**

Any gift or benefit offered to influence a Council official's decision-making will be considered corrupt conduct and will be reported to the Independent Commission Against Corruption (ICAC).

As a contractor to the City of Ryde, you are also required to refuse any offer of a gift, benefit or hospitality, from another external party that is associated in any way with your engagement with the City of Ryde.

Gifts or benefits must not be offered to any Council official, which are designed to gain any advantage for your self or your organisation, or which the public could reasonably see as likely to cause that Council official to depart from his or her proper course of duty. Council officials will have to declare any gift received, no matter what the value.

You should not accept any gift in relation to your work at Council, which could influence, or be seen to influence, your impartiality in relation to the work or services you are providing to Council. You are expected to declare any gift accepted, no matter what the value.

Token gifts may only be given or accepted if the gift is not likely to be seen as compromising. Cash (or cash like items, for example a gift voucher) must not be accepted or offered in any circumstances.

Note: If a gift or benefit is offered to a Council official to influence the way they do their work, they must report it immediately under Council's policies and procedures.



Statement of Business Ethics – Standards for Contractors, their Employees & Business Associates		
Owner: Risk and Audit	Accountability: Service Unit Manager Risk and Audit	Policy Number: GMR001
Trim Reference: D13/42962	Review date: 1 February 2015	Endorsed: Draft to Council 11 February 2014

ITEM 11 (continued)

ATTACHMENT 1



8. Confidential and Personal Information

You must take care to maintain the security of any confidential or personal information *(in whatever form – hardcopy, electronic etc)* you become aware of in your work with the Council.

You must abide by the privacy legislation governing the collection, holding, use, correction, disclosure or transfer of personal information obtained through your dealings with the Council. Personal information is any information about a person where you know who the person is or you can guess who the person is.

No one should access, use or remove from Council premises any Council information or personal information, unless they need it for their work with the Council and have authorisation to use or disclose the information.

Copyright and intellectual property laws and standards must also be adhered to.

Any breach of the security, or misuse, of the Council's confidential or personal information must be reported to Council's Privacy Officer.

9. Public Comment

You must not make any public comment or statement that would lead anyone to believe that you are representing Council, or expressing its views or policies.

This includes comments or statements made at public and community meetings, via the media ***including social media***, or when it is reasonably foreseeable that the comments or statements will become known to the public at large.

10. Alcohol and Drugs

No contractor, subcontractor, supplier or business associate should come to work for Council, or return to work, under the influence of alcohol or other drugs that could impair their ability to carry out their job or cause danger to the safety of themselves or others.

11. Offers of Secondary Employment to Council Employees

Do not offer a second job to a Council employee if the job would conflict with a Council employee's duties or role at Council.

Under Council's Code of Conduct, all staff are required to seek approval from the General Manager prior to undertaking a second job. Approval will not be given if the second job is likely to result in unmanageable conflict or the appearance of conflict with their Council duties.

~~If you offer a City of Ryde employee a second job, while they are employed with Council, the Council employee will need to seek approval from the Council's General Manager.~~

~~Approval will not be given if the second job could conflict with their official duties with the Council.~~

Statement of Business Ethics – Standards for Contractors, their Employees & Business Associates		
Owner: Risk and Audit	Accountability: Service Unit Manager Risk and Audit	Policy Number: GMR001
Trim Reference: D13/42962	Review date: 1 February 2015	Endorsed: Draft to Council 11 February 2014

ITEM 11 (continued)

ATTACHMENT 1



12. Reporting corruption, maladministration and wastage

When doing work for the Council you have a responsibility to report any suspected instances of corruption, maladministration, serious and substantial waste, **pecuniary interest or government information contraventions** to the Council's **Public Interest** Disclosures Coordinator, the General Manager, or directly to the Ombudsman, ICAC or the **Division of Local Government** as appropriate.

As a contractor, you are considered to be a public official for the purposes of the *Independent Commission Against Corruption (ICAC) Act, 1988* and are subject to ICAC's jurisdiction. **You are also classified as a 'public official' under the Public Interest Disclosures Act, 1994. This Act protects public officials from reprisal or detrimental action when disclosing corrupt conduct or other specific wrongdoing when Council's Public Interest Disclosure Internal Reporting Policy is adhered to.**

13. Breaches of this Code

Failure to comply with this Statement of Business Ethics may cause penalty clauses in the contract to be invoked and/or civil or criminal proceedings to be brought or other action considered appropriate by City of Ryde.

14. City of Ryde's Commitment

City of Ryde is committed to the standards in this Statement of Business Ethics. They reflect the high standards expected by our community and you are expected to maintain these standards when undertaking work for, or on behalf of Council.

If you have any questions, or are unsure about any matter relating to this Statement of Business Ethics, you can contact:

- Group Manager, Corporate Services – 9952 8011
- **Service Unit Manager, Risk and Audit – 9952 8022**

Statement of Business Ethics – Standards for Contractors, their Employees & Business Associates		
Owner: Risk and Audit	Accountability: Service Unit Manager Risk and Audit	Policy Number: GMR001
Trim Reference: D13/42962	Review date: 1 February 2015	Endorsed: Draft to Council 11 February 2014

12 INVESTMENT REPORT - November and December 2013

Report prepared by: Acting Group Manager - Corporate Services
File No.: GRP/09/3/11 - BP14/5

REPORT SUMMARY

This report details Council's performance of its investment portfolio for the months of November and December 2013 and compares it against key benchmarks. The report includes the estimated market valuation of Council's investment portfolio, loan liabilities, an update on Council's legal action against various parties and a commentary on significant events in global financial markets.

Council's financial year to date return is 4.15%, which is 1.54% above benchmark. Income from interest on investments and proceeds from sale of investments totals \$2.047 million, \$182K above revised budget projections; the additional funds belong to Section 94 Reserve funds on hand, and do not improve Council's Working Capital.

RECOMMENDATION:

- (a) That Council endorse the report of the Chief Financial Officer dated 13 January 2014 on Investment Report – November and December 2013.
- (b) That Council endorse the acceptance of the loan for \$1.2 million at 5.24% fixed for seven years for the Surf Attraction with the Commonwealth Bank of Australia.
- (c) That Council endorse the acceptance of the loan for \$1.5 million at +175 bps above the 180 day BBSW rate for 10 years for the Children's Play Implementation Plan with the Commonwealth Bank of Australia.

ATTACHMENTS

- 1 P05 Investment Report December 2013 Attachment

Report Prepared and Approved By:

John Todd
Acting Group Manager - Corporate Services

ITEM 12 (continued)

Discussion

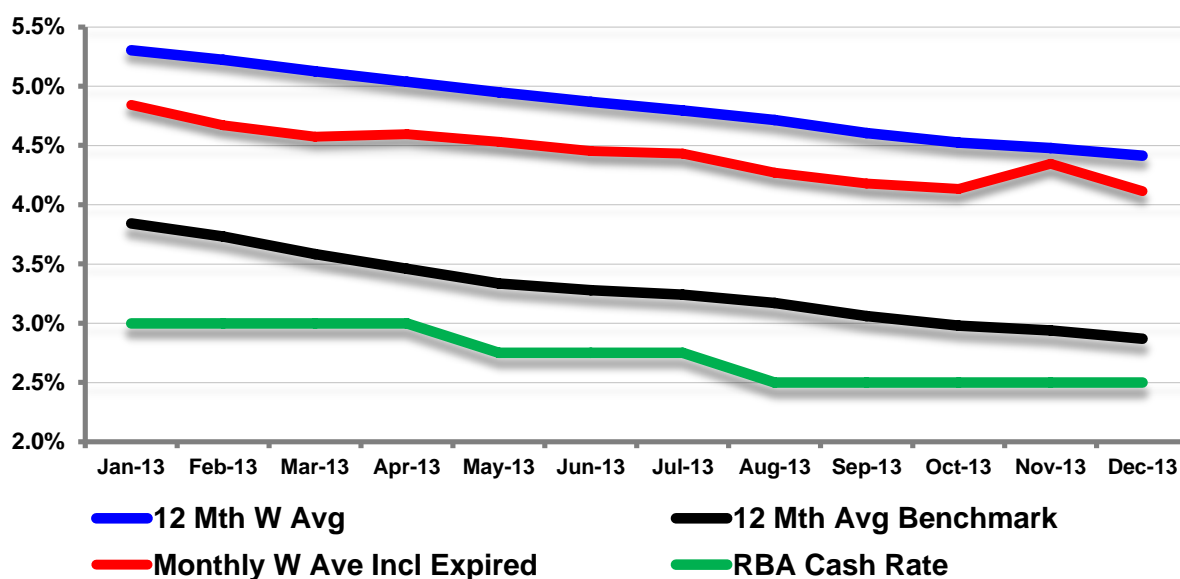
Council's Responsible Accounting Officer, is required to report monthly on Council's Investment Portfolio and certify that the Investments are held in accordance with Council's Investment Policy and Section 625 of the Local Government Act.

Investment Performance Commentary

Council's performance against the benchmark for returns of its investment portfolio for December 2013 and the past 12 months are as follows:

	Nov	Dec	12 Mth	FYTD
Council Return	4.35	4.12	4.35	4.21
Benchmark	2.59	2.50	2.87	2.67
Variance	1.76	1.62	1.48	1.54

Performance - All Investments



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

Cash/Term Deposits	\$79.5M	79.2%
Floating Rate Notes	\$18.9M	18.8%
Fixed Rate Bonds	\$2.0M	2.0%
Total Cash Investments	\$100.4M	

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

ITEM 12 (continued)

Whilst Council has moved some of its investment portfolio out to longer terms, locking in some of the returns, the majority of Council's funds are held in internal reserves. Should Council consider utilising its internal reserves, this will have a direct impact on the amount of investment income that will be realised and will require a reduction in the future projected investment income and will place pressure on Council to be able to maintain its current level of expenditure on Capital or Maintenance.

Council's income from investments is being revised upward, due to Council having more funds on hand, which belong to Section 94 contributions. Therefore there will be a decrease in investment income for General Revenue, due to decreasing interest rates.

Council revised its Investment Policy, changing delegations, which has allowed Council staff to parcel investments up to \$2 million. There are now 13 investments of this amount within the Council's Investment Portfolio.

Financial Security Reserve (FSR)

The Financial Security Reserve has a balance of \$3.44 million as at 31 December with no movements this year. A detailed transaction history is included in the attachment to this report.

Council has resolved to transfer all proceeds and interest earned on written down investments to this reserve.

Economic Commentary

The RBA left the cash rate unchanged in both November and December, but revised its growth forecast for the Australian economy to 2.0% to 3.0% for the 2014 calendar year, down from 2.5% to 3.5%, largely on the back of "the substantial fall in mining investment, planned fiscal restraint and the still high level of the Australian dollar". The Australian dollar has dipped below \$0.90 US. While the RBA continues to carry an easing bias forward, this is balanced against their fears of a property market bubble.

Internationally, the news of note for the month was that the Fed has decided to start tapering its asset purchase program by \$10B per month. The S&P 500 rallied to fresh all-time highs on the back of the news, with investors optimistic that the outlook for US growth is improving.

Legal Issues

As previously reported to Council, the LGFS Rembrandt CDO Investment and the Grange (Lehman Brothers) IMP Investment are currently before the Courts. Council, at its meeting on 17 July 2012, endorsed being a third party to an action against the Commonwealth Bank (CBA).

ITEM 12 (continued)

The following update is provided in respect of Council's legal action in these matters due to recent developments.

Lehman / Grange IMP

On Friday 21 September 2012, Justice Rares handed down the judgment in this matter, which was in favour of the Councils involved in this legal action. This was reported to Council in the September Investment Report.

On 25 September 2013 the Federal Court approved the calling of a meeting of Scheme Creditors of Lehman Australia to consider the proposed Insurance Only Scheme. The applicants and group members in the Lehman Australia class action are Scheme Creditors.

The Scheme is now subject to Court approval. The application was listed for hearing on 31 October 2013. The Scheme was approved by the Court on 9 December 2013, all Scheme Creditors are now bound by the Scheme irrespective of whether they have voted for it or even if they voted against it. It is expected that settlement will occur by the end of January 2014.

While the above court action has been proceeding, the related investments of the Lehman / Grange IMP (Merimbula and Global Bank Note) have been finalised and paid to Council. As previously reported, Council has received \$752k for these investments representing full payment of the principal and interest.

Council also investigated joining a class action against Lehman Brothers Asia, as a result of other actions taken against them. The scheme members, whilst initially obtaining a funder, under the laws of Hong Kong, such a scheme was not permissible and the members would have to bear the costs themselves. On that basis, and the costs associated with the Australian case, it was felt that the prudent course of action was to not participate in the scheme, and settle for the amounts gained from the Australian action.

LGFS – Rembrandt

On 5 November 2012, Federal Court Justice Jayne Jagot ruled that Councils were entitled to succeed in their claim for damages against LGFS, ABN AMRO and Standard & Poors (S&P). This result vindicates Council's Investment in this product with Justice Jayne Jagot finding that LGFS, ABN AMRO and S&P had collectively been responsible for misleading and deceptive conduct and negligent misrepresentation of this investment to Councils.

On 1 March 2013, the Federal Court of Australia awarded compensation and costs to Councils against S&P. Council was awarded \$933K principal (equivalent to the balance outstanding) and \$331K in interest. Of this, 70% is payable to IMF for their funding of the legal action, resulting in a net benefit to Council of approximately \$382K, which was paid to Council on 4 April 2013.

ITEM 12 (continued)

An appeal has been lodged in relation to this matter, and listed for hearing in 2014, but a settlement may be reached prior. A teleconference was held on 4 November with the other Councils involved to discuss GST issues, should a settlement be reached.

No further update is expected until after the hearing later this year.

CBA – Oasis and Palladin

Council has endorsed City of Ryde being a third party to an action against CBA in relation to the Oasis CDO investments for \$1 million that Council has written down to zero. A mediation session occurred with CBA on 8 October 2013. The mediation was adjourned to allow certain steps to take place and the parties are continuing to engage in without prejudice discussions.

Council is seeking an update on the current position of this matter.

Whilst Council had written off the Oasis investment, the investment had one further default until it completely defaulted. As previously reported, Council sold the Oasis investment at 35.7 cents in the dollar on the remaining principal of \$625k, being \$223,337. Should Council be successful in this legal action, then this will be taken into account as part of any settlement.

As part of this action, Council is also a party to action against CBA for its investment in the Palladin CDO, of which Council held \$2 million. This investment defaulted in October 2008.

New Loans

Council at its meeting held on Tuesday 22 November 2011 resolved to take out a loan of \$1.2 million to partly fund the Surf Attraction at the RALC.

The following quotes were received for this:

	Fixed 7 years	Variable margin
Bank 1	5.24%	180 BBSW + 155
Bank 2	5.49%	180 BBSW + 238
Bank 3	5.56%	90 BBSW + 181

The offer of the CBA was accepted at 5.24% fixed for seven years.

Council at its meeting held on Tuesday 13 November 2012 resolved to take out a loan of \$1.5 million to fund the Children's Play Implementation Plan in 2013/2014, which also was approved by the DLG for a 3% subsidy under the LIRS – Round Two.

ITEM 12 (continued)

The following quotes were received for this:

	Fixed 7 years	Variable margin
Bank 1	5.86%	180 BBSW + 175
Bank 2	5.97%	180 BBSW + 255
Bank 3	6.22%	90 BBSW + 208

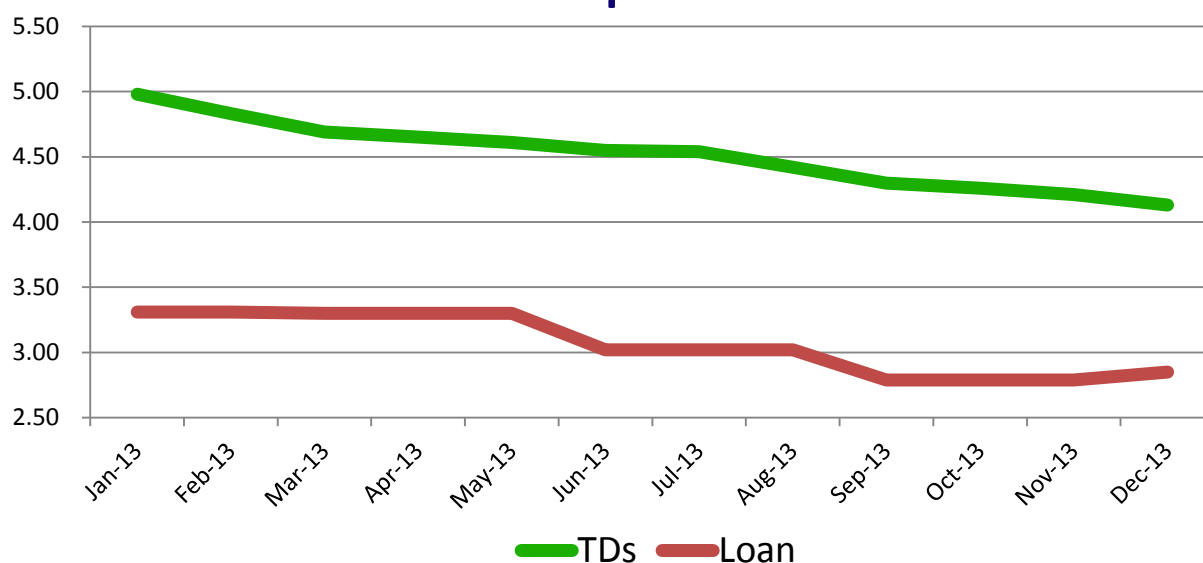
The offer of the CBA was accepted at 180 BBSW + 175, variable for ten years. An analysis of the yield curve indicated that we could save approximately \$100k in interest by locking in the variable rate, as rates are low now.

Loan Liability

Council's loan liability as at 31 December 2013 was \$3.2 million which represents the balance of one loan taken out in 2004 for the Civic Centre Redevelopment and refinancing the West Ryde Tunnel. This loan was for 15 years and was negotiated at a very attractive rate for Council at 90 Day BBSW + 20 basis points and is reset every quarter.

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

Term Deposits/Loan Interest Rate Comparison



ITEM 12 (continued)

Debt Service Ratio

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

Debt Service Ratio		
Category 3 Councils	2010/11 ⁽¹⁾	2.87%
City of Ryde	2012/13	0.68%

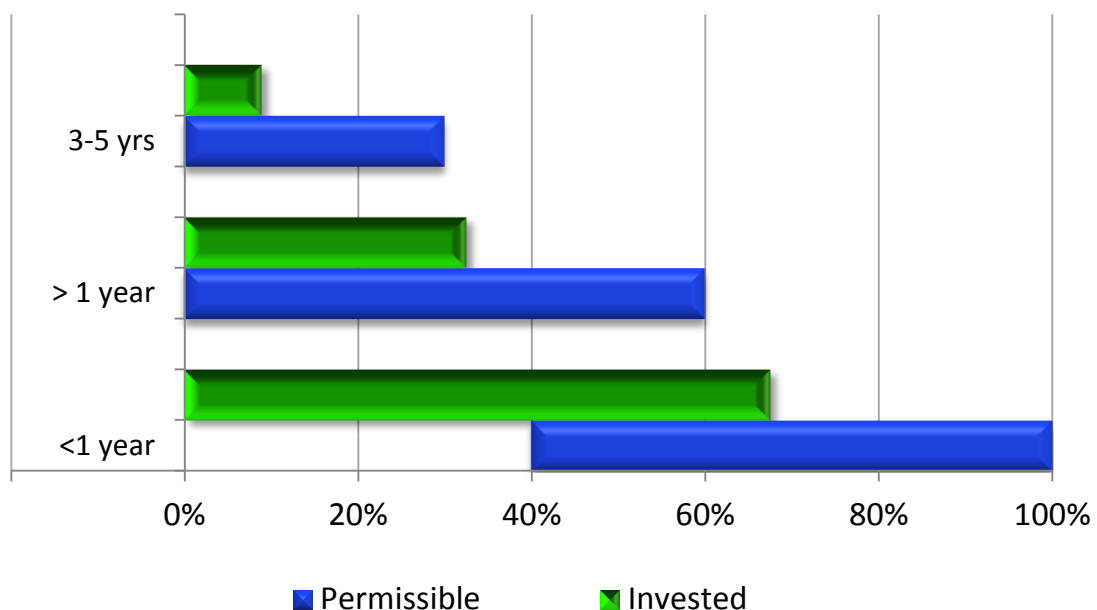
(1) Comparative data for 2011/12 was released by the Division of Local Government (DLG) in October 2013, but it did not include Debt Service Ratio.

Policy Limits

The following graph shows the limits, as a percentage of total cash investments, of the amounts by period, as allowed under Council's policy, and comparing them to the amounts actually invested, as a percentage of total cash investments.

It shows that the funds invested are within the limits set in the policy.

Policy Limits on Maturities



ITEM 12 (continued)

INVESTMENT SUMMARY AS AT 30 NOVEMBER 2013

Issuer	Investment Name	Investment Rating	Invested at 30-Nov-13 \$000's	Annualised Period Return (%)	12 Month Average Return on Current Investments	Return since 01 July 2013	% of Total Invested	Indicative Market Value ** \$000's	% Market Value
Westpac	1. Westpac At Call	AA-	7,178	2.37	2.75	2.53	7.02	7,178	100.00%
Bank of Queensland	2. Bank of Queensland TD	A-	750	4.12	4.48	4.12	0.73	750	100.00%
CBA	3. Bankwest Term Deposit	AA-	2,000	3.50	3.72	3.48	1.96	2,000	100.00%
NAB	4. NAB Term Deposit	AA-	1,000	3.80	4.32	4.06	0.98	1,000	100.00%
Westpac	5. Westpac Term Deposit	AA-	1,000	4.35	4.68	4.35	0.98	1,000	100.00%
Westpac	6. Westpac Term Deposit	AA-	500	4.95	4.95	4.95	0.49	500	100.00%
NAB	7. NAB Term Deposit	AA-	1,000	6.60	6.60	6.60	0.98	1,000	100.00%
AMP	8. AMP TD	A	1,000	4.00	4.09	4.04	0.98	1,000	100.00%
Westpac	9. Westpac Term Deposit	AA-	500	4.00	4.44	4.00	0.49	500	100.00%
NAB	10. NAB Term Deposit	AA-	1,000	3.84	4.32	3.93	0.98	1,000	100.00%
P&N Bank	11. P&N Bank	Unrated	500	4.24	4.38	4.24	0.49	500	100.00%
CBA	12. Bankwest Term Deposit	AA-	2,000	3.45	3.52	3.52	1.96	2,000	100.00%
CBA	13. Bankwest TD	AA-	2,000	3.50	3.91	3.51	1.96	2,000	100.00%
NAB	14. NAB Term Deposit	AA-	1,000	3.72	4.64	4.52	0.98	1,000	100.00%
Beyond Bank	15. Beyond Bank TD	BBB+	500	3.81	4.23	3.98	0.49	500	100.00%
Bendigo and Adelaide Bank	16. Bendigo Bank TD	A-	1,000	4.10	4.33	4.10	0.98	1,000	100.00%
Hunter United Credit Union	17. Hunter United Credit Union TD	Unrated	500	3.90	4.23	3.98	0.49	500	100.00%
CUA	18. Credit Union Australia TD	BBB+	500	4.35	4.19	4.35	0.49	500	100.00%
Peoples Choice CU	19. Peoples Choice CU	BBB+	500	3.79	4.19	3.90	0.49	500	100.00%
Rural Bank	20. Rural Bank	A-	1,000	6.48	6.48	6.48	0.98	1,000	100.00%
Banana Coast CU	21. Bananacoast CU TD	Unrated	500	4.25	4.53	4.25	0.49	500	100.00%
B&E Ltd	22. B & E Building Soc TD	Unrated	500	3.90	4.20	3.98	0.49	500	100.00%
CBA	23. CBA TD	AA-	2,000	5.76	5.76	5.76	1.96	2,000	100.00%
Me Bank	24. ME Bank TD	BBB+	1,000	4.33	4.52	4.33	0.98	1,000	100.00%
Macquarie Bank	25. Macquarie Bank Term Deposit	A	500	4.15	4.46	4.19	0.49	500	100.00%
CBA	26. Bankwest Term Deposit	AA-	1,000	7.00	7.00	7.00	0.98	1,000	100.00%
IMB	27. IMB TD	BBB	2,000	3.45	4.25	4.09	1.96	2,000	100.00%
Summerland CU	28. Summerland CU TD	Unrated	250	5.05	5.05	5.05	0.24	250	100.00%
Wide Bay CU	29. Wide Bay CU TD	BBB	500	4.19	4.44	4.19	0.49	500	100.00%
Northern Beaches CU	30. Northern Beaches CU TD	Unrated	500	4.14	4.43	4.14	0.49	500	100.00%
Queenslanders CU	31. Queenslanders CU TD	Unrated	500	4.24	4.55	4.24	0.49	500	100.00%
AMP	32. AMP Business Saver	A	980	3.40	3.74	3.51	0.96	980	100.00%
South West CU	33. South West CU TD	Unrated	500	4.20	4.26	4.20	0.49	500	100.00%
CBA	34. CBA Term Deposit	AA-	1,000	4.55	4.51	4.55	0.98	1,000	100.00%
Gateway CU	35. Gateway CU TD	Unrated	500	4.10	4.26	4.10	0.49	500	100.00%
Rabobank	36. Rabobank TD	AA-	500	4.17	4.43	4.17	0.49	500	100.00%
Newcastle Perm Bldg Soc	37. Newcastle Perm Bldg Soc	BBB+	1,000	3.75	4.15	3.91	0.98	1,000	100.00%
ING	38. ING TD	A	1,000	4.02	4.62	4.09	0.98	1,000	100.00%
Greater Bldg Soc	39. Greater Bldg Soc TD	BBB	1,000	4.33	4.49	4.33	0.98	1,000	100.00%
Holidaycoast CU	40. Holidaycoast CU TD	Unrated	500	4.30	4.31	4.30	0.49	500	100.00%
AMP	41. AMP TD	A	1,000	7.14	7.14	7.14	0.98	1,000	100.00%
Bendigo and Adelaide Bank	42. Bendigo and Adelaide Bank FRN	A-	1,000	4.04	4.40	4.14	0.98	999	99.85%
WaW CU	43. WAW CU Coop	Unrated	500	3.91	4.10	3.96	0.49	500	100.00%
CBA	44. CBA TD	AA-	1,000	3.34	3.94	3.59	0.98	1,000	100.00%
Heritage Bank	45. Heritage Bank	A-	1,000	4.50	4.50	4.50	0.98	1,000	100.00%
Rabobank	46. Rabodirect At-call	AA	1,006	3.05	3.37	3.09	0.98	1,006	100.00%
Me Bank	47. ME Bank At Call Account	BBB	2,742	3.15	3.42	3.21	2.68	2,742	100.00%
NAB	48. NAB FRN	AA-	1,001	3.78	4.15	3.91	0.98	1,016	101.59%
NAB	49. NAB FRN	AA-	998	3.89	4.26	4.02	0.98	1,016	101.59%
CBA	50. CBA FRN	AA-	999	3.81	4.12	3.92	0.98	1,016	101.64%

ITEM 12 (continued)

Issuer	Investment Name	Investment Rating	Invested at 30-Nov-13 \$000's	Annualised Period Return (%)	12 Month Average Return on Current Investments	Return since 01 July 2013	% of Total Invested	Indicative Market Value ** \$000's	% Market Value
Westpac	51. Westpac FRN	AA-	998	3.88	4.15	3.93	0.98	1,015	101.55%
CBA	52. CBA FRN	AA-	998	3.88	4.17	3.98	0.98	1,016	101.64%
NAB	53. NAB FRN	AA-	995	4.06	4.44	4.20	0.97	1,016	101.59%
Westpac	54. Westpac FRN	AA-	999	3.81	4.09	3.87	0.98	1,013	101.32%
NAB	55. NAB FRN	AA-	995	4.05	4.42	4.18	0.97	1,016	101.59%
CBA	56. CBA FRN	AA-	995	4.04	4.34	4.14	0.97	1,016	101.64%
ING	57. ING TD	A+	1,000	4.33	4.33	4.33	0.98	1,000	100.00%
ANZ	58. ANZ FRN	AA-	994	4.08	4.36	4.14	0.97	1,016	101.59%
Police CU (SA)	59. Police CU - SA	Unrated	500	5.70	5.70	5.70	0.49	500	100.00%
NAB	60. NAB Fixed MTN	AA-	995	6.30	6.30	6.36	0.97	1,065	106.46%
Westpac	61. Westpac Fixed MTN	AA-	997	6.21	6.20	6.27	0.97	1,065	106.49%
Macquarie Bank	62. Macquarie Bank TD	A	500	6.50	6.50	6.50	0.49	500	100.00%
CBA	63. CBA Retail Bond	AA-	960	4.29	4.67	4.45	0.94	970	100.05%
Bendigo and Adelaide Bank	64. Delphi Bank TD	Unrated	250	6.05	6.05	6.05	0.24	250	100.00%
Rural Bank	65. Rural Bank TD	A-	1,000	3.73	4.30	3.99	0.98	1,000	100.00%
Me Bank	66. ME Bank TD	BBB+	1,000	3.82	4.42	4.04	0.98	1,000	100.00%
CBA	67. CBA Retail Bonds	AA-	493	4.50	4.88	4.66	0.48	500	100.05%
CBA	68. CBA Retail Bonds	AA-	493	4.53	4.91	4.69	0.48	500	100.05%
Bank of Queensland	69. Bank of Queensland TD	A-	1,000	5.15	4.60	4.47	0.98	1,000	100.00%
Bank of Queensland	70. Bank of Queensland TD	A-	2,000	3.79	4.33	4.06	1.96	2,000	100.00%
Investec	71. Investec TD	BBB-	250	6.15	6.15	6.15	0.24	250	100.00%
CBA	72. CBA Retail Bond	AA-	493	4.45	4.84	4.64	0.48	500	100.05%
Westpac	73. St George TD	AA-	1,000	4.05	4.31	4.09	0.98	1,000	100.00%
CBA	74. CBA Retail Bond	AA-	493	4.44	4.81	4.59	0.48	500	100.05%
Rural Bank	75. Rural Bank TD	A-	1,000	3.74	4.32	3.86	0.98	1,000	100.00%
ING	76. ING Floating Rate TD	A	1,000	4.97	5.27	5.06	0.98	1,000	100.00%
Westpac	77. St George TD	AA+	1,000	4.05	4.47	4.05	0.98	1,000	100.00%
Bank of Queensland	78. Bank of Queensland TD	A-	1,000	4.04	4.43	4.12	0.98	1,000	100.00%
NAB	79. NAB TD	AA-	1,000	4.80	4.80	4.80	0.98	1,000	100.00%
Westpac	80. St George TD	AA-	1,000	3.77	4.23	3.77	0.98	1,000	100.00%
Me Bank	81. ME Bank TD	BBB+	1,000	4.35	4.44	4.35	0.98	1,000	100.00%
Bank of Queensland	82. Bank of Queensland FRN	A-	2,000	4.24	4.55	4.35	1.96	2,026	101.32%
Beyond Bank	83. Beyond Bank TD	BBB+	1,000	3.96	4.30	3.96	0.98	1,000	100.00%
Goldfields Money Ltd	84. Goldfields Money Ltd TD	Unrated	250	4.20	4.28	4.20	0.24	250	100.00%
Westpac	85. Westpac Flexi TD	AA-	1,000	3.80	4.02	3.94	0.98	1,000	100.00%
Bendigo and Adelaide Bank	86. Bendigo Bank TD	A-	1,000	3.85	4.07	3.85	0.98	1,000	100.00%
Bendigo and Adelaide Bank	87. Bendigo & Adelaide Bank FRN	A-	1,000	3.84	3.93	3.90	0.98	1,004	100.42%
CBA	88. CBA TD	AA-	1,000	4.10	4.10	4.10	0.98	1,000	100.00%
CBA	89. CBA TD	AA-	1,000	3.53	3.75	3.73	0.98	1,000	100.00%
NAB	90. NAB TD	AA-	1,000	3.80	4.00	4.00	0.98	1,000	100.00%
NAB	91. NAB Term Deposit	AA-	1,000	4.15	4.15	4.15	0.98	1,000	100.00%
NAB	92. NAB Term Deposit	AA-	1,000	4.27	4.27	4.27	0.98	1,000	100.00%
Macquarie Bank	93. Macquarie Bank TD	A	750	3.80	3.80	3.80	0.73	750	100.00%
AMP	94. AMP Term Deposit	A+	2,000	3.85	3.85	3.85	1.96	2,000	100.00%
Bank of Queensland	95. Bank of Queensland TD	A-	2,000	3.84	3.84	3.84	1.96	2,000	100.00%
NAB	96. NAB TD	AA-	2,000	3.83	3.83	3.83	1.96	2,000	100.00%
Bendigo and Adelaide Bank	97. Bendigo and Adelaide Bank FRN	A-	2,000	3.91	3.91	3.91	1.96	2,000	100.00%
Rural Bank	98. Rural Bank TD	A-	2,000	3.75	3.75	3.75	1.96	2,000	100.00%
			102,302	4.10	4.39	4.19	100	102,693	

*Monthly returns when annualised can appear to exaggerate performance

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

Return including Matured/Traded Investments

Weighted Average Return

4.35 4.42 4.23

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

2.59 2.94 2.70

Variance From Benchmark (%)

1.76 1.48 1.53

ITEM 12 (continued)

INVESTMENT SUMMARY AS AT 31 DECEMBER 2013

Issuer	Investment Name	Investment Rating	Invested at 31-Dec-13 \$000's	Annualised Period Return (%)	12 Month Average Return on Current Investments	Return since 01 July 2013	% of Total Invested	Indicative Market Value ** \$000's	% Market Value
Westpac	1. Westpac At Call	AA-	243	2.97	2.71	2.57	0.24	243	100.00%
Bank of Queensland	2. Bank of Queensland TD	A-	750	4.12	4.37	4.12	0.75	750	100.00%
CBA	3. Bankwest Term Deposit	AA-	2,000	3.45	3.67	3.47	1.99	2,000	100.00%
NAB	4. NAB Term Deposit	AA-	1,000	3.80	4.25	4.02	1.00	1,000	100.00%
Westpac	5. Westpac Term Deposit	AA-	1,000	4.35	4.62	4.35	1.00	1,000	100.00%
Westpac	6. Westpac Term Deposit	AA-	500	4.95	4.95	4.95	0.50	500	100.00%
NAB	7. NAB Term Deposit	AA-	1,000	6.60	6.60	6.60	1.00	1,000	100.00%
AMP	8. AMP TD	A	1,000	4.00	4.08	4.04	1.00	1,000	100.00%
Westpac	9. Westpac Term Deposit	AA-	500	4.00	4.37	4.00	0.50	500	100.00%
NAB	10. NAB Term Deposit	AA-	1,000	3.84	4.24	3.92	1.00	1,000	100.00%
P&N Bank	11. P&N Bank	Unrated	500	4.24	4.31	4.24	0.50	500	100.00%
CBA	12. Bankwest Term Deposit	AA-	2,000	3.45	3.50	3.50	1.99	2,000	100.00%
CBA	13. Bankwest TD	AA-	2,000	3.45	3.72	3.54	1.99	2,000	100.00%
CBA	14. Bankwest TD	AA-	2,000	3.40	3.80	3.48	1.99	2,000	100.00%
NAB	15. NAB Term Deposit	AA-	1,000	3.72	4.55	4.39	1.00	1,000	100.00%
Beyond Bank	16. Beyond Bank TD	BBB+	500	3.81	4.12	3.95	0.50	500	100.00%
Bendigo and Adelaide Bank	17. Bendigo Bank TD	A-	1,000	4.10	4.26	4.10	1.00	1,000	100.00%
Hunter United Credit Union	18. Hunter United Credit Union TD	Unrated	500	3.90	4.16	3.97	0.50	500	100.00%
CUA	19. Credit Union Australia TD	BBB+	500	4.35	4.28	4.35	0.50	500	100.00%
Peoples Choice CU	20. Peoples Choice CU	BBB+	500	3.79	4.14	3.88	0.50	500	100.00%
Rural Bank	21. Rural Bank	A-	1,000	6.48	6.48	6.48	1.00	1,000	100.00%
Banana Coast CU	22. Bananacoast CU TD	Unrated	500	4.25	4.45	4.25	0.50	500	100.00%
B&E Ltd	23. B & E Building Soc TD	Unrated	500	3.90	4.15	3.97	0.50	500	100.00%
CBA	24. CBA TD	AA-	2,000	5.76	5.76	5.76	1.99	2,000	100.00%
Me Bank	25. ME Bank TD	BBB+	1,000	4.33	4.45	4.33	1.00	1,000	100.00%
Macquarie Bank	26. Macquarie Bank Term Deposit	A	500	4.15	4.40	4.19	0.50	500	100.00%
CBA	27. Bankwest Term Deposit	AA-	1,000	7.00	7.00	7.00	1.00	1,000	100.00%
IMB	28. IMB TD	BBB	2,000	3.45	4.03	3.83	1.99	2,000	100.00%
Summerland CU	29. Summerland CU TD	Unrated	250	5.05	5.05	5.05	0.25	250	100.00%
Wide Bay CU	30. Wide Bay CU TD	BBB	500	4.19	4.37	4.19	0.50	500	100.00%
Northern Beaches CU	31. Northern Beaches CU TD	Unrated	500	4.14	4.37	4.14	0.50	500	100.00%
Queenslanders CU	32. Queenslanders CU TD	Unrated	500	4.24	4.47	4.24	0.50	500	100.00%
Heritage Bank	33. Heritage Bank	A-	1,000	3.91	4.19	3.91	1.00	1,000	100.00%
AMP	34. AMP Business Saver	A	983	3.41	3.72	3.50	0.98	983	100.00%
South West CU	35. South West CU TD	Unrated	500	4.20	4.24	4.20	0.50	500	100.00%
CBA	36. CBA Term Deposit	AA-	1,000	4.55	4.52	4.55	1.00	1,000	100.00%
Gateway CU	37. Gateway CU TD	Unrated	500	4.10	4.23	4.10	0.50	500	100.00%
Rabobank	38. Rabobank TD	AA-	500	4.17	4.36	4.17	0.50	500	100.00%
Newcastle Perm Bldg Soc	39. Newcastle Perm Bldg Soc	BBB+	1,000	3.75	4.09	3.89	1.00	1,000	100.00%
ING	40. ING TD	A	1,000	4.02	4.41	4.08	1.00	1,000	100.00%
Greater Bldg Soc	41. Greater Bldg Soc TD	BBB	1,000	4.33	4.42	4.33	1.00	1,000	100.00%
AMP	42. AMP TD	A	1,000	7.14	7.14	7.14	1.00	1,000	100.00%
Bendigo and Adelaide Bank	43. Bendigo and Adelaide Bank FRN	A-	1,000	4.02	4.34	4.12	1.00	1,003	100.25%
WaW CU	44. WAW CU Coop	Unrated	500	3.91	4.08	3.95	0.50	500	100.00%
CBA	45. CBA TD	AA-	1,500	3.37	3.79	3.48	1.49	1,500	100.00%
CBA	46. CBA TD	AA-	1,000	3.34	4.31	3.91	1.00	1,000	100.00%
Rabobank	47. Rabodirect At-call	AA	1,008	3.04	3.31	3.08	1.00	1,008	100.00%
Me Bank	48. ME Bank At Call Account	BBB	2,749	3.14	3.38	3.20	2.74	2,749	100.00%
NAB	49. NAB FRN	AA-	1,000	3.78	4.09	3.89	1.00	1,015	101.49%
NAB	50. NAB FRN	AA-	998	3.89	4.20	4.00	0.99	1,015	101.54%

ITEM 12 (continued)

Issuer	Investment Name	Investment Rating	Invested at 31-Dec-13 \$000's	Annualised Period Return (%)	12 Month Average Return on Current Investments	Return since 01 July 2013	% of Total Invested	Indicative Market Value ** \$000's	% Market Value
CBA	51. CBA FRN	AA-	1,000	3.81	4.06	3.90	1.00	1,016	101.59%
Westpac	52. Westpac FRN	AA-	998	3.87	4.10	3.92	0.99	1,015	101.47%
CBA	53. CBA FRN	AA-	998	3.87	4.12	3.96	0.99	1,016	101.59%
NAB	54. NAB FRN	AA-	995	4.08	4.38	4.18	0.99	1,015	101.54%
Westpac	55. Westpac FRN	AA-	999	3.81	4.03	3.86	1.00	1,013	101.28%
NAB	56. NAB FRN	AA-	995	4.05	4.36	4.16	0.99	1,015	101.54%
CBA	57. CBA FRN	AA-	995	4.03	4.29	4.13	0.99	1,016	101.59%
ANZ	58. ANZ FRN	AA-	994	4.08	4.30	4.13	0.99	1,015	101.54%
Police CU (SA)	59. Police CU - SA	Unrated	500	5.70	5.70	5.70	0.50	500	100.00%
NAB	60. NAB Fixed MTN	AA-	995	6.30	6.30	6.35	0.99	1,065	106.48%
Westpac	61. Westpac Fixed MTN	AA-	997	6.20	6.20	6.26	0.99	1,064	106.42%
Macquarie Bank	62. Macquarie Bank TD	A	500	6.50	6.50	6.50	0.50	500	100.00%
CBA	63. CBA Retail Bond	AA-	960	4.29	4.61	4.42	0.96	969	99.90%
Bendigo and Adelaide Bank	64. Delphi Bank TD	Unrated	250	6.05	6.05	6.05	0.25	250	100.00%
Rural Bank	65. Rural Bank TD	A-	1,000	3.73	4.21	3.95	1.00	1,000	100.00%
Me Bank	66. ME Bank TD	BBB+	1,000	3.82	4.31	4.01	1.00	1,000	100.00%
CBA	67. CBA Retail Bonds	AA-	493	4.50	4.82	4.63	0.49	500	99.90%
CBA	68. CBA Retail Bonds	AA-	493	4.53	4.85	4.66	0.49	500	99.90%
Bank of Queensland	69. Bank of Queensland TD	A-	1,000	5.15	4.64	4.63	1.00	1,000	100.00%
Bank of Queensland	70. Bank of Queensland TD	A-	2,000	3.79	4.22	3.99	1.99	2,000	100.00%
Investec	71. Investec TD	BBB-	250	6.15	6.15	6.15	0.25	250	100.00%
IMB	72. IMB TD	BBB	1,000	3.50	4.08	3.48	1.00	1,000	100.00%
CBA	73. CBA Retail Bond	AA-	494	4.45	4.79	4.61	0.49	500	99.90%
Westpac	74. St George TD	AA-	1,000	4.05	4.23	4.08	1.00	1,000	100.00%
CBA	75. CBA Retail Bond	AA-	494	4.44	4.76	4.57	0.49	500	99.90%
Rural Bank	76. Rural Bank TD	A-	1,000	3.74	4.21	3.84	1.00	1,000	100.00%
ING	77. ING Floating Rate TD	A	1,000	4.99	5.22	5.05	1.00	1,000	100.00%
Westpac	78. St George TD	AA+	1,000	4.05	4.35	4.05	1.00	1,000	100.00%
Bank of Queensland	79. Bank of Queensland TD	A-	1,000	4.04	4.34	4.11	1.00	1,000	100.00%
NAB	80. NAB TD	AA-	1,000	4.80	4.80	4.80	1.00	1,000	100.00%
Westpac	81. St George TD	AA-	1,000	3.77	4.09	3.77	1.00	1,000	100.00%
Me Bank	82. ME Bank TD	BBB+	1,000	4.35	4.39	4.35	1.00	1,000	100.00%
Bank of Queensland	83. Bank of Queensland FRN	A-	2,000	4.25	4.51	4.33	1.99	2,026	101.30%
Beyond Bank	84. Beyond Bank TD	BBB+	1,000	3.96	4.07	3.96	1.00	1,000	100.00%
Goldfields Money Ltd	85. Goldfields Money Ltd TD	Unrated	250	4.20	4.27	4.20	0.25	250	100.00%
Westpac	86. Westpac Flexi TD	AA-	1,000	3.68	3.98	3.90	1.00	1,000	100.00%
Bendigo and Adelaide Bank	87. Bendigo Bank TD	A-	1,000	3.60	4.01	3.81	1.00	1,000	100.00%
Bendigo and Adelaide Bank	88. Bendigo & Adelaide Bank FRN	A-	1,000	3.83	3.92	3.89	1.00	1,000	100.00%
CBA	89. CBA TD	AA-	1,000	4.10	4.10	4.10	1.00	1,000	100.00%
CBA	90. CBA TD	AA-	1,000	3.53	3.71	3.70	1.00	1,000	100.00%
NAB	91. NAB TD	AA-	1,000	3.80	3.96	3.96	1.00	1,000	100.00%
NAB	92. NAB Term Deposit	AA-	1,000	4.15	4.15	4.15	1.00	1,000	100.00%
NAB	93. NAB Term Deposit	AA-	1,000	4.27	4.27	4.27	1.00	1,000	100.00%
Macquarie Bank	94. Macquarie Bank TD	A	750	3.90	3.82	3.82	0.75	750	100.00%
AMP	95. AMP Term Deposit	A+	2,000	3.92	3.87	3.87	1.99	2,000	100.00%
Bank of Queensland	96. Bank of Queensland TD	A-	2,000	3.84	3.84	3.84	1.99	2,000	100.00%
NAB	97. NAB TD	AA-	2,000	3.83	3.83	3.83	1.99	2,000	100.00%
Bendigo and Adelaide Bank	98. Bendigo and Adelaide Bank FRN	A-	2,000	3.92	3.92	3.92	1.99	2,000	100.00%
Rural Bank	99. Rural Bank TD	A-	2,000	3.75	3.75	3.75	1.99	2,000	100.00%
Wide Bay CU	100. Wide Bay CU TD	BBB	1,000	3.75	3.75	3.75	1.00	1,000	100.00%
Newcastle Perm Bldg Soc	101. Newcastle Perm Bldg Soc	BBB+	1,000	3.65	3.65	3.65	1.00	1,000	100.00%
			100,381	4.11	4.31	4.15	100	100,759	

*Monthly returns when annualised can appear to exaggerate performance

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

Return including Matured/Traded Investments

Weighted Average Return

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

Variance From Benchmark (%)

4.12	4.35	4.21
2.50	2.87	2.67
1.62	1.48	1.54

ITEM 12 (continued)

Investment Income

	\$000's
This Period	351
Financial Year To Date	2,047
Budget Profile	1,865
Variance from Budget - \$	<u>182</u>

Certificate of the Chief Financial Officer (Responsible Accounting Officer)

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



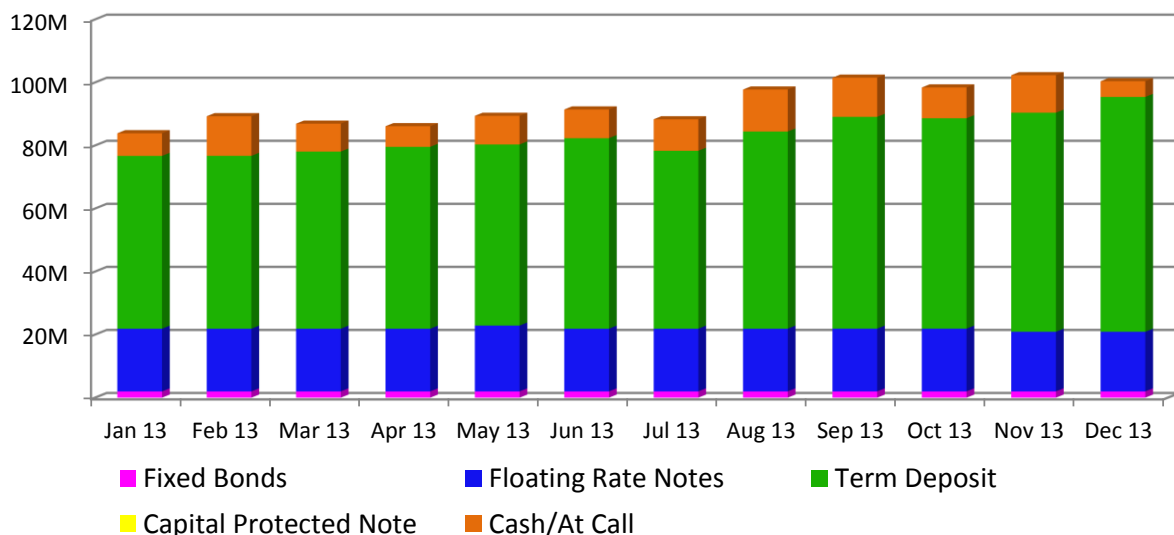
John Todd Date: 13/1/2014

Analysis of investments

The following graphs show analysis of the total cash investments by:

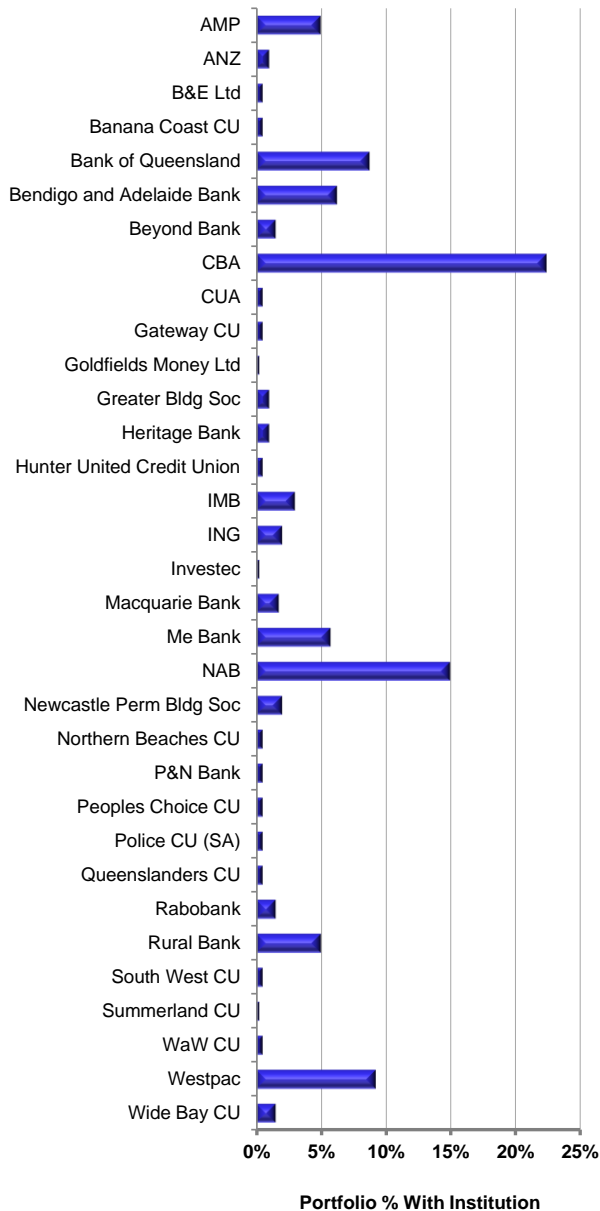
- Type of investment
- Institution
- Duration
- Rating

Total Funds Invested

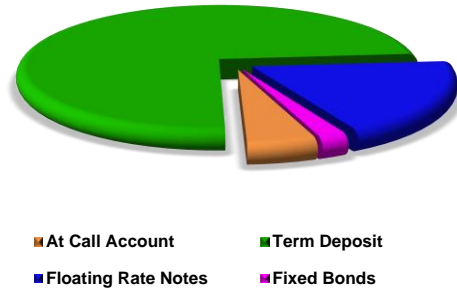


ITEM 12 (continued)

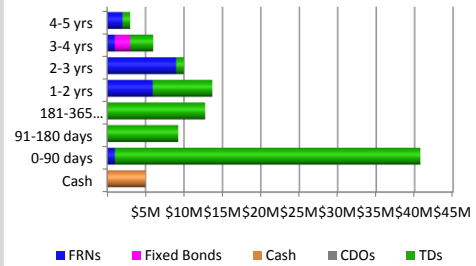
Active Investment by Institution



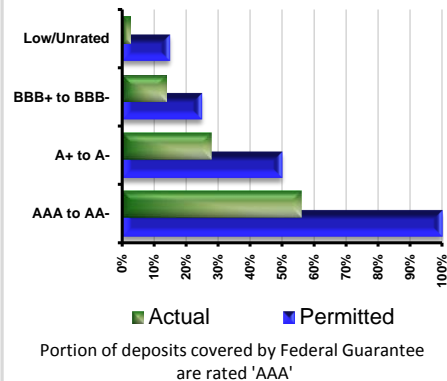
Summary by Investment Type



Summary by Duration



Investment Summary by Rating



	>365 days	<365 days
Cash/TDs	\$12.8M	\$66.7M
FRNs	\$17.9M	\$1.0M
Fixed Bonds	\$2.0M	\$0.0M
	<u>\$32.6M</u>	<u>\$67.7M</u>

ITEM 12 (continued)**Context**

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

Financial Implications

Income from interest on investments and proceeds from sales of investments totals \$2.047 million, being \$182K above revised budget projections. The additional funds belong to Section 94 Reserve funds on hand and do not improve Council's Working Capital.

The Financial Security Reserve has a current balance of \$3.44 million.

ITEM 12 (continued)

ATTACHMENT 1

Council's Property Investment Portfolio

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

- 2 Dickson Avenue, West Ryde
- 1A Station 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, Cox 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

*Asset valuations are in the process of being reviewed for the 2014 Financial year.

Benchmark

The Australian UBS Bank Bill index is constructed as a benchmark to represent the performance of a passively managed short-term money market portfolio. It comprises thirteen Bank Bills of equal face value, each with a maturity seven days apart. The average term to maturity is approximately 45 days. A Bank Bill is a non-interest bearing security issued by a bank whereby the bank takes on an obligation to pay an investor a fixed amount (face value) at a fixed future date. It is sold to an investor at a discount to the face value. Bank Bills are short-term money market investments with maturities usually between 30 days and 180 days.

Types of Investments

The following are the types of investments held by Council:

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

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

A Fixed Rate Bond is a debt security issued by a company with a fixed interest rate over the term of the bond.

ITEM 12 (continued)

ATTACHMENT 1

Credit Rating Information

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

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

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

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

Council's Investment Powers

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

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

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

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

ITEM 12 (continued)

ATTACHMENT 1

Financial Security Reserve Transactional History

Starting Balance	8,000,000.00	10 Oct 2008
Write off Constellation	(1,000,000.00)	10 Oct 2008
Write off Rembrandt	(1,000,000.00)	10 Oct 2008
Write off Palladin	(2,000,000.00)	10 Oct 2008
Write off Alpha	(1,000,000.00)	10 Oct 2008
Write off Covent Garden	(2,000,000.00)	10 Oct 2008
Write off Oasis	(1,000,000.00)	10 Oct 2008
FY2009 and FY2010		
Interest Payments		
Default of Constellation - Residual	21,615.62	10 Oct 2008
Default of Palladin - Residual	-	28 Oct 2008
Default of Rembrandt - Residual	68,393.78	27 Oct 2008
FY2010		
Interest Payments	50,334.01	
FY2011		
Starting balance 1 July 2010	140,343.41	
Sale of Flinders	301,000.00	12 Aug 2010
Quartz Maturity	209,626.75	20 Oct 2010
Sale of Glenelg	160,000.00	29 Dec 2010
Interest on Grange IMP Sept	31,561.37	
Interest on Grange IMP Dec	24,731.75	
Interest on Grange IMP Mar	10,310.63	
Interest on Grange IMP June	16,092.08	
Interest on Oasis	81,758.10	
Interest on Alpha	12,534.80	
Interest on Covent Garden	16,521.58	
Default of Covent Garden	-	29 Mar 2011
Closing balance FY 2011	1,004,480.47	
FY2012		
Interest on Oasis	42,942.41	
Interest on Alpha	4,837.56	
Interest on Grange IMP Sept	9,862.09	
Interest on Grange IMP Dec	129.02	
Maturity of Alpha	1,001,974.90	20 Mar 2012
Interest on Grange IMP March	123.38	
Closing Balance FY 2012	2,064,349.83	
FY2013		
Interest on Oasis FY2013	20,215.91	
Sale of Oasis	219,266.42	23 Jan 2013
Grange Settlement -Beryl	559,966.39	25 Feb 2013
Grange Settlement -Zircon	192,383.73	25 Feb 2013
Rembrandt Settlement	381,695.85	04 Apr 2013
Closing Balance FY 2013	3,437,878.13	

ITEM 12 (continued)

ATTACHMENT 1

Overview of Investments

An overview of all investments held by the City of Ryde as at 31 October is provided below:

1. **Westpac at Call Account (AA-):** This investment is an at call account, paying the short term money market rate. These funds are used for operational purposes.
2. **Bank of Queensland TD (BBB):** This investment is a 181 day term deposit, paying 4.05% (4.12% annualised), and matures on 28 January 2014.
3. **Bankwest Term Deposit (AA-):** This investment is a 64 day term deposit paying 3.40% (3.45% annualised), and matures 20 February 2014.
4. **NAB Term Deposit (AA-):** This investment is a one year term deposit, paying 3.80% p.a. (3.80% annualised), and matures 3 Oct 2014.
5. **Westpac Term Deposit (AA-):** This investment is a two year term deposit, paying 4.35% % (4.35% annualised, and matures 29 May 2015.
6. **Westpac Term Deposit (AA-):** This investment is a three year term deposit, paying 4.95% pa, and matures 21 September 2015.
7. **NAB Term Deposit (AA-):** This investment is a three year term deposit, paying 6.60% p.a., and matures 4 April 2014.
8. **AMP Term Deposit (A):** This investment is a 365 day term deposit, paying 4.00% p.a. (4.00% annualised), and matures 1 August 2014.
9. **Westpac Term Deposit (AA-):** This investment is a 364 day term deposit, paying 4.00% (4.00% annualised), and matures 27 June 2014.
10. **NAB Term Deposit (AA-):** This investment is a 182 day term deposit, paying 3.80% p.a., and matures 11 March 2014.
11. **P&N Bank (Unrated):** This investment is a one year term deposit, paying 4.24% (4.24% annualised) and matures on 25 February 2014.
12. **Bankwest Term Deposit (AA-):** This investment is a 63 day term deposit, paying 3.40% p.a. (3.45% annualised), and matures 23 January 2014.
13. **Bankwest Term Deposit (AA-):** This investment is a 62 day term deposit, paying 3.40% p.a. (3.45% annualised), and matures 6 February 2014.
14. **Bankwest Term Deposit (AA-):** This investment is a 49 day term deposit, paying 3.35% p.a. (3.40% annualised), and matures 30 January 2014.

ITEM 12 (continued)

ATTACHMENT 1

- 15. NAB Term Deposit (AA-):** This investment is a 91 day term deposit, paying 3.67% p.a. (3.72% annualised), and matures 25 February 2014.
- 16. Beyond Bank Term Deposit (BBB+):** This investment is a 370 day term deposit paying 3.81% (3.81% annualised) and matures on 16 October 2014.
- 17. Bendigo Bank Term Deposit (A-):** This investment is a 364 day term deposit paying 4.10% (4.10% annualised) and matures on 12 June 2014.
- 18. Hunter United Credit Union (Unrated):** This investment is a 365 day term deposit paying 3.90% (3.90% annualised) and matures on 12 August 2014.
- 19. Credit Union Australia Term Deposit (BBB+):** This investment is a one year term deposit, paying 4.35% (4.35% annualised), and matures on 7 May 2014.
- 20. Peoples Choice CU Term Deposit (Unrated):** This investment is a 182 day term deposit, paying 3.75% (3.79% annualised), and matures on 6 February 2014.
- 21. Rural Bank Term Deposit (A-):** This investment is a five year term deposit, paying 6.48% p.a., and matures on 21 March 2017.
- 22. Bananacoast CU Term Deposit (Unrated):** This investment is a one year term deposit paying 4.25% (4.25% annualised) and matures on 1 July 2014.
- 23. B & E Ltd Building Society Term Deposit (Unrated):** This investment is a 365 day term deposit paying 3.90% (3.90% annualised) and matures on 5 August 2014.
- 24. CBA Term Deposit (AA-):** This investment is a three year term deposit paying 5.76% p.a. and matures on 8 December 2014.
- 25. ME Bank Term Deposit (BBB):** This investment is a 366 day term deposit paying 4.33% (4.33% annualised) and matures on 5 March 2014.
- 26. Macquarie Bank Term Deposit (A):** This investment is a 365 day term deposit paying 4.15% (4.15% annualised) and matures on 1 August 2014.
- 27. Bankwest TD (AA-):** This investment is a four year term deposit paying 7.00% (7.00% annualised) and matures on 13 February 2015.
- 28. IMB Term Deposit (BBB):** This investment is a 55 day term deposit paying 3.40% (3.45% annualised) and matures on 16 January 2014.
- 29. Summerland CU Term Deposit (Unrated):** This investment is a three year term deposit paying 5.05% pa and matures on 21 September 2015.

ITEM 12 (continued)

ATTACHMENT 1

- 30. Wide Bay CU Term Deposit (BBB):** This investment is a 191 day term deposit paying 4.15% (4.19% annualised) and matures on 9 January 2014.
- 31. Northern Beaches CU Term Deposit (Unrated):** This investment is a 178 day term deposit paying 4.10% (4.14% annualised) and matures on 16 January 2014.
- 32. Queenslanders Credit Union Term Deposit (Unrated):** This investment is a 187 day term deposit paying 4.20% (4.24% annualised) and matures on 28 January 2014.
- 33. Heritage Bank (A-):** This investment is a 94 day term deposit paying 3.85% (3.91% annualised) and matures on 13 March 2014.
- 34. AMP Business Saver at call account (A):** This investment is an at-call account earning 3.35%. No fees are payable by Council on this investment.
- 35. South West CU Term Deposit (Unrated):** This investment is a 368 day term deposit paying 4.20% (4.20% annualised) and matures on 17 June 2014.
- 36. CBA Term Deposit (AA-):** This investment is a three year term deposit paying 4.55% annually and matures on 16 May 2016.
- 37. Gateway Credit Union Term Deposit (Unrated):** This investment is a 367 day term deposit paying 4.10% (4.10% annualised) and matures on 19 June 2014.
- 38. Rabodirect Term Deposit (AA):** This investment is a 273 day term deposit, paying 4.15% (4.17% annualised), and matures on 10 April 2014.
- 39. Newcastle Permanent Building Society (BBB+):** This investment is a 98 day term deposit, paying 3.70% (3.75% annualised), and matures on 20 March 2014.
- 40. ING Term Deposit (A):** This investment is a 181 day term deposit paying 3.98% (4.02% annualised) and matures on 13 February 2014.
- 41. Greater Building Society Term Deposit (BBB):** This investment is a 247 day term deposit, paying 4.30% (4.33% annualised), and matures on 6 February 2014.
- 42. AMP Term Deposit (A):** This investment is a four year term deposit paying 7.14% which matures on 16 February 2015.
- 43. Bendigo & Adelaide Bank FRN (A-):** This is a floating rate note issued at a margin of 140 points above 90 day BBSW, maturing 17 March 2014.
- 44. WAW CU TD (Unrated):** This investment is a 299 day term deposit paying 3.90% (3.91% annualised) and matures on 17 June 2014

ITEM 12 (continued)

ATTACHMENT 1

- 45. CBA Term Deposit (AA-):** This investment is a 32 day term deposit paying 3.32% (3.37% annualised), and matures on 20 January 2014.
- 46. CBA term Deposit (AA-):** This investment is a 34 day term deposit paying 3.29% (3.34% annualised), and matures on 9 January 2014.
- 47. Rabodirect At-Call (AA):** This investment is an at call account, paying the short term money market rate. These funds are used for operational purposes.
- 48. Members Equity Bank At-Call Account (BBB):** This investment is an at call account, paying the short term money market rate. These funds are used for operational purposes.
- 49. National Australia Bank Floating Rate Note (AA-):** This investment is a senior, unsecured floating rate note paying 115 above BBSW. This investment matures 21 June 2016.
- 50. National Australia Bank Floating Rate Note (AA-):** This investment is a senior, unsecured floating rate note paying 125 above BBSW. This investment matures 21 June 2016.
- 51. CBA FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 120 above BBSW. This investment matures 2 August 2016.
- 52. Westpac Floating Rate Note (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 123 above BBSW. This investment matures 9 May 2016.
- 53. CBA FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 125 above BBSW. This investment matures 2 August 2016.
- 54. National Australia Bank FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 142 above BBSW. This investment matures 21 June 2016.
- 55. Westpac Floating Rate Note (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 117 above BBSW. This investment matures 9 November 2015.
- 56. National Australia Bank FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 140 above BBSW. This investment matures 21 June 2016.
- 57. CBA FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 140 above BBSW. This investment matures 2 August 2016.

ITEM 12 (continued)

ATTACHMENT 1

- 58. ANZ FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 142 above BBSW. This investment matures 9 May 2016.
- 59. Police CU (SA) Term Deposit (Unrated):** This investment is a two year TD paying 5.70% (5.70% annualised) and matures 18 April 2014.
- 60. NAB Fixed MTN (AA-):** This is a fixed rate bond paying 6.18% (6.30% annualised) and matures 15 February 2017.
- 61. Westpac Fixed MTN (AA-):** This is a fixed rate bond paying 6.00% (6.14% annualised) and matures 20 February 2017.
- 62. Macquarie Bank Term Deposit (A):** This is a five year term deposit paying 6.50% (6.50% annualised) and matures 3 April 2017.
- 63. CBA Retail Bond (AA-):** This is a senior, unsecured floating rate note purchased at a yield of 160 above BBSW. This investment matures 24 December 2015.
- 64. Delphi Bank Term Deposit (Unrated):** This investment is a five year term deposit paying 6.05% p.a. and matures on 15 May 2017.
- 65. Rural Bank Term Deposit (A-):** This investment is a 180 day term deposit paying 3.70% p.a. (3.73% annualised) and matures on 6 May 2014.
- 66. ME Bank Term Deposit (BBB):** This investment is a 366 day term deposit paying 4.33% p.a. (4.33% annualised) and matures on 5 March 2014.
- 67. CBA Retail Bonds (AA-):** This is a senior, unsecured floating rate note purchased at a yield of 182 above BBSW. This investment matures 24 December 2015.
- 68. CBA Retail Bonds (AA-):** This is a senior, unsecured floating rate note purchased at a yield of 184 above BBSW. This investment matures 24 December 2015.
- 69. Bank of Queensland Term Deposit (A-):** This investment is a five year term deposit paying 5.15% (5.15% annualised) and matures 20 November 2018.
- 70. Bank of Queensland Term Deposit (A-):** This investment is a 133 day term deposit paying 3.75% (3.79% annualised) and matures 27 February 2014.
- 71. Investec Bank Term Deposit (BBB-):** This investment is a five year term deposit paying 6.95% on maturity (6.15% annualised) and matures 15 August 2017.
- 72. IMB Term Deposit (BBB):** This investment is a 35 day term deposit paying 3.45% on maturity (3.50% annualised) and matures 9 January 2014.

ITEM 12 (continued)

ATTACHMENT 1

- 73. CBA Retail Bonds (AA-):** This is a senior, unsecured floating rate note purchased at a yield of 175 above BBSW. This investment matures 24 December 2015.
- 74. St George Term Deposit (AA-):** This investment is a two year term deposit paying 4.05% (4.05% annualised and matures on 27 August 2015.
- 75. CBA Retail Bonds (AA-):** This is a senior, unsecured floating rate note purchased at a yield of 174 above BBSW. This investment matures 24 December 2015.
- 76. Rural Bank Term Deposit (A-):** This investment is a 154 day term deposit, paying 3.70% (3.74% annualised), and matures on 30 January 2014.
- 77. ING Floating Rate Term Deposit (A):** This is a five year floating rate term deposit paying 2.30% above 90 day BBSW, and matures 4 September 2017.
- 78. St George Term Deposit (AA-):** This is a two year term deposit paying 4.05% (4.05% annualised), and matures 13 August 2015.
- 79. Bank of Queensland Term Deposit (BBB+):** This is a 179 day term deposit paying 4.00% (4.04% annualised) and matures 11 February 2014.
- 80. NAB Term Deposit (AA-):** This is a 2.25 year term deposit paying 4.80% pa and matures 18 December 2014.
- 81. St George Term Deposit (AA-):** This is a 274 day term deposit paying 3.75% (3.77% annualised), and matures 20 May 2014.
- 82. Members Equity Bank Term Deposit (BBB):** This is a one year term deposit paying 4.35% (4.35% annualised) and matures 20 February 2014.
- 83. Bank of Queensland FRN (BBB+):** This is a senior, unsecured floating rate note purchased at a yield of 160 above BBSW. This investment matures 7 December 2015.
- 84. Beyond Bank TD (BBB+):** This is a 63 day term deposit paying 3.90% (3.96% annualised), and matures 14 January 2014.
- 85. Goldfields Money Ltd Term Deposit (Unrated):** This investment is a 363 day term deposit paying 4.20% (4.20% annualised), and matures 12 June 2014
- 86. Westpac Floating Rate Term Deposit (A):** This is a one year floating rate term deposit paying 1.24% above the official cash rate and matures 7 April 2014.
- 87. Bendigo Bank Term Deposit (A):** This is a 93 day floating rate term deposit paying 3.55% (3.60% annualised) and matures 6 March 2014.

ITEM 12 (continued)

ATTACHMENT 1

- 88. Bendigo Bank FRN (A-):** This is a senior, unsecured floating rate note purchased at a yield of 120 above BBSW. This investment matures 17 May 2017.
- 89. CBA Term Deposit (AA-):** This investment is a one year term deposit paying 4.10% annually and matures 22 May 2014.
- 90. CBA Term Deposit (AA-):** This investment is a 183 day term deposit paying 3.50% (3.53% annualised) and matures 21 May 2014.
- 91. NAB Term Deposit (AA-):** This investment is a one year term deposit paying 3.80% (3.80% annualised) and matures 6 November 2014.
- 92. NAB Term Deposit (AA-):** This investment is a two year term deposit paying 4.15% (4.15% annualised) and matures 13 August 2015.
- 93. NAB Term Deposit (AA-):** This investment is a two year term deposit paying 4.27% (4.27% annualised) and matures 25 August 2015.
- 94. Macquarie Bank Term Deposit (A):** This investment is a one year term deposit paying 3.90% (3.90% annualised) and matures 17 December 2014.
- 95. AMP Term Deposit (A):** This investment is a 276 day term deposit paying 3.90 (3.92% annualised), and matures 11 September 2014).
- 96. Bank of Queensland TD (A-):** This is a 152 day term deposit paying 3.80 (3.85% annualised), and matures 11 February 2014).
- 97. NAB Term Deposit (AA-):** This investment is a one year term deposit paying 3.83% and matures 9 October 2014.
- 98. Bendigo Bank FRN (A-):** This is a senior, unsecured floating rate note purchased at a yield of 127 above BBSW. This investment matures 14 November 2018.
- 99. Rural Bank Term Deposit (A-):** This investment is a 119 day term deposit, paying 3.70% (3.75% annualised), and matures on 27 March 2014.
- 100. Wide Bay CU Term Deposit (BBB):** This investment is a 100 day term deposit paying 3.70% (3.75% annualised) and matures on 13 March 2014.
- 101. Newcastle Permanent Building Society (BBB+):** This investment is a 90 day term deposit, paying 3.60% (3.65% annualised), and matures on 6 March 2014.

**13 SOCIAL MEDIA FOR THE PUBLIC SECTOR CONFERENCE - Melbourne -
21 to 22 May 2014**

Report prepared by: Councillor Support Coordinator
File No.: CLR/07/8/83/5 - BP14/85

REPORT SUMMARY

This report is presented to Council for its consideration of Councillor attendance to the Social Media for the Public Sector Conference held in Melbourne on 21 and 22 May 2014.

In response to a call for Expressions of Interest, Councillors Laxale and Simon have indicated their desire to attend this Conference.

RECOMMENDATION:

That Council consider the attendance of Councillor/s at the Social Media for the Public Sector Conference held in Melbourne on 21 and 22 May 2014.

ATTACHMENTS

- 1 Guidelines for Councillor Attendance at Conferences.

Report Prepared By:

Sheron Chand
Councillor Support Coordinator

Report Approved By:

Shane Sullivan
Service Unit Manager - Customer Service and Governance

John Todd
Acting Group Manager - Corporate Services

ITEM 13 (continued)**Discussion**

The Social Media for the Public Sector Conference will be held in Melbourne on 21 to 22 May 2014.

The Conference will provide all tiers of government with information on how to strategically and effectively connect with the wider public. The following topics will be covered at the Conference:

- The future of social media
- Social media monitoring, analytics and ROI tracking
- Developing a social media strategy for your organisation
- Integrating social media existing communication and engagement channels and strategies
- Creating social media platform specific plans
- Humanising your social media presence – the plusses and pitfalls
- The two-way conversation: building and maintaining and engaged online community
- Social media reputation management and managing negative online feedback
- Risk management and legal issues
- Social media as a customer service delivery platform
- Social media governance and policies
- Building your brand through social media
- Gaining management and whole of organisation buy-in for social media use

Further information about the Conference is available at
<http://commstrat.cvent.com/events/social-media-for-the-public-sector-conference/event-summary-a4f05b05e35e4ea0b8d51e4b7f74bbf3.aspx>

An invitation was placed in the Councillors Information Bulletin dated 30 January 2014 calling for expressions of interest for Councillors to undertake this Course. Councillors Laxale and Simon have submitted an interest to attend.

It is not planned for staff members to attend the Conference.

Financial Impact

The following is a summary of costs that would be incurred per person for travel to the Conference:

- Registration cost - \$850.00
- Flights – \$190.00 return
- Accommodation - \$400.00 for two nights at the Hotel Windsor.

In addition to the above summary, it is anticipated that additional costs for incidentals, meals and taxi fares would also be incurred. This will be determined after the Conference.

ITEM 13 (continued)

The total cost for attending this Conference is approximately \$1440.00 per person (excluding meals, incidentals and taxi fare charges).

Currently there is an allocation of \$30,000 in the 2013-2014 budget for Councillor attendance at conferences. The table below outlines an estimation of the balance remaining.

Date of Resolution	Item	Average cost per attendee	Councillors	Balance
Budget for 2013/2014				\$30,000
23/7/2013	Bike Futures Conference	\$2,345	Perram	\$27,655
10/9/2013	Local Government NSW Annual Conference	\$880	Maggio Etmekdjian Pickering Simon Yedelian OAM Chung Petch	\$21,495
8/10/2013	Economic Development Australia Conference	\$1,764	Etmekdjian	\$19,731
12/11/2013	Local Government Women's Association	\$330	Pendleton	\$19,401
Balance				\$19,401

The estimated balance remaining is \$19,401 and is subject to Council's resolution on the number of Councillors participating in this conference.

Policy Implications

There is no policy implication through adoption of the recommendation. The Policy on the Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors sets out the entitlements for Councillors attending such Conferences.

ATTACHED (Attachment 1) are the Guidelines for Councillor Attendance at Conferences. The Guidelines provide that in addition to the Local Government Association Conference and the National General Assembly of Local Government Conference, every Councillor is entitled to attend a conference in NSW, Canberra, metropolitan Brisbane or metropolitan Melbourne. The Guideline provides that a Councillor can attend more than one conference per year but this determination will be dependent on budgetary constraints and with an emphasis on ensuring that all Councillors have equal access to attend conferences.

Other Options

Council may resolve that no Councillor undertake this course.

ITEM 13 (continued)

ATTACHMENT 1



Councillor Attendance at Conferences Guideline

Related Policy

This guideline sets out the criteria to determine the attendance of Councillors at Conferences. It relates to the Policy on the Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors.

Guidelines

Council acknowledges the value of Councillor attendance at conferences to enable them to be both knowledgeable and current on issues affecting the City of Ryde. In order to ensure that attendance at Conferences is equitable, transparent and consistent, attendance will be limited as follows:

1. Local Government Association Conference – the number of voting delegates plus one. Details of the delegates and attendee to be determined by resolution of Council.
2. Australian Local Government Association Conference.
3. In addition, to 1 and 2 above, every Councillor is entitled to attend one conference in either NSW, Canberra, metropolitan Brisbane or metropolitan Melbourne. The conference must directly relate to the business of Council. More than one Councillor may attend the same conference if Council resolves that this will be beneficial for both Council and the Councillors concerned.
4. Within 2 months after the conference the attending Councillor must report to Council on the proceedings of the conference. That report will be included in the Councillors Information Bulletin.
5. No Councillor can attend a Conference without the prior approval of Council. Reports to Council are to include details of the Conference and an estimate of the associated costs including registration, transport and accommodation.
6. Council may resolve that a Councillor can attend more than one conference per year but this determination will be dependant on budgetary constraints and with an emphasis on ensuring that all Councillors have equal access to conferences.
7. Each year, as part of the review of the Policy on the Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors, Council officers will provide a full report of expenditure and Conference attendance by Councillors.

Councillor Attendance at Conferences guideline		
Owner: Governance Unit	Accountability: Mayoral and Councillor support service	
Trim Reference: D10/77193	Policy: Payment of Expenses and Provision of Facilities for the Mayor and other Councillors	One Page only

PRECIS OF CORRESPONDENCE**1 NORTH RYDE STATION PRECINCT DEVELOPMENT CONTROL PLAN
2013**

Report prepared by: Executive Assistant to Group Manager
File No.: GRP/09/6/5 - BP14/119

CORRESPONDENCE:

Submitting correspondence from the NSW Department of Planning and Infrastructure, dated 20 November 2013, advising the availability of the draft North Ryde Station Precinct Development Control Plan 2013.

Please find a link to the draft North Ryde Station Precinct Development Control Plan is as follows:

<http://www.planning.nsw.gov.au/Portals/0/DevelopmentAssessments/OnExhibition/nthRyde/Appendix E DCP.pdf>

RECOMMENDATION:

That the correspondence be received and noted.

ATTACHMENTS

1 North Ryde Station Precinct DCP 2013 - DOPI

Report Prepared By:

Sandra Warbrick
Executive Assistant to Group Manager

Report Approved By:

Dominic Johnson
Group Manager - Environment & Planning

Precis of Correspondence 1 (continued)

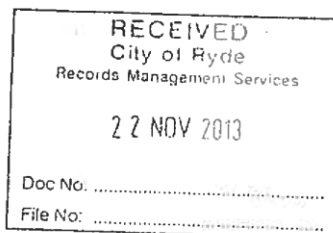
ATTACHMENT 1



**Planning &
Infrastructure**

Mr Roy Newsome
Acting General Manager
City of Ryde Council
Locked Bag 2069
NORTH RYDE NSW 1670

13/10959



Dear Mr Newsome

North Ryde Station Precinct Development Control Plan 2013

Please be advised that the North Ryde Station Precinct Development Control Plan 2013 has been approved to supplement the development controls for the precinct in *Ryde Local Environmental Plan 2010*.

The North Ryde Station DCP provides additional objectives, controls and guidance to applicants proposing to undertake development in the precinct, and for the consent authority in the assessment of future development proposals.

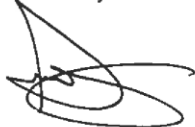
The North Ryde Station DCP addresses the matters that need to be provided for in a DCP for the precinct as set out in Part 6, clause 6.9(4) of *Ryde Local Environmental Plan 2010*.

The North Ryde Station DCP is the result of extensive consultation with stakeholders including City of Ryde Council, and I would like to thank you for council's contribution to this process.

A copy of the North Ryde Station DCP is attached for Council's reference. The department will also shortly advise Council when public notice of the approval of the DCP will be given in local newspapers.

If you have any questions about the North Ryde Station DCP, I have arranged for Michael File, Director of Strategic Assessment to assist you with your enquiries. Mr File can be contacted on (02) 9228 6407 or by email michael.file@planning.nsw.gov.au.

Yours sincerely



20/11/13

Stephen McIntyre
Deputy Director General, Planning Strategies, Housing & Infrastructure

2 TOILET FACILITY AT SAGAR PLACE

Report prepared by: Executive Assistant to Group Manager
File No.: GRP/09/6/5 - BP14/18

CORRESPONDENCE:

Submitting correspondence from NSW Transport – State Transit, dated 24 December 2013, regarding State Transit’s response to City of Ryde’s request seeking support to fund toilet facilities at Sagar Place Shopping Centre East Ryde.

RECOMMENDATION:

That the correspondence be received and noted.

ATTACHMENTS

- 1 Response to letter dated 16 December 2013 regarding Sagar Place Toilet Facilities Request for Funding at East Ryde. State Transit. Jamie Sinclair
- 2 Sagar Place Toilet Facilities Request for Funding at East Ryde - Jamie Sinclair

Report Prepared By:

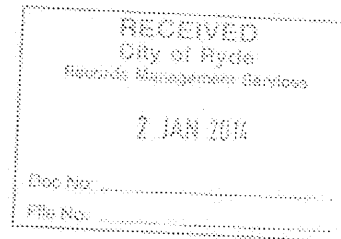
Sandra Warbrick
Executive Assistant to Group Manager

Report Approved By:

Dominic Johnson
Group Manager - Environment & Planning

Precis of Correspondence 2 (continued)

ATTACHMENT 1



24 December 2013

Mr Dominic Johnson
Group Manager – Environment Planning
City of Ryde
Locked Bag 2069
North Ryde NSW 1670

Dear Mr Johnson,

I refer to your letter dated 16 December 2013, advising Council is considering installing a toilet facility at Sager Place, East Ryde and is seeking funding support from State Transit.

State Transit is a government bus operator and its funding does not provide for infrastructure developments such as a toilet facility at a shopping centre, and as such we are unable to contribute to the funding of the facility. With regards the inappropriate bus operator behaviour at the centre, this matter has been addressed with the drivers at Ryde Bus Depot.

I am sorry my response could not have been more favourable on this occasion.

Yours sincerely,


JAMIE SINCLAIR
GENERAL MANAGER
WESTERN REGION (SMBSC REGION 7)

Precis of Correspondence 2 (continued)

ATTACHMENT 2



Mr Jamie Sinclair
General Manager Western Region
Western Regional Office
Sydney Buses
43A Higginbotham Road
Gladesville NSW 2111

16 December 2013

Our ref: PM12/70001

Dear Mr Sinclair

Request for funding for toilet facilities at Sager Place Shopping Centre East Ryde

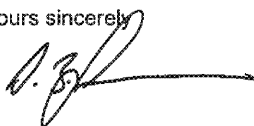
City of Ryde has recently undertaken community consultation to inform the preparation of a Concept Plan for the upgrade of the public domain in Sager Place Shopping Centre. This consultation has revealed that there is an issue regarding the use of the toilet facilities provided by the shops by the drivers of Sydney Buses. There are no public toilets at Sager Place and because the centre is a layover for the 506 bus route, the bus drivers frequently use the toilet facilities provided by the shops. This frequent use is an ongoing concern for some of the shop keepers. I note that this matter was brought to Sydney Buses attention in a letter from Council dated 17 October 2013, a copy of which is attached.

Please note that it has also been alleged that the bus drivers micturate on land adjacent to the shops when they were closed.

Council is currently investigating the possibility of installing toilet facilities at Sager Place. The location of the facilities is likely to be in Healty Reserve which is immediately adjacent to the bus stop in Sager Place. I would like to discuss with you a proposal that Sydney Buses financially contribute to the funding of this facility. The toilet would be available for the use of Sydney Bus drivers and members of the public.

Could you please request your staff to contact my office to arrange a meeting on this issue on (02) 9952 8181. I look forward to hearing from you shortly.

Yours sincerely



Dominic Johnson
Group Manager – Environment and Planning

cc Egwin Herbert, Regional Traffic and Service Manager Western Region

3 NSW TAXI TRANSPORT SUBSIDY SCHEME

Report prepared by: Access and Equity Coordinator
File No.: GRP/09/3/11 - BP14/62

CORRESPONDENCE:

Submitting correspondence from The Hon Victor Dominello MP, State Member for Ryde dated 20 December 2013 and The Hon Anthony Roberts MP, State Member for Lane Cove dated 23 December 2013 regarding Council's request that they make representations to The Hon Gladys Berejiklian, Minister for Transport seeking an increase in the financial support available to eligible people under the NSW Taxi Transport Subsidy Scheme.

RECOMMENDATION:

That the correspondence be received and noted.

ATTACHMENTS

- 1 Letter from the Member for Ryde
- 2 Letter from the Member for Lane Cove

Report Prepared By:

William Davies
Access and Equity Coordinator

Report Approved By:

Gunjan Tripathi
Acting Service Unit Manager - Community and Culture

Baharak Sahebekhtiari
Acting Group Manager - Community Life

Precis of Correspondence 3 (continued)

ATTACHMENT 1



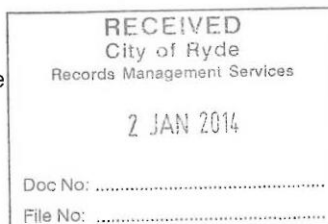
Victor Dominello MP

State Member for Ryde



Friday, 20 December 2013

Ms Baharak Sahebekhtiari
Acting Group Manager, Community Life
Ryde City Council
Locked Bag 2069
NORTH RYDE NSW 1670



Dear Ms Sahebekhtiari,

Thank you for taking the time to contact me in relation to City of Ryde resident's request for increases in the financial support available to eligible people under the NSW Taxi Transport Subsidy Scheme.

As requested, I have written to the Minister for Transport the Hon. Gladys Berejiklian MP asking that she responds to your concerns. Attached is a copy of this correspondence for your records.

I have asked the Minister to liaise directly with you in relation to your concerns.

As you may appreciate, ministerial offices often have large volumes of correspondence to process, so it may take some time to obtain a written response. If you do not hear back from the Minister within eight weeks please do not hesitate to contact my office again, preferably by email or letter, and we will follow up on our initial correspondence.

In the meantime, please do not hesitate to call on me if I can help with this or any other matter.

Again, thank you for bringing this matter to my attention.

Yours sincerely

The Hon. Victor Dominello MP
Member for Ryde

Also wishing you
every blessing &
luck + 2014
kind regards
Victor

ATTACHMENT



For the latest updates on Ryde and my portfolio, like my Facebook page;
<https://www.facebook.com/VictorDominelloMP>



Precis of Correspondence 3 (continued)

ATTACHMENT 1



Victor Dominello MP

State Member for Ryde



Friday, 20 December 2013

The Hon. Gladys Berejiklian MP
Minister for Transport
Level 35 Governor Macquarie Tower
1 Farrer Place
SYDNEY NSW 2000

By email: office@berejiklian.minister.nsw.gov.au

Dear Minister

Re: Request For Taxi Transport Subsidy Scheme Increases

I write on behalf of Ms Baharak Sahebekhtari, Acting Group Manager, Community Life at Ryde City Council of Locked Bag 2069, NORTH RYDE NSW 1670 in relation to resident's requests for increases in the financial support available to eligible people under the NSW Taxi Transport Subsidy Scheme.

I attach a copy of Ms Sahebekhtari's correspondence which sets out their situation in further detail.

I ask that your Department please respond to their concerns. I would appreciate it if you would please liaise directly with Ms Sahebekhtari in relation to this matter and provide copies of any correspondence to my office for our records.

Thank you for your assistance with this matter. I look forward to your response.

Yours sincerely

The Hon. Victor Dominello MP
Member for Ryde

cc. Ms Baharak Sahebekhtari, Acting Group Manager, Community Life, Ryde City Council, Locked Bag 2069, NORTH RYDE NSW 1670

ATTACHMENT



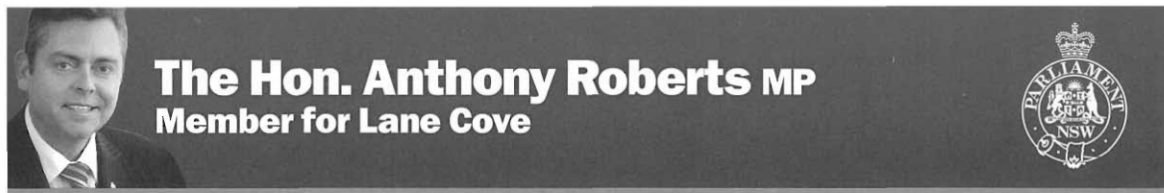
For the latest updates on Ryde and my portfolio, like my Facebook page;
<https://www.facebook.com/VictorDominelloMP>



Office: Ground floor, 5 - 9 Devlin St, Ryde NSW 2112 Mail: PO Box 736 Ryde NSW 1680 Phone: 9808 3288
Email: ryde@parliament.nsw.gov.au Website: www.victordominello.com Facebook: www.facebook.com/VictorDominelloMP

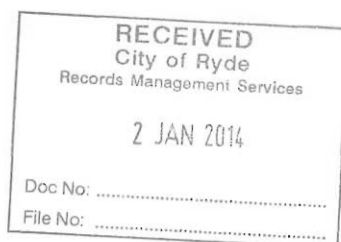
Precis of Correspondence 3 (continued)

ATTACHMENT 2



23 December 2013

Ms Baharak Sahebekhtiari
Community Life
Ryde City Council
LOCKED BAG 2069
NORTH RYDE NSW 1670



Dear Ms Sahebekhtiari,

I am in receipt of your letter of 17 December 2013 regarding the NSW Taxi Transport Subsidy Scheme.

I have written to the Minister for Transport, passing on Ryde Council's concerns and requesting further advice.

I will contact you as soon as a response is received.

Best wishes,



THE HON. ANTHONY ROBERTS MP
MEMBER FOR LANE COVE
MINISTER FOR FAIR TRADING

AR:BM

Visit www.anthonyrobertsmp.com.au

NOTICES OF MOTION**1 COUNCIL PARKING INFRINGEMENT POLICIES AND IMPLEMENTATION -
Councillor Jeff Salvestro-Martin****File Number:** CLM/14/1/4/6 - BP14/13

MOTION:

The NSW Law Reform Commission (LRC) has made 72 recommendations to improve the operation of the state's penalty notice system and to help ensure that it doesn't further marginalise vulnerable people. The NSW LRC is particularly critical of Council Parking Infringement Policies and Implementation. The General Manager is requested to report how Council's Parking Infringement Policies are consistent with the LRC Report recommendations and how many of the 72 recommendations have been adopted by City of Ryde.

2 MORRISON BAY PARK PLAYING FIELDS - Councillor Ivan Petch**File Number:** CLM/14/1/4/6 - BP14/32

MOTION:

That Council suspend any program to illuminate Morrison Bay Park Playing Fields, and that Council seek the opinion of all residents in the vicinity of these fields to gauge their concerns relating to the installation of these lights, and that their concerns be part of a report back to the Works, Parks & Traffic Committee.

CONFIDENTIAL ITEMS**14 REQUEST FOR TENDER - PLANT HIRE TENDER RATES - 2014**

Report prepared by: Section Manager - Plant and Fleet**Report approved by:** Acting Service Unit Manager - Business Infrastructure; Group
Manager - Public Works

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Report prepared by: Section Manager - Plant and Fleet**File Number:** PCM2013/65 - BP13/1821**Page No.:** 158
