

1 MAY 2014

NOTICE OF MEETING

You are advised of the following meeting:

TUESDAY 13 MAY 2014.

Meeting of Council Meeting No. 7/14

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، بدلا 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 صباحا إلى 4.30 بعد الظهر من يوم الاثنين إلى يوم الجمعة.

Armenian

Եթե այս նամակը չէք հասկնար, խնդրեմ եկէք՝ *Րայդ Սիվիկ Սենթրը, Տեվլին* փողոց, Րայդ, խօսակցելու Քաղաքապետարանի պաշտօնեաներուն հետ, որոնք թարգմանիչ մը կրնան կարգադրել: Կամ, կրնաք հեռաձայնել Թարգմանության Սպասարկության՝ 131 450, եւ խնդրել որ թարգմանիչ մը Քաղաքապետարանին հետ կապ հաստատէ ձեզի համար: Քաղաքապետարանի 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 سرویس ترجمه کتبی و شفاهی 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 13 May 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
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MAYORAL MINUTES

14/15	WAR MEMORIAL HONOUR BOARD - The Mayor, Councillor Roy Maggio	1
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COUNCIL REPORTS

1	CONFIRMATION OF MINUTES - Council Meeting held on 22 April 2014	2
2	REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 4/14 held on 6 May 2014	21
3	PLANNING PROPOSAL - Civic Centre Precinct.....	22
4	CIVIC CENTRE - MAINTENANCE SCHEDULE - UPDATE AND REVISED ESTIMATE OF WORKS	36
5	ACTING GENERAL MANAGER ARRANGEMENTS	82
6	AUDIT AND RISK COMMITTEE INDEPENDENT MEMBER SELECTION.....	87
7	COUNCIL PARKING INFRINGEMENT POLICY	90

PRECIS OF CORRESPONDENCE

1	31-33 WATERLOO ROAD, MACQUARIE PARK - rezoning of the site	94
---	--	----

NOTICES OF RESCISSION

1	NOTICE OF RESCISSION: NOTICE OF MOTION 1 - HERITAGE ADVISORY COMMITTEE RECOMMENDATIONS FROM MEETING HELD 12 FEBRUARY 2014 - Councillor Artin Etmekdjian, Councillor Bill Pickering, Councillor Sarkis Yedelian OAM	97
---	--	----

CONFIDENTIAL ITEMS

8	REQUEST FOR QUOTATION - Investment Advisory Services - COR-RFQ-40/13	100
9	PROPOSED VOLUNTARY PLANNING AGREEMENT FOR 7-9 KHARTOUM ROAD, MACQUARIE PARK.....	118
10	MASTER PLANNING OF MEADOWBANK RAILWAY STATION PRECINCT.....	153
11	6 RESERVE STREET - WEST RYDE	161

**MM14/14 WAR MEMORIAL HONOUR BOARD - The Mayor,
Councillor Roy Maggio****File Number: MYR/07/10/20 - BP14/560**

As the Centenary of ANZAC approaches, I would like Council to consider the erection of a War Memorial Honour Board for the Fallen ones from the City of Ryde LGA.

I would suggest that the Board be placed in a suitably visible location – possibly at the Ryde Park memorial.

Construction of the Memorial would be dependent on Federal or State Government or other funding becoming available. My suggestion is that the War Memorial Honour Board could be named as the “Fallen ones” and unveiled in conjunction with the Centenary of ANZAC commemoration in 2015.

However, consultation with key stake holders, especially Council’s ANZAC Centenary Committee, would be required to make sure that there was agreement with this concept. Key stake holders would include surrounding residents, churches, RSL clubs and interested parties.

I therefore recommend that this concept be referred to the City Of Ryde Anzac Centenary Committee for their consideration and included in their report back to Council on the projects that they propose to be undertaken for the recognition of the Centenary of ANZAC.

RECOMMENDATION:

That the concept of War Memorial Honour Board to be unveiled on the Centenary of ANZAC, be referred to the City of Ryde ANZAC Centenary Committee for its consideration and report back to Council.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Councillor Roy Maggio
The Mayor

1 CONFIRMATION OF MINUTES - Council Meeting held on 22 April 2014

Report prepared by: Meeting Support Coordinator**File No.:** CLM/14/1/4/2 - BP14/128

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 6/14, held on 22 April 2014 be confirmed.

ATTACHMENTS

- 1** Minutes - Ordinary Council Meeting - 22 April 2014

ITEM 1 (continued)

ATTACHMENT 1

Council Meeting
MINUTES OF MEETING NO. 6/14

Meeting Date: Tuesday 22 April 2014

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

Time: 7.30pm

Councillors Present: The Mayor, Councillor Maggio and Councillors Etmekdjian, Laxale, Li, Pendleton, Petch, Pickering, Simon and Yedelian OAM.

Note: Councillor Petch left the meeting at 10.50pm and did not return. He was not present for consideration of Precis of Correspondence 1, Questions with Notice 1 and Confidential Items 13,14 and 15.

Apologies: Nil.

Leave of Absence: Councillors Chung, Perram and Salvestro-Martin.

Staff Present: Acting General Manager, Acting Group Manager – Community Life, Acting Group Manager – Corporate Services, Group Manager – Environment and Planning, Group Manager – Public Works, Acting Manager – Communications and Media, Chief Financial Officer, Manager – Urban Planning, Section Manager – Properties, Section Manager – Asset Networks and Meeting Support Coordinator.

PRAYER

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

LEAVE OF ABSENCE

Councillor Petch advised the meeting that Councillor Salvestro-Martin had requested a Leave of Absence for tonight's Council Meeting, 22 April 2014.

Councillor Li requested a Leave of Absence for the period from Monday, 5 May 2014 to Wednesday 7 May 2014 inclusive and the period from Monday, 19 May 2014 to Saturday, 31 May 2014 inclusive.

RESOLUTION: (Moved by Councillors Petch and Pickering)

- (a) That Council approve a Leave of Absence for Councillor Salvestro-Martin for tonight's Council Meeting, 22 April 2014.
- (b) That Council approve a Leave of Absence for Councillor Li for the period from Monday, 5 May 2014 to Wednesday 7 May 2014 inclusive and the period from Monday, 19 May 2014 to Saturday, 31 May 2014 inclusive.

ITEM 1 (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 9 - Interim Heritage Order - 20 Waterview Street, Putney for the reason that he is aware of Dr P. Mitchell and has undertaken some work for him.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:

Name	Topic
Tim Nash	Mayoral Minute 13/14 - Putney Hill - Change of Street Name - Lardelli Drive
Jennifer Miles	Mayoral Minute 13/14 - Putney Hill - Change of Street Name - Lardelli Drive
John Alexander MP	Mayoral Minute 11/14 - CCTV Cameras – Eastwood
Prodip Chowdhury	Mayoral Minute 13/14 - Putney Hill - Change of Street Name - Lardelli Drive
Paul Dawson	Mayoral Minute 13/14 - Putney Hill - Change of Street Name - Lardelli Drive
Liz Millo	Mayoral Minute 13/14 - Putney Hill - Change of Street Name - Lardelli Drive
Mario Millo	Mayoral Minute 13/14 - Putney Hill - Change of Street Name - Lardelli Drive
Sheryl Barton	Notice of Motion 1 - Heritage Advisory Committee Recommendations from meeting held 12 February 2014

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

No addresses were made to Council.

ORDER OF BUSINESS

RESOLUTION: (Moved by Councillors Yedelian OAM and Pickering)

That Council now consider the following Items, the time being 7.51pm:

- Mayoral Minute 11/14 - CCTV Cameras - Eastwood
- Mayoral Minute 13/14 - Putney Hill - Change of Street Name - Lardelli Drive
- Notice of Motion 1 - Heritage Advisory Committee Recommendations from meeting held 12 February 2014

ITEM 1 (continued)**ATTACHMENT 1****Record of Voting:**

For the Motion: Unanimous

MAYORAL MINUTES**11/14 CCTV CAMERAS - EASTWOOD - The Mayor, Councillor Roy Maggio**

Note: John Alexander MP addressed the meeting in relation to this Item.

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

- (a) That Council staff prepare a report for Council's consideration on 27 May 2014, on the cost of CCTV installation and maintenance including possible ongoing maintenance funding from any level of Government. The report should include details of previous investigations into the provision of CCTV cameras.
- (b) That the report be considered by Council prior to further consideration of the offer by Federal Member for Bennelong Mr Alexander OAM MP.
- (c) That Council thank Mr Alexander, Federal Member for Bennelong, for bringing this matter to Council's attention and advise him that Council will confirm its acceptance of this funding following Council's meeting on 27 May 2014.

Record of Voting:

For the Motion: Unanimous

13/14 PUTNEY HILL - CHANGE OF STREET NAME - LARDELLI DRIVE - The Mayor, Councillor Roy Maggio

Note: Tim Nash, Jennifer Miles, Prodip Chowdhury, Paul Dawson, Liz Millo and Mario Millo addressed the meeting in relation to this Item.

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

- (a) That Council undertake consultation with the new residents of Putney Hill, representatives of Frasers Group and Council with regard to making a submission to have the name Lardelli Drive changed.
- (b) That the Acting General Manager provide a further report back to Council on the results and feedback from the consultation.

ITEM 1 (continued)**ATTACHMENT 1****Record of Voting:**

For the Motion: Unanimous

NOTICE OF MOTION**1 HERITAGE ADVISORY COMMITTEE RECOMMENDATIONS FROM MEETING HELD 12 FEBRUARY 2014 - Councillor Denise Pendleton**

Note: Sheryl Barton addressed the meeting in relation to this Item.

Note: Councillor Pendleton tabled a letter from Dr Rodney Jensen from Rodney Jensen & Associates Pty Ltd dated 15 April 2014 in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Pendleton and Petch)

1. That Council note the recommendations of the Heritage Advisory Committee meeting draft minutes of 12 February 2014, tabled at the Council Meeting 8 April 2014 including:
 - a. That a celebration of the 50 year anniversary of the Civic Centre building be held during 2014.
 - b. Councillors Heritage Officer/Strategic Planner to liaise with the consultant for the 1988 study to seek a copy of the inventory sheet for the Civic Centre building.
2. That Council prepare a short report for the Council Meeting on 27 May 2014 outlining options for the 50 year anniversary celebration for consideration and approval.
3. That Council note the Heritage Advisory Committee's request for a copy of the Inventory Sheet for the Civic Centre from Rodney Jensen and Associates Pty Ltd but that no further detail can be located at this point in time.

Record of Voting:

For the Motion: Councillors Laxale, Li, Pendleton, Petch and Simon

Against the Motion: The Mayor, Councillor Maggio and Councillors Etmekdjian, Pickering and Yedelian OAM

Note: A Rescission Motion in relation to this matter was lodged by Councillors Etmekdjian, Pickering and Yedelian OAM at 11.15pm on Tuesday, 22 April 2014.

ITEM 1 (continued)**ATTACHMENT 1****MAYORAL MINUTES****9/14 MAYOR'S BUSINESS NETWORKING LUNCH - JULY 2014 - The Mayor, Councillor Roy Maggio**

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

That Council endorse the initiative of the Mayor's Business Networking Lunch to be held in July 2014.

Record of Voting:

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

Against the Motion: Councillors Laxale, Pendleton, Petch and Simon

10/14 RECOGNITION OF ERNA - 60 YEARS - The Mayor, Councillor Roy Maggio

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

(a) That Council present a City of Ryde plaque, to mark the 60th Anniversary of ERNA, to the President, Anne Doring OAM in recognition of the work of the Committee and ERNA in providing commitment and leadership in the field of netball to the local community.

(b) That the presentation be made at a future Council meeting.

Record of Voting:

For the Motion: Unanimous

11/14 CCTV CAMERAS - EASTWOOD - The Mayor, Councillor Roy Maggio

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

12/14 MISSION AUSTRALIA - WINTER SLEEPOUT - The Mayor, Councillor Roy Maggio

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

(a) That the Mayor and any interested Councillors or staff take part in the 2014 Mission Australia Sleepout, possibly at a venue in the Ryde Local Government Area.

ITEM 1 (continued)**ATTACHMENT 1**

- (b) That the local Federal and State members of parliament be invited to join the sleepout.
- (c) That Council support the initiative by inviting donations from the community in supporting the Mayor, Councillors and staff who participate.
- (d) That the Mayor's participation in the sleepout together with that of other Councillors and staff who participate, be promoted through Council's normal media channels.

Record of Voting:

For the Motion: Unanimous

13/14 PUTNEY HILL - CHANGE OF STREET NAME - LARDELLI DRIVE - The Mayor, Councillor Roy Maggio

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

COUNCIL REPORTS**1 REQUEST FOR LEAVE OF ABSENCE - Councillor Artin Etmekdjian**

RESOLUTION: (Moved by Councillors Petch and Yedelian OAM)

That Councillor Etmekdjian's Leave of Absence for the period from Saturday, 26 April 2014 to Sunday, 11 May 2014 inclusive be approved.

Record of Voting:

For the Motion: Unanimous

2 CONFIRMATION OF MINUTES - Council Meeting held on 8 April 2014

RESOLUTION: (Moved by Councillors Petch and Simon)

That the Minutes of the Council Meeting 5/14, held on 8 April 2014 be confirmed.

Record of Voting:

For the Motion: Unanimous

ITEM 1 (continued)**ATTACHMENT 1****3 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 5/14 held on 15 April 2014**

RESOLUTION: (Moved by Councillors Etmekdjian and Pickering)

That Council note that all items of the Planning and Environment Committee Meeting 5/14 held on 15 April 2014 were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

4 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 3/14 held on 15 April 2014

RESOLUTION: (Moved by Councillors Pendleton and Petch)

That Council note that all items of the Works and Community Committee Meeting 3/14 held on 15 April 2014 were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

5 CITY OF RYDE'S FINANCIAL FUTURE - PROPOSED ACTION PLAN

RESOLUTION: (Moved by Councillors Etmekdjian and Petch)

- (a) That Council endorse the Action Plan detailed in this report, including undertaking Stage 1 of the Community Engagement Program as detailed in this report;
- (b) That Council determine the dates for the Councillor workshops;
- (c) That Council confirm if it will engage an independent organisation to undertake an assessment of the City of Ryde's performance against other similar size Councils and industry benchmarks;
- (d) That Council endorse the information on Council's Financial Future, as detailed in **ATTACHMENT 5** in this report, to be included in Council's Draft Delivery Plan.

Record of Voting:

For the Motion: The Mayor, Councillor Maggio and Councillors Etmekdjian, Petch, Pickering and Yedelian OAM

Against the Motion: Councillors Laxale, Li, Pendleton and Simon

ITEM 1 (continued)**ATTACHMENT 1****6 DRAFT FOUR YEAR DELIVERY PLAN 2014/2018 INCLUDING ONE YEAR OPERATION PLAN 2014/2015****RESOLUTION:** (Moved by Councillors Etmekdjian and Petch)

- (a) That Council, pursuant to Section 404 & 405 of the Local Government Act 1993, endorse the document titled "Draft Four-Year Delivery Plan 2014/2018 including One-Year Operational Plan 2014/2015", inclusive of the 2014/2015 Draft Budget, Fees and Charges and Capital Works Program, as its Draft Four-Year Delivery Plan 2014/2018 including One-Year Operational Plan 2014/2015 of the City of Ryde.
- (b) That the Draft Four-Year Delivery Plan 2014/2018 including One-Year Operational Plan 2014/2015 be publicly exhibited for a period of not less than 28 days from 30 April 2014 to 6 June 2014.
- (c) That following the public exhibition period detailed in part (b), Council consider all public submissions at its meeting to be held on Tuesday, 24 June 2014 prior to formally adopting its Four-Year Delivery Plan 2014/2018 including the One-Year Operational Plan 2014/2015.

Record of Voting:For the Motion: Unanimous**7 INVESTMENT REPORT - March 2014****RESOLUTION:** (Moved by Councillors Etmekdjian and Pendleton)

That Council endorse the report of the Chief Financial Officer dated 7 April 2014 on Investment Report – March 2014.

Record of Voting:For the Motion: Unanimous**8 SUPPLEMENTARY REPORT - PLANNING PROPOSAL - 111 WICKS ROAD, 29 EPPING ROAD AND 31 - 35 EPPING ROAD MACQUARIE PARK****RESOLUTION:** (Moved by Councillors Petch and Etmekdjian)

- (a) That Council does not support the Planning Proposal for 111 Wicks Road, 29 Epping Road and 31-35 Epping Road Macquarie Park proceeding to a Gateway determination on the grounds that:
 - The Amended Planning Proposal is inconsistent with the vision for the Macquarie Park Corridor as a specialist Precinct whose primary purpose is for the employment and economic functions; and

ITEM 1 (continued)**ATTACHMENT 1**

- The Amended Planning Proposal is inconsistent with the City of Cities: A Plan for Sydney's Future (the Metropolitan Plan) Metropolitan Plan for Sydney 2036, Draft Metropolitan Strategy for Sydney 2031, Ryde Local Planning Sydney 2011, Ryde LEP 2010 and Ryde Draft LEP 2013 as amended.
 - The need for the current planning framework applying to Macquarie Park Corridor to be retained to protect employment lands that is strategically important to the economic viability of the state.
- (b) Inclusion of residential uses within the commercial core fails to consider the holistic strategic plan for Macquarie Park Corridor and will set a precedent for future proposals in the corridor
- (c) That the applicant be advised accordingly.
- (d) That Council authorise the Acting General Manager to issue a press release that reinforces Council's position to maintain and protect Macquarie Park as a significant local, state and national specialist commercial centre and that Council will continue to reject the intrusion of residential development in the commercial core.

Record of Voting:

For the Motion: Unanimous

9 INTERIM HERITAGE ORDER - 20 Waterview Street, Putney

Note: The Mayor, Councillor Maggio disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that he is aware of Dr P. Mitchell and has undertaken some work for him.

RESOLUTION: (Moved by Councillors Yedelian OAM and Petch)

- (a) Council note the recommendation of the Ryde Heritage Advisory Committee for the protection and conservation of the heritage significance of 20 Waterview Street Putney as the site of Australia's first brewery and home of James Squires.
- (b) That Council advise Ryde Heritage Advisory Committee (HAC) that an Interim Heritage Order cannot be placed on the site known as 20 Waterview Street, Putney as it is listed on an environmental planning instrument being the Sydney Harbour Catchment Regional Environmental Plan 2005 (SHCREP) Schedule 4.

ITEM 1 (continued)**ATTACHMENT 1**

- (c) That the Council endorse the preparation of detailed Heritage and Archaeological Studies by the proponent to inform and guide future development decisions and the management of 20 Waterview Street Putney, including an Archaeological Management Plan and Conservation Management Plan prepared in accordance with the NSW Heritage Division guidelines.

Record of Voting:

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

Against the Motion: Yedelian OAM

10 INDEPENDENT HEARING AND ASSESSMENT PANEL (IHAP)

MOTION: (Moved by Councillors Simon and Etmekdjian)

- (a) That Council establish a fully-delegated IHAP to consider selected Development Applications and all Planning Proposals for a trial period of 12 months.
- (b) That Council adopt the City of Ryde Independent Hearing and Assessment Panel Terms of Reference.
- (c) That Council seek Expressions of Interest from suitable candidates.
- (d) That Council allocate the amount of \$90,000 from working capital for the purpose of an IHAP and that this is added to the 2014/15 delivery plan at the earliest opportunity.
- (e) That a further report with a list of candidates for the IHAP and nominating a commencement date be provided to Council.

AMENDMENT: (Moved by Councillors Pendleton and Pickering)

That the report be received and noted and no further action be taken in relation to this matter.

On being put to the Meeting, the voting on the Amendment was three (3) votes For and six (6) votes Against. The Amendment was **LOST**. A further Amendment was then put.

Record of Voting:

For the Amendment: Councillors Pendleton, Petch and Pickering

Against the Amendment: The Mayor, Councillor Maggio and Councillors Etmekdjian, Laxale, Li, Simon and Yedelian OAM

ITEM 1 (continued)**ATTACHMENT 1**

FURTHER AMENDMENT: (Moved by The Mayor, Councillor Maggio and Councillor Etmekdjian)

- (a) That Council establish an undelegated IHAP to consider selected Development Applications and all Planning Proposals for a trial period of 12 months.
- (b) That Council adopt the City of Ryde Independent Hearing and Assessment Panel Terms of Reference.
- (c) That Council seek Expressions of Interest from suitable candidates.
- (d) That Council allocate the amount of \$45,000 from working capital for the purpose of an IHAP and that this is added to the 2014/15 delivery plan at the earliest opportunity.
- (e) That a further report with a list of candidates for the IHAP and nominating a commencement date be provided to Council.
- (f) That a six month review be undertaken for consideration by Council prior to the continuation of the 12 month trial.

On being put to the Meeting, the voting on the Amendment was three (3) votes For and six (6) votes Against. The Amendment was **LOST**. A further Amendment was then put.

Record of Voting:

For the Amendment: The Mayor, Councillor Maggio and Councillors Etmekdjian and Pendleton

Against the Amendment: Councillors Laxale, Li, Petch, Pickering, Simon and Yedelian OAM

FURTHER AMENDMENT: (Moved by Councillors Yedelian OAM and Pickering)

That the matter be deferred for discussion at a workshop.

On being put to the Meeting, the voting on the Amendment was six (6) votes For and three (3) votes Against. The Amendment was **CARRIED**. The Amendment then became the Motion. A further Amendment was then put.

Record of Voting:

For the Amendment: Councillors Etmekdjian, Li, Pendleton, Petch, Pickering and Yedelian OAM

Against the Amendment: The Mayor, Councillor Maggio and Councillors Laxale and Simon

ITEM 1 (continued)**ATTACHMENT 1**

FURTHER AMENDMENT: (Moved by The Mayor, Councillor Maggio and Councillor Laxale)

- (a) That Council establish a fully-delegated IHAP to consider selected Development Applications and all Planning Proposals for a trial period of 12 months.
- (b) That Council adopt the City of Ryde Independent Hearing and Assessment Panel Terms of Reference excluding the provision with regards to matters above \$5million (i.e. dealing with matters valued between \$0 and \$4,999,999).
- (c) That Council seek Expressions of Interest from suitable candidates.
- (d) That Council allocate the amount of \$45,000 from working capital for the purpose of an IHAP and that this is added to the 2014/15 delivery plan at the earliest opportunity.
- (e) That a further report with a list of candidates for the IHAP and nominating a commencement date be provided to Council.
- (f) That a six month review be undertaken for consideration by Council prior to the continuation of the 12 month trial.

On being put to the Meeting, the voting on the Amendment was four (4) votes For and five (5) votes Against. The Amendment was **LOST**. The Motion was then put and **CARRIED**.

Record of Voting:

For the Amendment: The Mayor, Councillor Maggio and Councillors Laxale, Li and Simon

Against the Amendment: Councillors Etmekdjian, Pendleton, Petch, Pickering and Yedelian OAM

RESOLUTION: (Moved by Councillors Yedelian OAM and Pickering)

That the matter be deferred for discussion at workshop.

Record of Voting:

For the Motion: Councillors Etmekdjian, Laxale, Li, Pendleton, Petch, Pickering and Yedelian OAM

Against the Motion: The Mayor, Councillor Maggio and Councillor Simon

ITEM 1 (continued)**ATTACHMENT 1****11 RE-ESTABLISHMENT OF ALCOHOL FREE ZONES IN EASTWOOD**

RESOLUTION: (Moved by Councillors Yedelian OAM and Etmekdjian)

- (a) That Council accept the proposal for the Alcohol Free Zone (**ATTACHMENT 1**).
- (b) That Council agree to public consultation on the matter, as stated in the Ministerial Guidelines.
- (c) That, if no adverse public comments are received on the proposal, the Alcohol Free Zone outlined in the report be adopted.
- (d) That Council receive a further report on the Alcohol Free Zones if any adverse comment is received during the public consultation.

Record of Voting:

For the Motion: Unanimous

12 REPORTS DUE TO COUNCIL

RESOLUTION: (Moved by Councillors Etmekdjian and Yedelian OAM)

That the report on Outstanding Council Reports be endorsed.

Record of Voting:

For the Motion: Unanimous

PRECIS OF CORRESPONDENCE FOR CONSIDERATION**1 LOCAL GOVERNMENT NSW - UPDATE ON ROADS TO RECOVERY**

Note: Councillor Petch left the meeting at 10.50pm and did not return. He was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Yedelian OAM and Pickering)

That the correspondence be received and noted.

Record of Voting:

For the Motion: Unanimous

ITEM 1 (continued)**ATTACHMENT 1****NOTICES OF MOTION****1 HERITAGE ADVISORY COMMITTEE RECOMMENDATIONS FROM MEETING HELD 12 FEBRUARY 2014 - Councillor Denise Pendleton**

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

QUESTIONS BY COUNCILLORS AS PER POLICY**1 QUESTIONS WITH NOTICE - Councillor Jerome Laxale**

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

RESOLUTION: (Moved by Councillors Laxale and Simon)

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

Record of Voting:

For the Motion: Unanimous

Question 1:

What progress has been made with Council's decision to re-zone the Civic Precinct back to community use?

Answer 1:

- Ryde Civic Precinct Planning Proposal (PP) forwarded to NSW Planning and Infrastructure on 12 February 2013 with a request for a Gateway Determination to allow the PP to be exhibited.
- Gateway determination issued by NSW Planning and Infrastructure 2 November 2013
- PP exhibited from 20 November 2013 to January 2014
- Report to Council on assessment of PP anticipated May 2014

Question 2:

Who is the independent planning consultant that is assessing the outcomes of the public exhibition process?

Answer 2:

Architectus Group Pty Ltd

ITEM 1 (continued)**ATTACHMENT 1**Question 3:

How long has said consultant had to report back to Council?

Answer 3:

- Architectus advised of their appointment 10 March 2014.
- Consultant initiation meeting with Council staff 12 March 2014.
- Architectus Report to be finalised and with Council staff by 22 April 2014.

Question 4:

Have the State Govt been notified of the Council's intentions to re-zone the community's land either officially or informally? If so, please outline representations by Council to the Minister and/or the Department, and any response received.

Answer 4:

The Director General of NSW Planning and Infrastructure has been advised through the request for a Gateway determination and correspondence related to information requests associated with that request.

Gateway determination stated no consultation was required with public authorities under section 56 (2)(c) of the EP&A Act.

CLOSED SESSION**ITEM 13 - 6 RESERVE STREET - FEASIBILITY STUDY AND DEVELOPMENT PROPOSAL****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) (ii) information that would, if disclosed, confer a commercial advantage on a competitor of the council.

ITEM 14 - 45-61 WATERLOO ROAD - EXPRESSION OF INTEREST**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 1 (continued)**ATTACHMENT 1****ITEM 15 - 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.

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

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

Note: Council closed the meeting at 10.52pm. The public and media left the chamber.

13 6 RESERVE STREET - FEASIBILITY STUDY AND DEVELOPMENT PROPOSAL

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

MOTION: (Moved by Councillors Yedelian OAM and Simon)

- (a) That Council endorse the proposal to develop the site at 6 Reserve Street, West Ryde as outlined in this report.
- (b) That all rental and any future sale proceeds derived from this development be transferred to Council's Investment Property Reserve.

AMENDMENT: (Moved by Councillors Etmekdjian and Pickering)

That Council defer this matter for a further report to explore all options with regards to the site including key worker accommodation.

On being put to the Meeting, the voting on the Amendment was seven (7) votes For and one (1) vote Against. The Amendment was **CARRIED**. The Amendment then became the Motion.

ITEM 1 (continued)**ATTACHMENT 1****Record of Voting:**

For the Amendment: The Mayor, Councillor Maggio and Councillors Etmekdjian, Laxale, Li, Pickering, Simon and Yedelian OAM

Against the Amendment: Councillor Pendleton

RECOMMENDATION: (Moved by Councillors Etmekdjian and Pickering)

That Council defer this matter for a further report to explore all options with regards to the site including key worker accommodation.

Record of Voting:

For the Motion: Unanimous

14 45-61 WATERLOO ROAD - EXPRESSION OF INTEREST

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

RECOMMENDATION: (Moved by Councillors Etmekdjian and Pickering)

- (a) That Council endorse City of Ryde providing an 'expression of interest' to purchase a one hectare site at 45-61 Waterloo Road to create a Central Park in Macquarie Park.
- (b) That Council endorse City of Ryde writing to the State Government to indicate its intention to dedicate funds from the Urban Activation Precinct Program (North Ryde Station and Herring Road) towards purchasing and embellishment of a new Central Park at the site of 45-61 Waterloo Road.

Record of Voting:

For the Motion: Unanimous

15 ADVICE ON COURT ACTIONS

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

RECOMMENDATION: (Moved by Councillors Etmekdjian and Pickering)

That the Advice on Court Actions be received.

Record of Voting:

For the Motion: Unanimous

ITEM 1 (continued)**ATTACHMENT 1****OPEN SESSION**

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

RESOLUTION: (Moved by Councillors Simon and Etmekdjian)

That Council resolve itself into open Council.

Record of Voting:

For the Motion: Unanimous

Note: Open Council resumed at 11.12pm.

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

RESOLUTION: (Moved by Councillors Simon 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 11.14pm.

CONFIRMED THIS 13TH DAY OF MAY 2014

Chairperson

**2 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 4/14
held on 6 May 2014**

Report prepared by: Meeting Support Coordinator
File No.: CLM/14/1/4/2 - BP14/542

REPORT SUMMARY

The Minutes of the Works and Community Committee Meeting 4/14 held on 6 May 2014 are to be circulated on Thursday, 8 May 2014 after the meeting has been conducted. The Minutes will be listed for confirmation at the next Works and Community Committee Meeting.

A report detailing Items which were dealt with by the Committee within its delegated powers, together with any Committee recommendations will be circulated at the same time as the Minutes on Thursday, 8 May 2014.

3 PLANNING PROPOSAL - Civic Centre Precinct

Report prepared by: Planning Proposal Coordinator
File No.: LEP2012/15/3 - BP14/514

REPORT SUMMARY

Council of the City of Ryde prepared a Planning Proposal to amend the Ryde Local Environmental Plan (RLEP) in relation to the Ryde Centre Civic Precinct. The planning proposal aims to:

1. Change the Land Use Zone from B4 Business Mixed Use to SP2 Infrastructure (Community Facility and Public Administration Building)
2. Amend Height of Buildings Map to reduce the building height from RL 130 to reinstate RL 91 (the same as the parapet of the existing Ryde Civic Centre) for 1 and 1A Devlin Street includes Blaxland Rd at the rear of the site (Site A).

Council is to note that no change is proposed to the existing maximum height permitted on the Council car park land (Site B) in the south west corner of the site (i.e. 150-156 Blaxland Road) - this is to be maintained at 15.5m (4 storeys).

Figure 1 identifying the sites can be found within the body of the report

3. Amend Ryde LEP 2010 Ryde Town Centre Precincts Map by renaming Precinct 1 – Civic Mixed Use to Precinct1 - Ryde Civic.

The current floor area of 60,000m² permitted in Precinct under the provisions of Schedule 6 of RLEP is to be retained.

The Planning Proposal was publicly exhibited from 20 November 2013 to 29 January 2014 in accordance with the terms of the Gateway Determination issued on 2 November 2013.

A total of 724 submissions were received in response to the exhibition with one being against the proposal and the remainder supporting the principle of the proposal. The majority of the submissions were form letters. Issues raised by supporters of the Planning Proposal included:

- The site should not be sold off for commercial gain at the expense of the wider public.
- Land should be retained in community ownership in perpetuity.
- The cenotaph and everlasting flame should be restored.
- The rezoning reflects the wishes of the community as expressed in the large number of submissions objecting to the redevelopment of the site.

ITEM 3 (continued)

- The Civic Centre and surrounds should be heritage listed.
- The exhibition period should not have occurred over the Christmas / New Year period and some residents were not notified.
- Insufficient infrastructure existing to support high density on the site.
- Any development under the existing controls will result in increased traffic problems
- That the site is not appropriate for high rise development.

Council has engaged an independent consultant, Architectus Group Pty Ltd to review the planning proposal, assess the issues within submissions received from the public exhibition and make a recommendation on the planning proposal.

This assessment has been guided by the process established in the NSW Department of Planning and Infrastructure's *Guide to Preparing Planning Proposals*.

Architectus have recommended that the planning proposal should not proceed on the grounds that:

- The Proposal is inconsistent with the criteria for assessing Planning Proposals in Sections A – Need for a Planning Proposal; B – Relationship to Strategic Planning Process, C – Environmental, Social and Economic Impact and D – State and Commonwealth Interests, of the NSW Government's *Guide to Preparing Planning Proposals*.
- The Planning Proposal is inconsistent with Ministerial Directions 1.1 – Business and Industrial Zones, 3.1 – Residential Zones, 3.4 – Integrating Land Use and Transport and 7.1 – Implementation of the Metropolitan Plan for Sydney, and the departure is not considered to be of 'minor significance'.
- The justification for the Planning Proposal is not evidence based. It is not the result of a study or strategy, or shared community and inter-government agency vision.
- The Planning Proposal is not in the public interest because it does not seek to implement a plan for the site that is based on evidence and analysis and which presents a shared community and Council vision for the site.
- Making the Planning Proposal does not represent 'orderly planning' (Clause 5, EP&A Act 1979) because it is inconsistent with the direction of the Draft Metropolitan Plan, Draft Subregional Plan and the Ryde Local Planning Strategy and the previous direction for the site. There has been no master plan, economic or planning strategy that recommends a departure from these strategies developed with the public.

ITEM 3 (continued)

RECOMMENDATION:

- (a) That the independent assessment of the Ryde Civic Precinct Planning Proposal prepared by Architectus titled *Ryde Civic Centre Planning Proposal – Independent Assessment* dated April 2014 be noted.
- (b) That Council provide the Group Manager, Environment and Planning with a direction on how to proceed with the Planning Proposal to amend the Ryde Local Environmental Plan in relation to the Ryde Centre Civic Precinct.

ATTACHMENTS

- 1 Architectus Report - Independent Assessment of Ryde Civic Centre Planning Proposal - CIRCULATED UNDER SEPARATE COVER
- 2 Table of submissions regarding the Civic Centre Planning Proposal

Report Prepared By:

Adrian Melo
Planning Proposal Coordinator

Report Approved By:

Meryl Bishop
Manager - Urban Planning

Dominic Johnson
Group Manager - Environment & Planning

ITEM 3 (continued)

Background

The following is a brief summary of the history of the planning controls applying to the subject site:

<p>30 June 1979</p> <p>Ryde Planning Scheme Ordinance (RPSO) gazetted</p>	<p>1 and 1A Devlin Street, Ryde: zoned Special Uses 'A' – Public Buildings</p> <p>Blaxland Road: Unzoned area</p> <p>150-156 Blaxland Road, Ryde: zoned Special Uses 'A' – Parking.</p> <p>No height or floor space controls applied to the site.</p>
<p>13 December 2005</p> <p>Council adopted LEP 143 to be sent to the Minister for Planning (Frank Sartor) for gazettal.</p>	<p>Following the exhibition of the LEP 143 for Ryde Town Centre, Council resolved to increase the height in Precinct 1 from RL 115 AHD to RL 130 AHD.</p>
<p>29 May 2006</p> <p>Ryde LEP 143 – Ryde Town Centre amended the RPSO with respect to Ryde Town Centre (including the subject site).</p>	<p>Zoning: Business (Town Centre)</p> <p>Precinct: Precinct 1 – Civic / Mixed Use</p> <p>Height Controls:</p> <ul style="list-style-type: none"> – 150-156 Blaxland Road – 4 storeys – Remainder of the precinct – RL 91 AHD (up to 10 storeys) <p>Minister (Frank Sartor) approved LEP 143 with a reduction in the height for Civic Centre to RL 91. Minister advised Council that he would reconsider this decision subject to further design work being undertaken to support an increased height.</p> <p>Floor space controls:</p> <ul style="list-style-type: none"> – Maximum 100,000m² of floor area across the Precinct 1 site.
<p>9 December 2008</p>	<p>Council resolved to prepare and exhibit an amendment to Ryde LEP to increase the permissible height of the Civic Precinct to RL 130 AHD.</p>
<p>30 June 2010</p> <p>Ryde LEP 2010 was gazetted.</p>	<p>Zoning: B4 Mixed Use</p> <p>Precinct: Precinct 1 – Civic / Mixed Use</p>

ITEM 3 (continued)

	<p>Height Controls:</p> <ul style="list-style-type: none"> – 150-156 Blaxland Road – 15.5 metres – Remainder of the precinct – RL 91 AHD (up to 10 storeys) <p>Floor space controls:</p> <ul style="list-style-type: none"> – Maximum 100,000m² of floor area across the Precinct 1 site.
<p>August 2010</p> <p>Council in December 2008 resolved to prepare a draft LEP to increase the height of the Ryde Civic Precinct (Precinct 1) from RL 91 to RL 130.</p>	<p>A planning proposal prepared to:</p> <ul style="list-style-type: none"> – Increase maximum height to RL 130 AHD – Reduce net useable floor area in the Ryde Civic Precinct to 60,000m² <p>The Planning Proposal was exhibited for six weeks with a Concept Plan.</p> <p>Planning proposal was exhibited between 10 August to 21 September 2010.</p>
<p>18 October 2011</p> <p>Council resolved to amend the planning proposal.</p>	<p>The Planning Proposal was amended to reflect a range of maximum buildings heights on the land. The Planning Proposal was exhibited for 4 weeks from 26 October to 23 November 2011.</p>
<p>13 December 2011</p> <p>Council resolves to approve the planning proposal.</p>	<p>Council resolves to approve the planning proposal and request the Minister make the plan.</p>
<p>2 March 2012</p> <p>The Government notifies the plan is gazetted.</p>	<p>Zoning: B4 Mixed Use</p> <p>Precinct: Precinct 1 – Civic / Mixed Use</p> <p>Height Controls:</p> <ul style="list-style-type: none"> – 150-156 Blaxland Road – 15.5 metres – Remainder of the precinct – 75 metres, 21.5 metres and 0 metres. <p>Floor space controls:</p> <ul style="list-style-type: none"> – Maximum 60,000m² of floor area across the Precinct 1 site.
<p>13 November 2012</p> <p>Council resolves to prepare a planning proposal for Ryde Civic Centre.</p>	<p>Council resolved that a project plan be developed to expedite the rezoning of the Civic Centre site back to RL 91 with a maximum permissible floor area of 60,000m² with a zoning of SP2 – Community Use through a planning proposal.</p>

ITEM 3 (continued)

<p>12 February 2013</p> <p>Council resolves to forward the planning proposal to the Department of Planning and Infrastructure requesting a gateway determination.</p>	<p>Planning Proposal proposed to:</p> <ul style="list-style-type: none"> – Rezone the land known as the Ryde Civic Precinct (identified as Precinct 1 – Civic/Mixed use in Ryde LEP 2010 Town Centres Precinct Map) to SP2 – Community uses and Public administration building – Reinstate the maximum height of RL91 for the Civic Centre site – Amend the Ryde Town Centres Precincts map by renaming to Precinct 1 – Ryde Civic.
<p>2 July 2013</p> <p>The Department of Planning and Infrastructure request additional justification for the Planning Proposal.</p>	<p>On 2 August 2014, Council provided further justification primarily noting that the delivery of required jobs and housing in the whole of Ryde can be achieved.</p>
<p>2 November 2013</p> <p>The Department of Planning and Infrastructure advise the planning proposal may proceed at Gateway.</p>	<p>The Department of Planning and Infrastructure advised the City of Ryde that the planning proposal seeking to vary the controls in the Ryde LEP2010 related to the Ryde Civic Centre site can proceed to public exhibition.</p>
<p>20 November 2013 to 29 January 2013</p> <p>Planning Proposal exhibited.</p>	<p>The Planning Proposal was exhibited. 752 submissions received.</p>

Gateway Plan-Making Process

- 1. Planning proposal** – this is an explanation of the effect of and justification for the proposed plan to change the planning provisions of a site or area which is prepared by a proponent or the relevant planning authority such as Council. The relevant planning authority decides whether or not to proceed at this stage.
- 2. Gateway** – determination by the Minister for Planning or delegate if the planning proposal should proceed, and under what conditions it will proceed. This step is made prior to, and informs the community consultation process.
- 3. Community Consultation** – the proposal is publicly exhibited (generally low impact proposals for 14 days, others for 28 days). The consultation for this Planning proposal was undertaken between 20 November 2013 and 29 January 2014.

ITEM 3 (continued)

4. **Assessment** – the relevant planning authority considers public submissions. The relevant planning authority may decide to vary the proposal or not to proceed. **Council is currently at this stage.**
5. **Decision** – the making of the plan by the Minister (or delegate).

According to section 55 of the *Environmental Planning and Assessment Act 1979*, a Planning Proposal must include:

- A **statement** of objectives and intended outcomes of the proposal
- An **explanation** of the provisions of the proposal;
- A **justification** of the objectives, outcomes and provisions including the process for implementation;
- **Maps where relevant**, containing the appropriate detail are to be submitted, including land use zones; and
- Details of the **community consultation** that will be undertaken.

Discussion

The report addresses the Planning Proposal to rezone the site known as the Civic Centre. This includes the land as follows and shown in Figure 1:

Site A

1 & 1A Devlin Street

- Lot 10 in DP1110978
- Lot 11 in DP 1110978
- Lot 12 in DP 1110978
- Lot 50 in DP 1157410
- Lot 53 in DP 1157410
- Lot 1 in DP1170801
- Lot 2 in DP1170801

Note:

- Lot 1 and Lot 2 in DP1170801 reflect Blaxland Road
- Parkes St adjoining the above land is not part of Precinct 1

Site B

150 – 156 Blaxland Rd

- Lot T in DP 443304
- Lot S in DP 443304
- Lot R in DP 443304
- Lot Q in DP443304

ITEM 3 (continued)



Figure 1

Council resolved on 12 February 2013

That Council allocate \$ 35,000 for the employment of a planning consultant to undertake an independent assessment of the Planning Proposal for the Ryde Civic Precinct following the public exhibition of the proposal.

In accordance with Council's procurement framework three quotes were sought from planning consultants to:

- Assess the planning proposal in accordance with NSW Planning and Infrastructure Guidelines for Planning Proposals with respect to the planning justification, information provided etc.
- Assess the merits of the planning proposal against key strategic plans including the Sydney Metro Strategy, Council's Ryde Local Planning Study and other relevant strategic documents.
- Brief assessment of the Draft DCP (please note that this will be secondary to the assessment of the proposed amendments to the Ryde LEP).
- Provide 3 options for council to consider (e.g. adopt, reject, adopt with amendment).
- Recommend a preferred option stating the reasons.
- Include a concise executive summary.

ITEM 3 (continued)

Three submissions were received and the quotes to undertake the work ranged from \$9,000 - \$25,575. Architectus Group Pty Ltd was appointed to undertake the review of the planning proposal for the following reasons:

- Methodology and approach to reviewing the planning proposal was superior in comparison to the other submissions
- A comprehensive understanding of the timeframes
- Team of five people allocated to undertake the review

The assessment has been guided by the process established in the NSW Department of Planning and Infrastructure's *Guide to Preparing Planning Proposals*.

Architectus have recommended that the planning proposal should not proceed on the grounds that:

- The Proposal is inconsistent with the criteria for assessing Planning Proposals in Sections A – Need for a Planning Proposal; B – Relationship to Strategic Planning Process, C – Environmental, Social and Economic Impact and D – State and Commonwealth Interests, of the NSW Government's *Guide to Preparing Planning Proposals*.
- The Planning Proposal is inconsistent with Ministerial Directions 1.1 – Business and Industrial Zones, 3.1 – Residential Zones, 3.4 – Integrating Land Use and Transport and 7.1 – Implementation of the Metropolitan Plan for Sydney, and the departure is not considered to be of 'minor significance'.
- The justification for the Planning Proposal is not evidence based. It is not the result of a study or strategy, or shared community and inter-government agency vision.
- The Planning Proposal is not in the public interest because it does not seek to implement a plan for the site that is based on evidence and analysis and which presents a shared community and Council vision for the site.
- Making the Planning Proposal does not represent 'orderly planning' (Clause 5, EP&A Act 1979) because it is inconsistent with the direction of the Draft Metropolitan Plan, Draft Subregional Plan and the Ryde Local Planning Strategy and the previous direction for the site. There has been no master plan, economic or planning strategy that recommends a departure from these strategies developed with the public.

The Architectus report has considered alternative options for the determination of the planning proposal and this has been discussed in the option section below.

This Architectus report is **ATTACHMENT 1 – CIRCULATED UNDER SEPARATE COVER**.

ITEM 3 (continued)**Community Consultation**

The planning proposal was placed on public exhibition between 20 November 2014 and 29 January 2014. During this period a total of 724 submissions were received. Of these, 1 was against the proposal and 723 were in support. Of the 723 submissions in support, 715 were in a pro-forma style and 2 submissions were received from the Road and Maritime Services and Health Promotion, Northern Sydney Local Health District.

The submissions have been considered within the Architectus report. **ATTACHMENT 2** provides summary and breakdown of the submissions received.

Financial Implications

Adoption of the recommendation will have no financial impact. Should the Planning Proposal proceed and consequently decrease the permissible height on the site and restrict the zoning to “Civic Buildings”, then there is likely to be significant financial implications regarding Council’s future operation of the site. These include the potential for ancillary uses, joint ventures, and other commercial arrangements which may generate income or offset capital and maintenance expenditure. Should other alternate options be pursued there may also be potential financial impacts with regards to appeals, engagement of addition consultants (if required) or other potential unforeseen costs.

Options

The following options for proceeding with the Planning Proposal have been proposed by Architectus.

Option 1 - Make the Planning Proposal

This option would involve Council resolving to support the Planning Proposal as exhibited and requesting the Minister for Planning to gazette the re-zoned site accordingly.

Whilst this option would respond, in part, to the submissions raised, it is recommended that Council do not proceed with making the Planning Proposal for the following reasons:

- The Proposal is inconsistent with the criteria for assessing Planning Proposals in Sections A – Need for a Planning Proposal; B – Relationship to Strategic Planning Process, C – Environmental, Social and Economic Impact and D – State and Commonwealth Interests, of the NSW Government’s *Guide to Preparing Planning Proposals*.
- The Planning Proposal is inconsistent with Ministerial Directions 1.1 – Business and Industrial Zones, 3.1 – Residential Zones, 3.4 – Integrating Land Use and Transport and 7.1 – Implementation of the Metropolitan Plan for Sydney, and the departure is not considered to be of ‘minor significance’.

ITEM 3 (continued)

- There is no agreed vision for the site or master plan that has been developed with the community that would normally inform a Planning Proposal.
- The Planning Proposal does not necessarily represent the community's expectations, or vision for the site, because consultation has been limited and the submissions on this Planning Proposal do not necessarily represent the view of the wider community.

Option 2 - Amend the Planning Proposal

This option proposes two scenarios:

a) Amend the planning proposal to reflect the following:

- Re-zone the land to SP2 Infrastructure Zone to maintain the community uses and public administration buildings (as per the planning proposal)
- Retain the current height control of 75m and 21.5m and 15.5m
- Re-name Precinct to 'Precinct 1 – Civic'

This has not been recommended as:

- There is no basis on which to support the proposed re-zoning to SP2 Zone. Council own the site and can control its future. There is no alternative master plan that demonstrates what the best use of the site is.
- The current civic uses are permissible under the B4 Mixed Use Zone.
- This scenario would require amendments to the draft Ryde DCP 2010 amendments exhibited with this proposal.

b) Amend the planning proposal to reflect the following:

- Retain the B4 Mixed Use Zone (no change)
- Lower the building height to RL91 AHD
- Re-name Precinct to 'Precinct 1 – Civic'

This has not been recommended as:

- There is no basis on which to support the lowering of the building heights. Council own the site and can control its future. There is no alternative master plan or study that demonstrates what the heights should be.
- There is inadequate information available to determine an alternative, appropriate building height for the site. There is no evidence available to us that demonstrates why the built form under the current controls is no longer appropriate.

ITEM 3 (continued)

- This scenario would require amendments to the draft Ryde DCP 2010 amendments exhibited with this proposal, following a built form and urban design analysis.

Should Council endorse option 2, a revised Gateway Determination and re-exhibition may be required to make the amended Planning Proposal.

ITEM 3 (continued)
ATTACHMENT 2

Support (721)	
Type	Issues
Proforma Submission (715)	<p>These submissions followed a proforma style that support:</p> <ul style="list-style-type: none"> ▪ The rezoning to SP2 Infrastructure Community Facilities and Public Administration ▪ Amend the height back to RL91 ▪ Rename the precinct to Ryde Civic <p>It also included a section for individual commentary and the matters raised were:</p> <ul style="list-style-type: none"> ▪ The site should not be sold off for commercial gain at the expense of the wider public. ▪ Land should be retained in community ownership in perpetuity. ▪ The cenotaph and everlasting flame should be restored. ▪ The rezoning reflects the wishes of the community as expressed in the large number of submissions objecting to the redevelopment of the site. ▪ The Civic Centre and surrounds should be heritage listed. ▪ The exhibition period should not have occurred over the Christmas/New Year period and some residents were not notified. ▪ Insufficient infrastructure existing to support high density on the site. ▪ Any development under the existing controls will result in increased traffic problems ▪ That the site is not appropriate for high rise development.
Individual (6)	<p>These submissions raised concerns:</p> <ul style="list-style-type: none"> ▪ That the site is not appropriate for the scale of development permissible ▪ That the community is against high rise development as indicated in submissions against previous planning proposals. ▪ The cenotaph and everlasting flame should be restored. ▪ The exhibition period should not have occurred over Christmas / New year period. ▪ Civic Centre is a landmark and historic building and should be protected. ▪ Land should be retained in community ownership ▪ That a heritage assessment should be undertaken of the Civic Centre site. ▪ That there is insufficient infrastructure to cater for additional loads.

ITEM 3 (continued)
ATTACHMENT 2

Public Authority (2)	
Type	Issues
RMS	Does not object but requests replace any reference to RTA with RMS to reflect organisation change
NSLHD Health Promotion	Support proposal. Recommendations made for increasing health promotion specifically for bicycles and tree plantings.
Against (1)	
Type	Issues
Individual	Objects to the planning proposal on the grounds that the site should be better utilised to maximise financial benefit to community.

4 CIVIC CENTRE - MAINTENANCE SCHEDULE - UPDATE AND REVISED ESTIMATE OF WORKS

Report prepared by: Project Manager

File No.: GRP/09/7/8 - BP14/519

REPORT SUMMARY

This report is provided to Council for its determination in approving the revised funding amount for maintenance and refurbishment works on the Civic Centre, which was previously endorsed by Council at its meeting on 14 May 2013.

As detailed in Council's adopted 5 Year Costed Maintenance Schedule – Civic Centre, Council staff have now progressed and engaged qualified organisations to undertake assessments of all key related areas including the external façade and internal services of the Civic Centre and Civic Hall.

These assessments have identified and detailed specific items that need to be addressed under each of the following areas;

- Refurbishment and Fitout Works Contract Documentation
- Fire Services
- Hazardous Materials
- Electrical & Data
- Electrical & Switchboard Works
- Hydraulic Systems
- Mechanical Services
- Building & Structure Work
- Access & Accessibility (DDA)

Details of the items that have required a revision to Council's previous estimate for these works are detailed in the report and supporting schedules.

As a result of the building, services and access assessment reviews, a much more detailed breakdown and cost estimate of the required works has been completed.

This report in **ATTACHMENT 2**, details 4 Schedules of costings that represent the following;

- Schedule 1
Essential Compliance and Services Maintenance Works only – Estimate \$4.3 Million
- Schedule 2
Essential Compliance and Services Maintenance Works including refurbishment/fit out works – Estimate \$11.91 Million
- Schedule 3
Essential Compliance and Services Maintenance Works including minor fit out works – Estimate \$9.38 Million

ITEM 4 (continued)

- Schedule 4
Original budget allocation as approved at Council's meeting on 14 May 2013 –
Estimate \$4.85 Million

The above estimates for Schedules 1 - 3 include a 10% contingency sum and a project management fee (15%) that was not included in the original estimate. Also, these Schedules exclude the amount of \$275K (ie: \$1.375 Million 5 years) for 'business as usual' maintenance for the Civic Centre, which was shown in the original estimates as adopted by Council. The reason for this exclusion is that the works proposed in the Schedule will in effect replace a majority of 'business as usual' maintenance items. It is therefore suggested to utilise \$175K of this allocation towards the cost of this project, leaving a balance of \$100K for unforeseen maintenance.

This matter is reported back to Council due to the significant variance in the amount previously endorsed by Council to undertake these works.

This report maintains Council's previous position in undertaking these works and therefore recommends that Council approve the allocation of \$11.91 million as the revised total cost of these works ie: Schedule 2.

If Council supports this option it will address the following areas:

- Undertake essential building services and maintenance works.
- Installation of a new substation and generator.
- Essential building works, relating to accessibility that includes a new lift shaft and new lift car being completed.
- Providing a refresh and refurbishment of each floor of the Civic Centre and works on the Civic Hall on a rolling annual program basis.

These works are to be funded from \$0.45 million from the previous allocation for Civic Centre urgent works, \$0.18 million from Civic Centre maintenance with the balance from Council's Investment Property Reserve. Therefore an allocation of up to \$11.3 million is required from Council's Investment Property Reserve.

RECOMMENDATION:

- (a) That Council approve and delegates to the Acting General Manager authority to implement the Four Year Costed Essential Compliance and Maintenance Works and Refurbishment Works Schedule as detailed in **ATTACHMENT 2 – CIRCULATED UNDER SEPARATE COVER – CONFIDENTIAL** at an estimated total cost of \$11.9 million and that this Schedule be incorporated into Council's 4 Year Delivery Plan, 2014-2018, and 1 Year Operational Plan for 2014-2015.
- (b) That Council endorses the allocation of these works as detailed in the report, from the unexpended funds for the urgent works at the Civic Centre, with the balance of up to \$11.3 million being allocated from Council's Investment Property Reserve.

ITEM 4 (continued)**ATTACHMENTS**

- 1 Previous Report to Council (14 May 2013) Civic Centre Refurbishment
- 2 Costed Schedules - CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL
- 3 SGA Access Report 1 Devlin Street Ryde - March 2014 - CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL
- 4 Cardno Building Services Due Diligence Report 1 Devlin Street Ryde - February 2014 - CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL
- 5 Cardno Condition Survey Report - Civic Centre and Civic Hall - April 2014 (excluding location plans / defects - ON FILE) - CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL

Report Prepared By:

Garo Aroutunian
Project Manager

Report Approved By:

Roy Newsome
Acting General Manager

ITEM 4 (continued)

Discussion

Council considered this matter at its meeting on 14 May 2013 and resolved as follows:

- (a) *That Council approve and delegates to the Acting General Manager authority to implement the five year costed Civic Centre maintenance schedule up to a cost of \$4.85 million, as detailed in this report and to incorporate into Council's 4 Year Delivery Plan, 2013-2017, and the 1 Year Operational Plan for 2013-2014.*
- (b) *That Council endorses the funding of these works as detailed in the report, from the unexpended funds for the urgent works at the Civic Centre, with the balance of up to \$4.5 million to be allocated from Council's Investment Property Reserve.*

A copy of Council's previous report is **ATTACHED** (Attachment 1).

Since Council's resolution, Council staff have undertaken the initial works as detailed in Council's previous report on this matter.

Key actions have been:

Completion of architecture as built plans	September – December 2013
Spring cleaning of Civic Centre	October – November 2013
Preparation of documents for calling of quotations	August 2013
Calling of quotations for various professional services	September – October 2013
Quotations evaluated and accepted	October – December 2013
Various building / services assessments completed	February – March 2014
Presentation to staff on revised layouts of each floor, facilitated by Thoughtspace	January 2014

As indicated in Council's report to Council on 14 May 2013, the adopted Works Schedule (detailed in this report) for Year 1 identified the key areas to be undertaken as follows:

- Completion of computer aided design (CAD) plans for all aspects of the Civic Centre
- Detailed Fire Services investigations and works
- Detailed review and works relating to the Disability Discrimination Act and Accessibility
- Hazardous materials inspections and works

A status of the items detailed in Council's previous report is reflected below in bold to demonstrate the work undertaken to date by staff.

ITEM 4 (continued)Computer Aided Design (CAD) Plans

One of the key actions to be undertaken to facilitate the maintenance work is the completion of detailed inspections of the building, together with layout design plans in CAD format. This work requires measuring and detailing fixed furniture, fittings, equipment, electrical and data service outlets, reflecting ceiling plans including lighting, air conditioning registers, finishes and space allocation for each floor.

This will allow accurate quotations to be submitted for all works, minimising Council's risk.

This work was completed in December 2013.

Fire Services

Investigations of the fire services will be focused upon ensuring that all the key elements of the alarm system are correctly located and up to date, including the early warning alarm system, smoke and thermal monitors and fire extinguishers. Fire barriers in ducts and risers between the floors have to be checked to ensure they are appropriately rated to prevent the spread of fire. The resistance of the fire doors needs to be confirmed and layouts reviewed to ensure fire exit pathways are safe.

The outcome of this work will not only confirm the extent of the fire services in the building (for ongoing maintenance) but will also enable any remedial maintenance work to be specified for procurement purposes.

This work was completed in March 2014.

Disability Discrimination Act and Accessibility

Accessibility requires a Disability Discrimination Act (DDA) consultant to validate internal paths of travel, determine whether doorways and door furniture are adequate and if there is appropriate access to amenities and kitchens. From this analysis, the consultant will be able to advise Council on what flexibility exists in relation to the DDA compliance and will determine what work should to be carried out when each floor is refreshed. Accessibility changes, if required on Levels 5 and 6 will be carried out in the first year of the program.

This work was completed in March 2014.

Hazardous Materials

This work was previously completed, as detailed in the previous report to Council in May 2013.

ITEM 4 (continued)Other Building Services

In addition to the works that were indicated to be completed in Year 1 of this project, a full assessment has been undertaken across all Building Services areas, including electrical, mechanical, hydraulic and building structure.

This work was completed in March 2013.

Findings and Results of Building Services and Access Reports

City of Ryde commissioned Cardno to undertake a comprehensive investigation and independent reports on the building services and building condition of the Civic Centre and Civic Hall. The reports and their findings is the basis for the planned maintenance/upgrade and refurbishment initiatives for this site.

In addition, City of Ryde commissioned SGA Compliance to undertake an equitable access assessment. This report would highlight any compliance related issues and provide solution pathways to address any identified issues.

These reports highlight a significant number of major deficiencies that will need to be addressed as a matter of priority. These reports are included as:

- SGA Access Report - **ATTACHMENT 3 - CIRCULATED UNDER SEPARATE COVER – CONFIDENTIAL**
- Cardno Building Services Due Diligence Report – **ATTACHMENT 4 - CIRCULATED UNDER SEPARATE COVER – CONFIDENTIAL**
- Cardno Condition Survey Report – Ryde Civic Centre and Ryde Civic Hall (excluding location plans / defects ON FILE) – **ATTACHMENT 5 - CIRCULATED UNDER SEPARATE COVER – CONFIDENTIAL**

Access Assessment Report – Key Findings

SGA Compliance ('SGA') has carried out an inspection of the public areas, Civic Centre building and basement including the Civic Hall and has presented its Equitable Access Assessment report.

The principal objective of the report was to identify (in the context of accessibility):

- The existing condition / compliance of the office areas of the Administration building as well as the Civic Hall
- Mandatory accessibility upgrading requirements that will be applicable as a result of the proposed 'refurbishment' works
- Council's obligations under the relevant legislative provisions
- What discretion Council has over the timing and extent of its obligations,
- "Nice to have" accessibility improvements could be made economically to the Civic Centre

ITEM 4 (continued)

SGA has highlighted that commentary on compliance is limited to a comparison of the subject parts of the building against Parts D3, E3.6 and F2.4 of the Building Code of Australia, relevant Australian Standards called up by the BCA primarily AS1428.1-2009 as well as the Disability (Access to Premises – Buildings) Standards 2010 (Premises Standards) and the Access Code.

1. The Disability (Access to Premises – Buildings) Standards 2010 apply when an application is made for building works and includes a need to upgrade the ‘affected part’. This relates to the path of travel between the proposed works to and through the principal entry doors. Therefore, this includes the building’s lifts. In this regard:
 - (a) The existing lift car dimensions are 1530mm wide and 1020mm deep and therefore do not comply with either the new requirements of 1400mm by 1600mm or the concessionary dimensions for existing lifts of 1100mm wide and 1400mm deep. These cannot be readily amended to comply. Lift features, e.g. Call buttons, audible announcements, etc are all not to current code. Access via the lift must be addressed by:
 - An access consultant preparing an alternative solution to verify that persons in wheelchairs can be accommodated and operate the lifts as existing.
 - Rendering the lift compliant (may require reconstructing the existing lifts or installing a new lift).
 - Making an application through the Building Professional Board’s Access Advisory Committee for a concession under the ‘unjustifiable hardship’ provisions of the Premises Standards. There are concerns with regard to the viability of this option with Council being the applicant.

Irrespective of the method of resolving the lift car dimensions, the lift car features will need to be upgraded. Council should note that the issues related to the size of the existing lifts will only be required to be addressed if Council undertakes the refurbishment works as detailed in Schedule 2 of **ATTACHMENT 2 – CIRCULATED UNDER SEPARATE COVER – CONFIDENTIAL**.

- (b) The grades of the ramps as well as the lack of handrails to the entry of the Civic Centre building do not comply with the required standards. It is considered that the following works are required, to render the entry compliant:
 - Extending the landing to the eastern edge of the covered pathway; and
 - Install compliant ramps or walkways to the north and south of the landing. Any ramp is to be provided with compliant handrails and kerb rails. Any walkway is to be provided with compliant kerbs
 - Install compliant kerbs, kerb ramps &/or handrails (as necessary) to the landing

ITEM 4 (continued)

- (c) The path between the temporary offices in the basement break out area and the lift will need to be upgraded to current code, this is likely to include the installation of ramped access between the levels and additional internal alterations to achieve compliant turning spaces, etc.

Both parts (b) and (c) are required to be undertaken irrespective of which option Council chooses to undertake due to this work being an essential compliance item in respect of access.

2. Another matter raised by the Consultant in their report is that Council will have a further obligation to increase the number of disabled toilets within the Civic Centre if Council undertakes the refurbishment works. This will be a requirement to have 1 (one) disabled toilet on each alternate floor of the building. This additional cost has been included in Schedule 2 of **ATTACHMENT 2 – CIRCULATED UNDER SEPARATE COVER – CONFIDENTIAL**.

Building Services due Diligence Report – Key Findings

Cardno were engaged to undertake an investigation and assessment of the Civic Centre's building services that included the following;

- Overall services and plant condition
- Base building main plant
- Electrical services – power, lighting, communications and security
- Mechanical services
- Hydraulics services
- Fire services
- External Façade, structural and window conditions

The following is 'in general' an extract from Cardno's report;

The majority of the existing major building services installed within the property are past their economic life and are due for replacement.

Cardno understands the City Of Ryde wishes to extend the life of some services for another five years however it should be noted the services as highlighted in the report are due for immediate replacement, a temporary economic solution will be difficult due to replacement parts being not readily available and may struggle to operate for a further five years.

- Electrical Services

The substation is not a dedicated substation as it also supplies a portion of the residential properties directly adjacent to the Civic Centre (an easement on Council's land maybe required in establishing the substation). The supply authority confirmed that the current substation is rated at 712 amps 3 Phase with the highest recorded usage reported to be 709 amps 3 Phase. As part of any upgrade works to the substation, Cardno has suggested that the substation be

ITEM 4 (continued)

upgraded and become a dedicated supply for the Civic Centre. At the same time this work is being undertaken the generator, as previously resolved by Council, will be installed.

The Tenant Distribution Boards on all levels of the Civic Centre, although in fair condition, are of a superseded type and are approaching their end of life. Cardno recommends that these boards be replaced to current standards as replacement parts become more difficult to source and Australian and NCC Standards are updated.

Lighting on the office floors are outdated and Cardno recommends replacing all original fittings with new energy efficient fittings. The existing light fittings are older T12 fluorescent fittings. The open plan lights are aged and are past their economic life.

Key actions – Electrical Services

- New Distribution Boards
- New Substation
- New light fittings, switches and wiring

▪ Mechanical Services

The major mechanical equipment sighted appeared to be part of the base building installation (installed around 1960). Apart from the air cooled chillers which were recently replaced, most of the major equipment inspected on site has passed their economic life and are in fair condition. However, due to their age they are due for replacement in the near future.

Two (2) base building Carrier air cooled chillers (each 260kW nominal cooling capacity) are located on the roof adjacent to the plantroom. They appeared to be operating well during our site inspection. The chillers are approximately 3 years old and capable of a further 16-18 years' service with ongoing maintenance.

The chiller serves chilled water to Air Handling Units (AHU) located in the office building and the Civic Hall. One (1) Radco hot water oil fired boiler is installed in the roof plantroom and supplies hot water to the heating coils in the AHUs located throughout the building.

The boiler appears aged and part of the original base building installation and appears to be well past its economic service life. The overall condition of the boiler looks satisfactory.

Key actions – Mechanical Services

- Air conditioning plant – further upgrades required
- Zoning for air supply
- Boiler replacement

ITEM 4 (continued)

- Fire Services

The fire services have been progressively updated since the original construction. An automatic fire detection system has been installed throughout the building's office floors and the Civic Hall and typically consists of smoke detectors and heat detectors.

The detectors appear to be installed to spacing requirements to comply to current code AS1670 and therefore would be fit for purpose for continued use. A Warning System has also been installed. Recessed warning speakers are located within the office levels and Civic Centre ceiling grid areas with horn speakers located in the car park and common areas. Based on the documentation reviewed and advice provided to Cardno a sprinkler system to CA16 1962 Ministerial Specification No.10 is provided within the car park.

The sprinkler heads were replaced during the shopping centre access works and the majority of sprinklers sighted appear to be in a good condition and are suitable for continued use where maintenance procedures are adhered to.

The building is equipped with a fire hydrant system. The hydrants are located within the fire service cupboards on the floors reviewed and in respective plantroom and car park areas. From the documentation reviewed onsite the building's hydrant system was installed to Ordinance 70 Code.

The hose reels installed within the facility are located within fire service cupboards and surface mounted in respective areas throughout the building. All inspection tags reviewed were current. The hose reels reviewed were of the 36m variety, in good condition and capable of continued use.

Key actions – Fire Services

- Upgrade Fire Hydrants

- Hydraulics Services

The general condition of the hydraulic services inspected appear to be in a reasonable condition with some areas in need of repair if they are to be re-used. Cold water enters the building from the Sydney Water water main in Devlin Street, with a water meter adjacent to the boundary of the buildings car park entry.

The cold water service operates on pressure boosting from pumps located in a basement plantroom that feed storage tanks within the roof plantroom. The building draws hot water from electric water heaters that are positioned relatively close to the points of use and from a roof mounted tank. Electric water heaters have a general service life expectancy of 10 -12 years only. Gas is available in Devlin Street, however is not connected to the existing building with mechanical boilers being oil fired.

ITEM 4 (continued)

The building is served by two main stacks located centrally in the amenities area. Downpipes and stormwater drainage discharge to the existing stormwater main in the street with downpipes collecting the discharge from the concrete roof and downpipes running in service ducts internal to the building. The existing roof drainage outlets appear to be in reasonable original condition.

Key actions – Hydraulic Services

- Upgrade sewer / water pipe supply
- Upgrade taps / fittings to all toilets

▪ External Façade, Structural & Window Conditions
Civic Centre Administration Building & Civic Hall

Generally the condition of the Civic Centre appeared to be consistent with buildings of a similar age and construction with a number of deficiencies noted which are expected of a building which is approximately 50 years old.

Typically the façade panels and facing elements all appeared to have performed as expected with only minor instances of dislodged storm moulding and missing rivets noted in the aluminium framing. As a result, only minor repairs are likely to be required as part of any upcoming works schedule.

Similarly to the Civic Hall, a large percentage of the mastic joints and seals associated with the curtain wall/glazing panels are beyond economical repair and will likely require replacement in the next 3 years to ensure the long-term serviceability and watertightness of the building is maintained.

Unfortunately, a number of tiles around the building appeared to be drummy and in need of refixing before they completely dislodge. The majority of these tiles were noted around the lower level columns and on the tiled window fins associated with the western elevation. Further discussions with Council are recommended to decide on the most cost effective way to address these repairs.

Another item which may require attention within the next 3 years is the replacement of the roof membranes and the parapet capping which appear to be nearing their serviceable life (beyond economical repair).

A number of potential concrete spalls were noted on the underside of the window sill/ledge beams which require further investigation repair, however, these spalls are localised to the sill beam only and have not necessarily reduced the structural integrity of the building.

Civic Hall roofing will require attention within the next 3 years. The replacement of the roof sheeting and associated capping/fascia elements appear to be nearing their serviceable life (beyond economical repair).

ITEM 4 (continued)

Otherwise, the structural integrity of the buildings and the various structural elements appear to be performing as per the design intent and are not of any concern at this time.

Key actions – External Façade and Windows

- Replacement of external tiles
- Windows to be sealed / seals replaced
- Brickwork ties to be replaced
- Roof membrane and parapet lining to be replaced
- Civic Hall roof (sections), window seals and wall lining seals to be replaced

Options

OPTION 1	Schedule 1 - Essential Compliance and Service Maintenance Estimate \$4.3 million
	<p>This option details what works are required to be undertaken to the Civic Centre and Civic Hall that are essential either from a compliance or maintenance perspective.</p> <p>This option varies from the original estimate with the following variances:</p> <ul style="list-style-type: none"> ▪ Project management fee(\$614K) ▪ Replacement of distribution boards (\$90K) ▪ Replace lighting controls (\$12K) ▪ Increased Building Management System / LED Lighting (\$44K additional) ▪ Various hydraulic system replacements (\$220K) ▪ Various mechanical services (\$200K) ▪ Various Civic Centre façade repairs (\$635K) ▪ Various building and structural repairs to the Civic Hall (\$278K) ▪ Access issues (\$198K) ▪ Contingency (\$391K) <p>This option is not recommended given Council's decision to remain in the Civic Centre. This option does not address improving the amenity of the Civic Centre for staff and visitors to the building which has been detailed in this report.</p>
OPTION 2	Schedule 2 - Essential Compliance and Service Maintenance PLUS Fit Out and Refurbishment Works Estimate \$11.9 million
	<p>This option directly correlates to the intention of the Scope of Works that was provided and adopted by Council at its meeting on 14 May 2013.</p>

ITEM 4 (continued)

	<p>This option includes all the variances in Schedule 1 (above). The additional variances in this option to the original estimate are:</p> <ul style="list-style-type: none"> ▪ Civic Hall refurbishment including new ceilings – includes interior refurbishment (\$430K) ▪ New lift shaft structure allowance (\$500K) ▪ New lift car shaft external (\$400K) ▪ Level 6 works (\$160K) ▪ Interior design and fitting drawings / designs (\$200K) ▪ Project management fee (\$1.53 million) ▪ Data cabling and power (\$410K) ▪ Hydraulics system (\$750K) ▪ Mechanical services (\$260K) ▪ Refurbishment works (\$3.2 million) ▪ Contingency (\$1.08 million) <p>This option is recommended as it addressed all compliance and maintenance issues, in addition to refreshing and refurbishing all floors of the Civic Centre as was proposed in Council's resolution of 14 May 2013. The fit out estimate has been calculated to the same standard that was previously implemented for Level 1A Pope Street, in providing accommodation for Council's Community Life Group.</p>
OPTION 3	<p>Schedule 3 - Essential Compliance and Service Maintenance PLUS Minor Fit Out and Refurbishment Works Estimate \$9.38 million</p>
	<p>This option includes all of the essential compliance and maintenance works detailed in Schedule 1 with a scaled down fit out including new desks, painting and carpet only.</p> <p>Key variances to note with this option are:</p> <ul style="list-style-type: none"> ▪ Project management fee (\$1.2 million) ▪ Level 6 works (\$160K) ▪ Refurbishment works (\$2.7 million) ▪ Contingency (\$850K) <p>This option is not recommended due to the minimal variance to the complete fit out works proposed in Schedule 2.</p>
OPTION 4	<p>Council does not accept any Option</p>
	<p>This option is not recommended. Council has an obligation to undertake essential maintenance work and to take no action would be in conflict with Council's current resolution on this matter to address essential maintenance and to refresh and refurbish each floor of the Civic Centre.</p>

ITEM 4 (continued)**Summary of Options**

The revised estimates include two (2) main additions of a project management fee and a contingency sum to provide a more accurate estimate of the total cost of each option.

With the additional estimates relating to the external building, building services and in particular accessibility issues, this report recommends Council endorse Option 2 which will require Council approving an increased allocation for these works of \$11.9 million, as detailed in Schedule 2.

It should be noted that the standard of fit out works that the estimates have been based upon, are equivalent to the fit out works that were previously implemented for Level 1A Pope Street, for the provision of accommodation for Council's Community Life group.

Consultation

A comprehensive communication and engagement plan has been prepared, with the next stage of the plan to be implemented, based on Council's resolution of this matter. This will include regular information / updates being provided to staff, together with Councillors as this project continues.

There has been extensive consultation with all Civic Centre staff, the Consultative Committee and the Executive Team.

Risks

The key risks associated with these proposed works are;

- That throughout this project, Council does not meet Work, Health and Safety standards.
 - Compliance with the Work Health and Safety Act is targeted to be maintained at all times, noting there is no intent in this maintenance program to initiate the need for overall compliance with the Building Code of Australia.
- If an unexpected defect is discovered that requires immediate attention, thereby disrupting the program and costs.
 - The mitigation action is to ensure that the specialists carrying out the assessment work to AS/NZ ISO 31000 risk management protocols and are thoroughly briefed to ensure they give sufficient warning of a new issue in order that it can be incorporated in the budget and program with least impact.

ITEM 4 (continued)

- During the building assessment or works a matter arises that would appear to require an unexpected degree of regulatory compliance.
 - Council is keen to avoid the need to make the Civic Centre fully compliant with the Building Code of Australia. The initial guard against this will be the specifications of the checks and works and the ultimate mitigation would be to seek dispensation from the relevant Authority on grounds of reasonableness, practicality or cost.
- Council will maintain its present position in respect of its compliance with the Disability Discrimination Act (DDA). However there may be claims that Council will have to respond to in accordance with its obligations. All proposed works will be undertaken to meet all required standards as applying to the Civic Centre as it stands, noting that Council will not be undertaking any works that activate Council being required to meet the current Building Code of Australia standards.
- Council will need to manage its financial risks with the proposed works. Initially Council will be required to provide its commitment in allocating the required funds to undertake the works. In addition, there is the risk that during the course of these works there are additional works required to be undertaken, that may require additional funding to be allocated.

Financial Implications

Recognising the age, condition and long term potential of the Civic Centre caution has been taken in specifying works to avoid triggering the need for extensive compliance work to the current Building Code of Australia (BCA) standards.

Accordingly, this report is provided to Council for its consideration with the costed Maintenance Schedule of Works detailed in **ATTACHMENT 2 – CIRCULATED UNDER SEPARATE COVER – CONFIDENTIAL**. The Schedules provided in this report detail the following options for Council

- Schedule 1: Essential Compliance and Maintenance Works only. Estimate \$4.3 million
- Schedule 2: Essential Compliance and Maintenance Works including Fit Out and Refurbishment Works. Estimate \$11.9 million
- Schedule 3: Essential Compliance and Maintenance Works including Minor Fit Out Works. Estimate \$9.38 million.
- Schedule 4: Original Budget Estimates. Estimate \$4.85 million.

Council should note that the expenditure on the project to date is \$0.42 million.

ITEM 4 (continued)

As detailed in the Schedule of Works, the recommended Option (Option 2) estimates, the total costs for the maintenance and refurbishment works to be \$11.9 million, which includes a contingency of \$1.08 million. It is proposed that this revised estimate be funded from \$0.46 million previously allocated for urgent works on the Civic Centre, \$0.18 million from the Civic Centre maintenance budget, with the remaining funds up to \$11.3 million to be funded from the Investment Property Reserve.

If Council supports this recommendation, this will result in a balance of \$4.08 million in the Investment Property Reserve from its current balance of \$15.38 million.

Conclusion

The aim of this four (4) year maintenance and refurbishment program is to extend the viability of the Civic Centre and Civic Hall, by making the minimum feasible improvements at the most economical cost. It is proposed that all works are carried out in such a way to avoid significant disruption to the business of Council.

The works also include refreshing the building both externally and internally, to ensure Council maintains a safe, healthy and productive work environment for both staff and visitors to the building.

As a result of the independent professional assessments undertaken of all of the key components of the Civic Centre and Civic Hall related to the buildings' condition, services (externally and internally) and accessibility, this has resulted in a significant increase in the estimate of the required works as detailed in this report.

To be consistent with Council's previous resolution on this matter, it is recommended for Council to endorse Option 2, at a revised estimate of \$11.9 million, as detailed in this report.

ITEM 4 (continued)**ATTACHMENT 1**Lifestyle and opportunity
@ your doorstep

Council Reports Page 1

9 CIVIC CENTRE - MAINTENANCE SCHEDULE - 2013-2018**Report prepared by:** Project Manager - Development
File No.: GRP/09/7/6 - BP13/632**REPORT SUMMARY**

This report details the maintenance works schedule proposed to be implemented over the next five (5) years in respect of Council's Civic Centre.

The proposed schedule of works will be undertaken in two stages, Stage 1 (Short term – Year 1) and Stage 2 (Medium term –Years 2 - 5).

Works to be undertaken in Stage 1 are in the services / maintenance areas that will address special cleaning, fire services, hazardous material, accessibility and completion of electronic design plans for the building. Stage 2 will address electrical, hydraulic services and structural components of the building. The second stage also includes a rolling annual program of refreshing staff workspaces on each floor of the Civic Building.

This report seeks Council's endorsement to the maintenance work schedule noting that the proposed maintenance program of works, represents a minimal level of works over the next five (5) years to ensure the Civic Centre provides a safe and healthy working environment and maintains the operations of the building to the required levels.

The program is estimated to cost up to \$4.85 million and is proposed to be partly funded from the balance of funds allocated for urgent works at the Civic Centre, with the remainder to be funded from Council's Investment Property reserve. Adequate funds are located in the reserve to cover the estimated costs of the works.

RECOMMENDATION:

- (a) That Council approve and delegates to the Acting General Manager authority to implement the five year costed Civic Centre maintenance schedule up to a cost of \$4.85 million, as detailed in this report and to incorporate into Council's 4 Year Delivery Plan, 2013-2017, and the 1 Year Operational Plan for 2013-2014.
- (b) That Council endorses the funding of these works as detailed in the report, from the unexpended funds for the urgent works at the Civic Centre, with the balance of up to \$4.5 million to be allocated from Council's Investment Property Reserve.
- (c) That Council endorses the funding of these works as detailed in the report, from the unexpended funds for the urgent works at the Civic Centre, with the balance

Council, dated 24 April 2014, submitted on 14 May 2013.

ITEM 4 (continued)

ATTACHMENT 1

ITEM 9 (continued)

of up to \$4.5 million to be allocated from Council's Investment Property Reserve.

ATTACHMENTS

- 1 Presentation Civic Centre Maintenance Councillors Workshop - 23 April 2013
- 2 Five Year Costed Maintenance Schedule - Civic Centre

Report Prepared By:

Malcolm Harrild
Project Manager - Development

Report Approved By:

Danielle Dickson
Acting General Manager

Council, dated 24 April 2014, submitted on 14 May 2013.

ITEM 4 (continued)**ATTACHMENT 1****ITEM 9 (continued)****Discussion**

At Council's meeting on 26 February 2013, when considering the report on the Ryde Civic Centre – Priority Maintenance, resolved as follows:-

- (a) *That the report be received and noted*
- (b) *That the Acting General Manager report back to Council providing a costed maintenance schedule for the building for the upcoming five years.*

At Council's meeting on 9 April 2013, it was decided to defer consideration of the Report on Civic Centre – Maintenance Schedule -2013-2018 pending presentation of key matters in the Councillors' Workshop of 23 April 2013, **ATTACHMENT 1**, the contents of which were noted.

Civic Hall

A petition was tabled at Council's meeting on the 19 March 2013, relating to the condition of the floor in the Civic Hall. The proposed maintenance schedule incorporates the Civic Hall floor in Year 4 of the program. The external façade and cleaning works will encompass the Civic Hall at the same time, with the Civic Hall amenities being refinished in Year 5 of the program.

Approach

The approach taken in preparing the schedule of works, has been to prepare a systematic program of essential maintenance work over the next five years that includes the opportunity for a limited "catch-up" of unattended works and to re-invigorate the building for the benefit of all who use it. However, recognising the age, condition and long term potential of the Civic Centre caution has been taken in specifying works to avoid triggering the need for extensive remodelling and compliance work to the current Building Code of Australia (BCA) standards.

The aim of the works schedule is to maintain a healthy and safe environment for building users and prolong the life of key building components. In taking this approach Council proposes that the basic and simpler building components relating to fire services, hazardous materials and accessibility receive attention first and that the components of electrical, hydraulic and the structure are dealt with later.

Due to the expectation that the Civic Centre was to be replaced following the completion of Top Ryde Shopping Centre, certain works associated with the Civic

Council, dated 24 April 2014, submitted on 14 May 2013.

ITEM 4 (continued)**ATTACHMENT 1****ITEM 9 (continued)**

Centre were delayed except where works became urgent and have subsequently been undertaken. Therefore, the schedule details these “catch up” works.

Accordingly, this report is provided to Council for its consideration with the costed Maintenance Schedule of Works detailed in **ATTACHMENT 2**. The Schedule has been prepared separating the one off costs to undertake the required works in addition to the recurring costs.

The works will be undertaken in two stages, Short term (Year 1) and Medium term (Years 2 - 5).

A summary of the works undertaken in each stage is detailed below:-

Short Term (Year 1)

Key areas to be undertaken in Stage 1 are:

- Completion of computer aided design (CAD) plans for all aspects of the Civic Centre
- Detailed Fire Services investigations and works
- Detailed review and works relating to the Disability Discrimination Act and Accessibility
- Hazardous materials inspections and works

Computer Aided Design (CAD) Plans

One of the key actions to be undertaken to facilitate the maintenance work is the completion of detailed inspections of the building, together with layout design plans in CAD format. Once completed, this will allow accurate quotations to be submitted for all works, minimising Council's risk.

This work requires measuring and detailing fixed furniture, fittings, equipment, electrical and data service outlets, reflecting ceiling plans including lighting, air conditioning registers, finishes and space allocation for each floor.

Fire Services

Investigations of the fire services will be focused upon ensuring that all the key elements of the alarm system are correctly located and up to date, including the early warning alarm system, smoke and thermal monitors and fire extinguishers. Fire barriers in ducts and risers between the floors have to be checked to ensure they are appropriately rated to prevent the spread of fire. The resistance of the fire doors needs to be confirmed and layouts reviewed to ensure fire exit pathways are safe. The outcome of this work will not only confirm the extent of the fire services in the

Council, dated 24 April 2014, submitted on 14 May 2013.

ITEM 4 (continued)**ATTACHMENT 1****ITEM 9 (continued)**

building (for ongoing maintenance) but will also enable any remedial maintenance work to be specified for procurement purposes.

Disability Discrimination Act and Accessibility

Accessibility requires a Disability Discrimination Act (DDA) consultant to validate internal paths of travel, determine whether doorways and door furniture are adequate and if there is appropriate access to amenities and kitchens. From this analysis, the consultant will be able to advise Council on what flexibility exists in relation to the DDA compliance and will determine what work should be carried out when each floor is refreshed. Accessibility changes, if required on Levels 5 and 6 will be carried out in the first year of the program.

Hazardous Materials

Two separate approaches have been put in place in relation to hazardous materials. The publicity that resulted from the matter of lead in dust being reported in the report to Council on 26 February 2013, caused concern amongst Civic Centre staff as noticeable dust was found coming out of the conditioning ducts. Council officers believed this was due to the improved air flow through the ducts as a result of the recent improvements to the air conditioning equipment. In order to validate this and respond to concerns, an immediate Indoor Air Quality Assessment was commissioned from SLR Consulting Australia Pty Ltd. Air quality was monitored throughout the building against a range of parameters set by the World Health Organisation (WHO); the National Health and Medical Research Council; Safework Australia; the American Society of Heating, Refrigerating and Air-Conditioning Engineers; and the American Conference of Government Industrial Hygienists.

The Executive Summary of SLR Consulting's Report states;

"The assessment was conducted on Tuesday 12 March 2013 and involved monitoring for the following air quality indicators;

- Levels of Temperature, Relative Humidity, Carbon Dioxide (CO₂), Carbon Monoxide (CO), Total Volatile Organic Compounds (TVOCs), Dust (milligrams per cubic metre) and Airborne Micro-organisms in air were monitored at various locations.

The aim of the monitoring was to determine if the current indoor environmental conditions within the Civic Centre were within the recommended parameters for environmental quality in non-residential buildings.

On the day of monitoring, indoor environmental conditions within the Civic Centre were mostly within recommended parameters for environmental quality in non-residential buildings.

Council, dated 24 April 2014, submitted on 14 May 2013.

ITEM 4 (continued)**ATTACHMENT 1****ITEM 9 (continued)**

The exceptions were the following:

Level 5 IT area where the temperature, at 21.3C, was just below the recommended range of 22C to 26C.

Carbon dioxide concentrations recorded on Level 2, Level 3 and Level 4, exceeded 800 parts per million but were below the WHO guidelines of 1,000 parts per million. This indicated the potential for inadequate fresh air ventilation to these levels of the Civic Centre."

As a result of these findings work is now being undertaken to improve the fresh air flows of each of the respective floors.

However it is important to note that airborne dust levels were within air quality standards. This confirms the assumption that the dust from the air conditioning outlets was caused by the initial improvement to air flow from the new equipment. These compliant dust levels do not signal any requirement to vacuum the air conditioning ducts.

At Council's request SLR Consulting has also taken examples of dust from all ceiling cavities in the administration building to validate the assumption from a previous hazardous materials investigation, that lead in dust would be present in the ceiling cavities to levels greater than Australian Standards guidelines. Laboratory tests of the dust samples have identified sandy grit deposits containing some organic fibres. There are no traces of asbestos but lead is present in the dust in potentially hazardous levels on most floors of the building. The five year costed maintenance schedule therefore includes a decontamination procedure to remove dust from all ceiling cavities and treat any residue with a settling agent to nullify the risk of dust escaping when future electrical cabling or air conditioning system work is necessary in the cavities.

Medium Term (Years 2-5)

Key areas to be undertaken in Stage 2 are;

- Review of building structure and façade and completion of required works
- Electrical services investigation and completion of required works
- Completion and implementation of power generator and associated works
- Hydraulic services works
- Refresh works of Building-External and Internal
- Civic Hall floor replacement and amenities refresh

Review of Building Structure and Façade

Council, dated 24 April 2014, submitted on 14 May 2013.

ITEM 4 (continued)**ATTACHMENT 1****ITEM 9 (continued)**

Of all the building components, Council has least current knowledge of the condition of the structure, and the safety of the facades in particular. Some major work was done prior to 2000 (for example window weatherproofing in 1987) but since then the major work has been related to reducing the basement and relocating parking when the Top Ryde City access ramps and tunnels had to be built. The only recent work to the façade was to refix loose terracotta tiles on a column on the western side of the building in 2008. The proposed maintenance schedule includes new weatherproofing, terracotta tile and brickwork repairs. However in order to be able to ensure this is the case and to accurately specify what is required, the whole façade has to be investigated. This detailed inspection can only be done from a cradle suspended from the roof and requires every part of the brickwork, glazing system and tiling to be checked.

Electrical Services

The electrical services investigation is proposed to be limited to the condition, capability and serviceability of the floors' electrical distribution boards. Thermal hot spots have been previously identified and rectified on these boards but they are difficult to service and considered borderline for the loads now carried. If the Consultant's findings are that the boards require replacement, his role will be to specify replacements and any associated changes to cabling. In the interests of safety this work will be carried out in the early part of the program.

The work also includes activating the Building Management system, that will reduce the amount of electricity used in all areas of the Civic Centre, including meeting rooms.

Power Generator

The proposed maintenance program also offers the opportunity to resolve the matter of the generator that was raised in the 11 October 2011 report to Council **'OVERVIEW OF CONDITION OF CORPORATE BUILDINGS AND ESSENTIAL WORKS'**. Council resolved to approve a sum of \$690,000, nearly a third of which was for a generator that would provide automatic power backup in times of a blackout or other failure in the Civic Centre.

Discussions about this with Energy Australia (EA) have revealed that;

- The electricity kiosk next to the Civic Centre supplies both the Civic Centre and all the homes in Blaxland Road to the west of Council's land,
- Energy Australia (EA) wishes to divide this supply as the kiosk is frequently operating in excess of its maximum capacity and it would be more appropriate for the Civic Centre to have a dedicated supply,

Council, dated 24 April 2014, submitted on 14 May 2013.

ITEM 4 (continued)**ATTACHMENT 1****ITEM 9 (continued)**

- EA is reluctant to initiate this change (at its cost) unless Council can predict its future electrical requirements for the Civic Centre,
- To be effective, a generator needs to operate as soon as power fails, which requires an automatic switch to be linked to the kiosk supply. EA is reluctant to approve this with the existing kiosk, preferring it to be part of the solution with a new kiosk.
- EA have rights to overview the cabling from a new kiosk to the Civic Centre, the status of Council's main switchboard (vintage 1965) and the cabling for the generator.
- A new kiosk may require a new EA easement over Council land,
- It would be most sensible to integrate commissioning the new kiosk, installing the automatic switch and generator, upgrading cabling and the remodelling the main switchboard into a single project. However this combination of work could take up to eight days to complete, during which the Civic Centre would be without power.
- Timing of these major changes would be at the discretion of EA as works would be dependent upon the division of supply and the program to install a new kiosk for the Civic Centre.

In order to progress these matters Council needs to employ a specialist consultant accredited by Energy Australia. The role will be to determine Council's electrical load requirements, specify the capacity of the generator, negotiate the electrical infrastructure design with EA and resolve a program that is realistic with least impact upon Council's operations. The costed maintenance program includes the cost of this specialist, the generator and associated switchboard and cabling work.

Hydraulic Services

Recently urgent works were carried out to the hydraulics system when joints in sewer pipes failed. The aim of appointing a hydraulics consultant is to investigate the condition of pipe work, joints, valves, storage tanks and the heating system boiler with a view to identifying if these components will last the next five years with nothing more than routine maintenance. It is expected that the consultant will find that replacements will be necessary and an allowance for the "worse case" has been included in the maintenance program.

Refresh Building Works – External/Internal

In addition to attending to the safety of the basic building services, it is proposed to carry out some cosmetic work to uplift the tired appearance of the Civic Centre, both

Council, dated 24 April 2014, submitted on 14 May 2013.

ITEM 4 (continued)**ATTACHMENT 1****ITEM 9 (continued)**

outside and inside. To improve the external appearance of the building, the works include cleaning all the windows and facade (including reinstituting window cleaning as a programmed maintenance activity), repainting the Council's Coats of Arms and signs, and removing the obsolete "Centenary Library" signs.

The interior "spring clean" would include removing all unwanted stored material and surplus furniture, cleaning all the windows inside, shampooing all carpets and removing the Venetian blinds (all of which need cleaning and many of which require repair) and replacing them, which is more economic, with simple and effective "solar" roller blinds (as installed in the Level 5 Committee rooms). It is planned to carry out these works in the first part of the program. However an infestation of bedbugs in carpet and furniture, which necessitated the decontamination of Level 2 over the weekend 27 and 28 April, may make the intense cleaning of each floor a matter of urgency.

An area of the building that has received minimal attention other than painting since the Civic Centre was occupied in 1965 are the amenities and kitchens. The proposal is to refinish and re-equip these facilities with modern fittings, make them more pleasant to use, assist with water saving initiatives and accommodate existing equipment in a safer and efficient manner. This work would not include the commercial kitchens on levels 5 and 6 as they are the least used and the amenities on those two floors will be considered towards the end of the program.

Most of the interior of the building has received little attention other than limited cosmetic work for several years. It is therefore proposed to refresh one office floor each financial year to gradually provide more effective work environments for staff. It is proposed to use designs similar to the work space in Council offices above the Ryde Library in Pope Street, but not to the same specification and cost. The purpose of this is to ensure the design of the floors will provide better future flexibility without the need for significant and costly layout changes. The bathrooms and kitchen on each office floor would be refreshed at the same time because it would be too disruptive to do that work when the floors are occupied. It is not intended to refresh Level 5 and 6 as both floors received fresh paint and carpet not long ago and are in acceptable condition, although an allocation has been made in year one to replace the meeting tables on Level 5.

In order to refresh a floor as quickly and economically as possible, all staff from each floor will be relocated while the work is being done. Council has two spaces where it can provide temporary accommodation for a short period each year. The breakout space under the Civic Hall could house about 25 staff using some of the existing furniture and some furniture from the floor being refreshed. The second space is on Level 1A above Ryde Library where vacated furnished office space can provide space for up to 9 staff and the adjacent meeting room, if needed, could house another 6 staff. The maintenance schedule provides for both spaces to be equipped with sufficient extra power and data outlets to cater for the relocated staff and allows

Council, dated 24 April 2014, submitted on 14 May 2013.

ITEM 4 (continued)**ATTACHMENT 1****ITEM 9 (continued)**

for labour to assist with the moves. A small sum is proposed at the end of the schedule to refresh the breakout space and return it to its original use.

It is proposed that the Civic Hall continues to be used in its current condition for the next five years. The only caveat is that the ballroom floor, installed in 1970, is reaching the end of its life. The sprung wooden floor is not performing as it should do and because it has been sanded several times previously further maintenance is likely to weaken it fatally. The cost of replacing the whole floor is included in the latter part of the five year program but the decision will be referred to Council for confirmation when replacement becomes unavoidable. The public amenities in the Civic Hall will be refreshed towards the end of the program.

Maintenance Schedule of Works:

As detailed earlier in this report, the maintenance schedule (**ATTACHMENT 2**) identifies the one off and recurring costs for the proposed works.

The recurring costs allows for the annual improvement of one floor each financial year, including bathrooms, kitchens and accessibility. An allowance for 'business as usual' maintenance covering certifications, breakdowns, repairs and emergencies is also provided annually so that those parts of the building not subject to focussed works do not become degraded during this period. All costs are preliminary estimates and subject to further investigation and confirmation from the market testing process. Every effort will be made to reduce the estimates and ensure Council achieves value for money outcomes.

Building Energy Usage

Noting Councils recent decision to reallocate funds previously earmarked to Green Power purchase to energy saving initiatives, it is recommended that for the term of this upgrade those funds be utilised in the refurbishment of the Civic Building, for example in the upgrade of lighting. This may reduce Councils ongoing operational costs.

Consultation

Consultation has occurred internally with Public Works staff in Project Delivery and Operations and with the staff in the Finance and Information Systems Units of Corporate Services.

If Council endorses the recommendations of this report an Engagement Plan will be created to ensure staff and Councillors are kept fully informed of the progress and completion of the planned works.

Council, dated 24 April 2014, submitted on 14 May 2013.

ITEM 4 (continued)**ATTACHMENT 1****ITEM 9 (continued)****Risks**

The key risks associated with these proposed works are;

- That throughout this project, Council does not meet Work, Health and Safety standards.
 - Compliance with the Work Health and Safety Act is targeted to be maintained at all times, noting there is no intent in this maintenance program to initiate the need for overall compliance with the Building Code of Australia.
- If an unexpected defect is discovered that requires immediate attention, thereby disrupting the program and costs.
 - The mitigation action is to ensure that the specialists carrying out the checks work to AS/NZ ISO 31000 risk management protocols and are thoroughly briefed to ensure they give sufficient warning of a new issue in order that it can be incorporated in the budget and program with least impact.
- During the building checks or works a matter arises that would appear to require an unexpected degree of regulatory compliance.
 - Council is keen to avoid the need to make the Civic Centre fully compliant with the Building Code of Australia. The initial guard against this will be the specifications of the checks and works and the ultimate mitigation would be to seek dispensation from the relevant Authority on grounds of reasonableness, practicality or cost.
- Council will maintain its present position in respect of its compliance with the Disability Discrimination Act (DDA). However there may be claims that Council will have to respond to in accordance with its obligations. All proposed works will be undertaken to meet all required standards as applying to the Civic Centre as it stands, noting that Council will not be undertaking any works that activate Council being required to meet the current Building Code of Australia standards.
- Council will need to manage its financial risks with the proposed works. Initially Council will be required to provide its commitment in allocating the required funds to undertake the works. In addition, there is the risk that during the course of these works there are additional works required to be undertaken, that may require additional funding to be allocated.

Critical Dates

There are no critical dates.

Council, dated 24 April 2014, submitted on 14 May 2013.

ITEM 4 (continued)**ATTACHMENT 1****ITEM 9 (continued)****Financial Implications**

As detailed in the schedule of works, the total estimated costs for the maintenance works are projected to be \$4.85 million, with the required funding being in the range \$4.1 to \$4.5 million, after the use of unexpended funds and the reallocation of savings from the cost of green power.

Given Council's current projections, Working Capital is proposed to be \$3 million as at 1 July 2013 and therefore no additional funding is available from Working Capital.

In the 2012/13 Budget, from Council's allocation for urgent works at the Civic Centre, it is estimated that the unexpended funding of \$457,840 for the power generator and urgent sewer works will be available to contribute to Year 1 works.

It is recommended that the balance of funding, up to \$4.5 million be funded from Council's Investment Property Reserve, that will leave a projected balance in the Reserve of approximately \$10.5 million

Conclusion

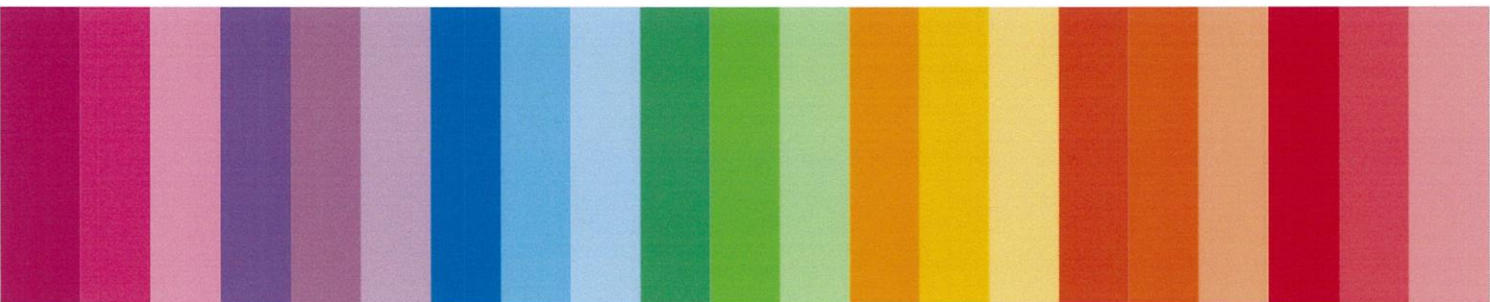
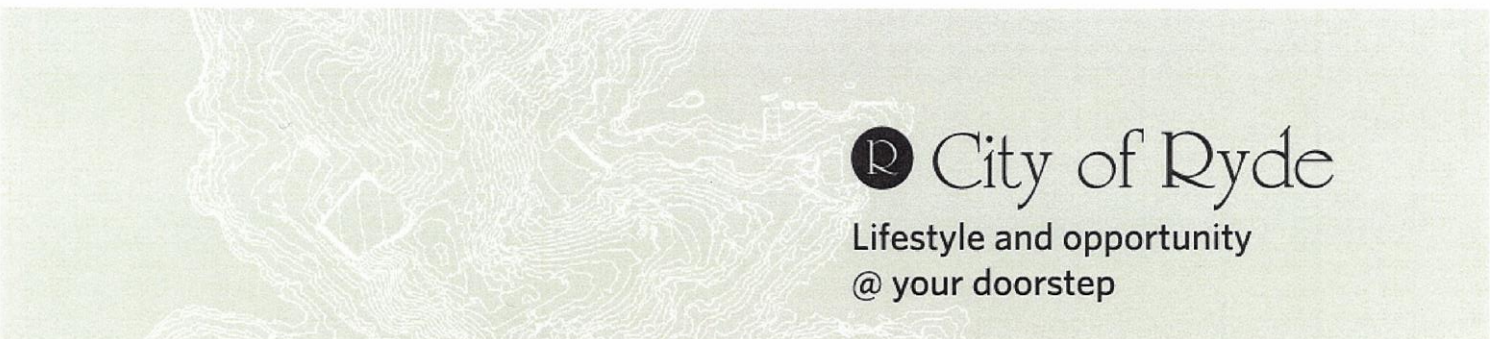
The aim of this five year maintenance program is to extend the viability of the key building components of the Civic Centre by making the minimum feasible improvements at the most economical cost. It is proposed that all works are carried out in such a way to avoid significant disruption to the business of Council.

The works also include refreshing the building both externally and internally, to ensure Council maintains a safe, healthy and productive work environment.

Council, dated 24 April 2014, submitted on 14 May 2013.

ITEM 4 (continued)

ATTACHMENT 1



Civic Centre – Maintenance Schedule – 2013-2018

Councillors Workshop
23 April 2013

ITEM 4 (continued)

ATTACHMENT 1

Staff Satisfaction of Council Facilities

Feedback collected at the 2012 Have Your Say Day

ITEM 4 (continued)

ATTACHMENT 1

“The buildings, grounds and facilities I use are in good condition”

Only 21% of staff said they agreed with this

“The condition of the buildings, grounds and facilities I use is regularly reviewed”

Only 38% of staff said they agreed

“The buildings, grounds and facilities I use are regularly upgraded”

Only 19% of staff said they agreed

Feedback collected at the 2012 Have Your Say Day

ATTACHMENT 1



ITEM 4 (continued)

ATTACHMENT 1

Priority Areas for Staff

- Fire Safety at Civic Centre
- More Staff Parking and Safer Options
- Bathrooms Upgrade
- Kitchens Upgrade
- Air Conditioning is Inconsistent
- Lack of Meeting Space
- Interior and Exterior of Civic Centre

ITEM 4 (continued)

ATTACHMENT 1

Civic Centre Maintenance Schedule 2013-2018

Report - 9 April Council Meeting

- **Approach**
 - Essential work, health and safety maintenance over 5 years
 - Avoid triggering Building Code of Australia compliance
 - Timeline, short term (year 1) and medium term (years 2 to 5)
- **Key Issues**
 - Building Plans, Fire Services, Disability, Hazardous Materials, Structure, Electrics, Hydraulics, Refresh the Building, Hall Floor.
- **Councillor Feedback**

ITEM 4 (continued)

ATTACHMENT 1

Civic Centre Maintenance Schedule 2013-2018

- **Computer Aided Design Plans** (short term)



These latest plans (2008) do not reflect current layouts and lack details of current furniture, equipment, power and data outlets, reflected ceiling plans, building services, measurements and areas.

We need to know what we have.

ITEM 4 (continued)

ATTACHMENT 1

Civic Centre Maintenance Schedule 2013-2018

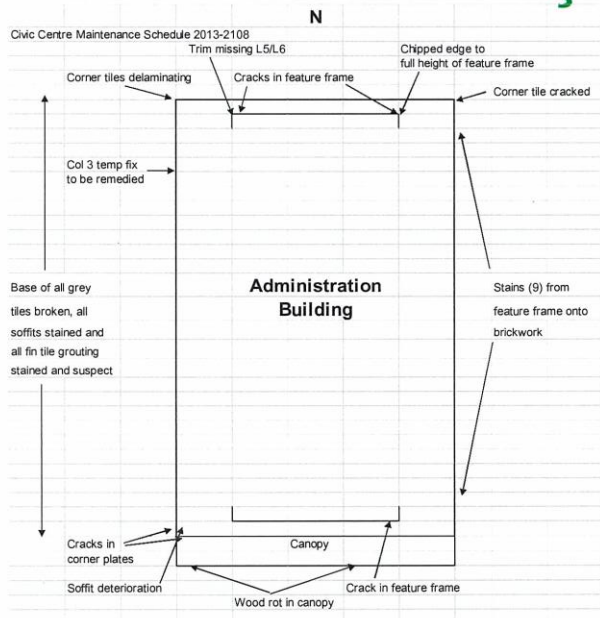
- **Disability** (short term)
 - Determine what minimal work Council should undertake for appropriate compliance with the Disability Discrimination Act.
 - Accessibility changes, if any, to be carried out with the “floor per year” works.
- **Hazardous Materials** (short term)
 - Air quality tests show better fresh-air supply needed
 - Potentially hazardous levels of dust in most ceiling cavities.
 - Decontamination is required

ITEM 4 (continued)

ATTACHMENT 1

Civic Centre Maintenance Schedule 2013-2018

• Structure and Façade (short term assessment)



- Defects now apparent
- No work on façade since 1987
- Temporary repair to a column 2008
- Detailed inspection required

(medium term works)

ITEM 4 (continued)

ATTACHMENT 1

Civic Centre Maintenance Schedule 2013-2018

- **Electrical Services** (short term)
 - Distribution boards require evaluation
 - Building Management System activation and reduced energy consumption initiatives.
- **Electrical Supply** (medium term)
 - Energy Australia prefers Council to have its own supply Kiosk), at EA's cost.
 - Council's own generator would protect against power losses (servers to be relocated 2014/15)
 - Kiosk, generator, mains switchboard and cabling between them have to be part of an integrated solution

ITEM 4 (continued)

ATTACHMENT 1

Civic Centre Maintenance Schedule 2013-2018

- **Hydraulic Services** (short term assessment)
 - Sewer pipes inside the building recently failed due to age – urgently repaired.
 - Review hydraulic infrastructure to determine life expectancy.
 - Repair work, if needed, in medium term.
- **Fire Services** (short term)
 - Alarm and extinguisher equipment
 - Fire barriers
 - Paths of travel

ITEM 4 (continued)

ATTACHMENT 1

Civic Centre Maintenance Schedule 2013-2018

- **Building Refresh**
 - External clean and sign improvements
 - Interior spring clean, new blinds and removal of accumulated material
 - A “floor per year” refresh of finishes, furniture, bathrooms and kitchens.
 - Improved layouts, communication and meeting facilities
 - Temporary relocation of staff during each floor refresh.

ITEM 4 (continued)

ATTACHMENT 1

Civic Centre Maintenance Schedule 2013-2018



Office Design
poor layouts and storage, poor communication, lack of meeting rooms

ITEM 4 (continued)

ATTACHMENT 1

Civic Centre Maintenance Schedule 2013-2018



Kitchens
cramped design, services badly located, very tired

ITEM 4 (continued)

ATTACHMENT 1

Civic Centre Maintenance Schedule 2013-2018



Bathrooms
lack of water saving cisterns and mixer taps,
finishes in poor condition, poor soundproofing



ITEM 4 (continued)

ATTACHMENT 1

Civic Centre Maintenance Schedule 2013-2018

- Costs
- FY2013/14 \$1,381,300
- FY2014/15 \$ 961,700
- FY2015/16 \$1,031,100
- FY2016/17 \$ 813,100
- FY2017/18 \$ 658,200
- **total \$4,845,000**

ITEM 4 (continued)

ATTACHMENT 1

Civic Centre Maintenance Schedule 2013-2018

Councillor Feedback

ITEM 4 (continued)

ATTACHMENT 1

ATTACHMENT 1 - FIVE YEAR COSTED MAINTENANCE SCHEDULE - CIVIC CENTRE

All costs @2013 excl GST, out of hours rates applied, all costs subject to market conditions

Once-Off Costs

Task	FY2013/14 Cost	FY2014/15 Cost	FY2015/16 Cost	FY2016/17 Cost	FY2017/18 Cost	TOTAL 5 yrs
External Clean	\$16,000					
Internal Clean	\$75,000					
Building Documentation	\$100,000					
Building Management System/LED Lighting	\$40,000					
Hazardous Materials Evaluation	\$15,000					
Fire Services Inspection	\$25,000					
Accessibility Design Compliance	\$20,000					
Electrical Infrastructure Inspection/Review	\$40,000					
Hydraulics Check	\$12,000					
Structure Inspection	\$42,000					
Fire Services Work	\$45,000					
Hazardous Materials Removal	\$242,400					
Electrical Switchboard Replacements	\$17,000					
Hydraulics System Replacements		\$125,000				
Structure Work			\$393,000			
Generator Installation		\$214,000				
Civic Hall Floor Replacement				\$175,000		
Breakout Space/L1A temporary office modifications	\$39,000				\$7,000	
Subtotal	\$728,400	\$339,000	\$393,000	\$175,000	\$7,000	\$1,642,400

Recurring Costs

<i>Suggested Floor Sequence</i>	4	3	2	1	Grd + Civic Hall	
Bathroom & Kitchen Refinish	\$40,900	\$16,200	\$31,600	\$31,600	\$44,700	
Floor Minor Refurb (replan, new desks, furniture and paint)	\$329,000	\$329,000	\$329,000	\$329,000	\$329,000	
Accessibility Work	\$8,000 *	\$2,500	\$2,500	\$2,500	\$2,500	
Business as usual maintenance	\$275,000	\$275,000	\$275,000	\$275,000	\$275,000	
Subtotal	\$652,900	\$622,700	\$638,100	\$638,100	\$651,200	\$3,203,000

* floors 4, 5 and 6

Annual Total	\$1,381,300	\$961,700	\$1,031,100	\$813,100	\$658,200	\$4,845,400
FY 2012/2013 Budget Carry Over	\$457,840					
Reduction from Green Power	\$40,000					
Required Funding from Investment Property Reserve	\$883,460	\$961,700	\$1,031,100	\$813,100	\$658,200	\$4,347,560

Potential Range for Required Funding is \$4.1M to \$4.5M over 5 Years

5 ACTING GENERAL MANAGER ARRANGEMENTS

Report prepared by: Manager - Human Resources
File No.: HRS/07/5/28 - BP14/486

REPORT SUMMARY

The purpose of this report is to advise Council of the legislative constraints regarding acting arrangements for senior staff and to ensure Council is adequately apprised of the options available.

The Acting General Manager, Mr Roy Newsome, has been acting in this role since 26 August 2013, a period of approximately eight months. Council resolved on 21 August 2013 that Mr Newsome be appointed to the role on a temporary basis following the resignation of the former Acting General Manager, Ms Danielle Dickson.

This appointment was a direct appointment, meaning it was not subject to a merit selection process. Section 351 of the Local Government Act NSW 1993 states that where an employee is directly appointed to a position, and that appointment has not been subject to a merit selection process, the employee cannot continue in such appointment for a period exceeding 12 months' duration.

It was also resolved on 25 June 2013 that Council abandon the recruitment process for the position of General Manager until the Independent Commission Against Corruption had issued its findings relating to the recent Public Inquiry, following which the recruitment process would be recommenced.

Staff contacted Mr Ross Woodward, Chief Executive Officer (CEO) Office of Local Government ('OLG') who has provided his verbal feedback that if Council was in the process of recruiting a General Manager, the Office of Local Government would be supportive of a person acting in the role of General Manager for more than twelve months. The OLG is likely to consider this not to be a material breach of the Act. Mr Woodward confirmed that he would provide Council with formal advice on this matter, if requested. He also acknowledged that Council may require his formal advice on the whole matter relating to the position of General Manager prior to Council finalising its decision, and indicated that he would include this in his formal advice to Council.

In view of the restriction stipulated in the Local Government Act 1993 regarding the duration of temporary appointments and the advice received from the OLG, this report provides Council with options for consideration and recommends that Council commence a merit based recruitment process for the position of General Manager.

ITEM 5 (continued)**RECOMMENDATION:**

- (a) That Council note the information contained in this report pertaining to the restriction on the duration of a temporary appointment in particular relating to the position of General Manager, as per the Local Government Act 1993.
- (b) That Council commence a merit based recruitment process for the position of General Manager. If Council supports this option a further report to Council would be provided outlining the recruitment process for Council's confirmation.
- (c) That Council request the Office of Local Government to provide a formal response with regard to Mr Roy Newsome continuing to act in the role of General Manager, until the process in part (b) above has been completed.

ATTACHMENTS

There are no attachments for this report.

Report Prepared and Approved By:

Melissa Attia
Manager - Human Resources

ITEM 5 (continued)**Discussion**

The current arrangements for the position of Acting General Manager have been in place for approximately eight months (since 26 August 2013). In view of the 12 month limit prescribed by the Local Government Act NSW 1993 for temporary appointments, this means the current arrangement should only continue for a maximum of another four months (until 25 August 2014). Failure to make alternative arrangements would place City of Ryde in breach of this section of the Act.

Staff have made enquiries with Mr Ross Woodward, CEO, Office of Local Government ('OLG') to determine whether there was any possibility of consideration for extenuating circumstances under which the Minister may be able to grant an extension to Mr Roy Newsome acting in the position of General Manager, due to Council's current situation. The advice received from the OLG has confirmed that this would not be the OLG's preferred position and offered to provide Council a formal response on this matter, if requested. Staff were advised that given Council's particular situation, the OLG could not see any reason why Council would not be pursuing the recruitment of a new General Manager and that it would not consider the one person being in the Acting General Manager role for more than 12 months a material breach of the provisions of the Act. The OLG indicated that they would provide this advice in a formal response to Council, if requested.

Additional advice has also been sought from Local Government NSW regarding the ability of Council to break the continuity of the Acting period in question by appointing another member of the Executive Team for a short time then reinstating the former Acting General Manager. Such action was viewed as being inconsistent with the intent of the Act and would portray Council as taking a deliberate action to circumvent the requirements of the legislation.

Options

To ensure that Council continues to meet the requirements prescribed by the Act whilst providing effective leadership to the organisation through the role of the General Manager, the following options are presented for consideration;

Option 1

- Council may resolve to take no action at this time and note the contents of this report.

This option is not recommended for the reasons stated in the report.

Option 2

- That Council resolve to implement an alternative acting arrangement.

Council could resolve to appoint an alternative member of the Executive Team to the role of Acting General Manager. Such appointment must commence prior to

ITEM 5 (continued)

26 August 2014 and would not be subject to a merit selection process if the appointment was not to exceed a 12 month period.

It is noted that Council would not be required to make this determination until August and should Council resolve to take this course of action a further report would be provided to Council on 22 July 2014 unless an intervening determination were made in relation to this matter.

This option is not recommended. Council has had three different people in the role of General Manager in a twelve month period. For the purposes of organisational stability, it is recommended that Council take steps to appoint a General Manager.

Further, given Council's previous resolution to wait until the end of the ICAC Inquiry before recruiting this position and the fact that Council has had no indication from the ICAC regarding a potential time frame, it is suggested that it is appropriate for Council to reconsider its previous resolution.

Option 3

- That Council temporarily appoint a suitable candidate for a fixed term to the role of Acting General Manager subject to a merit selection process.

Council could advertise the position of General Manager for a temporary fixed term stipulating the end date to be upon the reporting of findings by the Independent Commission Against Corruption or alternatively for an initial period of 12 months with an option to renew the appointment for a further 12 months at a time as required by Council.

In accordance with the Act, because this is a Senior Staff Position, this option would require that the vacancy be advertised at least twice in a daily newspaper circulating throughout the State. In doing so, Council would satisfy the requirements for a merit selection process and any appointment could therefore be made for a period of 12 months (minimum) to five years (maximum). Should this option be preferred, consideration will need to be given to the fact that the current acting arrangements will have exceeded twelve months on 26 August 2014. As advised by the Office of Local Government, Council could determine to write seeking the OLG's formal advice regarding having the current acting arrangements in place until the temporary appointment is made.

For the reasons stated above with regard to organisational stability, this option is not recommended. Further, Council has no assurance with regards to the ICAC's timeframes and it may be that advertising for a short contract period may not attract suitable candidates.

ITEM 5 (continued)**Option 4**

- That Council commence recruitment of the position of General Manager.

Whilst there is currently a Council Resolution (25 June 2013) stating that this process would not recommence until the Independent Commission Against Corruption had issued its findings, Council could resolve to commence this process now and appoint a General Manager for the City of Ryde under the standard contract for a term of 12 months to five years, noting that historically appointments to this position have generally been for a period of five years.

It is estimated that the recruitment process may take up to six months although staff would take all steps possible to expedite the process.

Should this option be preferred, consideration will need to be given to the fact that the current acting arrangements will have exceeded twelve months on 26 August 2014. As advised by the Office of Local Government, Council could determine to request the OLG's formal advice regarding having the current acting arrangements in place until the temporary appointment is made.

This option is recommended. As stated above, Council has no indication of when the ICAC final determination will be made. This was originally forecasted to be by the end of January 2014. Given that some months have passed, it is reasonable that Council re-evaluate its prior determination on this matter.

Should Council agree to proceed with this option, it is recommended that the Manager Human Resources provide Council with a further report outlining the suggested recruitment process for confirmation prior to commencing such action.

Financial Implications

Adoption of any one of the options outlined above will have no financial impact.

6 AUDIT AND RISK COMMITTEE INDEPENDENT MEMBER SELECTION

Report prepared by: Manager - Risk and Audit

File No.: GRP/09/7/8 - BP14/540

REPORT SUMMARY

This report advises Council of the results of the Expression of Interest process that was undertaken late 2013 and finalised in January 2014.

The report confirms that as a result of this process, the Selection Committee has appointed the Independent members of Elizabeth Gavey and John Gordon. Both members have been Council's existing independent members of the Committee.

Therefore this report recommends that Council note the appointment of the independent members of the Risk and Audit Committee.

RECOMMENDATION:

That Council note the appointment of the independent members of the Risk and Audit Committee.

ATTACHMENTS

- 1 Report to the Evaluation Committee – Selection of Independent Members of the Audit Committee - CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL

Report Prepared By:

John Schanz

Manager - Risk and Audit

Report Approved By:

Roy Newsome

Acting General Manager

ITEM 6 (continued)**Discussion**

Council's Audit and Risk Committee is comprised of two Independent external representatives and two Councillor Representatives.

At its meeting on 14 August 2012 Council resolved as follows;

Council endorsed the extension of the engagement of the current Independent members of the Audit Committee for a further one year period

As reported to the Council meeting of 26 March 2013, Council endorsed the nomination of Councillor Pendleton and Councillor Etmekdjian to the roles of Councillor Representatives. Councillor Salvestro Martin and Councillor Chung were nominated as alternate members.

It was also stated in this report that an Expression of Interest process would be undertaken over the November 2013 – January 2014 period to seek applications for the two positions of Independent members of the Committee.

The process to be undertaken in relation to the procurement and selection of these roles was to be the process previously established by Council in the inaugural selection of independent members of the committee.

Details of the process are outlined in a procurement Evaluation and Selection report which was prepared for the review of the selection committee and is **CIRCULATED UNDER SEPARATE COVER – CONFIDENTIAL**.

This process was undertaken with a selection committee comprising the Mayor, Councillor Maggio and Councillors Pendleton and Etmekdjian endorsing the reappointment of the two incumbent independent members (Elizabeth Gavey and John Gordon).

In summary, the procurement process involved the calling of an Expression of Interest that was publically advertised in the Sydney Morning Herald and on Council's E-Procurement site, (Tenderlink). The process was managed in accordance with Council's procurement framework.

The process involved the following;

1. Placement, management and receipt of EOI submissions through Tenderlink (11 submissions received in total)
2. Preparation of an analysis of all submissions (including conformity to specifications)
3. The Acting General Manager and the Manager Risk and Audit reviewed all submissions received in detail

ITEM 6 (continued)

4. Preparation of a report for the consideration of the selection committee that included a summary of all submissions and recommendations as to a short list
5. Meeting with the Mayor Councillor Maggio, Councillor Pendleton, Councillor Etmekdjian, Acting General Manager and the Manager Risk and Audit to consider this report

At a meeting on 21 January 2014, the selection committee considered the Evaluation and Selection report and unanimously endorsed the reappointment of the incumbent independent members for a period of two years.

Financial Implications

The cost of engaging Independent members of Council's Audit and Risk Committee is expected to be between \$8,000 and \$10,000 (ex GST) per annum dependent upon the number of meetings. Allowance has been made within the base budget to meet these costs.

7 COUNCIL PARKING INFRINGEMENT POLICY

Report prepared by: Team Leader - Business Administration
File No.: GRP/09/6/5 - BP14/456

REPORT SUMMARY

At its meeting of 11 February 2014 Council resolved:

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. That the General Manager report back as to how the recommendations could be considered in the review of Council's existing Parking Infringement Policies.

The NSW Law Reform Commission (LRC) Report was released in April 2012 and its recommendations have already been incorporated into Council's current Enforcement of Parking Policies and Procedures to ensure that vulnerable people such as young people and the elderly are not marginalised by the state's penalty notice system.

Contrary to the resolution, the LRC's report provides no specific criticism of Council staff's assessment, the role of Council staff in assessment, or of Councils generally. Indeed, the majority of the report is not directly relevant to Council operations.

In response to the Notice of Motion, the Manager of Rangers and Parking Services has undertaken a comprehensive review of the LRC's Report and the 72 recommendations in order to determine if Council could again consider these in relation to its current Enforcement of Parking Policies and Procedures.

Of the 72 recommendations, only one recommendation - 7.4, highlights an area requiring the action of Council:

All agencies that carry out internal review of penalty notices should ensure that reviewing officers receive training about the impact of penalty notices on vulnerable people.

Council has recently recruited a new General Counsel, who will function as the Adjudication Officer in line with Council's Enforcement of Parking Policy. The LRC's recommendation 7.4 will be raised upon the Officer's commencement and appropriate training will be arranged should it be required.

Notwithstanding 7.4 (above) there are no recommendations directly relating to any Council Policy or practice; the LRC's recommendations propose changes to State Legislation, the SDRO Guidelines and practices, and NSW Police Service practices.

Council is not aware of any further changes to the statutory requirements at this time. However, should further changes be made by the relevant bodies, Council will review its policies to ensure on-going compliance. It is noted that none of the

ITEM 7 (continued)

recommendations provided by the LRC's Report would require significant changes to Council's current Policy and practice.

A copy of the full report can be found at the Office of the Attorney General's Website:
http://www.lawreform.lawlink.nsw.gov.au/lrc/reportsmain/lrc_r132toc.html?s=1001

The City of Ryde Enforcement of Parking Policy Statement is available on Council's website.

RECOMMENDATION:

That the NSW Law Reform Commission's Report be considered again at the time of Council's next review of its Enforcement of Parking Policy (August 2015).

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Anita Leighton
Team Leader - Business Administration

Report Approved By:

Leon Marskell
Manager - Regulatory Services

Dominic Johnson
Group Manager - Environment & Planning

ITEM 7 (continued)**Discussion**

The NSW Law Reform Commission (LRC) Report was released in April 2012 and its recommendations have already been incorporated into Council's current Enforcement of Parking Policies and Procedures to ensure that vulnerable people such as young people and the elderly are not marginalised by the state's penalty notice system.

In response to the Notice of Motion, the Manager of Rangers and Parking Services has undertaken a comprehensive review of the NSW Law Reform Commission (LRC) Report and the 72 recommendations in order to determine if Council could again consider these in relation to its current Enforcement of Parking Policies and Procedures.

Of the 72 recommendations, only one highlights an area of the process that falls within Council's sphere of responsibility; recommendation 7.4 states:

All agencies that carry out internal review of penalty notices should ensure that reviewing officers receive training about the impact of penalty notices on vulnerable people.

Currently, Council staff who are involved in the internal review of penalty notices undertake training to ensure they perform their regulatory activities in a fair, equitable, and appropriate manner. This training includes specific components on Customer Service and interacting with a diverse cross-section of individuals, including vulnerable people such as young people and the elderly.

Council has recently recruited a new General Counsel, who will function as the Adjudication Officer in line with Council's Enforcement of Parking Policy. The LRC's recommendation 7.4 will be raised upon the Officer's commencement and appropriate training will be arranged should it be required.

Notwithstanding 7.4 (above) there are no recommendations directly relating to any Council Policy or practice; the LRC's recommendations propose changes to State Legislation, the SDRO Guidelines and practices, and NSW Police Service practices.

As such, the NSW State Government is the statutory body for the implementation, review, amendment and notification of any amendments to the Fines Act 1996 (NSW). The State Debt Recovery Office (SDRO) being the State Government Department for the administration of Penalty Notices for all Agencies is the authority responsible for the introduction of any changes stemming from the LRC relating to the administration of Penalty Notices including fine amounts and the review process.

Council is not aware of any further changes to the statutory requirements at this time. However, should further changes be made, Council will review its policies to ensure on-going compliance. It is noted that none of the recommendations provided by the LRC's Report would require significant changes to Council's current Policy and practice should they be implemented by the appropriate statutory bodies.

ITEM 7 (continued)**History**

On 5 December 2008, the NSWLRC received a request from the then Attorney General, the Hon John Hatzistergos MP, asking for an inquiry into and report on the laws relating to the use of penalty notices in NSW.

The Commission's Terms of Reference were as follows:

- a) whether current penalty amounts are commensurate with the objective seriousness of the offences to which they relate;
- b) the consistency of current penalty amounts for the same or similar offences;
- c) the formulation of principles and guidelines for determining which offences are suitable for enforcement by penalty notices;
- d) the formulation of principles and guidelines for a uniform and transparent method of fixing penalty amounts and their adjustment over time;
- e) whether penalty notices should be issued to children and young people, having regard to their limited earning capacity and the requirement for them to attend school up to the age of 15.

If so:

- a) whether penalty amounts for children and young people should be set at a rate different to adults;
- b) whether children and young people should be subject to a shorter conditional "good behaviour" period following a write-off of their fines; and
- c) whether the licence sanction scheme under the Fines Act 1996 should apply to children and young people;
- f) whether penalty notices should be issued to people with an intellectual disability or cognitive impairment; and
- g) any related matter.

The enquiry was undertaken on behalf the Attorney General and the Commission provided the Report containing its findings to Attorney General the Hon Greg Smith MP in February 2012. It was released in April 2012.

The City of Ryde has recently reviewed and endorsed the new SDRO SLA which references a number of the 72 Recommendations within the LRC's report. The City of Ryde signed a new SLA with the SDRO on the 13th December 2013 for a further five year period, as endorsed by Council at its meeting of 10 December 2013.

The City of Ryde's current policy is fully compliant with the current Fines Act and our SLA with the SDRO.

Financial Implications

Adoption of the recommendation will have no financial impact.

PRECIS OF CORRESPONDENCE**1 31-33 WATERLOO ROAD, MACQUARIE PARK - rezoning of the site**

Report prepared by: Executive Assistant to Group Manager
File No.: GRP/09/6/5 - BP14/532

CORRESPONDENCE:

Submitting correspondence from The Honourable Marie Ficarra MLC, Parliamentary Secretary to the Premier, dated 14 April 2014, regarding 31-33 Waterloo Road, Macquarie Park site rezoning.

RECOMMENDATION:

That the correspondence be received and noted.

ATTACHMENTS

- 1** Reply to letter regarding Macquarie Park (31-33 Waterloo Road) Hon Marie Ficarra MLC, Parliamentary Secretary to the Premier (Barry O'Farrell)
- 2** Letter to Premier (Barry O'Farrell) regarding Lobbyist Meeting - 31-33 Waterloo Road (4 April 2014)

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



The Honourable Marie Ficarra MLC
Parliamentary Secretary to the Premier

2014-112088

14 APR 2014

Mr Roy Newsome
General Manager
City of Ryde
Locked Bag 2069
NORTH RYDE NSW 1670

Dear Mr Newsome

Thank you for your correspondence regarding Macquarie Park. I have been asked to reply on behalf of the Premier.

I have carefully considered the issues you have raised and appreciate the reasons that have prompted you to write.

I note you have also written to the Hon Brad Hazzard MP, Minister for Planning and Infrastructure. As the issues you have raised fall within Minister Hazzard's area of portfolio responsibility it is appropriate that he considers your correspondence.

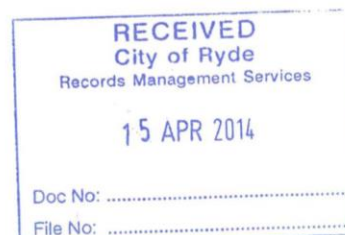
If you have any further enquiries about this matter please contact the Minister's office directly. For your information the phone number for Minister Hazzard's office is 02 9228 5258.

Thank you for bringing this matter to the Premier's attention.

Yours sincerely



The Hon Marie Ficarra MLC
Parliamentary Secretary to the Premier



PRECIS OF CORRESPONDENCE 1 (continued)

ATTACHMENT 2



Lifestyle and opportunity @ your doorstep

The Hon Barry O'Farrell, MP
Premier
Minister for Western Sydney
GPO Box 5341
Sydney NSW 2001

4 April 2014

Dear Premier,

31-33 Waterloo Road, Macquarie Park

At its meeting on 11 February 2014, Council considered a report detailing a meeting held by the Department of Planning and Infrastructure (DoPI) regarding a proposal to re-zone 31-33 Waterloo Road, Macquarie Park. Council resolved:

That the General Manager write to the NSW Premier and the Minister for Planning requesting that they provide a report into the issues highlighted in the Council report and an investigation into why the Department of Planning and Infrastructure arranged the meeting with Council staff on behalf of the lobbyist.

The meeting was organised by the DoPI at the request of lobbyists (1st State) working on behalf of proponents seeking the re-zoning of 31-33 Waterloo Rd, Macquarie Park.

The purpose of the meeting was for the proponents to gauge the DoPI's position on the re-zoning 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).

At the meeting, Council staff indicated that Council had resolved for a site specific Masterplan to be developed for the site by the owner (John Goubran) and that the involvement of a lobbyist and the DoPI in this process was irregular.

Councillors are seeking an explanation as to why the DoPI initiated and held a meeting between 1st State and Council staff.

Please note a copy of this letter has been provided to the Minister for Planning & Infrastructure, the Hon Brad Hazzard.

If you have any questions, please contact me on 9952 8052.

Yours sincerely



Roy Newsome
Acting General Manager

Cc: The Hon. Brad Hazzard, MP

NOTICES OF RESCISSION**1 NOTICE OF RESCISSION: NOTICE OF MOTION 1 - HERITAGE ADVISORY COMMITTEE RECOMMENDATIONS FROM MEETING HELD 12 FEBRUARY 2014 - Councillor Artin Etmekdjian, Councillor Bill Pickering, Councillor Sarkis Yedelian OAM****File Number: CLM/14/1/4/7 - BP14/545**

That Council rescind the previous resolution in relation to Notice of Motion 1 - HERITAGE ADVISORY COMMITTEE RECOMMENDATIONS FROM MEETING HELD 12 FEBRUARY 2014, passed at the Council Meeting held on 22 April 2014, namely:

1. *That Council note the recommendations of the Heritage Advisory Committee meeting draft minutes of 12 February 2014, tabled at the Council Meeting 8 April 2014 including:*
 - a. *That a celebration of the 50 year anniversary of the Civic Centre building be held during 2014.*
 - b. *Councillors Heritage Officer/Strategic Planner to liaise with the consultant for the 1988 study to seek a copy of the inventory sheet for the Civic Centre building.*
2. *That Council prepare a short report for the Council Meeting on 27 May 2014 outlining options for the 50 year anniversary celebration for consideration and approval.*
3. *That Council note the Heritage Advisory Committee's request for a copy of the Inventory Sheet for the Civic Centre from Rodney Jensen and Associates Pty Ltd but that no further detail can be located at this point in time.*

CONFIDENTIAL ITEMS**8 REQUEST FOR QUOTATION - Investment Advisory Services - COR-RFQ-40/13**

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.

Report prepared by: Chief Financial Officer

File Number: PCM2013/71/4 - BP14/517

Page No.: 100

9 PROPOSED VOLUNTARY PLANNING AGREEMENT FOR 7-9 KHARTOUM ROAD, MACQUARIE PARK

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: Development Contributions Coordinator

File No.: VPA2013/326/1 - BP14/531

Page No.: 118

10 MASTER PLANNING OF MEADOWBANK RAILWAY STATION PRECINCT

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.

Report prepared by: Place Manager

File No.: UPS2009/9 - BP14/534

Page No.: 153

11 6 RESERVE STREET - WEST RYDE

Confidential

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

Report prepared by: Section Manager - Properties

File No.: BPU/08/5/3/13 - BP14/543

Page No.: 161
