

17 APRIL 2014

NOTICE OF MEETING

You are advised of the following meeting:

TUESDAY 22 APRIL 2014.

Ordinary Meeting of Council Meeting No. 6/14

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

English

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

Arabic

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

Armenian

Եթէ այս նամակը չէք հասկնար, խնդրեմ եկէք՝ *Բայր Սիվիք Սենթրը, Տելվին* փողոց, Բայր, խօսակցելու Բաղաքապետարանի պաշտօնեաներուն հետ, որոնք թարգմանիչ մը կրնան կարգադրել: Կամ, կրնաք հեռաձայնել Թարգմանության Սպասարկության՝ 131 450, եւ խնդրել որ թարգմանիչ մը Բաղաքապետարանին հետ կապ հաստատի ձեզի համար: Բաղաքապետարի հեռաձայնի թիւն է՝ 9952 8222: Բաղաքապետարանի 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 میتوانید به سرویس ترجمه کتبی و شفاهی شماره 131 450 تلفن بزنید و بخواهید 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 می 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 22 April 2014
Location: Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde
Time: 7.30pm

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

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MM9/14 MAYOR'S BUSINESS NETWORKING LUNCH - JULY 2014 - The Mayor, Councillor Roy Maggio**File Number:** MYR/07/10/20 - BP14/438

I am keen to maintain a strong relationship between Council and the local business community as I believe networking with our business sector is mutually beneficial and critical for our City.

I propose to hold a business lunch in July 2014 at a local restaurant in conjunction with the Ryde Business Forum as co-hosts of this event, inviting key businesses, members of the local Chambers of Commerce, local Rotary Clubs, Councillors and relevant Council staff. The date for the networking lunch will be confirmed once this initiative is endorsed by Council.

The purpose of the lunch is to build and encourage networking relationships between businesses and Council and between businesses. The lunch will allow updates on significant matters and issues within the community to be canvassed and will allow the business community to provide their comments and feedback to Councillors and Council staff.

It is proposed to hold this networking lunch annually subject to a review to be conducted following the event to allow feedback from the business community.

This initiative will have minimal financial impact on Council as all attendees will be paying their cost of attendance. Any costs incurred in respect of Councillors and staff will be met from Council's existing budget.

RECOMMENDATION:

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

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Councillor Roy Maggio
The Mayor

MM10/14 RECOGNITION OF ERNA - 60 YEARS - The Mayor, Councillor Roy Maggio**File Number:** MYR/07/10/20 - BP14/499

The Eastwood Ryde Netball Association (ERNA) is celebrating its 60th year in 2014.

I believe it is appropriate that Council recognise this achievement and suitably mark the event, given the great work carried out for the community by ERNA.

Countless children and adults who have played netball over the past sixty years have received wonderful developmental opportunities through their association with ERNA.

During this period, Council and ERNA have worked together to deliver the City of Ryde an excellent name for sporting achievement in the field of netball and the betterment of the community.

I recommend that Council show its appreciation to the current ERNA president, Anne Doring OAM and committee, through the presentation of a City of Ryde plaque at a future Council meeting.

RECOMMENDATION:

- (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.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Councillor Roy Maggio
The Mayor

MM11/14 CCTV CAMERAS - EASTWOOD - The Mayor, Councillor Roy Maggio**File Number:** MYR/07/10/20 - BP14/501

I have received a letter (copy attached) from John Alexander OAM MP detailing the Federal Government's commitment to provide City of Ryde with \$200,000 to fund the installation of CCTV cameras in the vicinity of Eastwood Railway station.

Receipt of this letter is timely, given the assault on a man in Hillview Lane recently.

Mr Alexander states that the funding is available for the installation of cameras and that should Council accept this offer that he would be prepared to make representations to the Minister for Justice for some of the funding to be used to cover a period of projected maintenance costs and signage.

Prior to a reply being provided to Mr Alexander, I recommend that Council staff prepare a report for Council's consideration on the cost of CCTV installation and maintenance. The report should include details of previous investigations into the provision of CCTV cameras.

RECOMMENDATION:

- (a) That Council staff prepare a report for Council's consideration on 27th May 2014, on the cost of CCTV installation and maintenance. 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 27th May 2014.

ATTACHMENTS


- 1 Letter from John Alexander OAM MP re provision of CCTV cameras in Eastwood

Report Prepared By:

Councillor Roy Maggio
The Mayor


MM11/14 (continued)

ATTACHMENT 1



John Alexander MP
FEDERAL MEMBER FOR BENNELONG

Serving Bennelong



Electorate Office: Suite 1, 44-46 Oxford Street Epping NSW 2121 | PO Box 872, Epping NSW 1710
Ph: (02) 9869 4288 | **Fax:** (02) 9869 4833 | **Email:** John.Alexander.MP@aph.gov.au | **Web:** www.johnalexander.net.au

Mayor Roy Maggio
City of Ryde Council
Locked Bag 2069
North Ryde NSW 1670

10th April 2014

Dear Mayor Maggio

Re: CCTV cameras in Eastwood

I am writing in relation to the Federal Government's commitment to provide City of Ryde with \$200,000 to fund the installation of CCTV cameras in the close vicinity of Eastwood Railway Station.

This commitment was designed to fill gaps in the current CCTV network, particularly on the eastern side of the Station, and follows representations I have received from the Korean Chamber of Commerce regarding a variety of incidents of anti-social (and in several instances criminal) behaviour.

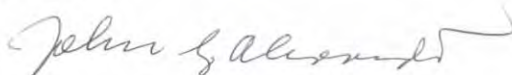
According to the Chamber, the majority of these incidents are not reported to local authorities due to some cultural differences. This is despite the good work by Eastwood LAC to encourage reporting from all sections of the local community.

I understand this can create some challenges in the justification of CCTV installation due to the need for verifiable data of reported incidents. As a result I trust the City of Ryde will accept the Federal Government's generous contribution towards this valuable crime prevention asset for the local community

Due to the time critical nature of this expenditure I am requesting that you present a Mayoral Minute to seek Council's approval to receive the funding for the installation of CCTV cameras in this location. Following receipt of this approval I will be prepared to make representations to the Minister for Justice for some of the funding to also cover a period of projected maintenance costs and signage to promote deterrence of future incidents.

Thank you in anticipation of your support.

Yours sincerely



John Alexander MP
Yours Member for Bennelong

MM12/14 MISSION AUSTRALIA - WINTER SLEEPOUT - The Mayor, Councillor Roy Maggio**File Number:** MYR/07/10/20 - BP14/506

Council has received information regarding the 2014 Mission Australia Winter Sleepout to be held on 30th May 2014.

I would like Council to support this initiative in principle and also promote the sleepout to staff and Councillors.

As Mayor, I will be taking part in the sleepout and would request that Councillors and staff and the local Federal and State members of parliament, consider participating in the sleepout. Also Councillors and staff will be invited to provide donations to the City of Ryde that will be forwarded to Mission Australia.

It is proposed that Council promote the City of Ryde's participation through the normal media channels.

RECOMMENDATION:

- (a) That the Mayor and any interested Councillor/s or staff take part in the 2014 Mission Australia Sleepout.
- (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.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Councillor Roy Maggio
The Mayor

MM13/14 PUTNEY HILL - CHANGE OF STREET NAME - LARDELLI DRIVE - The Mayor, Councillor Roy Maggio**File Number:** MYR/07/10/20 - BP14/506

I have been contacted by numerous residents of Putney Hill who are concerned that Putney Hill Drive has recently been renamed Lardelli Drive.

This should in no way be taken as being disrespectful to the former Mayor, Mick Lardelli OAM. The issue from the residents is that no consultation occurred on the changing of the name.

I have sought advice from the Group Manager – Environment and Planning regarding this issue and have been advised that:

“The name Putney Hill Drive was rejected by the Geographic Names Board. As there was significant urgency in finalising the name of the street in order to deal with S149s, waste requests and to provide street addresses for emergency services, the developer agreed to the alternative of Lardelli Drive. It cannot be changed back to Putney Hill Drive as the Geographic Names Board has final say in these matters”.

The relevant legislation (extract attached) with regard to objecting to a name change provides:

“That any person may within a period of one month after the date of publication of the notice referred to in section 8 or within any further period that the board may allow either in the notice or afterwards, make a written submission to the secretary of the board in relation to the proposed name or alteration”.

I recommend that Council approach the residents of the newly settled Putney Hill to formally discuss this matter and to instigate a process where a submission could be made to change the street name to one that is acceptable to the new residents, Frasers Group and Council.

That the matter be reported to Council after the above consultation.

RECOMMENDATION:

- (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.

MM13/14 (continued)**ATTACHMENTS****1** Geographic Names Board information

Report Prepared By:

Councillor Roy Maggio
The Mayor

MM13/14 (continued)**ATTACHMENT 1**

<http://www.legislation.nsw.gov.au/inforcepdf/1966-13.pdf?id=cd38e10f-aa5a-4ceb-ea02-cc4993571190>

Publication of geographical names

- (1) Where:
 - (a) no submission objecting to a proposed name or alteration has been made, the board may cause a notice specifying the proposed name or alteration to be published in the Gazette, or
 - (b) a submission has been made objecting to a proposed name or alteration, the board has recommended to the Minister that the proposed name or alteration be adopted, either with or without modification, and the Minister has approved the board's recommendation, the board shall cause a notice specifying the proposed name or alteration, as approved by the Minister, to be so published.
- (2) Upon publication of such notice the name assigned or any altered name specified in the notice shall become the geographical name of the place to which the notice relates and, in the case of an alteration, the former name of the place shall cease to be its recorded or geographical name.

Submissions in relation to proposed name or alteration

- (1) Any person may, within a period of one month after the date of publication of the notice referred to in section 8 or within any further period that the board may allow either in the notice or afterwards, make a written submission to the secretary of the board in relation to the proposed name or alteration.
- (2) The board shall inquire into and dispose of all submissions made pursuant to subsection (1).
- (3) Where the board, after considering any submissions in relation to a proposed name or alteration:
 - (a) decides that that name or alteration should not be adopted, the board may abandon the proposed name or alteration, or
 - (b) decides that that proposed name or alteration should be adopted, either with or without modification, it may so recommend to the Minister in a report which shall also set out the grounds of any objections to the proposed name or alteration contained in the submissions.
- (4) Where the board makes a decision referred to in paragraph (a) of subsection (3), it may, at any subsequent time, make a further proposal, in accordance with section 8, to assign to the place referred to in its decision the same or any other name, or to make the same or any other alteration to the name of the place so referred to.

MM13/14 (continued)

- (5) The Minister, after such inquiry as he or she thinks fit, may approve or disapprove of the recommendation of the board referred to in paragraph (b) of subsection (3), and his or her decision shall be final.

10 Publication of geographical names

- (1) Where:
- (a) no submission objecting to a proposed name or alteration has been made, the board may cause a notice specifying the proposed name or alteration to be published in the Gazette, or
 - (b) a submission has been made objecting to a proposed name or alteration, the board has recommended to the Minister that the proposed name or alteration be adopted, either with or without modification, and the Minister has approved the board's recommendation, the board shall cause a notice specifying the proposed name or alteration, as approved by the Minister, to be so published.
- (2) Upon publication of such notice the name assigned or any altered name specified in the notice shall become the geographical name of the place to which the notice relates and, in the case of an alteration, the former name of the place shall cease to be its recorded or geographical name.

8 Notice of proposal to assign or alter a name

Whenever the board proposes to assign a geographical name to any place or to alter a recorded name or a geographical name it shall cause to be published in the Gazette and in a newspaper circulating in or in the neighbourhood of such place a notice of the proposal specifying the proposed name or alteration.

1 REQUEST FOR LEAVE OF ABSENCE - Councillor Artin Etmekdjian

Report prepared by: Meeting Support Coordinator**File No.:** CLM/14/1/4/13 - BP14/512

REPORT SUMMARY

Councillor Etmekdjian has requested a Leave of Absence from Saturday 26 April 2014 to Sunday 11 May inclusive.

RECOMMENDATION:

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

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

Report prepared by: Meeting Support Coordinator
File No.: CLM/14/1/4/2 - BP14/127

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 5/14, held on 8 April 2014 be confirmed.

ATTACHMENTS

- 1 Minutes - Ordinary Council Meeting - 8 April 2014

ITEM 2 (continued)**ATTACHMENT 1****Council Meeting
MINUTES OF MEETING NO. 5/14****Meeting Date:** Tuesday 8 April 2014**Location:** Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde**Time:** 7.30pm

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

Apologies: Nil.

Leave of Absence: Councillor 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, Manager – Urban Planning, Manager – Communications and Media, Coordinator – Digital Communications, Section Manager – Properties and Section Manager – Governance.

PRAYER

Reverend Nicholas Fried of the Eastwood Uniting Church was present and offered prayer prior to the commencement of the meeting.

LEAVE OF ABSENCE

Councillor Chung requested a Leave of Absence for the period 20 April 2014 to 27 April 2014 inclusive.

Councillor Perram requested a Leave of Absence for the period 18 April 2014 to 27 April 2014 inclusive.

The Mayor, Councillor Maggio advised Council that Councillor Salvestro-Martin had requested a Leave of Absence for tonight's Council Meeting, 8 April 2014.

RESOLUTION: (Moved by Councillors Chung and Pickering)

- (a) That Council approve a Leave of Absence for Councillor Chung from 20 April 2014 to 27 April 2014 inclusive.
- (b) That Council approve a Leave of Absence for Councillor Perram from 18 April 2014 to 27 April 2014 inclusive.

ITEM 2 (continued)**ATTACHMENT 1**

- (c) That Council approve a Leave of Absence for Councillor Salvestro-Martin for tonight's Council Meeting, 8 April 2014.

Record of Voting:

For the Motion: Unanimous

SUSPENSION OF STANDING ORDERS

Councillor Petch sought a Suspension of Standing Orders to table the Minutes of the Heritage Advisory Committee Meeting held on 12 February 2014, the time being 7.33pm.

RESOLUTION: (Moved by Councillors Petch and Pendleton)

That the Minutes of the Heritage Advisory Committee Meeting held on 12 February 2014 be tabled.

Record of Voting:

For the Motion: Unanimous

DISCLOSURES OF INTEREST

There were no Disclosures of Interest.

TABLING OF PETITIONS

Councillor Pendleton tabled a petition from the Volunteer Bush Regenerators' Network to be considered in conjunction with the Notice of Motion 1 – Bushland and Environment Advisory Group .

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:

Name	Topic
Tanya Allen and Yvette Vignando (on behalf of UNICEF)	Mayoral Minute 8/14 - Golf Day to Support UNICEF
Libby Lawson	Item 2 - Public Toilet at Sager Place Shopping Centre
John Carfi (on behalf of Mirvac)	Item 3 - Planning Proposal - 269-271 Lane Cove Road, Macquarie Park

ITEM 2 (continued)
ATTACHMENT 1

Name	Topic
Peter Brown	Notice of Motion 1 - Bushland and Environment Advisory Group
Bev Debrincat (on behalf of the Volunteer Bush Regenerators' Network)	Notice of Motion 1 - Bushland and Environment Advisory Group
Andrew Duggan	Item 3 - Planning Proposal - 269-271 Lane Cove Road, Macquarie Park
Kingsley Liu (on behalf of Project 18C)	Notice of Motion 2 - Racism! It Stops With Me
Adrian Flores	Notice of Motion 2 - Racism! It Stops With Me
Tony Tang (on behalf of the Ryde Community Forum)	Notice of Motion 2 - Racism! It Stops With Me
Penny Pedersen	Notice of Motion 2 - Racism! It Stops With Me

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

The following persons addressed the Council:

Name	Topic
Kevin Page	Civic Centre Rezoning
Suzanne Marks (on behalf of Residents for Ryde)	Rezoning of Civic Centre back to community zoning
Beth Kosnik	Consultation period has closed regarding rezoning of Civic Centre site. What is the hold up?

ORDER OF BUSINESS

RESOLUTION: (Moved by Councillors Yedelian OAM and Simon)

That Council now consider the following Items, the time being 8.16pm:

- Mayoral Minute 8/14 – Golf Day to Support UNICEF
- Item 2 – Public Toilet at Sager Place Shopping Centre
- Item 3 – Planning Proposal – 269-271 Lane Cove Road, Macquarie Park
- Notice of Motion 1 – Bushland and Environment Advisory Group\
- Notice of Motion 2 – Racism! It Stops With Me

Record of Voting:

For the Motion: Unanimous

ITEM 2 (continued)**ATTACHMENT 1****MAYORAL MINUTES****8/14 GOLF DAY TO SUPPORT UNICEF - The Mayor, Councillor Roy Maggio**

Note: Tanya Allen and Yvette Vignando (on behalf of UNICEF) addressed the meeting in relation to this Item.

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

- (a) That Council support the fundraising initiative for UNICEF by sponsoring a hole at the Golf Day to be held on 23 May 2014 – at a cost of \$300.00.
- (b) That the funds be allocated from the Mayor's budget.
- (c) That the event be publicised through Council's regular media channels including the Mayor's Community Message.

Record of Voting:

For the Motion: Unanimous

COUNCIL REPORTS**2 PUBLIC TOILET AT SAGER PLACE SHOPPING CENTRE**

Note: Libby Lawson addressed the meeting in relation to this Item.

Note: Documentation from Libby Lawson was tabled in relation to this Item and a copy is ON FILE.

MOTION: (Moved by Councillors Chung and Petch)

- (a) That Council note the report into investigations on the provision of a public toilet at Sager Place Neighbourhood Centre.
- (b) That Council approve the Sager Place Neighbourhood Centre Landscape Concept Plan.
- (c) That Council investigate leasing the existing toilets at 1-2/8 Sager Place, East Ryde for use on a key only basis.
- (d) That the STA be requested to make a contribution to the leasing and cleaning of the toilets.
- (e) That the matter be reported back to Council.

ITEM 2 (continued)**ATTACHMENT 1****AMENDMENT:** (Moved by Councillors Perram and Laxale)

- (a) That Council note the report into investigations on the provision of a public toilet at Sager Place Neighbourhood Centre.
- (b) That Council approve the Sager Place Neighbourhood Centre Landscape Concept Plan, subject to provision for a public toilet or public access to an existing toilet.
- (c) That Council investigate leasing the existing toilets at 1-2/8 Sager Place, East Ryde for use on a key only basis.
- (d) That the STA be requested to make a contribution to the leasing and cleaning of the toilets.
- (e) That the matter be reported back to Council.

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

Record of Voting:

For the Amendment: Councillors Laxale, Li, Pendleton, Perram and Simon

Against the Amendment: The Mayor, Councillor Maggio and Councillor Chung, Etmekdjian, Petch, Pickering and Yedelian OAM

RESOLUTION: (Moved by Councillors Chung and Petch)

- (a) That Council note the report into investigations on the provision of a public toilet at Sager Place Neighbourhood Centre.
- (b) That Council approve the Sager Place Neighbourhood Centre Landscape Concept Plan.
- (c) That Council investigate leasing the existing toilets at 1-2/8 Sager Place, East Ryde for use on a key only basis.
- (d) That the STA be requested to make a contribution to the leasing and cleaning of the toilets.
- (e) That the matter be reported back to Council.

Record of Voting:

For the Motion: Unanimous

ITEM 2 (continued)**ATTACHMENT 1****3 PLANNING PROPOSAL - 269-271 Lane Cove Road, Macquarie Park**

Note: John Carfi (on behalf of Mirvac) and Andrew Duggan addressed the meeting in relation to this Item.

Note: Documentation from John Carfi of Mirvac dated 8 April 2014 was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Simon and Pickering)

- (a) That Council does not support the Planning Proposal for 269-271 Lane Cove Road Macquarie Park proceeding to a Gateway determination on the grounds that:
- The Planning Proposal is inconsistent with the vision for the Macquarie Park Corridor as a Specialist Precinct whose primary purpose is for employment and economic functions;
 - The 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;
 - The Planning Proposal is inconsistent with the strategic direction for the Macquarie Park Corridor adopted in the City of Cities: A Plan for Sydney's Future (Metropolitan Strategy), Metropolitan Plan for Sydney 2036, the Draft Metropolitan Strategy for Sydney 2031, Ryde Local Planning Study 2010 and Ryde LEP 2010 and Draft Ryde LEP 2013.
- (b) That the need for the current planning framework applying to Macquarie Park Corridor be retained to protect employment lands that are strategically important to the economic viability of the state.
- (c) That the applicant be advised accordingly.

Record of Voting:

For the Motion: Unanimous

NOTICES OF MOTION**1 BUSHLAND AND ENVIRONMENT ADVISORY GROUP - Councillor Denise Pendleton**

Note: Peter Brown and Bev Debrincat (on behalf of the Volunteer Bush Regenerators' Network) addressed the meeting in relation to this Item.

Note: Correspondence from the Ryde Volunteer Bush Regenerators' Network dated 6 April 2014 was tabled in relation to this Item and a copy is ON FILE.

ITEM 2 (continued)**ATTACHMENT 1**

Note: A petition from the Volunteer Bush Regenerators' Network was tabled by Councillor Pendleton in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Pendleton and Laxale)

- (a) That the establishment of the Bushland and Environment Advisory Group be expedited by:
- Nomination of a Councillor to Chair the Bushland and Environment Advisory Group.
 - Nomination of other Councillors to join the Bushland and Environment Advisory Group.
 - Setting an initial meeting date in early May 2014 inviting up to five representatives from the Volunteer Bush Regenerators' Network to consider a draft Terms of Reference for the Bushland and Environment Advisory Group.
 - As soon as possible, advertising to seek additional nominations for membership of the Bushland and Environment Advisory Group in the Northern District Times.
- (b) That Council nominate Councillor Pendleton as the Chair of the Bushland and Environment Advisory Committee.
- (c) That Council nominate Councillors Perram and Laxale as members of the Bushland and Environment Advisory Committee.

Record of Voting:

For the Motion: Unanimous

2 RACISM! IT STOPS WITH ME - Councillor Jerome Laxale

Note: Kingsley Liu (on behalf of Project 18C), Adrian Flores, Tony Tang (on behalf of the Ryde Community Forum) and Penny Pedersen addressed the meeting in relation to this Item.

MOTION: (Moved by Councillors Laxale and Petch)

That Ryde Council, as a supporter of the Racism! It stops with me campaign:

- (1) Intrinsically understands the importance section 18C of the Racial Discrimination Act 1975.

ITEM 2 (continued)**ATTACHMENT 1**

- (2) Notes that section 18C provides protection to individuals from offensive behaviour because of race, colour, national or ethnic origin.
- (3) Further notes that all levels of Government should combat bigotry at every opportunity.
- (4) Requests the Federal Attorney General to withdraw the Draft Exposure Amendment to the Racial Discrimination Act 1975.

AMENDMENT: (Moved by Councillors Yedelian OAM and Chung)

- (a) That Council reaffirm its previous resolution regarding the Racism! It Stops with Me Campaign.
- (b) That the City of Ryde request the Federal Attorney General to withdraw the Draft Exposure Amendment to the Racial Discrimination Act 1975.

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

Record of Voting:

For the Amendment: Councillors Chung, Etmekdjian, Perram and Yedelian OAM

Against the Amendment: The Mayor, Councillor Maggio and Councillors Laxale, Li, Pendleton, Petch, Pickering and Simon

RESOLUTION: (Moved by Councillors Laxale and Petch)

That Ryde Council, as a supporter of the Racism! It stops with me campaign:

- (1) Intrinsically understands the importance section 18C of the Racial Discrimination Act 1975.
- (2) Notes that section 18C provides protection to individuals from offensive behaviour because of race, colour, national or ethnic origin.
- (3) Further notes that all levels of Government should combat bigotry at every opportunity.
- (4) Requests the Federal Attorney General to withdraw the Draft Exposure Amendment to the Racial Discrimination Act 1975.

ITEM 2 (continued)**ATTACHMENT 1****Record of Voting:**

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

Against the Motion: Councillors Chung, Pickering and Yedelian OAM

COUNCIL REPORTS**1 CONFIRMATION OF MINUTES - Council Meeting held on 25 March 2014**

RESOLUTION: (Moved by Councillors Petch and Simon)

That the Minutes of the Council Meeting 4/14, held on 25 March 2014 be confirmed.

Record of Voting:

For the Motion: Unanimous

2 PUBLIC TOILET AT SAGER PLACE SHOPPING CENTRE

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

3 PLANNING PROPOSAL – 269-271 Lane Cove Road, Macquarie Park

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

4 PUBLIC WIFI - EASTWOOD PLAZA

RESOLUTION: (Moved by Councillors Petch and Li)

(a) That Council endorse the continuation of Public WiFi being provided in the Eastwood Plaza at an estimated cost of \$4,000 (excluding GST) and be funded from 'General Revenue.

(b) That Council support an awareness campaign being delivered to promote the service.

Record of Voting:

For the Motion: Unanimous

ITEM 2 (continued)**ATTACHMENT 1****NOTICES OF MOTION****1 BUSHLAND AND ENVIRONMENT ADVISORY GROUP – Councillor Denise Pendleton**

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

2 RACISM! IT STOPS WITH ME - Councillor Jerome Laxale

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

CLOSED SESSION**ITEM 5 - PROPOSED SALE - WALKLEY PATHWAY, 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.

ITEM 6 - PROPERTY INVESTMENT PORTFOLIO - MANAGEMENT FRAMEWORK AND OBJECTIVES**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) (iii) information that would, if disclosed, reveal a trade secret.

ITEM 7 - 53-71 ROWE STREET, EASTWOOD - FEASIBILITY ANALYSIS**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.

RESOLUTION: (Moved by Councillors Perram and Etmekdjian)

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

Record of Voting:

For the Motion: Unanimous

ITEM 2 (continued)**ATTACHMENT 1**

Note: Council closed the meeting at 10.24pm. The public and media left the chamber.

5 PROPOSED SALE - WALKLEY PATHWAY, WEST RYDE

Note: A Confidential Memorandum from Council's Section Manager – Properties dated 8 April 2014 was tabled in relation to this Item and a copy is ON FILE - CONFIDENTIAL.

RECOMMENDATION: (Moved by Councillors Etmekdjian and Petch)

- (a) That Council defer this matter for the Acting General Manager to negotiate a more commercially advantageous outcome relating to this property.
- (b) That this matter be reported back to Council following further negotiations being finalised.

Record of Voting:

For the Motion: Unanimous

6 PROPERTY INVESTMENT PORTFOLIO - MANAGEMENT FRAMEWORK AND OBJECTIVES

RECOMMENDATION: (Moved by Councillors Petch and Etmekdjian)

- (a) That the management criteria and objectives for the Property Investment Portfolio be adopted.
- (b) That the asset specific strategies and draft action plans for the key targeted properties be endorsed.

Record of Voting:

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

Against the Motion: Councillors Laxale and Pendleton

7 53-71 ROWE STREET, EASTWOOD - FEASIBILITY ANALYSIS

RECOMMENDATION: (Moved by Councillors Petch and Chung)

- (a) That Council receive and note this report.
- (b) That no further action be undertaken unless the financial feasibility for this site changes.

ITEM 2 (continued)**ATTACHMENT 1****Record of Voting:**

For the Motion: Unanimous

OPEN SESSION

RESOLUTION: (Moved by Councillors Petch and Simon)

That Council resolve itself into open Council.

Record of Voting:

For the Motion: Unanimous

Note: Open Council resumed at 10.31pm.

RESOLUTION: (Moved by Councillors Simon and Pendleton)

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

Record of Voting:

For the Motion: Unanimous

NATIONAL ANTHEM

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

The meeting closed at 10.35pm.

CONFIRMED THIS 22ND DAY OF APRIL 2014

Chairperson

3 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 5/14 held on 15 April 2014

Report prepared by: Meeting Support Coordinator
File No.: CLM/14/1/4/2 - BP14/183

REPORT SUMMARY

Attached are the Minutes of the Planning and Environment Committee Meeting 5/14 held on 15 April 2014. The Minutes will be listed for confirmation at the next Planning and Environment Committee Meeting.

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

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

RECOMMENDATION:

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

ATTACHMENTS

- 1 Minutes - Planning and Environment Committee - 15 April 2014

ITEM 3 (continued)**ATTACHMENT 1****Planning and Environment Committee
MINUTES OF MEETING NO. 5/14****Meeting Date:** Tuesday 15 April 2014**Location:** Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde**Time:** 5.00pm**Councillors Present:** Councillors Etmekdjian (Chairperson), Chung and Laxale.**Apologies:** Councillors Pickering and Yedelian OAM.**Absent:** Councillor Salvestro-Martin.**Staff Present:** Group Manager – Environment and Planning, Service Unit Manager – Assessment, Team Leader – Assessment, Planning Consultant – Creative Planning Solutions, Business Support Coordinator – Environment and Planning, Section Manager – Governance and Meeting Support Coordinator.**DISCLOSURES OF INTEREST**

There were no disclosures of interest.

1 CONFIRMATION OF MINUTES - Meeting held on 18 March 2014**RESOLUTION:** (Moved by Councillors Laxale and Chung)

That the Minutes of the Planning and Environment Committee 4/14, held on Tuesday 18 March 2014, be confirmed.

Record of Voting:For the Motion: Unanimous**Note:** This is now a resolution of Council in accordance with the Committee's delegated powers.**2 9 ERIC STREET, EASTWOOD. LOT 1 DP 511632. Local Development
Application for demolition and erection of new dual occupancy (attached).
LDA2013/0434.**Note: Eric Armstrong (applicant) addressed the Committee in relation to this Item.**RESOLUTION:** (Moved by Councillors Chung and Laxale)

- (a) That Local Development Application No. 2013/434 at 9 Eric Street, Eastwood being LOT 1 DP511632 be approved as a deferred commencement subject to the **ATTACHED** (Attachment 1) conditions.

ITEM 3 (continued)**ATTACHMENT 1**

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

Record of Voting:

For the Motion: Unanimous

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

The meeting closed at 5.01pm.

CONFIRMED THIS 20TH DAY OF MAY 2014.

Chairperson

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

Report prepared by: Meeting Support Coordinator**File No.:** CLM/14/1/4/2 - BP14/172

REPORT SUMMARY

Attached are the Minutes of the Works and Community Committee Meeting 3/14 held on 15 April 2014. The Minutes will be listed for confirmation at the next Works and Community Committee Meeting.

All Items (1, 2, 3 and 4) were dealt with by the Committee within its delegated powers.

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

RECOMMENDATION:

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

ATTACHMENTS

- 1 Minutes - Works and Community Committee - 15 April 2014

ITEM 4 (continued)**ATTACHMENT 1****Works and Community Committee
MINUTES OF MEETING NO. 3/14****Meeting Date:** Tuesday 15 April 2014**Location:** Committee Room 1, Level 5, Civic Centre, 1 Devlin Street, Ryde**Time:** 5.00pm**Councillors Present:** Councillors Perram (Chairperson), Li, Pendleton, Petch and Simon.

Note: Councillor Li arrived at the meeting at 5.02pm and was present for consideration of Items 2, 3 and 4 only.

Apologies: Nil.

Staff Present: Acting Group Manager – Community Life, Group Manager – Public Works, Manager – Open Space, Manager – Environment, Acting Manager – Environmental Health and Building, Section Manager – Sport and Recreation, Manager – Asset Systems, Coordinator – Commissioning, Manager – Infrastructure Integration, Manager – Project Development, Section Manager – Program Delivery, Section Manager – Governance and Executive Assistant to Mayor and Councillors.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

1 CONFIRMATION OF MINUTES - Meeting held on 4 March 2014

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

RESOLUTION: (Moved by Councillors Petch and Pendleton)

That the Minutes of the Works and Community Committee 2/14, held on Tuesday, 4 March 2014, be confirmed.

Record of Voting:

For the Motion: Unanimous

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

Note: Councillor Li arrived at the meeting at 5.02pm.

ITEM 4 (continued)**ATTACHMENT 1****2 SCHEDULE OF WORKS AND COST ESTIMATES TO REFURBISH EXISTING TOILETS IN THE AIR LEAGUE BUILDING TO PUBLIC TOILET STANDARDS- SANTA ROSA PARK****RESOLUTION:** (Moved by Councillors Simon and Petch)

- (a) That Council note the schedule of works and estimation of costs associated with bringing the toilet facilities up to a standard that allows for safe use by the public.
- (b) That Council take no further works to refurbish Air League Building toilet facilities to a standard safe for public use.
- (c) That any future licence of the Air League Building acknowledge the use of the toilets by sporting groups.

Record of Voting:For the Motion: Unanimous

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

3 DRAFT GLADESVILLE PEDESTRIAN AND MOBILITY ACCESSIBILITY PLAN - FOR PUBLIC EXHIBITION

Note: A Memorandum dated 15 April 2014 from Council's Manager Environment, Acting Manager Environmental Health and Building was tabled in relation to this Item and a copy is ON FILE.

Note: Josh Milston, Consultant from ARUP provided the Committee with a presentation regarding the Draft Gladesville Pedestrian and Mobility Accessibility Plan.

RESOLUTION: (Moved by Councillors Petch and Perram)

- (a) That Council endorses the exhibition of the Draft Gladesville Town Centre Pedestrian Access and Mobility Plan for a period of 28 days.
- (b) That Council consider a further report on the Gladesville Town Centre Pedestrian Access and Mobility Plan for consideration and determination after the public exhibition period has finished and all submissions have been considered.

Record of Voting:For the Motion: Unanimous

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

ITEM 4 (continued)**ATTACHMENT 1****4 PROJECT STATUS REPORT AS AT FEBRUARY 2014 - PROJECT DEVELOPMENT UNIT****RESOLUTION:** (Moved by Councillors Petch and Simon)

That Council receive and note this report.

Record of Voting:For the Motion: Unanimous

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

The meeting closed at 5.45pm.

CONFIRMED THIS 6TH DAY OF MAY 2014.

Chairperson

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

Report prepared by: Acting General Manager
File No.: GRP/09/7/8 - BP14/492

REPORT SUMMARY

This matter is reported back to Council following Council's resolution at its meeting of the 25 February 2014, where Council resolved;

- (a) That the Acting General Manager provide a report to Council regarding short, medium and long term propositions with regard to the City of Ryde's financial future. Councillors are to provide input and feedback to the Acting General Manager by 18 March 2014.*
- (b) The Acting General Manager also provide a report to Council outlining a proposed Community Engagement Strategy to engage the community once Council determines its position*
- (c) This matter be reported to Council in April 2014.*

Council's previous report is **ATTACHMENT 1** to this report, noting the previous Attachments to this report have not been recirculated. The attachments are ON FILE.

The Confidential Memo circulated by the Acting General Manager, prior to Council's consideration of this matter at the reconvened meeting on Tuesday, 4 March 2014, is **ATTACHMENT 2 – CIRCULATED UNDER SEPARATE COVER – CONFIDENTIAL**.

As a result of Council's resolution, Councillors provided their feedback and a further Councillor workshop was held on Tuesday, 8 April 2014 to review and gain Councillors' consensus in how Council should progress this matter. Councillors were provided additional information prior to the workshop, which included;

- further financial analysis of Council's programs and service accountabilities, by expenses and net cost to Council
- a brief overview of Council's Operations Unit service delivery model, highlighting services delivered by in-house staff and those delivered by contract, and
- a Draft Community Engagement Program, if Council were to support exploring a Special Rate Variation (SRV) application. The draft Community Engagement Program is **ATTACHMENT 3**

Following the workshop, this report is submitted back to Council and recommends the Action Plan detailed in the report be endorsed by Council. This Action Plan recognises that Councillors have not at this stage reached an agreed position on how to address this matter.

ITEM 5 (continued)

The Action Plan in essence, proposes that Council hold further Councillor workshops during the public exhibition period of the Draft Delivery Plan that will allow Councillors to confirm their position on this matter. It is proposed that the results from these workshops will be reported back to Council at its meeting on the 24 June 2014, when Council will be considering the adoption of the 2014-2018 Delivery Plan, following the public exhibition process.

The Action Plan also includes Council undertaking the first stage of its communication and engagement program with the community. Taking this action allows Council to gain an understanding from the community on this matter, prior to Council confirming whether it will cease or continue to explore the opportunity of a SRV application. This first stage of community engagement will provide the community with an awareness of Council's overall financial position and enable their initial response on their preparedness to pay an increase in rates to be assessed.

Therefore the Action Plan will allow Councillors to further discuss and clarify issues related to this matter during the proposed workshops and allow Councillors to evaluate the community feedback received from the first stage of the community engagement program. Both the results from Councillor workshops and the community feedback will then allow Council to determine its position when Council considers the adoption of the 2014-2018 Delivery Plan at its meeting on the 24 June 2014.

RECOMMENDATION:

- (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.

ITEM 5 (continued)**ATTACHMENTS**

- 1** City of Ryde's Financial Future - Proposed Community Engagement Process (Council Report 25 February 2014)
- 2** Memo to Councillors from Roy Newsome - Financial Futures - 3 March 2014 - CIRCULATED UNDER SEPARATE COVER – CONFIDENTIAL
- 3** Draft Community Engagement Program - SRV Application (Community Education, Awareness and Engagement Campaign)
- 4** Draft Agenda SRV Workshop
- 5** Financial Futures Information - Draft Delivery Plan 2014-2018

Report Prepared By:

Roy Newsome
Acting General Manager

ITEM 5 (continued)

Discussion

The report to Council at its meeting on the 25 February 2014, detailed the number of workshops and information that has been provided to Councillors relating to Council's financial position, to ensure Council's financial position is fully understood.

Following Council's resolution from its meeting on the 25 February 2014 and the Councillor submissions received to address Council's financial position, it is clear there is no consensus amongst Councillors on how to address and rectify Council's financial future.

Therefore, as a result of the Workshop, the following Action Plan is proposed in working towards a resolution of this matter.

Proposed Action Plan

1. Councillor Workshops

It is proposed to hold further Councillor Workshops to allow for the various issues raised by Councillors to be further discussed and addressed.

The Workshop dates are proposed to be either Saturday 24 May or 31 May 2014. As an alternative, options during the week are Wednesday 29 May and Thursday 30 May 2014. The dates selected recognise the standard commitments of Councillors, noting there needs to be adequate lead times allowed both in the preparation phase for the workshops in addition to the reporting back phase in collating the results from the workshop back to Council.

A draft Agenda for the Workshops is **ATTACHMENT 4**.

As detailed in the attachment, the Workshops will allow Councillors to;

- **Review Core Services:** This will provide Councillors with an overview of Council's programs, their costs, resourcing and the relevant legislation/compliance requirements. Staff will also attempt to provide as much comparative data that is available. Council could also consider resolving to engage an independent organisation (external auditor), to provide Council with a high level benchmark comparison of how the City of Ryde has performed and compares to other Councils. This will require Council to confirm this requirement in Council's resolution.
- **Review of Actions taken to date:** Staff will provide the workshop with actions taken to date to demonstrate the savings/reductions in expenses already achieved. Staff will also identify further opportunities for Council's consideration.

ITEM 5 (continued)

- **Line by Line Review of Proposals:** The Workshop will provide the opportunity for Councillors and staff to review the current list of proposals and Councillor feedback received.
- **Confirmation of Suite of Options:** This session will allow Councillors to confirm the options to be pursued.

2. Community Engagement Program

As detailed earlier in the report a copy of the draft Community Engagement Program is Attachment 3.

The proposed Action Plan seeks Council's endorsement to undertake Stage 1 of the Community Engagement Program. This stage of the program will provide an overview of Council's current and projected financial position and seek to confirm the community's preparedness to pay an increase in rates. This stage would engage the community through online surveys and focus groups that are representative of our community.

In respect of the online surveys, general descriptors would be included that would provide the possible services and service standards that would be impacted if Council did not improve its financial position.

Undertaking this stage of the Community Engagement Program is recommended, which will allow Councillors to be at least updated on the community's general response to Council's financial position and possible increases in rates.

Following the workshops, the results would be compiled by staff and reported back to Council on 24 June 2014, for consideration in Council adopting its 2014-2018 Delivery Plan. At this meeting, Council would also receive the results of undertaking Stage 1 of the Community Engagement Program.

Draft Delivery Plan – City of Ryde's Financial Future

On the basis that Council supports undertaking Stage 1 of the Community Engagement Program, as detailed in this report, it is proposed to include a short statement in Council's Draft Delivery Plan 2014/2018, bringing this matter to the attention of our community.

Details of the information relating to Council's Financial Future is **ATTACHMENT 5**. It is recommended that Council endorse this information being included in the Draft Delivery Plan 2014-2018.

ITEM 5 (continued)**Financial Implications**

As detailed in previous reports, Council's Long Term Financial Plan (LTFP), forecasts Council's long term financial position is in decline, with Council's projected Operating Result Before Capital deficit being \$9.32 Million for 2013/14 and increasing to \$25.27 Million deficit by 2022/23.

Councillors should note that the LTFP is currently being updated and reviewed to confirm all assumptions, calculations and projections.

The main focus at all the Workshops on Council's financial position has been to understand that Council has an Operating Result Deficit before Capital, with this annual deficit ranging between \$8-\$10 million and increasing over time.

As explained, if Council can address and bring this result back to a balanced position over time, it will mean that Council has restored the allocation required for Council's existing infrastructure renewal works. This is a realistic objective if addressed through a number of initiatives and multiple actions that include, new revenue initiatives, reductions in expenses/ services and exploring a SRV application.

It needs to be highlighted that rate income is Council's major income source (51% of total operating revenue), therefore while various actions can be taken in growing income, they have limited impact compared to rate increases. As provided to Council, an SRV of 8% would provide Council with an additional \$2.7 million per annum, and approximately \$13.5 million over 4 years.

If Council supported other initiatives that would generate additional savings and additional revenue of approximately \$4-\$6 million, Council would be close to balancing its Operating Result before Capital in 4 years' time. By adopting this strategy approach, it would then allow the future Council in 2018, to determine if any further action was required.

It is suggested that further action would be required as this initial strategy does not contemplate addressing Council's current infrastructure backlog, which is currently estimated at \$58 million.

Therefore, Council by taking the initiatives as previously discussed, including the exploration of an SRV application, will result in a significant improvement in Council's financial position.

Critical Dates

Council is required to comply with the Local Government Act especially related to the Integrated Planning and Reporting Framework. IPART requires a Council to notify them early December in the year prior to the SRV being implemented. Therefore this determination needs to be adopted by Council in November 2014.

ITEM 5 (continued)**Options**

1. Council can resolve to adopt the Action Plan outlined in this report.

This option is recommended.

2. Council can resolve to adopt an alternative plan that does not include an application for a Special Rate Variation (SRV) and therefore no community consultation is undertaken.

This option is not recommended due to the significance of the deficit.

3. Council can resolve to take no further action in this matter.

This option is not recommended due to Councils current and future funding shortfall and Operating Result before Capital deficits.

ITEM 5 (continued)**ATTACHMENT 1****PREVIOUS REPORT**

11 CITY OF RYDE'S FINANCIAL FUTURE - PROPOSED COMMUNITY ENGAGEMENT PROCESS

Report prepared by: Acting General Manager
File No.: GRP/09/7/8 - BP14/218

REPORT SUMMARY

This report recommends that Council undertake a comprehensive community engagement process with its community to discuss Council's financial future.

This engagement will cover the key areas of Council's current and projected financial position, an overview of the current conditions of Council's infrastructure assets and details related to the current and projected services and service standards delivered by Council.

Councillors have over six (6) workshops, received a comprehensive overview of all related matters on Council's financial position and the current and projected funding shortfall.

As the options to address this funding shortfall include the possibility of a Special Rate Variation ('SRV') it is therefore critical for a comprehensive community engagement process to be undertaken to gain the communities views and feedback on all options to be considered in addressing the funding shortfall.

It is proposed that the community engagement process will be undertaken between late March 2014 to July 2014, with a further report back to Council in August 2014 detailing the community's feedback.

RECOMMENDATION:

The Council endorse the Acting General Manager to undertake a comprehensive community engagement process with the City of Ryde community as detailed in the Action Plan contained within this report.

ATTACHMENTS

- 1** Workshop 1 - Financial Futures - 6 August 2013 - CIRCULATED UNDER SEPARATE COVER
- 2** Workshop 2 - Financial Futures - 13 August 2013 - CIRCULATED UNDER SEPARATE COVER
- 3** Workshop 3 - Financial Futures - 17 September 2013 - CIRCULATED UNDER SEPARATE COVER
- 4** Workshop 4 - Financial Futures - 8 October 2013 - CIRCULATED UNDER SEPARATE COVER

ITEM 5 (continued)**ATTACHMENT 1****PREVIOUS REPORT**

- 5** Workshop 5 - Financial Futures - 7 November 2013 - CIRCULATED UNDER SEPARATE COVER
- 6** Workshop 6 - Financial Futures - 19 November 2013 - CIRCULATED UNDER SEPARATE COVER

Report Prepared and Approved By:

Roy Newsome
Acting General Manager

ITEM 5 (continued)**ATTACHMENT 1****PREVIOUS REPORT**

Discussion

Councillors have received six (6) workshops from August to November 2013 on Council's Financial Future. This report summarises the key issues from these workshops.

The six (6) workshops were as follows;

1. Part 1: Identify the Issues (6 August 2013)
2. Part 2: Identify Solutions (13 August 2013)
3. Part 3: Consider Options (17 September 2013)
4. Part 4: Agree the Way Forward (8 October 2013)
5. Part 5: Asset and Service Standards (7 November 2013)
6. Part 6: Operational Review (19 November 2013)

The material that was provided to Councillors in the above workshops is
ATTACHMENTS 1 - 6 - CIRCULATED UNDER SEPARATE COVER.

The key points to highlight from the above workshops are;

1. Council has and is projected to have an ongoing and deteriorating Operating Result before Capital deficit of \$9 Million for 2013/2014 and growing to \$25.27 Million by 2022/2023.
2. This means that there is an annual funding shortfall of between \$8-10 Million in asset renewals each year, which will increase if not addressed.
3. Due to this shortfall, Council is not investing sufficient funds back into its existing infrastructure.
4. The funding shortfall is increasing pressure on Council's annual maintenance budgets which are also under funded (under funded by \$1.5 Million).
5. The above points on Council's funding shortfall and the growing pressures on infrastructure maintenance works has resulted in Council's infrastructure asset backlog continuing to grow (currently \$58 Million).
6. The other key point for Council to note is that this additional pressure on Council's Operating Result is being intensified, as a result of the additional \$52.82 Million of contributed assets that Council has received over the past five

ITEM 5 (continued)**ATTACHMENT 1****PREVIOUS REPORT**

(5) years. While the community has benefited significantly from these assets, this growth in Council's assets has required an additional allocation for depreciation which is then required to be covered in Council's Operating Result Before Capital.

7. Due to Council's funding shortfall, a key point that has been made to Councillors in the workshop sessions is that Council should not be expanding its asset base as there are currently not sufficient funds to renew its existing infrastructure. Any expansion of Council's asset base places further pressure on Council's ongoing maintenance program.
8. Due to the funding shortfall, both Council's available revenue and reserve funds are projected to be depleted in the early years of the ten (10) year financial plan.
9. This will see Council's Capital Works program diminish as both revenue and reserve funds are depleted. Council's Capital Works program in the future will be dependent on the level of Section 94, Grant and other contribution funds that are received. Due to these sources of funding, this will restrict and determine what levels and type of capital works Council undertakes in the future.
10. Extensive work over the last four (4) years has been undertaken in Council's budget process in reducing its operating cost. This has been undertaken with the support of all Managers which has resulted in improvements in Council's annual results, noting that Council improved its end of year result in 2012/2013 by \$2.3 Million. This was transferred to the Asset Replacement Reserve to assist Council in meeting the funding shortfall.

These results have been achieved with Council maintaining service standards, even though some of these standards have declined due to reduced available funds.

11. One significant reduction in Council's revenue in the last three (3) years has been in interest on investments income due to the significant reduction in interest rates, which has seen an annual reduction of \$1.4 Million (approx.) in Council's budget.
12. Another key impact on Council's operating result has been in the 'non-discretionary' expenses that Council incurs such as utility charges, street lighting, insurance, government contributions. In general terms, the increases incurred by Council have been well above Council's rate peg limit and in a number of cases the increase has been between 10-15%.

ITEM 5 (continued)**ATTACHMENT 1****PREVIOUS REPORT**

13. The other key area of Council's budget that has increased is in respect of employee costs. Council's funded full time positions have increased that has resulted in a corresponding increase in Council's salary cost. It needs to be noted that some of the additional positions have had no impact on Council's general revenue due to the fact that they have been self-funding either through other sources of funding or being able to generate additional revenue. Nevertheless, a comprehensive review has been undertaken across Council by the Acting General Manager in conjunction with the Executive Team.

This has resulted in a number of positions being held across Council which for the 2013/2014 year has resulted in an actual saving of \$1.1 Million as at 31 December 2013. It is forecast that salary savings for this financial year will be \$1.5 Million.

14. Some of the positions held are significant, including a Group Manager position and certain Service Unit Manager positions. As discussed with Councillors this is likely to activate a review of the organisation's structure which will require significant consultation with staff. However it is recommended to maintain holding these positions vacant and leave the formal review of Council's structure for the new General Manager, once appointed.

However one action that will be proposed to be activated in the 2015/2016 budget, in addition to achieving salary savings of \$1.5 Million, is to propose operational reductions across Council's infrastructure that includes inspections, cleaning and cleansing service reductions. The areas covered by this reduction were detailed in the material provided at Workshop 4. This reduction will realise a saving of \$1.3 Million.

Clearly from taking these measures there will be reductions in the service standards delivered to the community which is the reason why a full community engagement process is required to be undertaken.

Workshop Discussions on Options to Increase Revenue / Reduce Expenditure

As Councillors are aware, the current Operating Result before Capital is a deficit of \$9 Million (approx.) and growing to \$25 Million by 2022/2023.

ITEM 5 (continued)
ATTACHMENT 1
PREVIOUS REPORT

To address this gap, staff have suggested the following initiatives;

New Revenue	Estimate (2015/2016) (\$000)
Advertising Signs Income	\$400
Parking Meter Trial (Eastwood)	\$875
External Works Income	\$100
Purchase of Investment Properties (\$10% return)	\$1,000
Increased Fees and Charges	\$300
TOTAL	\$2,675
Reduced Expenditure	
Civil Infrastructure – reduction in operational costs and service standards	\$1,300
Salary savings – reduction in service standards	\$1,500
TOTAL	\$2,800
GRAND TOTAL	\$5,475

While the above initiatives have been suggested a conservative approach should be taken. Therefore, it is assumed that Council may approve some of the above initiatives and as a result it is estimated that Council will improve its position by \$3.5 Million.

As evidenced in this report, Council staff have taken actions in reducing operating costs, increasing operating revenues and prepared proposals to increase investment property income. However, even with all of these initiatives there is still projected to be an annual funding shortfall of approximately \$4.5-6.5 Million.

As the aim is to close the projected \$25 Million funding gap, the only other mechanism available to Council is to consider a Special Rate Variation ('SRV'). This was discussed at the workshops, noting that many Councils (especially NSROC Councils) have applied and received multiple SRV approvals over the past decade. The City of Ryde in the last ten (10) years has applied for one general SRV and one Special Rate to apply for Macquarie Park. Council was successful only with the Macquarie Park Special Rate which raised an additional \$900K (approx.) and was introduced in the 2006/2007 year.

Since 2011/2012, 53 Councils have requested a SRV application to be approved by IPART. This has resulted in 49 approvals in full or part with 4 applications not being approved. As can be seen many Councils have been required to apply for additional rate increases over and above the Minister's approved cap. Some of these approvals have been one off while others have been approved for multiple years.

ITEM 5 (continued)**ATTACHMENT 1****PREVIOUS REPORT**

Council is aware that it has one of the lowest residential rates across the Sydney Metropolitan area.

If Council achieved an 8% increase as an SRV in each year for the next four (4) years, this would generate Council an additional cumulative rate income of \$13.51 Million.

In approximate terms this would potentially improve Council's position by \$17 Million by June 2019. This would significantly improve Council's position and would allow Council at that time to reassess its overall financial position to the current projected deficit of \$25 Million and determine what further actions would be required to be take.

To assist Council in considering this matter, the material that was provided to Councillors for each of the six (6) workshops are **CIRCULATED UNDER SEPARATE COVER (ATTACHMENTS 1 – 6)**.

Proposed Action Plan for Council's Approval

As discussed at the Financial Futures Workshops, Council needs to look at all options in addressing its ongoing funding shortfall and the projected deficit. One of these options would be Council's consideration of an SRV application of at least 8% for at least a four (4) year period.

However, before finalising the mix of how the funding gap will be addressed, it is recommended that Council endorse the following Action Plan;

Endorse the Acting General Manager to undertake community engagement with the City of Ryde community to;

- a. Outline Council's current and projected financial position
- b. Explain the impact of Council's current and projected financial position is having on the community and what impact this is having on maintenance / operational standards, services and future Capital Works programs
- c. Provide an overview and explanation of Council's infrastructure assets condition and the reason why there is a growing backlog in infrastructure asset works
- d. Invite the community to provide their feedback, concerns and priority areas on what they believe is important for Council to address
- e. Gain the community's feedback on their preparedness to pay an additional increase in rates and what conditions would they place on Council

ITEM 5 (continued)**ATTACHMENT 1****PREVIOUS REPORT**

It is anticipated that community engagement would be taken from late March to mid-July and report back to Council in August 2014.

It is proposed by adopting this Action Plan, Council will be able to fully assess the community's feedback in confirming how Council will then address its current and long term financial position.

The consultation with the community and Council's determination on the mix of measures to be adopted to address the funding shortfall is required to be finalised by November 2014. This is required as it will allow Council to notify IPART if an SRV is proposed to be part of Council's funding mix. This notification is required to be given to IPART by early December 2014 (for an effective implementation in 2015/16 financial year).

Financial Implications

As detailed in this report, Council's long term financial position is in decline which is represented by a projected Operating Result Before Capital deficit of \$9.32 Million for 2013/14, to a \$25.27 Million deficit by 2022/23.

In simple terms, Council's expenses are greater than its revenue and as a result this is not sufficient to cover Council's full depreciation expenses.

Due to this position, Council is under-investing in its infrastructure renewal works that then results in a growing back log of asset renewals (current backlog is estimated at \$58 Million). The other financial impact is the growing pressure that is placed on funds required for infrastructure maintenance (this is currently estimated to be underfunded by \$1.5 Million per annum).

The actions identified in this report provide options for Council on how the funding shortfall can be reduced. It is recommended that prior to Council determining what options it will choose in closing this gap, Council undertake a comprehensive engagement process with its community, in a structured manner that is detailed in this report and report the results of the community feedback to Council by the end of August 2014.

Critical Dates

Council is required to comply with the Local Government Act especially related to the Integrated Planning and Reporting Framework. IPART requires a Council to notify them early December in the year prior to the SRV being implemented. Therefore this determination needs to be adopted by Council in November 2014.

ITEM 5 (continued)**ATTACHMENT 1****PREVIOUS REPORT**

Options

1. Council can resolve to adopt the Action Plan outlined in this report.

This option is recommended.

2. Council can resolve to adopt an alternative plan that does not include an application for a Special Rate Variation (SRV) and therefore no community consultation is undertaken.

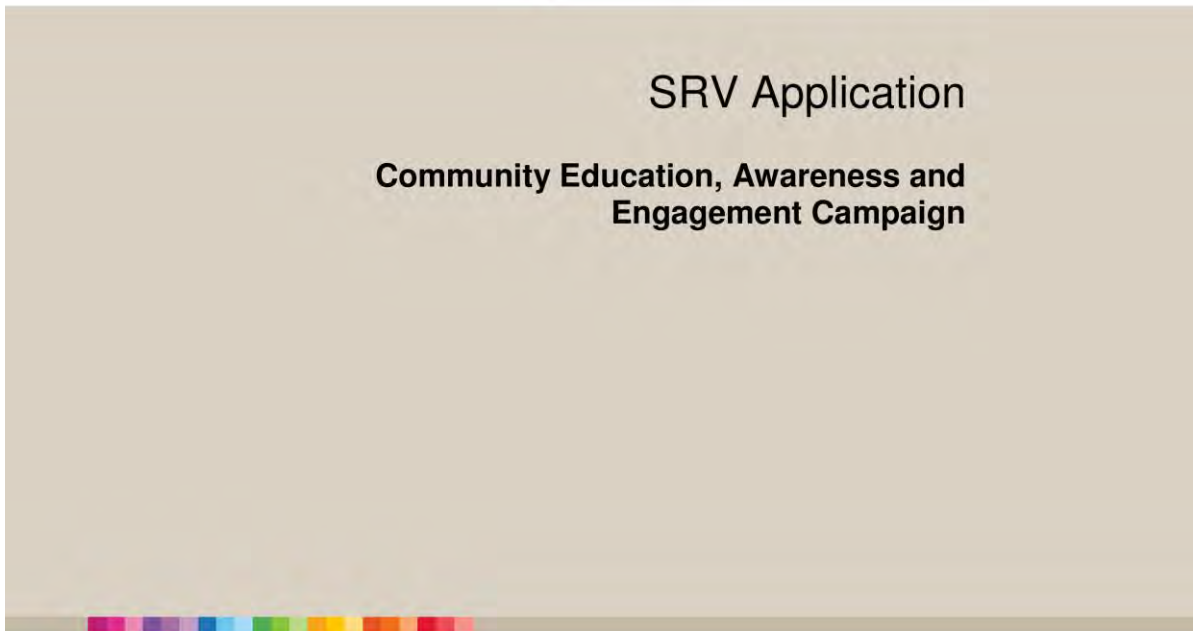
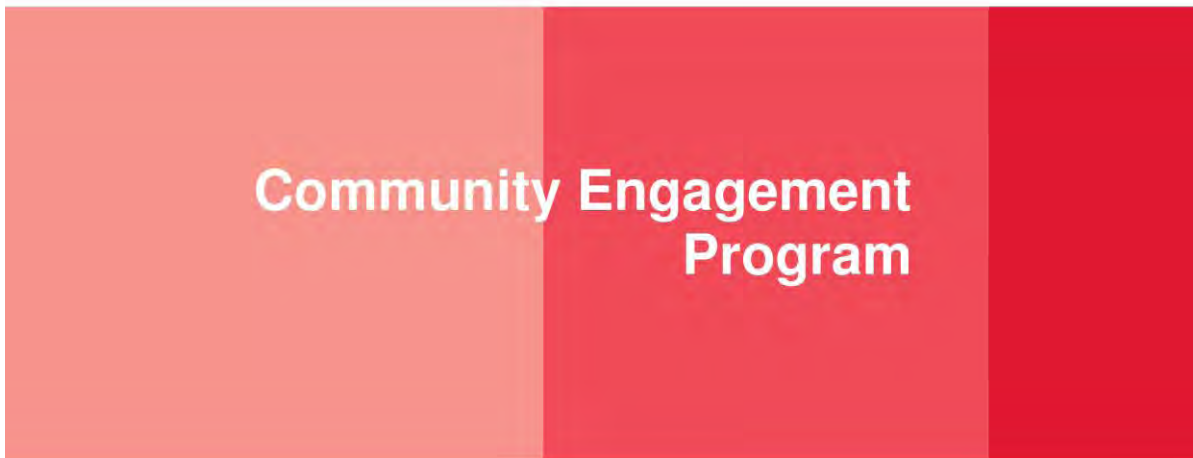
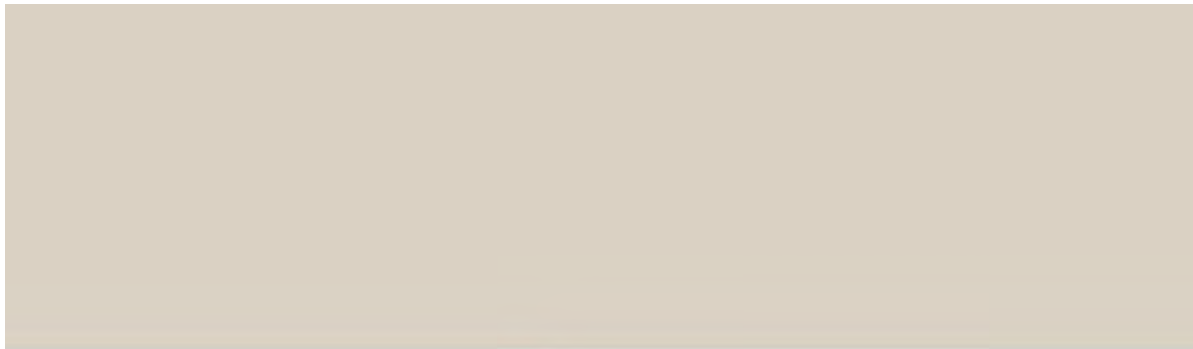
This option is not recommended due to the significance of the deficit.

3. Council can resolve to take no further action in this matter.

This option is not recommended due to Councils current and future funding shortfall and Operating Result Before Capital deficits.

ITEM 5 (continued)

ATTACHMENT 3



ITEM 5 (continued)**ATTACHMENT 3****Introduction**

Councillors and Council staff have worked together extensively over the last 12 months reviewing the financial future of the City of Ryde.

This process has involved careful and detailed consideration of Council's services and assets, identifying cost savings where possible.

Unfortunately these cost savings alone will not secure Council's long term financial position and as a consequence Council seeks to apply for a special rate variation (SRV).

IPART notes that community engagement and awareness is assessed as part of the essential criteria in an SRV application. IPART states that they will consider the following principles:

- That the Council clearly communicated the full impact of the proposed rate increase to ratepayers
- That the Council clearly communicated what the special variation will fund.
- That the Community is aware of Council's need for, and the extent of, the rate rise.
- That Council has demonstrated an appropriate variety of engagement methods to ensure community awareness and input into special variation process.

Therefore a component of the SRV application must entail community engagement in the process. Namely awareness of the application; education as to the reasons why Council believes the application to be necessary; and an opportunity for the community to provide feedback on the possible financial scenarios.

This strategy below will outline the process for Council to follow in order to successfully engage the community in the SRV application.

Preliminary Community Research | complete

Council has completed a significant amount of community research over the last 12 months. From this research we have been able to ascertain the following from our community:

- A Community satisfaction rating of council's delivery of service
- Community perception on what council services are deemed most important
- Community priority areas on council's infrastructure and assets
- Community's willingness to consider a rate increase in order to maintain current service levels

All of this data has provided Council with a solid basis on which to move forward with a level of confidence that the community are willing to enter into conversations about Council's current financial position and the options available to the community to address these concerns.



ITEM 5 (continued)**ATTACHMENT 3**

The data shows a correlation between community priority areas, and Council's asset backlog. The top 4 priority areas relating to infrastructure and assets that community identified as requiring improvement were: availability of car parking, road safety (traffic devices and controls), and maintenance of local roads (road pavements, kerb and gutter).

During the Community Satisfaction Survey, 450 community members were asked to choose which preference would be personally agreeable for them out of the following three options, being:

- 1) a decline in service standards in order to keep rates at current levels (including rate pegging)
- 2) a maintaining of service standards which will require a slight increase in rates paid or;
- 3) an increase in service standards with an increase in rates, higher than that explored in option 2

54% chose option 2 as their most preferred option, whilst 24% chose the third option as their most preferred. Just 22% of residents wanted to retain rates and reduce Council services as a first option, whilst 54% nominated this as their least preferred option.

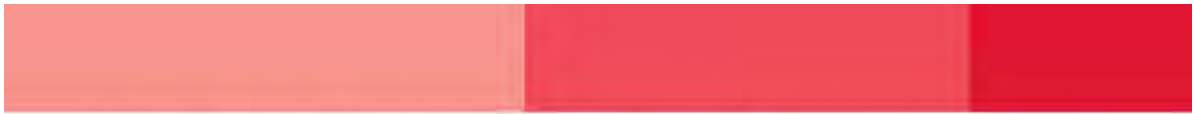
Furthermore, Council's financial management and long term planning for the area were found to be 2 of the top 3 key drivers of overall satisfaction with Council.

Based on these initial results, there appears to be a potential willingness amongst a majority of residents to consider Council's options in relation to an SRV.



ITEM 5 (continued)

ATTACHMENT 3

**Stage 1: Assess Community Preparedness to Pay | council to consider**

Independent research (Instinct & Reason 2013) suggests that top-of-mind, residents will always trend towards options that involve a lower rate increase, but often shift their position after exposure to education explaining the facts. Given this knowledge, Council can assume with a level of confidence that the 54% who have expressed a willingness to consider a rate increase may not only grow in the number of supporters of this position, but some may consider a larger increase if armed with the appropriate information.

Whilst the Community Satisfaction Survey provided Council with some quantitative data on general community sentiment of priority areas and satisfaction, it is acknowledged that community members may not be clear on the issues that are linked with allocating scarce resources and therefore may give lower priorities to those areas that they may not be as familiar with.

Council staff is conscious of the sensitivity of this issue and would like to delve further into the responses of the 450 community members in October 2013. This would allow Council to be able to assess levels of knowledge, attitudes and behaviour in order to find out more qualitative results.

As such Council are proposing to undertake **6 focus groups** to further understand the community's preparedness to pay, and what information would be beneficial to the community in being able to make an informed decision.

The **6 focus groups** will be structured in such a way that provides lifestyle stratification ie: young singles, empty nesters, older singles and CALD community members.

This approach will not only build on data previously collated by Council but it can provide Councillors with a deeper, more holistic view of the community sentiment in relation to an SRV.

If Council determines there is enough initial data to support progressing with an engagement campaign for an SRV, the third stage of the program will commence.

The aim of this stage is to reach all stakeholders (being City of Ryde rate payers), provide them with clear, concise, easy to understand information as well as a variety of opportunities to meet with Council staff to answer any questions they may have.

The requirements of this stage will be in line with the IPART requirements related to community education and awareness and will involve broad scale advertising, press releases, information packages to all residents and many information booths / drop in sessions in each ward to provide opportunities for discussion.



ITEM 5 (continued)**ATTACHMENT 3****Stage 2: Key Decision Milestone**

At this point Councillors will determine if it will continue with an SRV application where they will be provided with detailed feedback from the independent focus group facilitator, to consider as part of the process. This will be a formal report to Council for Councillors to determine if it progresses to Stage 4 of this program process.

Stage 3: Community Education & Awareness Campaign | council to consider

If Council determines there is enough initial data to support progressing with a campaign for an SRV, the fourth stage of the program will commence.

The aim of this stage is to reach all stakeholders (being City of Ryde rate payers), provide them with clear, concise, easy to understand information as well as a variety of opportunities to meet with Council staff further to answer any questions they may have.

The requirements of this stage will be in line with the IPART requirements related to community education and awareness and will involve:

- broad scale advertising
- press releases
- information packages to all residents
- information booths / drop in sessions in each ward

Stage 4: Community Engagement / Feedback | council to consider

This stage will run parallel with stage 3.

As part of the process, community members will be provided with a myriad of ways to provide their feedback to the options. These will include:

- paper version surveys
- online surveys
- online moderated discussion board
- other social media interactions
- face to face discussion at information booths and drop in sessions

Stage 5: Final Report

At the completion of the process a detailed report will be compiled for Council that will also support the IPART submission, if Council endorses the application.

All the data compiled during this period will provide IPART with significant evidence of both community awareness and the levels of willingness to pay which will satisfy the requirements for community engagement. This document and process would meet IPART's requirements.

ITEM 5 (continued)

ATTACHMENT 3



Community Engagement Program				Costs Associated		
Preliminary Community Research - COMPLETE				-	-	-
STAGE 1: Community's Preparedness to Pay						
Dates	Strategy	Description	Stakeholders	Cost	In current budget	Additional to budget
23 April 27 May	Online survey	Online survey to test in greater detail the Community's preparedness to consider a rate increase. The online survey is anticipated to receive responses from approximately 400 community members across wards providing Council with a significant sample size.	- Ratepayers who opted in for e-rates - Other council e-newsletter databases	\$15,000	\$15,000	
23 April 27 May	6 x focus groups	6 focus groups run over a period of 2 weeks to provide council with more qualitative data as to Community's preparedness to pay and also assist with what information will be useful for the community to receive in order to make an educated choice, as part of the larger campaign	Demographic sample	\$24,000	\$24,000	-
STAGE 2: Key Decision Milestone						
24 June	Council report	Council to consider community feedback and determine whether to continue with a SRV	Councillors	-	-	-

ITEM 5 (continued)

ATTACHMENT 3

STAGE 3: Community Awareness & Education Campaign				Costs associated		
Dates	Strategy	Description	Stakeholders	Cost	Covered by current budget	Surplus to budget
	Advertising Campaign	Advise Community members of SRV application triggering an awareness that information will shortly be mailed out	All community	\$700		
		Advise community members of community information drop in sessions and information booths during the month	All community	\$700		
		Remind community members of the closing dates for feedback	All community	\$700		
	Mayoral Column	Regular updates and reminders in the Mayoral Column	All community	-	-	-
	Website	A page will be available on Council's website containing all the relevant data and outlining all the ways to engage	All community members	In-house expertise	-	-
	Facebook & Twitter	Regular updates on information sessions and closing dates for feedback	Online followers	In-house expertise	-	-
	E-newsletter	Advise community members of SRV application; invite to drop sessions and remind of closing dates for feedback	800 registered members	In-house expertise	-	-
	Information package	Preparation and printing of a detailed "easy to read" information brochure designed and delivered to all rate payers outlining Council's current financial position and the option being considered for the SRV	All rate payers	In-house expertise	-	-

ITEM 5 (continued)

ATTACHMENT 3

STAGE 4: Community Engagement Campaign				COSTS ASSOCIATED		
Dates	Strategy	Description	Stakeholders	Cost	Covered by current budget	Surplus to budget
	Printing & Mailout of information package to all ratepayers	Printing of full colour brochure	All rate payers	\$10,000		\$10,000
		Direct mailout to all ratepayers (the direct mailout is required as opposed to a letterbox drop as the information must go to the ratepayer, who may not be the resident)	All rate payers	\$38,000		\$38,000
		Cost of reply paid envelope (assuming 30% return)		\$4,000	\$4,000	
	Online discussion board	The discussion board will allow residents the opportunity to ask questions prior to responding to the survey. The discussion board will need to be outsourced as time and technical limitations will prevent us from developing and implementing the board	All residents	\$10,000	\$10,000	
	Paper feedback form	The paper feedback form will accompany the mailout (including a reply paid envelope) these will also be made available at libraries, RALC and customer service as well as at the information booths		In-house expertise	-	-
	Online feedback form	This will be an online version of the paper feedback form for those who would prefer to return online. This will be accessed through the website as well as through QR codes placed throughout the LGA	All residents	In-house expertise	-	-

ITEM 5 (continued)

ATTACHMENT 3

STAGE 4: Community Engagement CONTINUED				COSTS ASSOCIATED		
Dates	Strategy	Description	Stakeholders	Cost	Covered by current budget	Surplus to budget
	Community council meetings	Utilisation of the community Council meetings in each ward will be an opportunity to provide a 'story board' process of the journey of Council to the point of applying for an SRV. Similar to other engagement drop in sessions, Council staff (and Councillors should they wish) will be available to answer community questions.	All residents	\$20,000	\$20,000	
	Advertising	Bus shelters with QR codes that link to online survey	Residents using public transport	\$1,000	\$1,000	
	Advertising	Local town centre advertisement boards	Residents	\$4,000		\$4,000
	Information booths	<p>Small information booths located in high traffic areas as part of the education and awareness raising. These booths will provide residents with an opportunity to ask questions and take a copy of the survey to fill in/ fill in on the spot. These locations will include:</p> <ul style="list-style-type: none"> - Top Ryde Shopping Centre - Eastwood Plaza - Macquarie Centre - West Ryde Urban Village - Gladesville shopping district - Cox's Rd Shopping village - Local sporting venues on a Saturday - All libraries - RALC - Train stations / bus stations (morning peak hour) <p>Costs will include: design and print of information material / food / beverage incentive for community / overtime for staff</p>		\$15,000	\$7,500	\$7,500

ITEM 5 (continued)

ATTACHMENT 3



STAGE 5: Final Report						
Dates	Strategy	Description	Stakeholders	Cost	Covered by current budget	Surplus to budget
17 Oct	Outcomes report	A final report prepared outlining the community feedback	Acting GM and Councillors	In house expertise	-	-

SUMMARY OF PROGRAM AND COSTS ASSOCIATED						
ENGAGEMENT PROGRAM: SUMMARY OF COSTS						
Dates	Strategy	Description	Stakeholders	Cost	Covered by current budget	Surplus to budget
Preliminary Community Research - COMPLETE				-	-	-
STAGE 1: Community's Preparedness to Pay				\$39,000	\$39,000	-
STAGE 2: Key Decision Milestone				-	-	-
STAGE 3: Community Awareness & Education Campaign				\$2,100	\$2,100	
STAGE 4: Community Engagement Campaign				\$102,000	\$42,000	\$60,000
STAGE 5: Final Report					-	-
TOTAL BUDGETARY REQUEST						\$60,000



ITEM 5 (continued)**ATTACHMENT 4**

Proposed Workshop Agenda

1. Review of Core Services (90 minutes)*Information to be provided to Councillors for prior consideration:*

- List of identified programs and accountabilities
- Details of total cost of each program, within accountability
- Details of approved staff positions currently allocated for each accountability
- Details of relevant legislative / compliance requirements where appropriate, for each accountability
- Comparative data/performance benchmarking undertaken by external party
- Community priorities as a result of community satisfaction surveys

Outcome

Identification of core / legislative services

Identification of core / non-core services

Prioritisation of core / non-core services in general terms

2. Review of actions taken to date (60 minutes)*Information to be provided to Councillors for prior consideration:*

- Breakdown of savings/opportunities identified and implemented by staff to date
- Breakdown of savings/opportunities identified by staff for further Council consideration. This includes Councillor's requests for a broadening of options for Councillor's consideration.
- Relevant comparative data/performance benchmarking relating to actions taken to date and proposed actions
- External review report of Council's Long Term Financial Plan

Outcome

Confirmation of savings/opportunities implemented to date

Confirmation of savings/opportunities for further consideration

3. Line by line review of Councillor proposals (60 minutes)*Information to be provided to Councillors for prior consideration:*

- Proposals identified by Councillors
- Line by line costings/savings for each proposal
- Relevant comparative data/performance benchmarking relating to proposals – customer satisfaction feedback

Outcome

Confirmation of proposals for implementation

Confirmation of proposals not to be implemented

Confirmation of additional proposals identified for further investigation

ITEM 5 (continued)

ATTACHMENT 4

4. Suite of options (90 minutes - After Lunch or Day 2 as required)

Information to be provided to Councillors for consideration

- Consolidation of 1,2 and 3 above (including costings where possible)

Outcome

Confirmation of proposed income opportunities to be pursued
Confirmation of service reductions / impacts to be included in the community engagement process

Confirmation of proposed savings/service reductions to be pursued
Consideration of possible special rate variation – direction from Council
Identification of other options on which further information is required

5. Community Consultation (60 minutes)

Information to be provided to Councillors for prior consideration:

- Draft Community Engagement Program
- IPART requirements for Community Consultation

Outcome

Confirmation of next steps with regard to communication

Confirmation of scenarios that will be the basis of community surveys and feedback

ITEM 5 (continued)

ATTACHMENT 5

Financial Futures

Councillors and Council staff have been working together extensively over the past 12 months reviewing the financial future of the City of Ryde and have been taken through a number of workshops relating to addressing Council's Long Term Financial position.

This process has involved careful and detailed consideration of Council's services and assets, identifying cost savings where possible.

Like many other Councils across NSW, securing the City of Ryde's long term financial position may require Council to apply for a special rate variation.

It is important to reiterate that last year, TCorp (NSW Treasury Corporation) prepared an independent report about the short and long term financial viability of all local Councils. This report identified The City of Ryde's TCorp Financial Sustainability Rating as 'Sound' meaning we have an adequate capacity to meet our financial commitments in the short, medium and long term. However, our TCorp Outlook Rating was 'Negative' meaning there is the potential for deterioration in our capacity to meet financial commitments into the future.

It is proposed that Councillors and staff will meet throughout the public exhibition period of the Draft Delivery Plan to confirm what other measures Council can take to address its long term financial future. This may result in amendments to Council's current 2014-2018 Draft Delivery Plan.

In addition, we also want to consult with you throughout the exhibition period of the Draft Delivery Plan to ascertain your service priority areas and to make available to you clear, concise, easy to understand information relating to Council's overall financial position and your willingness to pay an increase in your rates. There will also be an opportunity to meet with Councillors and Council staff to answer any questions you may have.

Your feedback is important to us and will help shape the future direction of the City of Ryde.

We look forward to speaking with you in the near future to discuss in greater detail the City of Ryde's current and future financial position which will ultimately assist us in making long term decisions about the financial future and sustainability of this great City.



6 DRAFT FOUR YEAR DELIVERY PLAN 2014/2018 INCLUDING ONE YEAR OPERATION PLAN 2014/2015

Report prepared by: Chief Financial Officer**File No.:** FIM/07/6/2/4 - BP14/453

REPORT SUMMARY

This report presents the Draft Four-Year Delivery Plan 2014/2018 including One-Year Operational Plan 2014/2015 for Council's consideration and endorsement for the Draft Plans to be placed on public exhibition for the period 30 April 2014 to 6 June 2014 to allow community consultation to be undertaken and submissions to be invited from the general community. All submissions received will be referred back to Council for its consideration at its meeting of 24 June 2014.

RECOMMENDATION:

- (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.

ATTACHMENTS

- 1** Proposed changes to Fees and Charges since Workshop
- 2** City of Ryde - Four Year Delivery Plan 2014-18 including One Year Operational Plan 2014/15 - CIRCULATED UNDER SEPARATE COVER

Report Prepared By:

John Todd
Chief Financial Officer

Report Approved By:

Shane Sullivan
Acting Group Manager - Corporate Services

ITEM 6 (continued)

Discussion

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

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

It is proposed for the Draft Plans to be on exhibition from 30 April 2014 to 6 June 2014. All submissions received will be referred to Council for its consideration in adopting the Draft Plans, which is scheduled for Council's meeting on 24 June 2014.

Ryde 2021 Community Strategic Plan

In the formulation of the Draft Plans, consideration has been given to Council's adopted Ryde 2021 Community Strategic Plan. A summary of the proposed expenditure allocations for each of the Outcome areas in the Draft Four-Year Delivery Plan 2014/2018, are detailed below:

Outcome	Base (\$'000)	Projects (\$'000)	Total (\$'000)
A City of Connections	65.6	30.3	96.0
A City of Environmental Sensitivity	113.9	11.3	125.2
A City of Harmony & Culture	24.5	1.9	26.4
A City of Liveable Neighbourhoods	34.2	1.1	35.3
A City of Progressive Leadership	123.8	19.9	143.7
A City of Prosperity	1.9	8.4	10.3
A City of Well Being	81.8	12.3	94.1
Total	445.8	85.2	531.0

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

ITEM 6 (continued)

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



Projected Working Capital

As reported to Council in the Quarterly Reviews of the Four-Year Delivery Plan 2013/2017 including One-Year Operational Plan 2013/2014, Council is on track with the 2013/2014 budget and is projecting a Working Capital surplus of \$3.80m, as at 30 June 2014.

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

The Draft Budget is proposed to create a small surplus \$0.09m of Working Capital; therefore the Working Capital is projected to be \$3.89m as at 30 June 2015.

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

A copy of the Draft Four-Year Delivery Plan 2014/2018 including One-Year Operational Plan 2014/2015 has been **CIRCULATED UNDER SEPARATE COVER**. These Draft Plans are for Council's consideration, with any amendments being made prior to being finalised for exhibition from 30 April 2014.

The Draft Delivery and Operational Plans provide a comprehensive overview of the City of Ryde and its direction, detailing key projects (Capital and Non-Capital) and initiatives to be undertaken over the next four (4) years with specific focus for the 2014/2015 year. Also included in the document are Council's 2014/2015 Draft Budget and Fees and Charges.

ITEM 6 (continued)**Rates**

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

In summary the Draft Plans provide the following information:

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

Fees and Charges

Draft Fees and Charges are proposed to increase by an average of 2.81%, which equates to the Local Government Cost Index as determined by the Independent Pricing and Regulatory Tribunal (IPART). The proposed fees have been rounded together with some benchmarking of certain fees with other Councils within our region. The Draft Fees and Charges were considered at Council's workshop on 11 February 2014 and are detailed in the Draft Plans as endorsed by Council.

Since that workshop a review of the fees and charges has been done and the following revisions made in the draft for Council's consideration to endorse for public exhibition.

- Some minor alterations to the fees and charges have been proposed and these are detailed in **ATTACHMENT 1**.

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

Key aspects and financial indicators included in the Draft Operational Plan for 2014/2015 are:

- Total budget (Operating & Capital Expenditure excluding depreciation) is \$110.06m.
- The Operating Result before Depreciation is forecast as a surplus of \$10.72m, and the Operating Result after Depreciation is forecasted as a deficit of \$10.95m.
- Forecasted Working Capital as at 30 June 2014 is \$3.80m and as at 30 June 2015 is projected to be \$3.89m.

ITEM 6 (continued)

- The budget provides for 486.5 full time equivalent employees with a total headcount of 694 staff.
- Debt Service Ratio is estimated to be <1% as at 30 June 2014 and increasing to 1.25% as at 30 June 2015, (subject to outcome of Council's loan application for subsidy under the LIRS Round Three scheme).
- Council's internally restricted reserves will be utilised during the 2014/2018 period of the Delivery Plan, with the balance of reserves due to reduce from \$32.97m to \$23.38m.
- Capital Expenditure in 2014/2015 is budgeted at \$23.97m representing a Council funded program of \$12.82m and an additional \$1.5m from borrowing, the balance being funded from other external sources of income or reserves.
- City of Ryde will in 2014/2015, continue to provide significant subsidies to various community groups, sporting clubs and government organisations. Subsidies are provided by either reduced rentals on Council facilities, pensioner rate subsidies, reduced hire fees for Council facilities, grants to various organisations or sponsorship of events.
- City of Ryde will make payments/contributions to NSW Government entities totalling \$11.28m in 2014/2015.
- The principal areas of project expenditure in 2014/2015 are:
 - Capital Expenditure - \$23.97m
 - Non-Capital Expenditure - \$ 1.45m
 - Total Projects - \$25.42m

ITEM 6 (continued)

All projects \$25.42m

Program	Capital Projects \$M	Non-Capital Projects \$M	TOTAL \$M
Catchment program	1.86	-	1.86
Centres and Neighbourhood program	2.68	0.30	2.98
Community and Cultural program	0.25	0.16	0.41
Customer and Community Relations program	-	0.06	0.06
Economic Development program	-	0.09	0.09
Environmental program	-	0.16	0.16
Foreshore program	0.32		0.32
Governance and Civic program	-	-	-
Internal Corporate Services program	3.26	-	3.26
Land Use Planning program		-	-
Library program	0.56		0.56
Open Space, Sport & Recreation program	3.81	0.20	4.00
Paths and Cycleways program	1.88		1.88
Property Portfolio program	2.35	0.15	2.50
Regulatory program		-	-
Risk Management program		0.03	0.03
Roads program	4.56		4.56
Strategic City program	-	-	-
Traffic & Transport program	1.83	0.24	2.07
Waste and Recycling program	0.62	0.07	0.69
Total	23.97	1.45	25.42

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

In summary, the Draft Plans, Draft Budget and Draft Fees and Charges for 2014/2015 maintain the current level of services to the community whilst continuing to deliver a substantial Capital Works Program. As forecasted in the Draft Plans, Council's funded Capital Works Program is projected to reduce over the four (4) years to a program of \$18.49m in 2017/2018, unless other sources of funds are found.

ITEM 6 (continued)

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

Council's Long Term Financial Strategy recommends Council spend \$18 - \$20m per year on renewal of its existing infrastructure and building assets, based on asset management principles. This level of capital expenditure includes the use of \$7.89m from Reserves on hand for 2013/2014.

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

This shortfall will need to be addressed and additional funding identified in supplementing our future Capital Works Program otherwise the condition of the City's infrastructure will deteriorate to a level that will not be sustainable in the longer term.

Council is continuing to work to address the challenge of funding this shortfall to ensure that public infrastructure continues to be maintained at a satisfactory standard that is acceptable to the community. A comprehensive review of Infrastructure Assets and their funding is currently being undertaken and will result in new Asset Management Plans being formalised.

Council's Financial Future

In addition to the formulation of Council's 2014-2018 Draft Delivery Plan, Councillors have also been taken through a number of Workshops relating to addressing Council's Long Term Financial position.

While this item proposes Council endorse the Draft Delivery Plan to be placed on public exhibition, there is an additional item on this Council agenda that addresses Council's Financial Future – Item 5.

This Item outlines proposed actions that are recommended for Council to undertake. This includes further Councillor Workshops during the public exhibition period to confirm what other measures Council will be taking to address its projected Operating Result before Capital deficits as detailed in Council's Long Term Financial Plan (LTFP). This may result in amendments to Council's 2014-2018 Draft Delivery Plan when Council next considers this matter on 24 June 2014.

Also included in the Item on the City of Ryde's Financial Future – Proposed Action Plan, is a recommendation for Council to undertake the first stage of community engagement in providing the community with an awareness of Council's overall financial position, the projections of Council's LTFP and a survey of the community to gauge the community's preparedness to consider an increase in rates.

ITEM 6 (continued)

It is recommended that Council undertake this additional action and to provide the result of both the Councillor workshops and the feedback from the community engagement survey at Council's meeting on 24 June 2014.

At this meeting, Council will determine if it will continue or cease exploring the opportunity for a SRV with its community.

It is proposed to include information on Council's work in addressing its Financial Future in the Draft Delivery Plan to be placed on public exhibition, to ensure the City of Ryde's community is fully aware of these considerations by Council.

Timetable and Public Consultation

The following timetable is proposed in respect of Council's consideration of the Draft Four-Year Delivery Plan 2014/2018 including One-Year Operational Plan 2014/2015:

Date	Action
22 April 2014	Consideration by Council of Draft Plans for public exhibition.
30 April 2014	Commencement of public exhibition period of Draft Plans.
30 April 2014 – 6 June 2014	Presentation to key community forums and details of public exhibition of Draft Plans provided to community groups and council advisory committees.
6 June 2014	Completion of public exhibition of the Draft Plans and closing date for receipt of all public submissions
24 June 2014	Consideration by Council of public submissions on Draft Plans and amendments. Draft Plans for consideration and adoption, including the setting of rates, fees and charges for 2014/2015.

As noted above, during the public exhibition of the Draft Plans, additional consultation will be undertaken, with staff providing presentations of the Draft Plans, to key stakeholders at various community forums and meetings.

Council also will be providing information to all Advisory Committees seeking feedback on the exhibition of the Draft Plans.

Financial Implications

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

ITEM 6 (continued)

Council's Long Term Financial Plan projects a continuing decline in its \$0.92b infrastructure and building assets, based on the need to spend approximately \$18 - \$20m per annum on asset renewal. The LTFP will be updated by 24 June 2014 to fully align with Council's integrated Ryde 2021 Community Strategic Plan and will also incorporate the revised Asset Management Plans and the Workforce Plan.

Councillor Workshops

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

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

External public consultation and advertisement

The following consultation / advertisement is proposed in promoting Council's Draft Plans.

- Proposed public exhibition in the Northern District Times of Draft Plans between 30 April 2014 and 6 June 2014.
- Draft Plans will be available for viewing during the exhibition period at Council's Customer Service Centre, Ryde Planning and Business Centre, all Libraries and on Council's website.
- Presentation will be provided to the Ryde Business Forum.
- Advice of the public exhibition process will be provided to all of Council's Advisory Committees and Chambers of Commerce / Progress Associations.

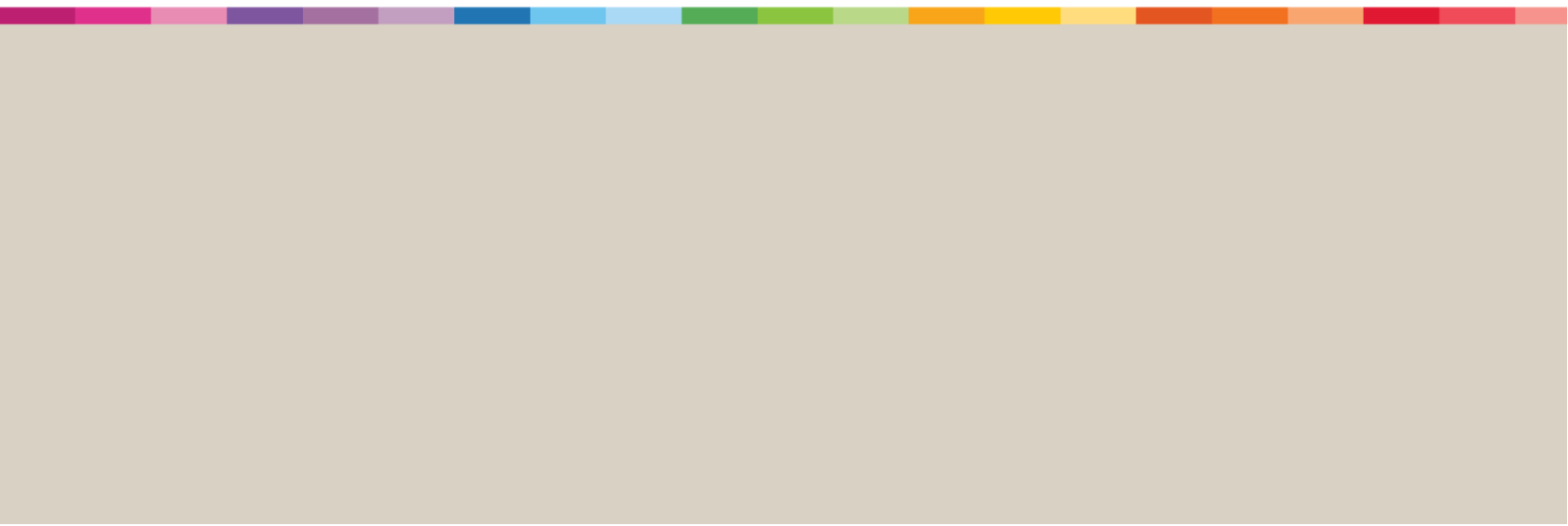
ITEM 6 (continued)

ATTACHMENT 1

ATTACHMENT 2

Proposed – Other Changes Draft Fees and Charges

2014/2015



ITEM 6 (continued)

ATTACHMENT 1

Proposed Changes post workshop

City of Ryde - Fees and Charges			Proposed Draft Scheduled Fees 2014/15					
2014/2015			Additional Information (Published on Fees Website)		Fee Category	GST Included	Responsible Officer	Comments (For Management to Review)
Description	Fee	Non CoR/ Commercial	% Change					
DOMESTIC WASTE, RECYCLING AND KERBSIDE							Joe So	
Waste (Domestic)							Joe So	
The Domestic Waste Management Service Charge is levied under Section 496(1) of the Local Government Act and is also detailed in Council's Revenue Policy							Joe So	
a) Domestic Waste Management Service Charge Service consists of:	391.00		6.5%	per bin		N	Joe So	Increase another 1.5% (to 6.5%) post workshop
One 140 litre garbage bin collected weekly							Joe So	
One 240 litre recycling bin collected fortnightly							Joe So	
One 240 litre green vegetation bin collected fortnightly							Joe So	
One Clean up service every 10 weeks							Joe So	
Mulching and chipping service							Joe So	
Services will be provided in addition to the standard service at the following annual charges							Joe So	
Rateable Properties							Joe So	
- Upgrade from 140L to 240L Service	285.00		6.3%	per bin		N	Joe So	Increase another 1.5% (to 6.5%) post workshop
- Additional DWM - 140 litre garbage bin	297.00		6.5%	per bin		N	Joe So	Increase another 1.5% (to 6.5%) post workshop
- Additional DWM - 240 litre garbage bin	584.00		6.6%	per bin		N	Joe So	Increase another 1.5% (to 6.5%) post workshop
- Additional DWM - 240 litre recycling bin	47.00		6.8%	per bin		N	Joe So	Increase another 1.5% (to 6.5%) post workshop
- Additional DWM - 240 litre green vegetation bin	47.00		6.8%	per bin		N	Joe So	Increase another 1.5% (to 6.5%) post workshop
Non-Rateable Properties - Residential							Joe So	
- Standard Service	391.00		6.5%	per bin		N	Joe So	Increase another 1.5% (to 6.5%) post workshop
- Upgrade from 140L to 240L Service	285.00		6.3%	per bin		N	Joe So	Increase another 1.5% (to 6.5%) post workshop
- Additional DWM - 140 litre garbage bin	297.00		6.5%	per bin		N	Joe So	Increase another 1.5% (to 6.5%) post workshop
- Additional DWM - 240 litre garbage bin	584.00		6.6%	per bin		N	Joe So	Increase another 1.5% (to 6.5%) post workshop
- Additional DWM - 240 litre recycling bin	47.00		6.8%	per bin		N	Joe So	Increase another 1.5% (to 6.5%) post workshop
- Additional DWM - 240 litre green bin	47.00		6.8%	per bin	F	N	Joe So	Increase another 1.5% (to 6.5%) post workshop
Non-Rateable Properties - Non Residential							Joe So	
- Standard Service	430.00		6.5%	per bin		Y	Joe So	Increase another 1.5% (to 6.5%) post workshop
- Upgrade from 140L to 240L Service	314.00		6.5%	per bin		Y	Joe So	Increase another 1.5% (to 6.5%) post workshop
- Additional DWM - 140 litre garbage bin	327.00		6.5%	per bin		Y	Joe So	Increase another 1.5% (to 6.5%) post workshop
- Additional DWM - 240 litre garbage bin	642.00		6.5%	per bin		Y	Joe So	Increase another 1.5% (to 6.5%) post workshop
- Additional DWM - 240 litre recycling bin	51.50		6.4%	per bin		Y	Joe So	Increase another 1.5% (to 6.5%) post workshop
- Additional DWM - 240 litre green bin	51.50		6.4%	per bin	F	Y	Joe So	Increase another 1.5% (to 6.5%) post workshop

ITEM 6 (continued)

ATTACHMENT 1

City of Ryde - Fees and Charges				Proposed Draft Scheduled Fees 2014/15				
2014/2015				Additional Information (Published on Fees Website)	Fee Category	GST Included	Responsible Officer	Comments (For Management to Review)
Description	Fee	Non CoR/ Commercial	% Change					
COMMUNITY AND CULTURAL							Gunjan Tripathi	
Ryde Youth Theatre							Gunjan Tripathi	
d) Theatre skills Grade 5/6 workshop	60.00			Per person per term for 10 weeks workshop for younger age requiring intensive supervision	E	Y	Gunjan Tripathi	New fee for Ryde Youth Theatre
Tickets								
b) Tickets to major productions							Gunjan Tripathi	New fee for Ryde Youth Theatre
- Adult	20.00			Additional charges apply for online bookings and GST	E	Y	Gunjan Tripathi	New fee for Ryde Youth Theatre
INFORMATION AND RECORDS MANAGEMENT							Mei Ling Chu	
Scanning Existing Hard Copy or Microfilm Documents and Plans							Mei Ling Chu	
a) A4, A3, per page	0.25		25.0%	minimum charge of \$14.00 for scanning (any size)	E	Y	Mei Ling Chu	
b) A2, A1, A0 per sheet	14.00		3.7%	minimum charge of \$14.00 for scanning (any size)	E	Y	Mei Ling Chu	
Providing Copies of Existing Electronic Documents by Email or on a CD							Mei Ling Chu	
b) 5 to 75 pages	9.00		5.9%		E	Y	Mei Ling Chu	
c) Each subsequent 75 pages or part thereof	9.00		5.9%		E	Y	Mei Ling Chu	
Building and Development Advisory Service							Liz Coad	
Subdivision Certificate							Liz Coad	
c) Administration Costs							Liz Coad	
- endorsement of 88e certificate	218.00		2.8%	per restriction		N	Liz Coad	To clarify that it is a charge per positive covenant.
Land Information Services							Liz Coad	
Provision of proposed property addresses								
b) Medium to large developments (covering 3 or more land parcels or creating 10 or more strata units)	465.00		3.3%		E	Y	Mei Ling Chu	

ITEM 6 (continued)

ATTACHMENT 1

City of Ryde - Fees and Charges				Proposed Draft Scheduled Fees 2014/15				
Description	2014/2015			Additional Information (Published on Fees Website)	Fee Category	GST Included	Responsible Officer	Comments (For Management to Review)
	Fee	Non CoR/ Commercial	% Change					
RYDE AQUATIC LEISURE CENTRE							Paul Hartmann	
Surf Attraction	17.50	17.50	2.9%	Surf Attraction including entry - half hour Groups bookings by negotiation	G	Y	Paul Hartmann	To maintain the increase for Schools Learn to Swim Programs to occur on 1st January each year – rather than 1st July – suits the Schools scheduling & notification in a much better way. July 1, 2014 increases were advertised last year.
Surf Attraction	12.50	12.50	4.2%	Surf Attraction - half hour - additional fee Groups bookings by negotiation	G	Y	Paul Hartmann	
b) Learn to Swim	17.90		5.3%	1st Child		N	Paul Hartmann	
- courses classified as Personal Aquatic Survival Skills by Royal Life Saving Society Australia	17.00		4.9%	2nd Child		N	Paul Hartmann	
	16.20		4.5%	3rd Child		N	Paul Hartmann	
	10.30		4.0%	Schools located within the City of Ryde - Schools Swim Education (1 hour) - as at July 1, 2014		N	Paul Hartmann	
	11.00		11.1%	- Schools Swim Education (1 hour) - as at January 1, 2015		N	Paul Hartmann	
	14.40		4.3%	- Schools Swim Education (1.5 hour) - as at July 1, 2014		N	Paul Hartmann	
	15.00		8.7%	- Schools Swim Education (1.5 hour) - as at January 1, 2015		N	Paul Hartmann	
	19.70		4.2%	- Schools Swim Education (2 hour) - as at July 1, 2014		N	Paul Hartmann	
	20.50		8.5%	- Schools Swim Education (2 hour) - as at January 1, 2015		N	Paul Hartmann	
	21.80		3.8%	- Schools Swim Education (3 hour) - as at July 1, 2014		N	Paul Hartmann	
	22.50		7.1%	- Schools Swim Education (3 hour) - as at January 1, 2015		N	Paul Hartmann	
	11.40		10.7%	Schools located outside the City of Ryde - Schools Swim Education (1 hour) - as at July 1, 2014		N	Paul Hartmann	
	12.10		17.5%	- Schools Swim Education (1 hour) - as at January 1, 2015		N	Paul Hartmann	
	16.00		10.3%	- Schools Swim Education (1.5 hour) - as at July 1, 2014		N	Paul Hartmann	
	16.50		13.8%	- Schools Swim Education (1.5 hour) - as at January 1, 2015		N	Paul Hartmann	
	21.50		10.8%	- Schools Swim Education (2 hour) - as at July 1, 2014		N	Paul Hartmann	
	22.60		16.5%	- Schools Swim Education (2 hour) - as at January 1, 2015		N	Paul Hartmann	
	22.50		2.3%	- Schools Swim Education (3 hour) - as at July 1, 2014		N	Paul Hartmann	
	24.80		12.7%	- Schools Swim Education (3 hour) - as at January 1, 2015		N	Paul Hartmann	

ITEM 6 (continued)

ATTACHMENT 1

City of Ryde - Fees and Charges				Proposed Draft Scheduled Fees 2014/15				
Description	2014/2015			Additional Information (Published on Fees Website)	Fee Category	GST Included	Responsible Officer	Comments (For Management to Review)
	Fee	Non CoR/ Commercial	% Change					
- other courses	17.50		2.9%	* Fees subject to negotiation depending upon staff requirements and participants ability		Y	Paul Hartmann	
	17.90		5.3%	1st Child - as at July 1, 2014		Y	Paul Hartmann	
	16.60		2.5%	1st Child - as at January 1, 2015		Y	Paul Hartmann	
	17.00		4.9%	2nd Child - as at July 1, 2014		Y	Paul Hartmann	
	15.90		2.6%	2nd Child - as at January 1, 2015		Y	Paul Hartmann	
	16.20		4.5%	3rd Child - as at July 1, 2014		Y	Paul Hartmann	
	63.00	63.00	4.1%	3rd Child - as at January 1, 2015		Y	Paul Hartmann	No increase last year
h) Dry Programme	30.00		22.4%	Team Game Fee - Senior		Y	Paul Hartmann	Increase to accommodate inclusion of pool entry
CUSTOMER SERVICE							Shane Sullivan	
Photocopying Charges (Council staff to carry out the photocopying)							Shane Sullivan	
Black & White A1, A2 & AO size sheets	29.00		935.7%	per page		Y	Shane Sullivan	Amend fee to reflect cost of providing this service. This size photocopying is not available at Customer Service counter and is forwarded to another area.

7 INVESTMENT REPORT - March 2014

Report prepared by: Chief Financial Officer
File No.: GRP/09/3/11 - BP14/469

REPORT SUMMARY

This report details Council's performance of its investment portfolio for March 2014 and compares it against key benchmarks. The report includes the estimated market valuation of Council's investment portfolio, loan liabilities, an update on Council's legal action against various parties and a commentary on significant events in global financial markets.

Council's financial year to date return is 4.18%, which is 1.51% above benchmark. Income from interest on investments and proceeds from sale of investments totals \$3.09 million, \$288K above revised budget projections; the additional funds belong to Section 94 Reserve funds on hand, and do not improve Council's Working Capital.

RECOMMENDATION:

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

ATTACHMENTS

- 1 P09 Investment Report March 2014 Attachment

Report Prepared By:

John Todd
Chief Financial Officer

Report Approved By:

Shane Sullivan
Acting Group Manager - Corporate Services

ITEM 7 (continued)

Discussion

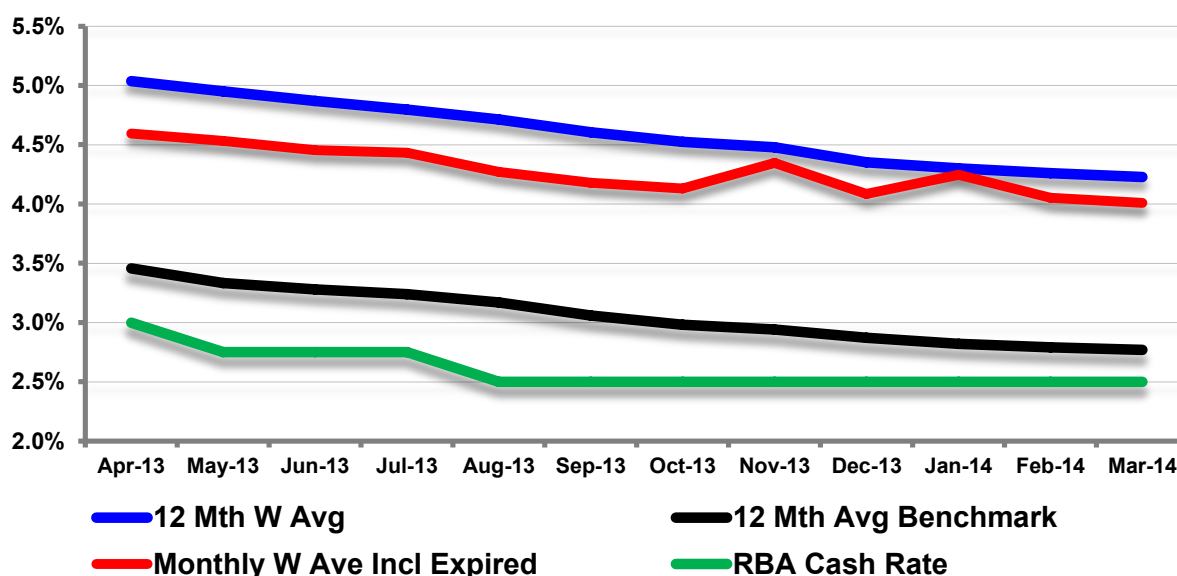
Council's Responsible Accounting Officer, is required to report monthly on Council's Investment Portfolio and certify that the Investments are held in accordance with Council's Investment Policy and Section 625 of the Local Government Act.

Investment Performance Commentary

Council's performance against the benchmark for returns of its investment portfolio for March 2014 and the past 12 months are as follows:

	Mar	12 Mth	FYTD
Council Return	4.01	4.23	4.18
Benchmark	2.60	2.77	2.67
Variance	1.41	1.46	1.51

Performance - All Investments



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

Cash/Term Deposits	\$87.8M	81.5%
Floating Rate Notes	\$17.9M	16.6%
Fixed Rate Bonds	\$2.0M	1.9%
Total Cash Investments	\$107.7M	

Council continues to utilise the Federal Government's current guarantee (\$250K) investing in Term Deposits with a range of Authorised Deposit Taking Institutions (ADI's) on short to medium term investments (generally 30 days to six months maturity) where more competitive rates are available.

ITEM 7 (continued)

Whilst Council has moved some of its investment portfolio out to longer terms, locking in some of the returns, the majority of Council's funds are held in internal reserves. Should Council consider utilising its internal reserves, this will have a direct impact on the amount of investment income that will be realised and will require a reduction in the future projected investment income and will place pressure on Council to be able to maintain its current level of expenditure on Capital or Maintenance.

Council's income from investments is being revised upward, due to Council having more funds on hand, which belong to Section 94 contributions, the investment income for General Revenue remaining steady.

Financial Security Reserve (FSR)

The Financial Security Reserve has a balance of \$3.44 million as at 31 March with no movements this year. A detailed transaction history is included in the attachment **(ATTACHMENT 1)**.

Council has resolved to transfer all proceeds and interest earned on written down investments to this reserve.

Economic Commentary

The RBA maintained the cash rate at 2.50%, and have indicated that this will remain stable for some time, with markets not pricing in a rise until late Q4 2014 or early Q1 2015. The RBA did warn against the unsustainable growth in housing prices, and that this growth could present problems in terms of financial stability going forward.

Across the broader Australian economy January retail sales increased by 1.2%, and there was a sharp improvement in the terms of trade, up to a surplus of \$A1.4B. The February labour force report showed a much bigger than expected gain in employment, up 47,300, which included a lift in full time employment of 80,500).

Economic data from the US indicate that the depressive effects of an unusually harsh winter are starting to ameliorate. Retail sales and Industrial production were both up in February, 0.3% and 0.6% respectively, and US non-farm payrolls jumped by 175K after a jump of 129K in January. The US Federal Reserve announced its 3rd \$10 billion reduction in its quantitative easing program, with the Fed providing forward guidance that the Fed funds rate, which is currently 0%, may be up to 1.0% by the end of 2015 if the economic recovery proceeds apace.

The Chinese economy continues to slow down, engineered by China's central bank to prevent overheating in the world's second-largest economy, though the official commitment remains very strong to achieve 7.5% GDP growth in 2014.

ITEM 7 (continued)**Legal Issues**

As previously reported to Council, the LGFS Rembrandt CDO Investment and the Grange (Lehman Brothers) IMP Investment are currently before the Courts. Council, at its meeting on 17 July 2012, endorsed being a third party to an action against the Commonwealth Bank (CBA).

The following update is provided in respect of Council's legal action in these matters due to recent developments.

Lehman / Grange IMP

On Friday 21 September 2012, Justice Rares handed down the judgment in this matter, which was in favour of the Councils involved in this legal action. This was reported to Council in the September Investment Report.

On 25 September 2013 the Federal Court approved the calling of a meeting of Scheme Creditors of Lehman Australia to consider the proposed Insurance Only Scheme. The applicants and group members in the Lehman Australia class action are Scheme Creditors.

The Scheme is now subject to Court approval. The application was listed for hearing on 31 October 2013. The Scheme was approved by the Court on 9 December 2013, all Scheme Creditors are now bound by the Scheme irrespective of whether they have voted for it or even if they voted against it. It is expected that settlement will occur shortly. Council staff are reviewing the final documentation for settlement at the time of writing this report. A verbal update will be given at the Council meeting.

While the above court action has been proceeding, the related investments of the Lehman / Grange IMP (Merimbula and Global Bank Note) have been finalised and paid to Council. As previously reported, Council has received \$752k for these investments representing full payment of the principal and interest.

Council also investigated joining a class action against Lehman Brothers Asia, as a result of other actions taken against them. The scheme members, whilst initially obtaining a funder, under the laws of Hong Kong, such a scheme was not permissible and the members would have to bear the costs themselves. On that basis, and the costs associated with the Australian case, the prudent course of action was to not participate in the scheme, and settle for the amounts gained from the Australian action, which Council has endorsed previously.

LGFS – Rembrandt

On 5 November 2012, Federal Court Justice Jayne Jagot ruled that Councils were entitled to succeed in their claim for damages against LGFS, ABN AMRO and Standard & Poors (S&P). This result vindicates Council's Investment in this product with Justice Jayne Jagot finding that LGFS, ABN AMRO and S&P had collectively been responsible for misleading and deceptive conduct and negligent misrepresentation of this investment to Councils.

ITEM 7 (continued)

On 1 March 2013, the Federal Court of Australia awarded compensation and costs to Councils against S&P. Council was awarded \$933K principal (equivalent to the balance outstanding) and \$331K in interest. Of this, 70% is payable to IMF for their funding of the legal action, resulting in a net benefit to Council of approximately \$382K, which was paid to Council on 4 April 2013.

An appeal has been lodged in relation to this matter, and commenced prior to 6 March 2014. It is hoped that the matter may have finished by this meeting, so a verbal update can be given.

According to a report in The Australian *"the appeal ... has turned into a blame game between the rating agency Standard & Poors, ABN Amro and the financial institution (LGFS) ..."*

A teleconference was held on 4 November with the other Councils involved to discuss GST issues, should a settlement be reached.

CBA – Oasis and Palladin

Council has endorsed City of Ryde being a third party to an action against CBA in relation to the Oasis CDO investments for \$1 million that Council has written down to zero. A mediation session occurred with CBA on 8 October 2013. The mediation was adjourned to allow certain steps to take place and the parties are continuing to engage in without prejudice discussions, and will not be known until later in 2014.

Whilst Council had written off the Oasis investment, the investment had one further default until it completely defaulted. As previously reported, Council sold the Oasis investment at 35.7 cents in the dollar on the remaining principal of \$625k, being \$223,337. Should Council be successful in this legal action, then this will be taken into account as part of any settlement.

As part of this action, Council is also a party to action against CBA for its investment in the Palladin CDO, of which Council held \$2 million. This investment defaulted in October 2008.

Loan Liability

Council's loan liability as at 31 March 2014 was \$5.7 million which represents the balance of:

1. 15 year loan drawn down in 2004 at 90 Day BBSW + 20 basis points for the Civic Centre Redevelopment and refinancing the West Ryde Tunnel. The interest rate for this loan is reset every quarter
2. \$1.5M 10 year loan drawn down 31 January 2014 at 180 day BBSW +175 basis points for the Children's Play Implementation Plan, which was approved for an LIRS subsidy in Round 2. The interest rate for this loan is reset every six months

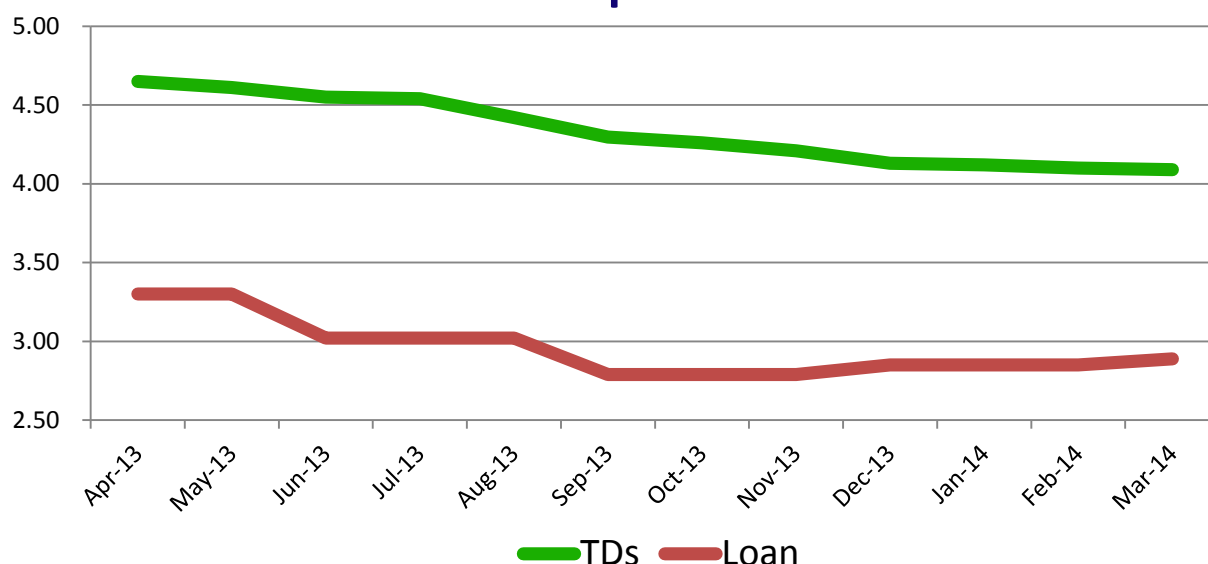
ITEM 7 (continued)

3. \$1.2M 7 year loan drawn down 31 January 2014 at 5.24% for construction of the Surf Attraction at the RALC

There is no advantage to Council in changing the arrangements or repaying loan 1 above earlier than planned. Council is receiving a better rate of return on its investments than it is paying on loan 1 above. The following graph shows the gap between the average interest rate earned on Council's term deposits (top line) compared to the interest rate applying to loan 1 above (bottom line).

NB: This graph only compares the NAB loan.

Term Deposits/Loan Interest Rate Comparison



ITEM 7 (continued)

Debt Service Ratio

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

Debt Service Ratio		
Category 3 Councils	2010/11 ⁽¹⁾	2.87%
City of Ryde	2012/13	0.68%

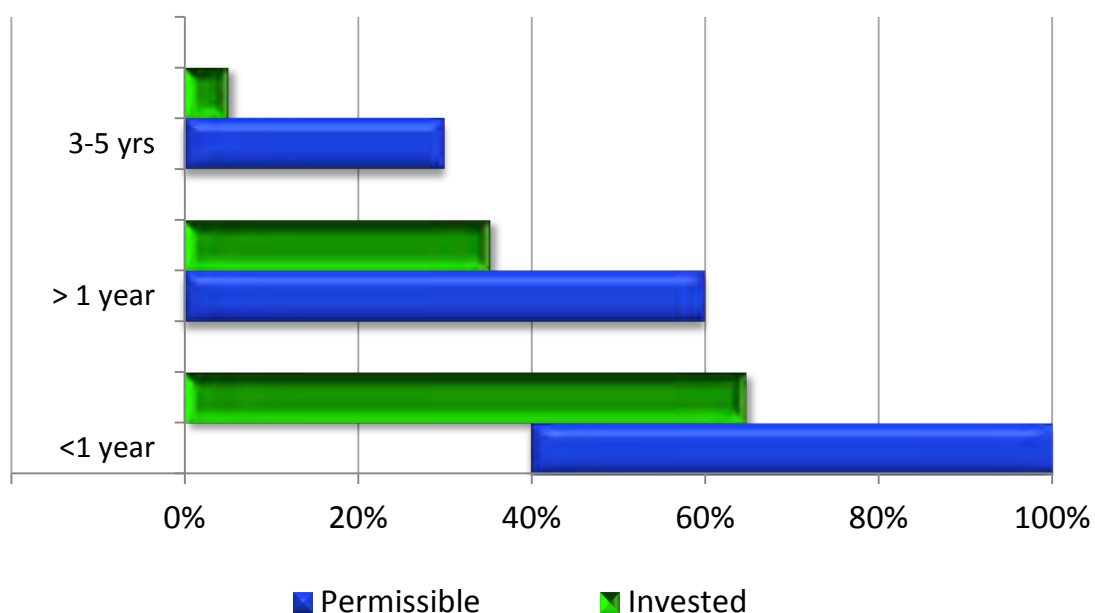
(1) Comparative data for 2011/12 was released by the Division of Local Government (DLG) in October 2013, but it did not include Debt Service Ratio.

Policy Limits

The following graph shows the limits, as a percentage of total cash investments, of the amounts by period, as allowed under Council's policy, and comparing them to the amounts actually invested, as a percentage of total cash investments.

It shows that the funds invested are within the limits set in the policy.

Policy Limits on Maturities



ITEM 7 (continued)

INVESTMENT SUMMARY AS AT 31 MARCH 2014

Issuer	Investment Name	Investment Rating	Invested at 31-Mar-14 \$000's	Annualised Period Return (%)	12 Month Average Return on Current Investments	Return since 01 July 2013	% of Total Invested	Indicative Market Value ** \$000's	% Market Value
Westpac	1. Westpac At Call	AA-	5,668	2.39	2.57	2.51	5.26	5,668	100.00%
Bank of Queensland	2. Bank of Queensland TD	A-	750	3.60	4.08	3.95	0.70	750	100.00%
CBA	3. Bankwest Term Deposit	AA-	2,000	3.45	3.55	3.46	1.86	2,000	100.00%
NAB	4. NAB Term Deposit	AA-	1,000	3.80	4.05	3.95	0.93	1,000	100.00%
Westpac	5. Westpac Term Deposit	AA-	1,000	4.35	4.42	4.35	0.93	1,000	100.00%
Westpac	6. Westpac Term Deposit	AA-	500	4.95	4.95	4.95	0.46	500	100.00%
NAB	7. NAB Term Deposit	AA-	1,000	6.60	6.60	6.60	0.93	1,000	100.00%
AMP	8. AMP TD	A	1,000	4.00	4.06	4.02	0.93	1,000	100.00%
Westpac	9. Westpac Term Deposit	AA-	500	4.00	4.15	4.00	0.46	500	100.00%
MyState CU	10. MyState CU TD	BBB	1,000	3.84	3.84	3.84	0.93	1,000	100.00%
NAB	11. NAB Term Deposit	AA-	2,000	4.10	4.04	3.93	1.86	2,000	100.00%
P&N Bank	12. P&N Bank	Unrated	500	3.59	4.13	4.10	0.46	500	100.00%
CBA	13. Bankwest Term Deposit	AA-	2,000	3.55	3.52	3.52	1.86	2,000	100.00%
CBA	14. Bankwest TD	AA-	2,000	3.55	3.62	3.53	1.86	2,000	100.00%
CBA	15. Bankwest TD	AA-	2,000	3.55	3.59	3.51	1.86	2,000	100.00%
CBA	16. Bankwest Term Deposit	AA-	1,500	3.55	3.82	3.58	1.39	1,500	100.00%
NAB	17. NAB Term Deposit	AA-	2,000	3.97	4.31	4.19	1.86	2,000	100.00%
Beyond Bank	18. Beyond Bank TD	BBB+	500	3.81	3.90	3.90	0.46	500	100.00%
Bendigo and Adelaide Bank	19. Bendigo Bank TD	A-	1,000	4.10	4.11	4.10	0.93	1,000	100.00%
Hunter United Credit Union	20. Hunter United Credit Union TD	Unrated	500	3.90	4.03	3.94	0.46	500	100.00%
CUA	21. Credit Union Australia TD	BBB+	500	4.35	4.35	4.35	0.46	500	100.00%
Peoples Choice CU	22. Peoples Choice CU	BBB+	500	3.65	3.95	3.82	0.46	500	100.00%
Rural Bank	23. Rural Bank	A-	1,000	6.48	6.48	6.48	0.93	1,000	100.00%
Banana Coast CU	24. Bananacoast CU TD	Unrated	500	4.25	4.35	4.25	0.46	500	100.00%
B&E Ltd	25. B & E Building Soc TD	Unrated	500	3.90	4.03	3.94	0.46	500	100.00%
CBA	26. CBA TD	AA-	2,000	5.76	5.76	5.76	1.86	2,000	100.00%
Me Bank	27. ME Bank TD	BBB+	1,000	3.78	4.28	4.27	0.93	1,000	100.00%
Macquarie Bank	28. Macquarie Bank Term Deposit	A	500	4.15	4.22	4.17	0.46	500	100.00%
CBA	29. Bankwest Term Deposit	AA-	1,000	7.00	7.00	7.00	0.93	1,000	100.00%
IMB	30. IMB TD	BBB	2,000	3.55	3.77	3.68	1.86	2,000	100.00%
Summerland CU	31. Summerland CU TD	Unrated	250	5.05	5.05	5.05	0.23	250	100.00%
Wide Bay CU	32. Wide Bay CU TD	BBB	500	3.78	4.18	4.05	0.46	500	100.00%
Heritage Bank	33. Heritage Bank	A-	1,000	3.80	3.88	3.88	0.93	1,000	100.00%
AMP	34. AMP Business Saver	A	991	3.41	3.60	3.48	0.92	991	100.00%
South West CU	35. South West CU TD	Unrated	500	4.20	4.19	4.20	0.46	500	100.00%
CBA	36. CBA Term Deposit	AA-	1,000	4.55	4.54	4.55	0.93	1,000	100.00%
Gateway CU	37. Gateway CU TD	Unrated	500	4.10	4.15	4.10	0.46	500	100.00%
Rabobank	38. Rabobank TD	AA-	500	4.17	4.21	4.17	0.46	500	100.00%
Newcastle Perm Bldg Soc	39. Newcastle Perm Bldg Soc	BBB+	1,000	3.55	3.91	3.82	0.93	1,000	100.00%
Greater Bldg Soc	40. Greater Bldg Soc TD	BBB	1,000	3.68	4.24	4.19	0.93	1,000	100.00%
The Rock Bldg Soc	41. The Rock Bldg Soc TD	BBB	1,000	3.84	3.99	3.85	0.93	1,000	100.00%
AMP	42. AMP TD	A	1,000	7.14	7.14	7.14	0.93	1,000	100.00%
WaW CU	43. WAW CU Coop	Unrated	500	3.91	4.01	3.94	0.46	500	100.00%
CBA	44. CBA TD	AA-	1,000	3.36	3.79	3.64	0.93	1,000	100.00%
Rabobank	45. Rabodirect At-call	AA	5	3.04	3.17	3.08	0.00	5	100.00%
Me Bank	46. ME Bank At Call Account	BBB	1,664	3.14	3.28	3.19	1.54	1,664	100.00%
NAB	47. NAB FRN	AA-	1,000	3.82	3.96	3.87	0.93	1,015	101.54%
NAB	48. NAB FRN	AA-	998	3.93	4.07	3.98	0.93	1,015	101.54%
CBA	49. CBA FRN	AA-	1,000	3.86	3.95	3.88	0.93	1,014	101.44%
Westpac	50. Westpac FRN	AA-	998	3.93	3.97	3.92	0.93	1,013	101.30%

ITEM 7 (continued)

Issuer	Investment Name	Investment Rating	Invested at 31-Mar-14 \$000's	Annualised Period Return (%)	12 Month Average Return on Current Investments	Return since 01 July 2013	% of Total Invested	Indicative Market Value ** \$000's	% Market Value
CBA	51. CBA FRN	AA-	999	3.91	4.01	3.94	0.93	1,014	101.44%
NAB	52. NAB FRN	AA-	995	4.11	4.25	4.16	0.92	1,015	101.54%
NAB	53. NAB FRN	AA-	996	4.09	4.23	4.14	0.92	1,015	101.54%
CBA	54. CBA FRN	AA-	995	4.08	4.17	4.10	0.92	1,014	101.44%
ANZ	55. ANZ FRN	AA-	995	4.14	4.18	4.12	0.92	1,013	101.30%
Police CU (SA)	56. Police CU - SA	Unrated	500	5.70	5.70	5.70	0.46	500	100.00%
NAB	57. NAB Fixed MTN	AA-	996	6.30	6.26	6.25	0.92	1,063	106.28%
Westpac	58. Westpac Fixed MTN	AA-	997	6.20	6.22	6.23	0.93	1,063	106.31%
Macquarie Bank	59. Macquarie Bank TD	A	500	6.50	6.50	6.50	0.46	500	100.00%
CBA	60. CBA Retail Bond	AA-	961	4.37	4.49	4.39	0.89	973	100.30%
Bendigo and Adelaide Bank	61. Delphi Bank TD	Unrated	250	6.05	6.05	6.05	0.23	250	100.00%
Rural Bank	62. Rural Bank TD	A-	1,000	3.73	3.99	3.88	0.93	1,000	100.00%
Me Bank	63. ME Bank TD	BBB+	1,000	3.83	4.06	3.95	0.93	1,000	100.00%
CBA	64. CBA Retail Bonds	AA-	494	4.57	4.70	4.60	0.46	502	100.30%
CBA	65. CBA Retail Bonds	AA-	494	4.60	4.73	4.63	0.46	502	100.30%
Bank of Queensland	66. Bank of Queensland TD	A-	1,000	5.15	4.74	4.85	0.93	1,000	100.00%
Bank of Queensland	67. Bank of Queensland TD	A-	2,000	4.10	4.06	3.99	1.86	2,000	100.00%
Investec	68. Investec TD	BBB-	250	6.15	6.15	6.15	0.23	250	100.00%
IMB	69. IMB TD	BBB	1,000	3.55	3.66	3.53	0.93	1,000	100.00%
CBA	70. CBA Retail Bond	AA-	494	4.53	4.66	4.57	0.46	502	100.30%
Westpac	71. St George TD	AA-	1,000	4.05	4.11	4.07	0.93	1,000	100.00%
CBA	72. CBA Retail Bond	AA-	494	4.50	4.63	4.54	0.46	502	100.30%
Rural Bank	73. Rural Bank TD	A-	1,000	3.58	3.90	3.75	0.93	1,000	100.00%
ING	74. ING Floating Rate TD	A-	1,000	5.03	5.10	5.03	0.93	1,000	100.00%
IMB	75. IMB TD	BBB	1,000	3.55	3.89	3.62	0.93	1,000	100.00%
Westpac	76. St George TD	AA+	1,000	4.05	4.05	4.05	0.93	1,000	100.00%
Bank of Queensland	77. Bank of Queensland TD	A-	1,000	3.65	4.11	4.00	0.93	1,000	100.00%
NAB	78. NAB TD	AA-	1,000	4.80	4.80	4.80	0.93	1,000	100.00%
Westpac	79. St George TD	AA-	1,000	3.77	3.77	3.77	0.93	1,000	100.00%
Me Bank	80. ME Bank TD	BBB+	1,000	3.75	4.25	4.22	0.93	1,000	100.00%
Bank of Queensland	81. Bank of Queensland FRN	A-	2,000	4.32	4.39	4.31	1.86	2,029	101.43%
Goldfields Money Ltd	82. Goldfields Money Ltd TD	Unrated	250	4.20	4.24	4.20	0.23	250	100.00%
Westpac	83. Westpac Flexi TD	AA-	1,000	3.81	3.95	3.88	0.93	1,000	100.00%
Bendigo and Adelaide Bank	84. Bendigo & Adelaide Bank FRN	A-	1,000	3.88	3.90	3.88	0.93	1,006	100.59%
CBA	85. CBA TD	AA-	1,000	4.10	4.10	4.10	0.93	1,000	100.00%
CBA	86. CBA TD	AA-	1,000	3.53	3.66	3.64	0.93	1,000	100.00%
NAB	87. NAB TD	AA-	1,000	3.80	3.90	3.90	0.93	1,000	100.00%
NAB	88. NAB Term Deposit	AA-	1,000	4.15	4.15	4.15	0.93	1,000	100.00%
NAB	89. NAB Term Deposit	AA-	1,000	4.27	4.27	4.27	0.93	1,000	100.00%
Macquarie Bank	90. Macquarie Bank TD	A	750	3.90	3.86	3.86	0.70	750	100.00%
AMP	91. AMP Term Deposit	A+	2,000	3.92	3.89	3.89	1.86	2,000	100.00%
Bank of Queensland	92. Bank of Queensland TD	A-	2,000	3.75	3.81	3.81	1.86	2,000	100.00%
NAB	93. NAB TD	AA-	2,000	3.83	3.83	3.83	1.86	2,000	100.00%
Bendigo and Adelaide Bank	94. Bendigo and Adelaide Bank FRN	A-	2,000	3.97	3.93	3.93	1.86	2,008	100.42%
Rural Bank	95. Rural Bank TD	A-	2,000	3.68	3.73	3.73	1.86	2,000	100.00%
Wide Bay CU	96. Wide Bay CU TD	BBB	1,000	3.68	3.73	3.73	0.93	1,000	100.00%
Newcastle Perm Bldg Soc	97. Newcastle Perm Bldg Soc	BBB+	1,000	3.55	3.62	3.62	0.93	1,000	100.00%
Westpac	98. WBC Floating TD	AA-	1,000	3.63	3.63	3.63	0.93	1,000	100.00%
CUA	99. CUA FRN	BBB+	1,000	4.02	4.02	4.02	0.93	1,000	100.00%
Beyond Bank	100. Beyond Bank TD	BBB+	1,000	3.65	3.65	3.65	0.93	1,000	100.00%
Peoples Choice CU	101. Peoples Choice CU TD	BBB+	1,000	3.72	3.72	3.72	0.93	1,000	100.00%
CUA	102. CUA TD	BBB+	1,000	3.75	3.75	3.75	0.93	1,000	100.00%
			107,734	4.02	4.18	4.11	100	108,107	

ITEM 7 (continued)

*Monthly returns when annualised can appear to exaggerate performance

**Market valuations are indicative prices only, and do not necessarily reflect the price at which a transaction could be entered into.

Return including Matured/Traded Investments

Weighted Average Return	4.01	4.23	4.18
Benchmark Return: UBSA 1 Year Bank Bill Index (%)	2.60	2.77	2.67
Variance From Benchmark (%)	1.41	1.46	1.51

Investment Income

	\$000's
This Period	364
Financial Year To Date	3,086
Budget Profile	2,798
Variance from Budget - \$	288

Certificate of the Chief Financial Officer (Responsible Accounting Officer)

I certify that as at the date of this report, the investments listed have been made and are held in compliance with Council's Investment Policy and applicable legislation.



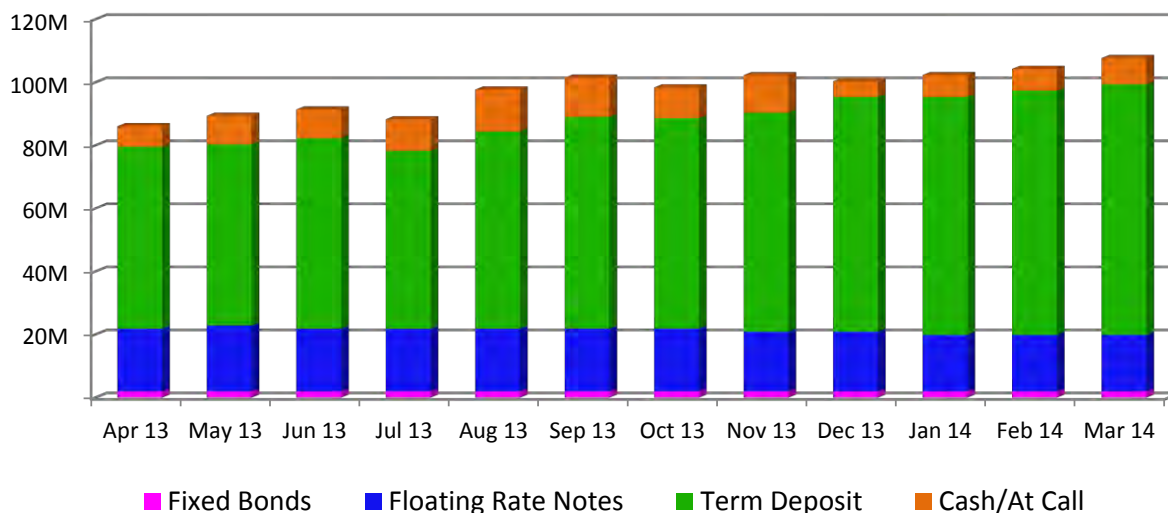
John Todd Date: 7/4/2014

Analysis of investments

The following graphs show analysis of the total cash investments by:

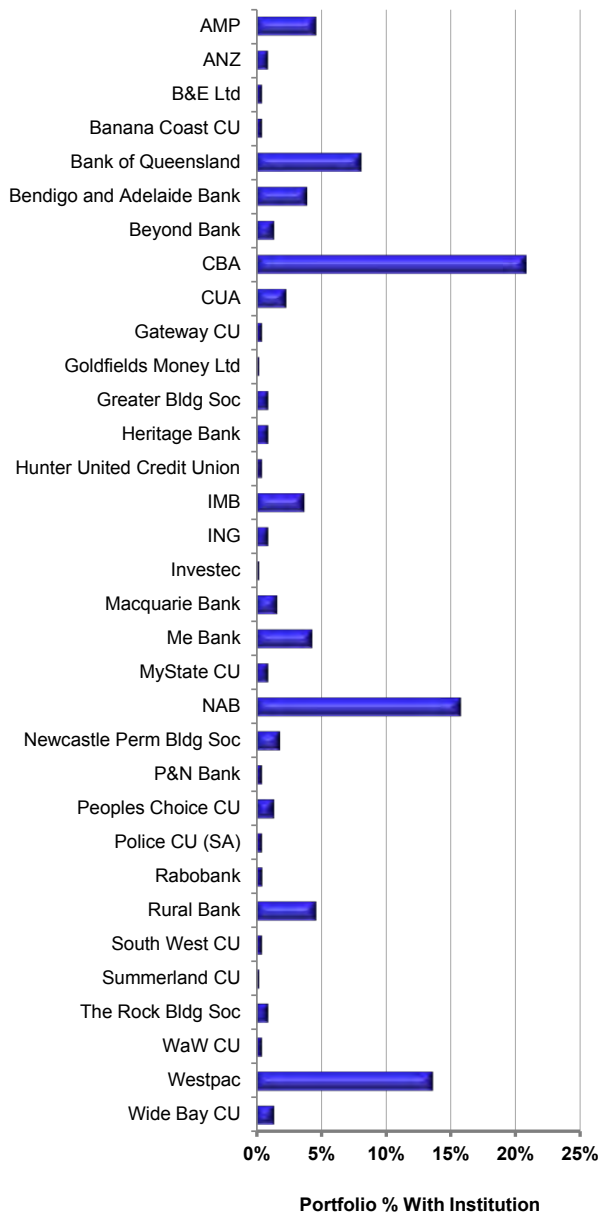
- Type of investment
- Institution
- Duration
- Rating

Total Funds Invested

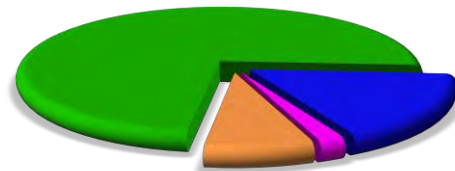


ITEM 7 (continued)

Active Investment by Institution

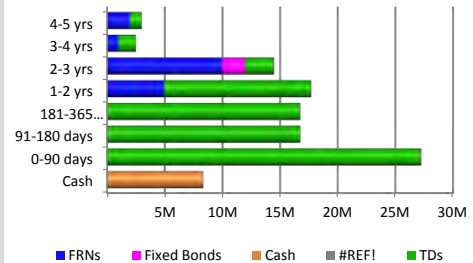


Summary by Investment Type



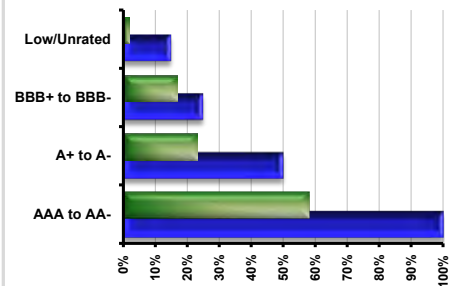
■ At Call Account ■ Term Deposit
■ Floating Rate Notes ■ Fixed Bonds

Summary by Duration



■ FRNs ■ Fixed Bonds ■ Cash ■ #REF! ■ TDs

Investment Summary by Rating



■ Actual ■ Permitted

Portion of deposits covered by Federal Guarantee are rated 'AAA'

	>365 days	<365 days
Cash/TDs	\$17.8M	\$70.1M
FRNs	\$17.9M	\$0.0M
Fixed Bonds	\$2.0M	\$0.0M
	\$37.7M	\$70.1M

ITEM 7 (continued)**Context**

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

Financial Implications

Income from interest on investments and proceeds from sales of investments totals \$3.09 million, being \$288K above revised budget projections. The additional funds belong to Section 94 Reserve funds on hand and do not improve Council's Working Capital.

The Financial Security Reserve has a current balance of \$3.44 million.

ITEM 7 (continued)**ATTACHMENT 1****Council's Property Investment Portfolio**

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

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

Benchmark

The Australian UBS Bank Bill index is constructed as a benchmark to represent the performance of a passively managed short-term money market portfolio. It comprises thirteen Bank Bills of equal face value, each with a maturity seven days apart. The average term to maturity is approximately 45 days. A Bank Bill is a non-interest bearing security issued by a bank whereby the bank takes on an obligation to pay an investor a fixed amount (face value) at a fixed future date. It is sold to an investor at a discount to the face value. Bank Bills are short-term money market investments with maturities usually between 30 days and 180 days.

Types of Investments

The following are the types of investments held by Council:

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

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

A Fixed Rate Bond is a debt security issued by a company with a fixed interest rate over the term of the bond.

ITEM 7 (continued)**ATTACHMENT 1****Credit Rating Information**

Credit ratings are generally a statement as to an institution's credit quality. Ratings ranging from AAA to BBB- (long term) are considered investment grade.

A general guide as to the meaning of each credit rating is as follows:

AAA: the best quality companies, reliable and stable

AA: quality companies, a bit higher risk than AAA

A: economic situation can affect finance

BBB: medium class companies, which are satisfactory at the moment

BB: more prone to changes in the economy

B: financial situation varies noticeably

CCC: currently vulnerable and dependent on favourable economic conditions to meet its commitments

CC: highly vulnerable, very speculative bonds

C: highly vulnerable, perhaps in bankruptcy or in arrears but still continuing to pay out on obligations

D: has defaulted on obligations and it is believed that it will generally default on most or all obligations

Note: Ratings from 'AA' to 'CCC' may be modified by the addition of a plus (+) or minus (-) sign to show relative standing within the major rating categories.

Council's Investment Powers

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

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

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

Local Government Act 1993 - Section 625

Local Government Act 1993 - Order (of the Minister) dated 12 January 2011

The Trustee Amendment (Discretionary Investments) Act 1997 – Sections 14A(2), 14C(1) & (2)

Local Government (Financial Management) Regulation 1993

Investment Guidelines issued by the Department of Local Government

ITEM 7 (continued)
ATTACHMENT 1
Financial Security Reserve Transactional History

Starting Balance	8,000,000.00	10 Oct 2008
Write off Constellation	(1,000,000.00)	10 Oct 2008
Write off Rembrandt	(1,000,000.00)	10 Oct 2008
Write off Palladin	(2,000,000.00)	10 Oct 2008
Write off Alpha	(1,000,000.00)	10 Oct 2008
Write off Covent Garden	(2,000,000.00)	10 Oct 2008
Write off Oasis	(1,000,000.00)	10 Oct 2008
FY2009 and FY2010		
Interest Payments		
Default of Constellation - Residual	21,615.62	10 Oct 2008
Default of Palladin - Residual	-	28 Oct 2008
Default of Rembrandt - Residual	68,393.78	27 Oct 2008
FY2010		
Interest Payments	50,334.01	
FY2011		
Starting balance 1 July 2010	140,343.41	
Sale of Flinders	301,000.00	12 Aug 2010
Quartz Maturity	209,626.75	20 Oct 2010
Sale of Glenelg	160,000.00	29 Dec 2010
Interest on Grange IMP Sept	31,561.37	
Interest on Grange IMP Dec	24,731.75	
Interest on Grange IMP Mar	10,310.63	
Interest on Grange IMP June	16,092.08	
Interest on Oasis	81,758.10	
Interest on Alpha	12,534.80	
Interest on Covent Garden	16,521.58	
Default of Covent Garden	-	29 Mar 2011
Closing balance FY 2011	1,004,480.47	
FY2012		
Interest on Oasis	42,942.41	
Interest on Alpha	4,837.56	
Interest on Grange IMP Sept	9,862.09	
Interest on Grange IMP Dec	129.02	
Maturity of Alpha	1,001,974.90	20 Mar 2012
Interest on Grange IMP March	123.38	
Closing Balance FY 2012	2,064,349.83	
FY2013		
Interest on Oasis FY2013	20,215.91	
Sale of Oasis	219,266.42	23 Jan 2013
Grange Settlement -Beryl	559,966.39	25 Feb 2013
Grange Settlement -Zircon	192,383.73	25 Feb 2013
Rembrandt Settlement	381,695.85	04 Apr 2013
Closing Balance FY 2013	3,437,878.13	

ITEM 7 (continued)**ATTACHMENT 1****Overview of Investments**

An overview of all investments held by the City of Ryde as at 31 March is provided below:

1. **Westpac at Call Account (AA-):** This investment is an at call account, paying the short term money market rate. These funds are used for operational purposes.
2. **Bank of Queensland TD (BBB):** This investment is a 182 day term deposit, paying 3.55% (3.60% annualised), and matures on 29 July 2014.
3. **Bankwest Term Deposit (AA-):** This investment is a 61 day term deposit paying 3.40% (3.45% annualised), and matures 22 April 2014.
4. **NAB Term Deposit (AA-):** This investment is a 1 year term deposit, paying 3.80% p.a. (3.80% annualised), and matures 3 Oct 2014.
5. **Westpac Term Deposit (AA-):** This investment is a two year term deposit, paying 4.35% % (4.35% annualised, and matures 29 May 2015.
6. **Westpac Term Deposit (AA-):** This investment is a three year term deposit, paying 4.95% pa, and matures 21 September 2015.
7. **NAB Term Deposit (AA-):** This investment is a three year term deposit, paying 6.60% p.a., and matures 4 April 2014.
8. **AMP Term Deposit (A+):** This investment is a 365 day term deposit, paying 4.00% p.a. (4.00% annualised), and matures 1 August 2014.
9. **Westpac Term Deposit (AA-):** This investment is a 364 day term deposit, paying 4.00% (4.00% annualised), and matures 27 June 2014.
10. **MyState Credit Union Term Deposit (BBB):** This investment is a 183 day term deposit, paying 3.80% (3.84% annualised), and matures 21 August 2014.
11. **NAB Term Deposit (AA-):** This investment is a 2 year term deposit, paying 4.10% p.a., and matures 11 March 2016.
12. **P&N Bank (Unrated):** This investment is a 182 day term deposit, paying 3.56% (3.59% annualised) and matures on 26 August 2014.
13. **Bankwest Term Deposit (AA-):** This investment is a 91 day term deposit, paying 3.50% p.a. (3.55% annualised), and matures 24 April 2014.
14. **Bankwest Term Deposit (AA-):** This investment is a 91 day term deposit, paying 3.50% p.a. (3.55% annualised), and matures 8 May 2014.

ITEM 7 (continued)**ATTACHMENT 1**

- 15. Bankwest Term Deposit (AA-):** This investment is a 91 day term deposit, paying 3.50% p.a. (3.55% annualised), and matures 1 May 2014.
- 16. Bankwest Term Deposit (AA-):** This investment is a 121 day term deposit, paying 3.51% p.a. (3.55% annualised), and matures 24 July 2014.
- 17. NAB Term Deposit (AA-):** This investment is a 2 year term deposit, paying 4.05% p.a., and matures 25 February 2016.
- 18. Beyond Bank Term Deposit (BBB+):** This investment is a 370 day term deposit paying 3.60% (3.65% annualised) and matures on 22 May 2014.
- 19. Beyond Bank Term Deposit (BBB+):** This investment is a 63 day term deposit paying 3.81% (3.81% annualised) and matures on 16 October 2014.
- 20. Hunter United Credit Union (Unrated):** This investment is a 365 day term deposit paying 3.90% (3.90% annualised) and matures on 12 August 2014.
- 21. Credit Union Australia Term Deposit (BBB+):** This investment is a one year term deposit, paying 4.35% (4.35% annualised), and matures on 7 May 2014.
- 22. Peoples Choice CU Term Deposit (Unrated):** This investment is a 1 year term deposit, paying 3.65% p.a., and matures on 6 February 2015.
- 23. Rural Bank Term Deposit (A-):** This investment is a five year term deposit, paying 6.48% p.a., and matures on 21 March 2017.
- 24. Bananacoast CU Term Deposit (Unrated):** This investment is a 1 year term deposit paying 4.25% (4.25% annualised) and matures on 1 July 2014.
- 25. B & E Ltd Building Society Term Deposit (Unrated):** This investment is a 365 day term deposit paying 3.90% (3.90% annualised) and matures on 5 August 2014.
- 26. CBA Term Deposit (AA-):** This investment is a three year term deposit paying 5.76% p.a. and matures on 8 December 2014.
- 27. ME Bank Term Deposit (BBB+):** This investment is a 366 day term deposit paying 3.78% (3.78% annualised) and matures on 5 March 2015.
- 28. Macquarie Bank Term Deposit (A):** This investment is a 365 day term deposit paying 4.15% (4.15% annualised) and matures on 1 August 2014.
- 29. Bankwest TD (AA-):** This investment is a four year term deposit paying 7.00% (7.00% annualised) and matures on 13 February 2015.
- 30. IMB Term Deposit (BBB):** This investment is a 96 day term deposit paying 3.50% (3.55% annualised) and matures on 22 April 2014.

ITEM 7 (continued)**ATTACHMENT 1**

- 31. Summerland CU Term Deposit (Unrated):** This investment is a three year term deposit paying 5.05% pa and matures on 21 September 2015.
- 32. Wide Bay CU Term Deposit (BBB):** This investment is a 215 day term deposit paying 3.75% (3.78% annualised) and matures on 12 August 2014.
- 33. Heritage Bank (A-):** This investment is a 364 day term deposit paying 3.80% (3.80% annualised) and matures on 12 March 2015.
- 34. AMP Business Saver at call account (A+):** This investment is an at-call account earning 3.35%. No fees are payable by Council on this investment.
- 35. South West CU Term Deposit (Unrated):** This investment is a 368 day term deposit paying 4.20% (4.20% annualised) and matures on 17 June 2014.
- 36. CBA Term Deposit (AA-):** This investment is a 3 year term deposit paying 4.55% annually and matures on 16 May 2016.
- 37. Gateway Credit Union Term Deposit (Unrated):** This investment is a 367 day term deposit paying 4.10% (4.10% annualised) and matures on 19 June 2014.
- 38. Rabodirect Term Deposit (AA):** This investment is a 273 day term deposit, paying 4.15% (4.17% annualised), and matures on 10 April 2014.
- 39. Newcastle Permanent Building Society (BBB+):** This investment is a 91 day term deposit, paying 3.50% (3.55% annualised), and matures on 19 June 2014.
- 40. Greater Building Society Term Deposit (BBB):** This investment is a 182 day term deposit, paying 3.65% (3.68% annualised), and matures on 7 August 2014.
- 41. The Rock Building Society Term Deposit (BBB):** This investment is a 183 day term deposit paying 3.80% p.a. (3.84% annualised), and matures 21 August 2014.
- 42. AMP Term Deposit (A+):** This investment is a four year term deposit paying 7.14% which matures on 16 February 2015.
- 43. WAW CU TD (Unrated):** This investment is a 299 day term deposit paying 3.90% (3.91% annualised) and matures on 17 June 2014
- 44. CBA Term Deposit (AA-):** This investment is a 63 day term deposit paying 3.31% (3.36% annualised), and matures on 22 May 2014.
- 45. Rabodirect At-Call (AA):** This investment is an at call account, paying the short term money market rate. These funds are used for operational purposes.

ITEM 7 (continued)**ATTACHMENT 1**

- 46. Members Equity Bank At-Call Account (BBB):** This investment is an at call account, paying the short term money market rate. These funds are used for operational purposes.
- 47. National Australia Bank Floating Rate Note (AA-):** This investment is a senior, unsecured floating rate note paying 115 above BBSW. This investment matures 21 June 2016.
- 48. National Australia Bank Floating Rate Note (AA-):** This investment is a senior, unsecured floating rate note paying 125 above BBSW. This investment matures 21 June 2016.
- 49. CBA FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 120 above BBSW. This investment matures 2 August 2016.
- 50. Westpac Floating Rate Note (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 123 above BBSW. This investment matures 9 May 2016.
- 51. CBA FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 125 above BBSW. This investment matures 2 August 2016.
- 52. National Australia Bank FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 142 above BBSW. This investment matures 21 June 2016.
- 53. National Australia Bank FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 140 above BBSW. This investment matures 21 June 2016.
- 54. CBA FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 140 above BBSW. This investment matures 2 August 2016.
- 55. ANZ FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 142 above BBSW. This investment matures 9 May 2016.
- 56. Police CU (SA) Term Deposit (Unrated):** This investment is a two year TD paying 5.70% (5.70% annualised) and matures 18 April 2014.
- 57. NAB Fixed MTN (AA-):** This is a fixed rate bond paying 6.18% (6.30% annualised) and matures 15 February 2017.
- 58. Westpac Fixed MTN (AA-):** This is a fixed rate bond paying 6.00% (6.14% annualised) and matures 20 February 2017.

ITEM 7 (continued)**ATTACHMENT 1**

- 59. Macquarie Bank Term Deposit (A):** This is a five year term deposit paying 6.50% (6.50% annualised) and matures 3 April 2017.
- 60. CBA Retail Bond (AA-):** This is a senior, unsecured floating rate note purchased at a yield of 160 above BBSW. This investment matures 24 December 2015.
- 61. Delphi Bank Term Deposit (Unrated):** This investment is a five year term deposit paying 6.05% p.a. and matures on 15 May 2017.
- 62. Rural Bank Term Deposit (A-):** This investment is a 180 day term deposit paying 3.70% p.a. (3.73% annualised) and matures on 6 May 2014.
- 63. ME Bank Term Deposit (BBB+):** This investment is a 366 day term deposit paying 4.33% p.a. (4.33% annualised) and matures on 5 March 2015.
- 64. CBA Retail Bonds (AA-):** This is a senior, unsecured floating rate note purchased at a yield of 182 above BBSW. This investment matures 24 December 2015.
- 65. CBA Retail Bonds (AA-):** This is a senior, unsecured floating rate note purchased at a yield of 184 above BBSW. This investment matures 24 December 2015.
- 66. Bank of Queensland Term Deposit (A-):** This investment is a 5 year term deposit paying 5.15% (5.15% annualised) and matures 20 November 2018.
- 67. Bank of Queensland Term Deposit (A-):** This investment is a 2 year term deposit paying 4.10% (4.10% annualised) and matures 3 March 2016.
- 68. Investec Bank Term Deposit (BBB-):** This investment is a five year term deposit paying 6.95% on maturity (6.15% annualised) and matures 15 August 2017.
- 69. IMB Term Deposit (BBB):** This investment is a 91 day term deposit paying 3.50% on maturity (3.55% annualised) and matures 10 April 2014.
- 70. CBA Retail Bonds (AA-):** This is a senior, unsecured floating rate note purchased at a yield of 175 above BBSW. This investment matures 24 December 2015.
- 71. St George Term Deposit (AA-):** This investment is a 2 year term deposit paying 4.05% (4.05% annualised) and matures on 27 August 2015.
- 72. CBA Retail Bonds (AA-):** This is a senior, unsecured floating rate note purchased at a yield of 174 above BBSW. This investment matures 24 December 2015.

ITEM 7 (continued)**ATTACHMENT 1**

- 73. Rural Bank Term Deposit (A-):** This investment is a 189 day term deposit, paying 3.55% (3.58% annualised), and matures on 7 August 2014.
- 74. ING Floating Rate Term Deposit (A):** This is a five year floating rate term deposit paying 2.30% above 90 day BBSW, and matures 4 September 2017.
- 75. IMB Term Deposit (BBB):** This is a 96 day term deposit paying 3.50% (3.55% annualised), and matures 29 April 2014.
- 76. St George Term Deposit (AA-):** This is a 2 year term deposit paying 4.05% (4.05% annualised), and matures 13 August 2015.
- 77. Bank of Queensland Term Deposit (BBB+):** This is a 93 day term deposit paying 3.60% (3.65% annualised) and matures 15 May 2014.
- 78. NAB Term Deposit (AA-):** This is a 2.25 year term deposit paying 4.80% pa and matures 18 December 2014.
- 79. St George Term Deposit (AA-):** This is a 274 day term deposit paying 3.75% (3.77% annualised), and matures 20 May 2014.
- 80. Members Equity Bank Term Deposit (BBB):** This is a 1 year term deposit paying 3.75% (3.75% annualised) and matures 19 February 2015.
- 81. Bank of Queensland FRN (BBB+):** This is a senior, unsecured floating rate note purchased at a yield of 160 above BBSW. This investment matures 7 December 2015.
- 82. Goldfields Money Ltd Term Deposit (Unrated):** This investment is a 363 day term deposit paying 4.20% (4.20% annualised), and matures 12 June 2014
- 83. Westpac Floating Rate Term Deposit (A):** This is a one year floating rate term deposit paying 1.24% above the official cash rate and matures 7 April 2014.
- 84. Bendigo Bank FRN (A-):** This is a senior, unsecured floating rate note purchased at a yield of 120 above BBSW. This investment matures 17 May 2017.
- 85. CBA Term Deposit (AA-):** This investment is a 1 year term deposit paying 4.10% annually and matures 22 May 2014.
- 86. CBA Term Deposit (AA-):** This investment is a 183 day term deposit paying 3.50% (3.53% annualised) and matures 21 May 2014.
- 87. NAB Term Deposit (AA-):** This investment is a 1 year term deposit paying 3.80% (3.80% annualised) and matures 6 November 2014.
- 88. NAB Term Deposit (AA-):** This investment is a 2 year term deposit paying 4.15% (4.15% annualised) and matures 13 August 2015.

ITEM 7 (continued)**ATTACHMENT 1**

- 89. NAB Term Deposit (AA-):** This investment is a 2 year term deposit paying 4.27% (4.27% annualised) and matures 25 August 2015.
- 90. Macquarie Bank Term Deposit (A):** This investment is a 1 year term deposit paying 3.90% (3.90% annualised) and matures 17 December 2014.
- 91. AMP Term Deposit (A+):** This investment is a 276 day term deposit paying 3.90 (3.92% annualised), and matures 11 September 2014.
- 92. Bank of Queensland TD (A-):** This is a 1 year term deposit paying 3.75 p.a., and matures 12 February 2015.
- 93. NAB Term Deposit (AA-):** This investment is a 1 year term deposit paying 3.83% and matures 9 October 2014.
- 94. Bendigo Bank FRN (A-):** This is a senior, unsecured floating rate note purchased at a yield of 127 above BBSW. This investment matures 14 November 2018.
- 95. Rural Bank Term Deposit (A-):** This investment is a 181 day term deposit, paying 3.65% (3.68% annualised), and matures on 24 September 2014.
- 96. Wide Bay CU Term Deposit (BBB):** This investment is a 180 day term deposit paying 3.65% (3.68% annualised) and matures on 9 September 2014.
- 97. Newcastle Permanent Building Society (BBB+):** This investment is a 91 day term deposit, paying 3.50% (3.55% annualised), and matures on 5 June 2014.
- 98. Westpac Floating Rate Term Deposit (AA-):** This investment is a 25 month floating rate term deposit paying 90d BBSW + 95 and matures 9 February 2016.
- 99. Credit Union Australia Floating Rate Note (BBB+):** This is a senior, unsecured floating rate note purchased at a yield of 130 above BBSW. This investment matures 20 March 2017.
- 100. Beyond Bank Term Deposit (BBB+):** This investment is a 63 day term deposit paying 3.60% (3.65% annualised) and matures on 22 May 2014.
- 101. Peoples Choice CU Term Deposit (BBB+):** This investment is a 182 day term deposit paying 3.69% (3.72% annualised) and matures on 18 September 2014.
- 102. Credit Union Australia Term Deposit (BBB+):** This investment is a 364 day term deposit paying 3.75% (3.75% annualised) and matures on 26 March 2015.

8 SUPPLEMENTARY REPORT - PLANNING PROPOSAL - 111 WICKS ROAD, 29 EPPING ROAD AND 31 - 35 EPPING ROAD MACQUARIE PARK

Report prepared by: Strategic Planner

File No.: LEP2013/10/007 - BP14/340

REPORT SUMMARY

Council on the 27 August 2013 considered a Planning Proposal to amend controls within Draft LEP 2014 as they apply to the following land (known as the “the site” Figure 1):

- 111 Wicks Road (Lot 10 in DP1046090),
- 29 Epping Road (Lot 2 in DP52488) and
- 31-35 Epping Road (Lot 1 in DP1151499), Macquarie Park



Figure 1

Source: Urbis Supplementary report page 3

The Planning Proposal sought to change the zoning, height and floor space controls applying to the site to facilitate the development of the site for a mixed use precinct that integrated commercial office, retail, hotel and residential uses.

Council resolved on the 27 August 2013 to defer consideration of the planning proposal to allow for further discussions to be undertaken with Council staff and the applicant (Urbis) with a report being provided to Council following the outcomes of those discussions. The Council report of 27 August 2013 is **CIRCULATED UNDER SEPARATE COVER** (Attachment 1).

ITEM 8 (continued)

Support information in the form of a Supplementary report was submitted to Council on the 9 January 2014 by Urbis. This was followed by a meeting with the applicant to discuss the additional information provided. At that meeting the applicant advised:

- that a land swap between the North Ryde Station Precinct (NRSP) and the site is to be finalised in February 2014. The impact of land swap on the PP is that:
 - the area of the site is reduced by 624sqm increasing the FSR of the development from 2.4:1 to a gross floor area of 47 000sqm (equivalent to a FSR of 2.45:1)
 - A Schedule 1 amendment is now sought to provide a max GFA of 47,000m² across the whole site with a max GFA of 25,000m² for hotel and residential uses.
 - The concept plan to now be considered with the PP is the one identified as the preferred scheme (minor amendments proposed).
- a new Employment Study has been provided.
- a new justification section in the PP (known as amended PP) addresses comments raised by Council in its original report.

The amended PP is similar to the original in seeking a mixed use development however as a result of a land swap that was finalised with the North Ryde Station Precinct and the subject property, the alternate “preferred concept plan” is now proposed.

The amended PP will require:

- Amending LEP 2014 Land Zoning Map for that part of the site known 111 Wicks Road to B4 Mixed Use (Figure 2);
- Amending LEP 2014 Height of Buildings Map to increase the maximum height of buildings permitted at 111 Wicks Road to 89m and at 31-35 Epping Road to 55m (Figure 3); and
- Amending the RLEP 2014 Floor Spaces Ratio Map to remove the application of a floor space ratio control. In lieu of a maximum FSR applying to the site a *Schedule 1 – Additional permitted uses* amendment is sought, identifying the maximum gross floor area for development on the whole of the site of 47 000sqm with a maximum of 25 000sqm for hotel and residential uses.

A Voluntary Planning Agreement of a cash contribution of \$4.4 million offset by works in kind including construction of roads and open space was submitted with the original Planning Proposal. At the Councillor workshop held on 25 March 2014 the applicant advised that the terms of the VPA were open for discussion and negotiable.

ITEM 8 (continued)

The Amended Planning Proposal is **CIRCULATED UNDERSEPARATE COVER** (Attachment 2).

Council staff had an independent assessment of the original planning proposal undertaken by consultant SJB Planning. The amended proposal has also been assessed by SJB Planning (SJB Report) with the submitted employment study (*Employment Potential of Proposed Development Study* - Appendix 2 of amended PP) being assessed by SGS Economics and Planning (SGS Report). Both consultants were engaged in accordance with Council's procurement framework.

The SJB and SGS Reports are **CIRCULATED UNDER SEPARATE COVER** (Attachment 3 and Attachment 4).

It is considered that should residential development be approved within the commercial core of The Corridor that:

- the strategic direction for the Corridor will have been irreparable impacted upon; and
- a precedent will be set which will make the refusal of future PPs for residential land uses in the Corridor very difficult.

If this were to occur a new strategic direction for the Corridor will be required to be determined and the necessary infrastructure to support residential development in the commercial core of The Corridor to be considered and appropriately planned.

Based on SJB and SGS findings and recommendations this report recommends the Planning Proposal should not proceed as it is inconsistent with the strategic direction being implemented by the State Government and Council for the Macquarie Park Corridor and would undermine its current status of The Corridor as a Specialised Precinct performing a vital economic and employment role for the whole Sydney metropolitan area.

Council should note that a late Addendum to the Supplementary Planning Proposal was received at the end of business 14 April 2014 requesting :

- an increase in FSR from 2.5:1 to 2.68:1 (being an increase of 4 500sqm of Gross Floor Area – 4 000sqm being for hotel and residential uses), and
- increase in height of buildings from 89m to 99m to 111 Wicks Rd.

The letter outlining the Addendum is **CIRCULATED UNDERSEPARATE COVER** (Attachment 5) and proposes further residential development within the Macquarie Park Corridor and as such does not change or effect the recommendation of this report.

ITEM 8 (continued)**RECOMMENDATION:**

- (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
 - 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.
 - 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.

ATTACHMENTS

- 1** Report to Council 27 August 2013 - Planning Proposal Harvey Norman Group - CIRCULATED UNDER SEPARATE COVER
- 2** Macquarie Park Planning Proposal - Supplementary Report - Harvey Norman Group - January 2014. Urbis - CIRCULATED UNDER SEPARATE COVER
- 3** SJB Report - Assessment of Amended Planning Proposal - CIRCULATED UNDER SEPARATE COVER
- 4** SGS Report Stage 1 & 2 - Peer Review and Strategic Implications - CIRCULATED UNDER SEPARATE COVER
- 5** Harvey Norman Planning Proposal - Letter outlining Addendum - CIRCULATED UNDER SEPARATE COVER

ITEM 8 (continued)

Report Prepared By:

Susan Wotton
Strategic Planner

Report Approved By:

Meryl Bishop
Manager - Urban Planning

Dominic Johnson
Group Manager - Environment & Planning

ITEM 8 (continued)**Discussion**

In May 2013 Council received a Planning Proposal to amend controls within Draft LEP 2013 as they apply to the following land (known as the “the site”):

- 111 Wicks Road (Lot 10 in DP1046090),
- 29 Epping Road (Lot 2 in DP52488) and
- 31-35 Epping Road (Lot 1 in DP1151499), Macquarie Park

The Planning Proposal seeks to change the zoning, height and floor space controls applying to the site to facilitate the development of the site for a mixed use precinct that integrates commercial office, retail, hotel and residential uses on the site. This will require:

- Amending LEP 2014 Land Zoning Map for that part of the site known 111 Wicks Road to B4 Mixed Use.
- Amending LEP 2014 Height of Buildings Map to increase the maximum height of buildings permitted at 111 Wicks Road to 89m and at 31-35 Epping Road to 50m and
- Amending LEP 2014 Floor Space Ratio Map to increase the FSR across the whole of the site to 2.4:1.

An amendment to the Planning Proposal was received in January 2014 - the amendments propose the following:

- Amending LEP 2014 Height of Buildings Map to increase the maximum height of buildings permitted at 31-35 Epping Road to 55m.
- Amending the LEP 2014 Floor Spaces Ratio Map to remove the application of a floor space ratio control of 2.4:1. In lieu of a maximum FSR applying to the site a Schedule 1 – Additional permitted uses amendment is sought, identifying the maximum gross floor area for development on the whole of the site of 47 000sqm with a maximum of 25 000sqm for hotel and residential uses.

The figure below illustrates the proposed amendments to the zoning and height provisions in LEP 2014.

ITEM 8 (continued)

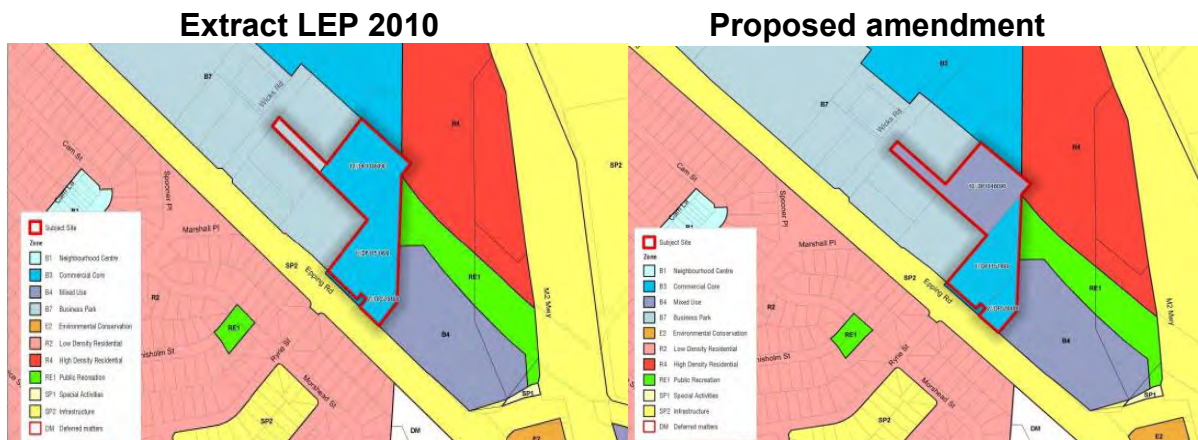


Figure 2

Source: Urbis supplementary report pg. 4 &14

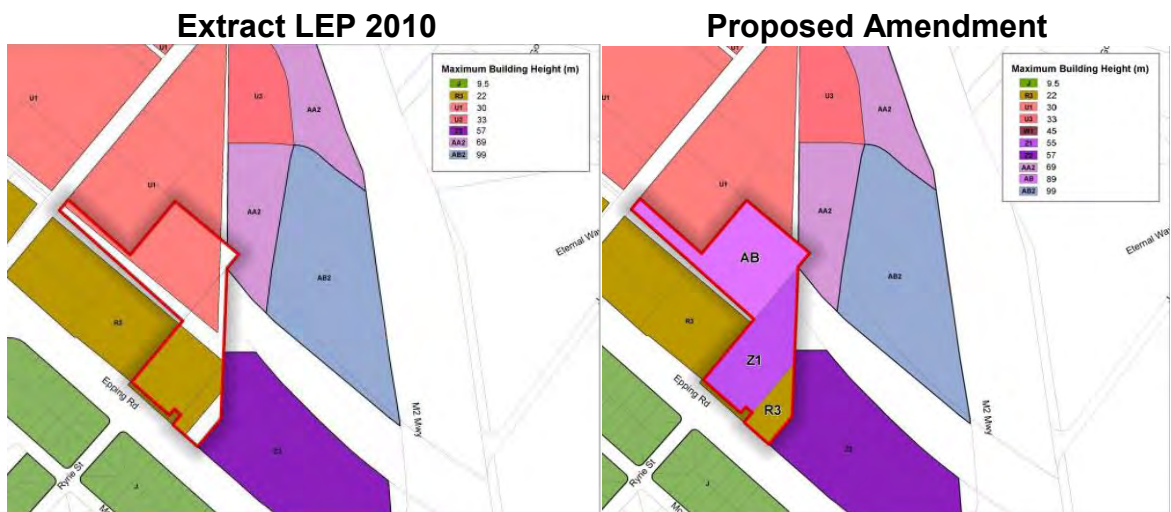


Figure 3

Source: Urbis supplementary report pg. 5 &16

An outline of the existing development on the site and the proposed development as contained in the “Preferred concept Plan” is indicated in the following table:

ITEM 8 (continued)

Summary of proposed and existing development

ELEMENT	111 WICKS ROAD	31-35 EPPING ROAD	29 EPPING ROAD
Existing Land Use	Industrial warehouse Access Rd	Domayne store (bulky goods retail)	North Ryde Smash Repairs
Proposed Land Use	Residential Flat Building 160-170 units: - 1 bed units – 40% - 2 bed units – 55% - 3 bed units – 5% Approx. 200 hotel rooms Total FSR of residential land uses 23 984m ²	Commercial – 10 860m ² Existing Bulky goods – 8,663m ² Café – 150m ² Total FSR 19 673m ²	Commercial – 2 720m ² Child care facility 512m ² Total FSR 3 232m ² (source PP - AJ+C pge31)
Proposed Total Floor space and FSR	47,000m ² (FSR 2.45:1) 25 000m ² – residential 22 000m ² - commercial		
Proposed Building Heights	Max 89m (27 storeys)	Max 55m (11 storeys) Note: - Existing Domayne / Harvey Norman store retained with new 8 storey addition to the rear of the building.	Max 22m - 6 storeys <i>Source: PP Proposed HoB Map p.g.16</i>

Assessment - Planning Proposal

Council staff had an independent assessment of the original planning proposal undertaken by consultant SJB Planning. The amended proposal has also been assessed by SJB Planning (SJB Report) with the submitted employment study (*Employment Potential of Proposed Development Study* - Appendix 2 of amended PP) being assessed by SGS Economics and Planning (SGS Report). Both consultants were engaged in accordance with Council's procurement framework.

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The SJB and SGS Reports are **CIRCULATED UNDER SEPARATE COVER** and provide the Discussion and Context elements of this report.

The issues and outcomes of the reports are summarised as follows:

SGS Economics and Planning Report - Overview of the Findings

SGS Economics and Planning were requested by Council to:

- **Stage 1** - Peer review of the 'Employment Potential of Proposed Development Study' submitted in support of the proposal
- **Stage 2** - Provide analysis of the strategic implications of residential land uses being introduced into Macquarie Park Corridor (MPC) to the MPC and the greater Sydney area as a whole.

An overview of the key findings of the SGS report is provided below.

Stage 1 - Peer review of the 'Employment Potential of Proposed Development Study'

Broadly, we find that the data used, and interpretations in this study are appropriate. However, we note the following issues:

- **Possible overestimation of supply....** *it is possible that some of the data presented as 'Future office development' may not be entirely office space*
- **Weak case for residential development.....** *we note that there has been next to no analysis of the housing market and the necessity for residential development on the site.In addition, large scale residential development in commercial core areas can undermine the integrity of commercial areas and 'crowd out' future commercial redevelopment. (Extracts SGS Report Stage 1 p.g.16)*
- **The report does not consider the current form and use in MPC** *there is no appreciation of the impact of the proposed development form (and its use) on a 'specialised centre' such as MPC and more broadly, the Global Economic Corridor (GEC).*
- **Inappropriate base case in economic benefit assessment.** *The Urbis report states the economic benefits against an implicit 'base case' of 'no development' on the site or elsewhere in the system. This is a false base case. The real alternative to the proposal would be either the redevelopment of the site as pure commercial office, which could be achieved with even higher employment yields, or the redeployment of capital elsewhere in the system.*

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Collectively, these issues imply that the case for rezoning to allow a currently prohibited use (residential) is weak. The lack of evidence to support the infeasibility of the hotel, inaccurate assessment of commercial floor space supply, lack of residential market analysis, lack of appreciation of the role of MPC in GEC are some of the key reasons to support this view. (Extracts SGS Report Stage 1 p.g.17)

Stage 2 –Strategic Implications for Macquarie Park

Three analytical tools were used to understand the strategic importance of MPC in the GEC –.All three assessments were largely qualitative, and focused on MPC's role as a key centre in the GEC. The key findings from these assessments are below:

- *The market assessment foreshadowed future shortages in the centres closer to the CBD – implying strong latent demand in the medium to long term for Macquarie Park.*
- *The competitive offer analysis highlighted that MPC was at the 'top-of-the-pack' in terms of attractiveness for business park uses.*
- *The assessment of competing land-uses indicated that there is likely to be minimal benefits from residential development on the subject site (due to existing capacity in surrounding areas), and that residential development may 'crowd out' future commercial development through increased land value expectations. In other words, the case for allowing residential land-use is weak.*

Taken together, these three assessments suggest that there is a strong case to preserve MPC's role as a hub for future employment. Given its State (and National) importance, Macquarie Park needs careful and proactive planning to protect employment lands for future employment generation. (extract SGS Report Stage 2 p.g.33)

With respect to market assessment the SGS Report further states:

Given lower rent, good accessibility and host of other attributes, Macquarie Park appears to be one of the key locations expected to absorb excess demand from other centres closer to the CBD. Chatswood and St Leonards are other locations expected to sustain market demand for GEC floor space. However, compared to these two locations, Macquarie Park has set of attributes that gives it a unique position in the market - lower rent (as demonstrated in the Urbis employment potential report), direct links to Macquarie University, and comparable transport linkages. It is, therefore likely that in the medium term market demand for Macquarie Park commercial floorspace would be stable; and in the longer term (as centres closer to the CBD face shortages) market demand for its floor space would be high. Given current capacity levels and its recognition as a 'specialised precinct', MPC is well positioned to accommodate this additional demand for commercial floor space. (extract SGS Report Stage 2 p.g.21)

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With respect to the analysis of competing land uses the SGS Report states:

Given the demand for competing land-uses in the corridor and its surrounding areas, we have constructed a broad analytical framework to qualitatively identify costs and benefits of competing land uses in the business park. This framework is aimed at assisting Council in developing a clear indication of the suitability of the proposed (currently prohibited) land-use.

The table below sets out broad costs and benefits of alternative land-uses in the context of the site in question. Grey refers to residential (the currently prohibited use), while green refers to commercial (currently allowed use).

Aspect being considered	Benefits of each type of land-use	Costs of each type of land-use
MPC character as a business park and commercial 'sense of address'	Commercial development would be consistent with the MPC's character and commercial 'sense of address' and enhance it.	No substantial cost associated with commercial development. However, retailers may miss out on potential increase in turnover related to residents' consumption– this is likely to be minor since most existing retailers in the MPC rely on office workers for critical mass. In addition, MPC already has regional shopping centre (Macquarie Shopping Centre) with catchment beyond the corridor.
	Residential development may activate the precinct by providing critical mass for retail firms.	Residential development is not consistent with the current zoning and MPC's character as a business park. It also has the potential to adversely impact the 'sense of commercial' address of MPC.
Role and function of MPC for Ryde LGA	Commercial development would assist in meeting the job targets, and would enhance the relative position and brand of MPC, and reaffirm its role as a supplier of premium grade office space. This would assist Ryde LGA in future employment generation, and generate related rate revenues.	Given current capacity levels, additional commercial development is not likely to negatively impact on existing commercial development.
	Residential development would bring associated rate revenues (likely to be higher than commercial) to Ryde Council.	Residential development would not contribute to the job target for Ryde and it is inconsistent with the role and function of MPC for Ryde. In addition, it may 'crowd-out' future commercial development. In addition, there is sufficient currently zoned land to meet the housing target (see Local Planning Study).
Role and function of MPC in GEC	Commercial development would assist in the supply of commercial floorspace and job generation in the GEC. This is of particular importance since MPC has been identified as a 'specialised centre'. In addition, the retention of land, and sustaining of MPC's brand value is integral to GEC retaining its position at both the State and National level. Development that is consistent with the role and function of MPC and GEC is self-reinforcing; and is likely to assist in maintaining MPC's relative position.	No apparent costs associated with commercial development. Land value expectations would not be impacted.
	There is no apparent benefit associated with residential development as it is not consistent with the role and function of MPC in GEC.	Residential development would not fit in with the role and function of MPC in GEC. Given repeated requests for rezoning to residential, it may drive up land value expectations – reducing affordability for commercial uses, and it may adversely impact the branding and relative position of MPC in GEC at a State and National level.

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Aspect being considered	Benefits of each type of land-use	Costs of each type of land-use
Job generation capability – current and future	Commercial development would assist in current employment generation on-site. Firms with links to those locating in the MPC may wish to co-locate in MPC or proximate locations.	No costs associated with commercial development.
	Residential development may contribute to off-site job generation - mainly in population driven industries such as retail.	Residential development is unlikely to generate substantial number of jobs on site.
Changes to surrounding land values	Commercial development is likely to keep land-value expectations low. This is a benefit since relative land-prices are a key factor in keeping relative-rent prices low - an essential characteristic for viable commercial development. This would ensure MPC's attractiveness in the GEC.	Land-owners would forego increases in land-values and capital gains associated with residential re-zoning.
	Residential development is likely to increase land-value expectations - this would be reflected by increased requests to allow residential development in MPC. These land-value increases are benefits accruing to land-owners.	Requests for residential rezoning are likely to put upward pressure on current and future land values in the MPC. This may compromise the affordability, feasibility and relative position of commercial development in MPC; and may have flow-on effects adversely impacting employment generation in GEC.

(extract SGS Report Stage 2 p.g.24 – 25)

The SGS Report concludes:

From a policy perspective, this study emphasises the need for proactive and conscientious planning policy to ensure the retention and protection of employment land (and in the case of MPC - uniquely positioned business park floor space) that is strategically important to the State. The case study of Chatswood CBD (which is also part of the GEC) aptly highlights this need. Having experienced significant growth in residential development in commercial core areas, Willoughby Council has had to respond by introducing controls to retain and protect its commercial core floorspace.
(extract SGS Report Stage 2 p.g.34)

SJB Planning Report - Over view of Findings

SJB Planning was requested to assess the proposed amendments to the planning proposal and to review the additional information provided by the proponent - including:

- Amendment to increase the building height on 31-35 Epping road from 50m to 55 m.
- Remove the application of a floor space ratio control of 2.4:1 and replace it with a maximum gross floor area for the whole of the site of 47 000sqm (which equates to an FSR of 2.45:1) with a maximum of 25 000sqm for hotel and residential uses.
- New Employment Study
- Revise justification of the Planning Proposal

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The key findings outlined in the SJB report are outlined below:

- *The economic importance of the Macquarie Park Corridor is well recognised. The economy of Macquarie Park has double in size in the last 13 years. It is currently on track to surpass North Sydney's economy in the next four (4) to five (5) years, making it NSW's 2nd largest economy and Australia's 9th largest (PwC Australia Uncovered – A Lense for Understanding our Evolving Economy page 8).*

The Macquarie Park Corridor and the current planning strategy is realising the corridor's function. The continued growth of the Macquarie Park Corridor as a major employment hub in Sydney relies on protecting and strengthening its commercial role, and maintaining a critical mass of commercial – achieved through strategically prioritising commercial uses over residential uses. This is reinforced by limiting the encroachment of residential uses in the corridor, through planning policy. (extract SJB Report p.g.3)

- *The analysis and approach adopted in the original assessment is still valid. The key issues with this proposal remain:*
 - *Whether the range of land uses sought – specifically residential – is appropriate and consistent with the strategic framework for the site and area, and whether there is strategic merit in the matter proceeding;*
 - *Whether the built form resulting from a change in height and FSR is an appropriate outcome for the site when considered in the immediate and broader context of the site, and whether there is site specific merit in the matter proceeding; and*
 - *The value of the VPA offer (extract SJB Report p.g.2)*

The fundamental issue remains as to whether or not it is appropriate to change the approach to planning for the Macquarie Park Corridor to allow for residential use. The introduction of residential use remains inconsistent with the strategic planning direction for the Macquarie Park Corridor. Dwelling targets can more than adequately be met within the city – in part on land that is within close proximity to the site.

Furthermore, if residential uses were permitted, there would be a need to reassess the strategic focus of the corridor. There would be a need to revisit the infrastructure that is currently planned to ensure that residential uses were catered for.

More significantly, the introduction of residential uses into a planned employment area in a piecemeal way can have the potential to undermine the integrity of a commercial area and crowd out future commercial development. (extract SJB Report p.g.2)

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- *In summary, the introduction of residential use has:*
 - *Potential to undermine the broader function and purpose of the corridor;*
 - *Potential to 'crowd out' future employment uses;*
 - *Potential to change expectations regarding land values; and*
 - *Represents a piecemeal approach to planning.*

Strategic weight should continue to be placed on the strategic function of the corridor and reflected in planning policy. This translates to maintaining a restrictive policy approach regarding residential uses to preserve for the medium to longer term the Macquarie Park Corridor's primary employment function – an approach that has also been adopted for the Chatswood CBD in direct response to the impact high density residential use was having on its primary function.

The provision of housing is well catered for in and around the Macquarie Park Corridor, making the case weak for the need for additional lands for housing. The strategic approach and planning for the area has been considered with the principal aim of maintaining a suitable supply of employment generating lands with a fringe of residential for the medium to long term.

This strategy should continue to be applied given the timing and future needs of the area, and in recognition of the need to protect Specialised Precincts for the long-term and to ensure residential and non-specialised but competing uses must not override the core employment uses.

Where locations are ranked as the 10th largest contributor to the Australian economy and potentially NSW's 2nd largest economy, the primary employment function cannot be compromised. To date this has been achieved by focusing residential development on the fringes within clear boundaries, and should be maintained.

The current Planning Proposal does not achieve these objectives and in fact has the potential to undermine the strategy adopted for the Macquarie Park Corridor and should not be supported. (extract SJB Report p.g.42)

Having regard to the strategic context of the site, the amended information provided, including the revised concept plan, associated employment analysis and the outcomes available from the land swap, for the reasons outlined in this report, it is recommended that the amended Planning Proposal not proceed to Gateway. (extract SJB Report p.g.3)

The SJB Report recommends:

That the Council not support the Planning Proposal as amended for 111 Wicks Road, 29 Epping Road and 31-35 Epping Road proceeding to Gateway determination for the following reasons:

- (a) 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

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- (b) 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.
- (c) 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.

Strategic Direction

In addition to the assessment provided within the SJB and SGS Reports the following information is noteworthy:

The Planning Proposal is required to be assessed not only in terms of the appropriateness of the development controls and land uses proposed for the site but in terms of the strategic direction set by both the State Government and Council for the Macquarie Park Corridor (The Corridor).

With respect to The Corridor's strategic direction the following should be noted:

The Corridor

The Corridor comprises an area of land generally bound by the M2 Motorway and Delhi Road on the northeast, Epping Road and the Lane Cove River on the southwest, and Macquarie University.

The western quadrant of the corridor has been zoned and planned for mixed and residential land uses since 1979 and contains Macquarie Shopping Centre and numerous residential flat buildings. The subject area has had a number of recent State Government Part 3A Approvals and currently it is estimated that between 2014 and 2031 an additional 4 500 dwellings (including those proposed within Macquarie University) will be delivered in the quadrant. The same area is the subject of a proposed State Government Urban Activation Precinct (Herring Road UAP) which when brought into place will increase the capacity of the quadrant by an estimated 14 000 additional dwellings based on floor space controls proposed by the UAP.

The eastern quadrant of the Corridor is known as the North Ryde Station Precinct and was introduced into LEP 2010 by the State Government in September 2013. The precinct will permit approximately a further 3 000 dwellings in the Corridor.

The Central Core of the Corridor is zoned for commercial/business uses. Residential flat buildings are prohibited.

ITEM 8 (continued)Strategic Policies

The existing character of Macquarie Park and the strategic planning framework for the Corridor is found in the following key documents:

- Metropolitan Plan Study 2005 , updated in 2010 (Metropolitan Plan for Sydney to 2036) and again 2013 (Draft Metropolitan Strategy for Sydney to 2031);
- Inner North Subregion Draft Subregional Strategy
- City of Ryde Local Planning Study; and
- Macquarie Park Corridor – General Background Studies

The Sydney Metropolitan Strategy first released in 2005 sets the NSW Government's framework for the future growth and prosperity of Sydney.

The Corridor was identified in the 2005 Metro Strategy as a Specialised Centre with a focus on education, employment, research and technology. This was further reinforced in the revised and updated versions released in 2010 and 2013.

In the Metropolitan Plan for Sydney to 2036, Specialised Centres are differentiated from other regional and major centres in that they perform vital economic and employment roles for the whole metropolitan area and are characterised by:

- A stronger employment or economic function than other centres, with a reduced focus for housing;
- Sufficient zoned land provided for business and enterprise in locations with high quality transport access;
- Major airports, ports, hospitals, universities, research and/ or business activities that perform vital economic and employment roles across the metropolitan area;
- Complex interaction with the rest of the city; requiring growth and change in and around being carefully planned; and
- An employment base, in common with Major Centres, of at least 8,000 jobs.

The Corridor is identified under the Metropolitan Plan for Sydney to 2036 as having a base of 39,000 jobs in 2006 and anticipated to grow to 58,000 by 2036 (p.135 Metropolitan Plan for Sydney to 2036).

In the Draft Metropolitan Strategy for Sydney to 2031 released in 2013, Specialised Centres are referred to as Specialised Precincts. The criteria for Specialised Precincts reinforces the above and includes:

- having a primary significance as an employment destination and/or as the location of essential urban services;
- being protected for the long-term, and residential and other non-specialised but competing uses not overriding the core employment activities in these precincts and

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- acknowledging the way a Specialised Precinct interacts with the rest of the city is complex, and that growth and change in and around them must be carefully planned to ensure they continue to serve their primary employment and economic function.

The below extract taken from the *Community Guide: Draft Metropolitan Strategy for Sydney to 2031* is a summary statement of the importance of protecting and developing the Global Economic Corridor, which Macquarie Park is part of, for the economic wellbeing of both Sydney and NSW.

Global Economic Corridor

The Global Economic Corridor will drive the economy for Sydney and NSW. This corridor extends from the national gateways of Port Botany and Sydney Airport through to Global Sydney, and north to St Leonards, Chatswood and Macquarie Park. The strategy will reinforce this area and extend it towards Norwest and Parramatta CBD. This corridor will be protected and developed as the most important cluster of professional and service industry jobs in the country, with a total of 213,000 additional jobs by 2031. It will also contain a number of new Urban Activation Precincts, where the Government will focus attention on renewal and housing delivery over the next few years. (extract Community Guide: Draft Metropolitan Strategy for Sydney to 2031 p.g.6)

The Inner North Sub Region – Draft Sub Regional Strategy identifies Macquarie Park as a specialised centre stating that:

“Macquarie Park will continue to evolve as Australia’s leading Technology Park with jobs growth, further investment and improved public transport accessibility.”(pg.47)

Ryde Local Planning Study 2010 established that Council could more than adequately cater for the required dwelling and employment numbers required by the Sub Regional Plan and in this regard reinforced the role of the Macquarie Park Corridor as a major employment centre.

Council’s policy position regarding the Macquarie Park Corridor has been informed since 1998 by a range of approximately eighteen studies including an urban design manual, an open space network structure plan, a Space syntax movement plan, parking and transport management plans.

On the 22 October 2013 Council resolved to adopt the Macquarie Park Corridor Planning Proposal. The PP which outlines changes to Ryde LEP 2013 to amend the floor space ratio and height controls applying to the Macquarie Park Corridor to encourage development that implements new roads and parks was submitted to Planning and Infrastructure on the 13 November 2013 for gazettal.

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The Local Planning Study recognised the need to provide a diverse range of housing within the Local Government Area including residential units. The Local Planning Study identified 5 town centres which are to function as genuine mixed use precincts. The centres are established centres capable of absorbing additional residential development as they provide complementary and supportive uses, services, facilities and open space. This has been captured and reflected in Council's existing planning controls.

With regards to Macquarie Park, it is considered that sufficient residential units are provided in the existing B4 Mixed Uses zones around Herring Road and North Ryde Station Precinct.

If residential development were to occur within the existing commercial core of The Corridor it is considered that COR would need to undertake a new strategic planning process to ensure appropriate controls, infrastructure, services/ facilities are provided to cater for a residential community that could equate to an estimated 20 000 – 25 000 additional dwellings. This would be needed to be urgently undertaken as:

- The existing strategic process involves providing infrastructure i.e. open space and roads geared to an employment centre not a residential centre
- It is anticipated that the annual delivery of floor space would exceed the current estimated 50 000sqm
- It is anticipated that the rate of redevelopment for residential floor space would be rapid

Current Situation – viability of The Corridor

The result of the strategic direction taken by both Council and the State Government is that *The Corridor* today is part of the Global Economic Corridor. This region accounts for the majority of Sydney's global orientated commercial businesses and over 10% of gross domestic product. Employment within The Corridor exceeds 39,000 jobs, with over 30,000 students attending Macquarie University.

Often described as 'Australia's Silicon Valley', Macquarie Park is the head office location for many of Australia's 'Top 100' companies including Optus, Foxtel, CSIRO, and Microsoft; and plays a strategic role in this economy. It is a specialised centre offering a range of commercial research activities in the areas of information technology, telecommunications, pharmaceuticals, medicine, health and education. Key assets within the Corridor include:

- Macquarie University and Hospital
- Macquarie Shopping Centre
- Three (3) rail stations on the Epping Chatswood Rail link

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PricewaterhouseCoopers in a report released in March 2014 titled *Australia uncovered - A new lens for understanding our evolving economy* identifies Macquarie Park as one of the top 10 locations nationally in terms of total contribution (economic output) to Australia's economy in the financial year 2012/2013. (Source PwC *Australia uncovered - A new lens for understanding our evolving economy* March 2014 pg. 4).

The table below indicates/illustrates that Macquarie Park's contribution in 2012/2013 to economic output was \$9.13 billion.

Location	2012/13
1 Sydney CBD	\$64,208
2 Melbourne CBD	\$55,315
3 Perth CBD	\$28,461
4 Roebourne (WA)	\$24,488
5 Ashburton (WA)	\$24,353
6 East Pilbara (WA)	\$24,168
7 Brisbane CBD	\$23,395
8 Adelaide CBD	\$16,136
9 North Sydney (NSW)	\$10,928
10 Macquarie Park (NSW)	\$9,113
Top 10 as a per cent of total economic output	18.4%



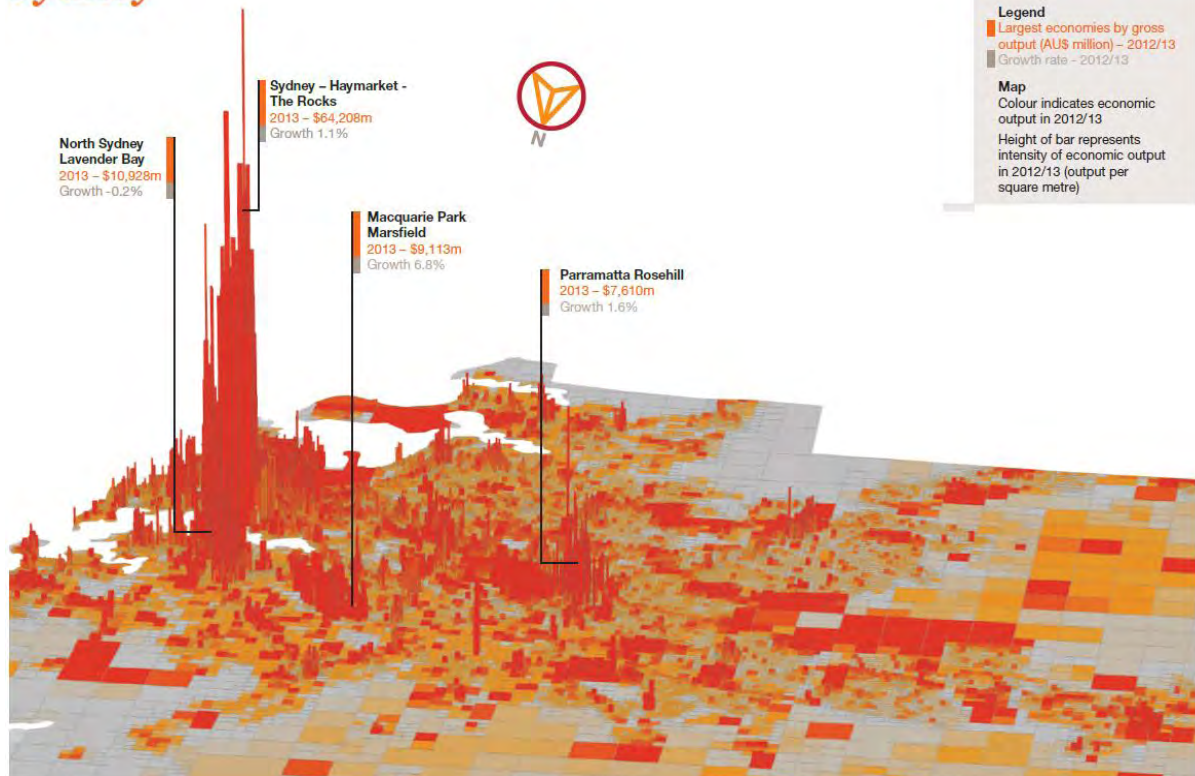
Source: PwC *Australia uncovered - A new lens for understanding our evolving economy* March 2014 pg. 4

The report further states “Growth within cities is highly varied. A spatially aware analysis of economic output reveals a patchwork of locations within cities that drive economic output and productivity growth and those where growth has slowed or is even declining”. (exert PwC *Australia uncovered -A new lens for understanding our evolving economy* March2014 p.g.10).

The report identifies Macquarie Park Corridor as having a growth rate of 6.8%. (source PwC *Australia uncovered* March 2014 p.g.11). This is significantly higher than the growth rate in North Sydney (0.2%), Parramatta (1.6%) and Haymarket (1.1%) as illustrated in the graph below.

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Sydney



Australia uncovered - A new lens for understanding our evolving economy 11

Source: PwC Australia uncovered - A new lens for understanding our evolving economy
March 2014 pg. 11

The Sydney Morning Herald on the 8 March 2014 in an article titled *The good news on jobs* states:

A slice of Sydney 25 kilometres long and a few kilometres wide has been one of the city's unsung success stories.

It arcs from Sydney airport through the CBD then north-west to Macquarie University. Planners call it the global economic corridor because within it are clustered some of Australia's most successful and innovative firms specialising in knowledge-intensive activities like finance, professional services, engineering, IT, scientific research, health care, marketing and a host of creative ventures..... One standout performer is Macquarie Park, a business hub at the north-western end of the corridor. Modelling released this week by PwC found its economic output was \$9.1 billion last financial year, having doubled in a little over a decade. The report ranked Macquarie Park Australia's 10th biggest location for economic output behind North Sydney and the Adelaide CBD.

One of the report's authors, PwC economist Rob Tyson, attributes Macquarie Park's success to effective urban planning and a "dynamic mix" of new economy businesses including IT, communications, pharmaceuticals and high-value manufacturing such as biotechnology.

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It's one of several specialised job hubs thriving along the global economic corridor (source <http://www.smh.com.au/nsw/the-good-news-on-jobs-20140307-34chw.html#ixzz2vswdP03A>)

The Financial Review on the 7 November 2013 in an article titled *More offices in Macquarie Park* stated:

Macquarie Park is expected to continue growing as CBD sites become more limited in supply.

BIS Shrapnel anticipate the precinct to account for 13 per cent of new office constructions over the next 10 years. Mr Walker said the precinct was particularly well positioned. (source <http://www.macquarieparkoffice.com.au/macquarie-park-property-news/>)

Consultation with relevant external bodiesInternal Consultation

The original Planning Proposal was referred to the relevant Council staff for comment on areas relating to open space, community infrastructure and drainage. The referral comments are contained in the Council report of 27 August 2013 which is **CIRCULATED UNDER SEPARATE COVER** (Attachment 1).

Council Workshop

A Council Workshop was held on the 6 August 2013 on the subject PP. Director of SJB Planning provided a presentation on the PP and their considered response to the proposal. A further workshop occurred on the 25 March 2014 where representatives of Harvey Norman addressed Council.

Community Consultation

Under the gateway plan-making process, a gateway determination is required before community consultation on the planning proposal takes place. The consultation process will be determined by the Minister and stipulated as part of the gateway determination.

The Department of Planning's guidelines stipulate at least 28 days community consultation for a major plan, and at least 14 days for a low impact plan.

The applicant has advised that the following community consultation has occurred since the preparation of the original report:

- Established and maintained a public website providing details of the proposal to interested members of the community
- Letterbox drop to surrounding land owners to provide details of the proposal and direction to the website.

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- On – going consultation with Urban Growth NSW regarding the co – ordinated structure plan approach for the site and the NRSUAP
- Meeting with the Council and the Department of Planning and Infrastructure to discuss the proposal (source Supplementary Report Urbis p.g.26)

If the subject PP progresses to Gateway Council's required consultation would also include written notice:

- to local state government representatives
- consultations considered necessary by the Department of Planning and Infrastructure with relevant State and Commonwealth authorities

The written notice would:

- provide a brief description of the objectives and intended outcomes, indicate the land affected,
- state where the planning proposal can be inspected,
- indicate the last date for submissions and
- confirm whether the Minister has chosen to delegate the making of the LEP.

Critical Dates

Under the Department of Planning and Infrastructures "A guide to preparing local environmental plans" a pre gateway review system exists where by a Proponent can request an independent body review decisions in relation to proposed amendment to LEPs.

A Pre Gateway review:

- may be requested by a proponent if the council has notified them that the request to prepare a planning proposal is not supported or
- the council has failed to indicate it support 90 days after the proponent submitted a request.

The subject Planning Proposal was received by Council on the 21 May 2013. The 90 day period for determining the proposal finished on 19 August 2013. A supplementary report was submitted by the proponent on the 9 January 2014.

Pre – Gateway Review

The Environmental Planning and Assessment Regulations 2000 requires council's to notify a proponent when the council decides not to prepare a planning proposal. The proponent of the proposed instrument then has 40 days from notification to request a review of the council's decision.

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If a Pre – Gateway review is requested the DoPI undertakes an assessment to determine whether the proposal:

1. has strategic merit as it:
 - is consistent with a relevant local strategy endorsed by the Director General or
 - is consistent with the relevant regional strategy or Metro Plan or
 - can otherwise demonstrate strategic merit, giving consideration to the relevant s117 Direction and other strategic considerations
2. has site specific merit and is compatible with the surrounding land uses having regard to:
 - the natural environment,
 - existing uses, approved uses and likely future uses of the land in the vicinity of the proposal
 - The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangement for infrastructure provision.

If the DG determines that the proposed instrument does not qualify for review the department notifies the proponent and council

If the review request progresses the proposed instrument is referred to the regional panel/PAC. A recommendation is provided to the Minister. The Minister will make the final decision with respect to the proposed instrument.

If the Minister decides to proceed with the Planning Proposal:

- The Council may be requested to submit a PP to the Gateway within 40 days, or
- The Minister may consult with the General Manager of the council to discuss the possibility of changing the relevant planning authority to the DG of the Department (or other body)

Financial Impact

Adoption of the options outlined in this report will have no financial impact. Council should note that the lodgement of the planning proposal has been subject to Council's Fees and Charges Schedule to amend Local Environmental Plans.

ITEM 8 (continued)**Options**

Council has the option to decide to:

1. Proceed with the planning proposal to the next stage (gateway determination and community consultation). This option would:
 - allow residential flat development in the area of The Corridor zoned B3 Commercial Core and B7 Business Park i.e. the commercial core of The Corridor, which is against the strategic direction of The Corridor as a whole.
 - create a precedent which will make it difficult for Council to refuse further requests for residential development in the commercial core of The Corridor
 - require a new strategic processes to be undertaken as the existing Strategic process involves providing infrastructure i.e. open space and road geared to an employment centre not a residential centre

The support of the subject PP and the potential for other request for planning proposals for residential development in the commercial core of The Corridor will result in an adhoc planning outcome.

It is anticipated that this option would result in:

- the annual delivery of floor space exceeding the estimated 50 000sqm
- the rate of redevelopment for residential floor space being rapid

If residential land uses are permitted in the Corridor it is considered that COR would need to undertake a strategic planning process to ensure appropriate controls, infrastructure, services/ facilities are provided to cater for a residential community.

2. Decide not to proceed as is the recommendation of this report.

9 INTERIM HERITAGE ORDER - 20 Waterview Street, Putney

Report prepared by: Strategic Planner; Heritage/Strategic Planner
File No.: LEP2013/14 - BP14/387

REPORT SUMMARY

On the 12 February 2014 the planning proposal for 20 Waterview Street, Putney was discussed in detail at the Heritage Advisory Committee (HAC). Dr Peter Mitchell made a formal presentation detailing the history and potential heritage and archaeological significance of the subject site.

Consequently, the HAC members recommended that an Interim Heritage Order (IHO) be placed on 20 Waterview Street, Putney for further heritage investigations regarding the colonial archaeology and the industrial heritage. Substantial evidence has been provided identifying the archaeological and industrial heritage significance of the site arising from associations with Australia's first hops brewery, James Squires and Halvorsens.

Under the Ministerial Direction dated 17 July 2013 regarding IHO's it states that sites that are already listed within an environmental planning instrument Sydney Harbour Catchment Regional Environmental Plan (SHCREP 2010) cannot have an IHO applied to the site.

The key recommendations of this report are that a Conservation Management Plan (CMP) and Archaeological Management Plan (AMP) should be prepared for the site as part of the heritage assessments recommended by Planning and Infrastructure (P & I) and in the event of any redevelopment of the site. These reports should form part of the exhibition material provided to the public for 20 Waterview Street, Putney, if the planning proposal is supported under gateway.

The preparation of a Conservation Management Plan and Archaeological Management Plan would provide the consent authorities with management and zoning recommendations to clearly understand the complexities of the subject site.

RECOMMENDATION:

- (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 9 (continued)

- (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.

ATTACHMENTS

- 1** Heritage Advisory Committee meeting 12th February 2014
- 2** Dr Peter Mitchell Potential Archaeological Significance Report 2013 for 20 Waterview Street, Putney
- 3** Office of Env't & Heritage advice regarding Interim Heritage Orders 15 July 2013

Report Prepared By:

Melissa Burne
Strategic Planner

Nancy Tarlao
Heritage/Strategic Planner

Report Approved By:

Meryl Bishop
Manager - Urban Planning

Dominic Johnson
Group Manager - Environment & Planning

ITEM 9 (continued)**Background**

The site at 20 Waterview Street, Putney is listed as a heritage item having state significance under Schedule 4 *Sydney Regional Environmental Plan: Sydney Harbour Catchment 2005* (SHCREP). The heritage listing in the SHCREP relates to the industrial and colonial history of the Parramatta River.

Importantly there are two prominent historic periods associated with the heritage located on the site; the first being the connection to colonial figure James Squires and the establishment of the first hops brewery in Australia and the second being for the Halvorsen's Shipyard maritime heritage. Both associations are supported by substantial documentary and physical/visible evidence on the subject site.

Under the SHCREP the subject site is listed as a heritage item identified as the Naval Refit Centre. However the site is not listed on the State Heritage Register (SHR) nor is it listed under the Environmental Heritage Schedule 5 of the Ryde Local Environmental Plan (RLEP) 2010.

A Planning Proposal for 20 Waterview Street, Putney received 27 September 2013 and considered by Council 25 February 2014 has prompted further investigation into the heritage significance of this site. The site is zoned IN4 Working Waterfront under Ryde LEP 2010. The planning proposal seeks the following changes:

- Amend Schedule 1 of Ryde Local Environmental Plan 2010 to enable the following additional permitted uses on the site:
 - marina, residential flat buildings, attached dwelling, multi-dwelling housing, food and drink premises, business premises, shops and kiosks.
- Amend the Height of Buildings Map to introduce a maximum building height of 14metres for the subject site.

The planning proposal is sought to enable multi-storey residential development, basement car parking, a marina, restaurant and commercial activities on the site. A Heritage Impact Statement and supplementary study were submitted with the Planning Proposal. While they support the heritage values of the site these documents were completed in 2000-2001 and address the impacts of a previous development proposal on the site.

On 25 February 2014 Council resolved that the proponent be encouraged to explore uses on the site that were compatible with its working waterfront history. The proponent has sought a review of the Council's decision— known as a Pre-gateway Review - by NSW Planning and Infrastructure (P & I).

On 12 February 2014, after receiving information from Dr Peter Mitchell and hearing about a presentation to the Putney Progress Association from the landowner of the subject site (Lilac Pty Ltd) regarding the redevelopment of 20 Waterview Street; the

ITEM 9 (continued)

Ryde Heritage Advisory Committee (HAC) requested that Council place an Interim Heritage Order (IHO) on the site (refer to HAC Minutes **ATTACHED** – Attachment 1), because:

1. The site was owned by prominent colonial and local figure James Squire.
2. 20 Waterview Street is the site of Australia's first brewery owned and operated by Squires.
3. Archaeological resources of state significance associated with the brewery and James Squire are likely to exist on the site and are at risk from the proposal.
4. Maritime archaeology of state significance including the remains of James Squire's stone jetty (which are clearly visible at low tide) are also at risk from the proposal.
5. The Naval Refit Centre is listed as an item of state significance under the SHCREP but not listed on Council's RLEP 2010 Schedule 5 as a heritage item.

Dr Peter Mitchell – a scientist/archaeologist with considerable experience has undertaken detailed historical research of the Putney area and James Squires and his occupation of the land along the Parramatta River (refer to **ATTACHMENT 2**). The subject site was the location of *The Malting Shovel Inn* and brewery constructed by James Squire in 1798. In its time the brewery may have been the earliest industrial/commercial site on the river between Sydney and Parramatta and is considered an important early settlement archaeological site. The NSW Heritage Office in comments on the Planning Proposal considers that the archaeology of the site may be of state significance.

The current site is relatively un-developed and buildings and structures on the site are relatively unchanged since the 1940's. While parts of the site contain fill there is little evidence of excavation. As a consequence the likelihood of extant archaeological remains is high.

Statutory Framework

The Minister for Planning has authorised all local councils in NSW to apply IHOs under Section 25 of the Heritage Act. The Minister's authorization sets out the criteria for implementing an IHO including whether or not the site is threatened, whether or not it has heritage potential and whether or not it is already heritage listed (refer to **ATTACHMENT 3**). Due to the current heritage listing under the provisions of the SHCREP Council may not apply an IHO to 20 Waterview Street, Putney. This report will recommend that Council advise the Heritage Advisory Committee of the legislative constraints to the application of an IHO on the site.

Notwithstanding Council's resolutions NSW Planning and Infrastructure pre-gateway review report saw strategic merit in the planning proposal proceeding however, acknowledged that additional heritage studies were needed prior to any exhibition.

ITEM 9 (continued)

The Joint Regional Planning Panel (JRPP) will shortly consider the pre gateway application and advise the Minister.

In the event that the JRPP supports the planning proposal this report recommends that Council request that further heritage studies are prepared in accordance with the NSW Heritage Office guidelines for Archaeological Management Plans (AMP) and Conservation Management Plans (CMP).

Options

It is anticipated that the Gateway Determination (if issued by the Minister) would require heritage studies prior to exhibition of the Planning Proposal. This report concludes that the appropriate form of these studies is an AMP and CMP given the potential state heritage and archaeological significance.

Option 1- Council prepare an AMP and CMP for the site

Under this option council would prepare the required archaeological and heritage studies for the site.

This option is not preferred because the cost for council would be anticipated to be between \$75,000 and \$120,000.

Option 2 – The proponent prepare an AMP and CMP for the site

Under this option the proponent would prepare the required archaeological and heritage management plans for the site.

This option is preferred because:

- The proponent will have the opportunity to assimilate the information developed by an AMP and CMP into the future development options for the site and to include a heritage consultant in his design team. This may/may not result in an amended Planning Proposal.
- The proponent will have the opportunity to control timeframes for the preparation of the studies.
- A CMP and AMP will be required as part of the supporting documentation in the event of a future Development Application for the site. Under this option the proponent will have the opportunity to use the CMP and AMP to support both the Planning Proposal and a future Development Application.

ITEM 9 (continued)**CONCLUSION**

The key points of this report are:

- An IHO cannot be applied to the site, because it is already listed under the SHCREP2010.
- The site is not currently listed under the Ryde LEP 2010.
- The site is not listed on the State Heritage Register although it is likely to contain archaeology of 'State' heritage significance
- The P & I recognise that the site contains heritage and archaeological significance and that further heritage assessments are required
- A planning proposal has been submitted to Council where extensive excavation and re-development is proposed
- There is a serious threat of damage to the heritage and archaeological values and fabric of the site unless they are adequately and appropriately understood and managed via a CMP and AMP.

The preparation of the CMP and AMP will plug knowledge gaps and guide any future development on the site. As the AMP will include a zoning plan charting the likely location of archaeology on the site the outcomes may result in changes to the master plan particularly to the footprint of new buildings.

The completion of the above two reports would ensure the Council and the public are aware of the levels of heritage significance and the appropriate management strategies to conserve the heritage values, significant fabric and archaeology of the site.

ITEM 9 (continued)
ATTACHMENT 1

Subject:	Heritage Advisory Committee – Draft Minutes of Meeting	Page 1 of 6
File No:	URB/08/1/10/2/13	
Document Ref:	D14/11072	
Venue:	Ryde Civic Centre (Level 5 Room 3)	
Date:	Wednesday, 12 February 2014	
Time:	6.00pm	Started at: 6.05pm Closed at: 8.05pm
Chair:	Councillor Ivan Petch	
Meeting Support (MS):	Linda Smith	
Staff Convenor:	Lexie Macdonald, Team Leader Strategic Planning	
Circulation:		

Committee Role:
The primary role of the Heritage Advisory Committees is to:

- Provide advice to Council about the preservation and enhancement of items and places within the City of Ryde that are of natural, indigenous, cultural, social, aesthetic or historic significance.

Committee Members as per the Terms of Reference

Present	Apology	Name	Position Title	Organisation
✓		Councillor I Petch	Chairperson	City of Ryde
✓		Councillor T Perram	Delegate	City of Ryde
✓		Councillor D Pendleton	Delegate	City Of Ryde
		Ms Jennifer Noble	Community Representative	Brush Farm Historical Society National Trust of Australia
✓		Ms Eleanor Chaine	Community Representative	Putney Progress Association
✓		Ms Jennie Minifie	Community Representative	Ryde Community Alliance
✓		Lyn Langtry	Community Representative	Ryde-Hunters Hill Flora & Fauna Preservation Society
	✓	Mr Richard Wright	Community Representative	Ryde District Historical Society
✓		Dr Peter Mitchell	Community Representative	
		Ms Suzanne Marks	Community Representative	
	✓	Ms Beth Kosnik	Community Representative	
✓		Mr Gregory Blaxell	Community Representative	Arrived at 6.38 during Item 7
✓		Ms Cate Fisher	Community Representative	
	✓	John Hull	Community Representative	

Additional Attendees

Name	Position Title	Organisation
Angela Phippen	Ryde Local Studies Librarian	City of Ryde
Meryl Bishop	Section Unit Manager – Urban Planning	City of Ryde
Lexie Macdonald	Acting Manager – Urban Planning	City of Ryde
Linda Smith	EA to Mayor and Councillors	City of Ryde
Dominic Johnson (apology)	Group Manager – Environment and Planning	City of Ryde
Nancy Tarlao (apology)	Heritage/Strategic Planning	City of Ryde

ITEM 9 (continued)
ATTACHMENT 1

Details	Action
1. Present:	As noted.
2. Apologies:	As noted.
<p>3 Confirmation of Minutes of HAC 16th October 2013 - Matters Arising</p> <p>The Minutes from the meeting held on 16th October 2014 were confirmed and endorsed.</p> <p>On 10th December a report was submitted to Council addressing:</p> <ul style="list-style-type: none"> (a) Works relating to Addington House and grinding of tree stump. (b) Assistance re Banjo Patterson anniversary (c) Archaeological survey to be undertaken <p>In regard to the above, Council resolved:</p> <ul style="list-style-type: none"> (a) that the tree stump be removed and that Tanner Architects be congratulated on their work at Addington. (b) That in kind support be provided re Banjo Patterson anniversary. <p>Angela advised that various talks have been arranged in the library. A good attendance is expected from advance bookings. Walking tours have also been arranged.</p> <ul style="list-style-type: none"> (c) To note the value of archaeological mapping and that consideration will be given to such a project should funding become available. <p>It was mentioned that the minutes should reflect the arrival time and item number for members who arrive after the meeting has commence.</p>	<p>Noted</p> <p>Meryl advised she would check the terms of reference re noting attendance at meetings.</p>
<p>4. Jacarandas in Ryde</p> <p>Angela Phippen provided information regarding the widely believed “story” that mothers who gave birth at Ryde Hospital received a Jacaranda tree seedling before being discharged.</p> <p>There is no official mention in hospital records stating that a matron handed out seeds/seedlings.</p> <p>Although Mosman and North Sydney local historians were quoted in the Sydney press in 2012 quoting a similar story for their areas, Angela has contacted the historians who said they have no proof of the story.</p> <p>In 1940 the Sydney organising committee encouraged people to plant Jacarandas.</p> <p>There is no record in Council minutes of any effort by Council to plant jacarandas.</p>	<p>Noted.</p> <p>Peter Mitchell and Angela Phippen to write to John Booth and request an article be inserted in the local press seeking first hand accounts which support the premise that seeds/seedlings were provided to new mothers.</p>

ITEM 9 (continued)
ATTACHMENT 1

Details	Action
<p>5. Heritage Festival (theme Journey's)</p> <p>In conjunction with Heritage week, three talks are planned on May 5, 15, 16th May all at library.</p> <p>The theme for Heritage Week is 'journeys'.</p> <p>Peter Mitchell and Keith Vincent Smith will talk about finding Bennelong.</p> <p>Fred De Belin will be talking about alignment survey markers on roads and what remains of them.</p> <p>Angela Phippen will talk about 2 surveyors from 1870's. Angela stated in the course of her investigations she had found interesting information from the Council minutes of 1880 regarding the unusual shape of survey alignment markers in the Field of Mars Common. The markers were a foot square at the request of Charles Scrivener (Council surveyor).</p> <p>Bill Phippen will speak about rail links "aspects of Waratah"</p> <p>Details of all talks are available in The National Trust Heritage Festival Guide</p>	<p>Noted</p> <p>Lexie will send information about the talks to be hosted in the library to committee members.</p>
<p>6. Assessment of Heritage Grant Applications</p> <p>Attached is the table showing how each application meets the criteria for granting funding.</p> <p>Properties considered were:</p> <p>4 Auld St Eastwood- \$5,000 grant requested – approved</p> <p>89 – 91 Terry Road Denistone \$5,000 grant requested – approved</p> <p>27 Goodwin Street West Ryde - \$5,000 grant requested - approved</p> <p>In the next financial year, the \$20,000 grant provided by Council will be foregone to provide funds to the Ryde Remembers project.</p>	<p>Noted</p>

ITEM 9 (continued)
ATTACHMENT 1

Details	Action
<p>7. 20 Waterview Street Putney (ADI site) Planning Proposal</p> <p>This site is currently owned by the Lilac Group and zoned IN4 - Industrial working harbour.</p> <p>A rezoning application has been lodged by the owner which will be considered by Council on 25th February 2014.</p> <p>Contamination of the site and heritage issues are major considerations. Remediation of the site would be required to allow future uses such as residential, apartments, retail, restaurant etc.</p> <p>An application for Pre Gateway Review has been lodged by the owners with the State Government to allow the planning proposal to be publicly exhibited.</p> <p>Council has till the end of February to provide comment to the Government re pre gateway review.</p> <p>The applicants have addressed the Meadowbank Putney Progress Association.</p> <p>A brief history of the site is:</p> <ul style="list-style-type: none"> - The site was formerly the site of Squires Brewery. - Was later the site of Halvorsen boats - Halvorsen sold the site to the navy (Australian Defence Industries) - The navy put the site to tender when it became surplus to requirement - The current owner purchased the site in 1991 approx. - Up to 45 people are currently employed at the site <p>The site has been identified as of state significance but has not been listed in Ryde LEP.</p> <p>The archaeological items on the site may be of state significance,</p> <p>Peter Mitchell provided a power point on James Squire and the site. (attached to these minutes)</p> <p>The committee is keen to see an interim heritage order placed on the site.</p> <p>It was noted that the Councillors need to be made aware of the history of the site for a motion proposing an interim heritage order to be successful.</p> <p>It was suggested that Dr Mitchell's power point presentation could be provided to Councillors during a working dinner before the Council meeting.</p> <p>The recommendation of the Heritage Advisory Committee is that when Council considers the report on this site that an interim heritage order be sought</p>	<p>The recommendation of the Heritage Advisory Committee is that Council consider the application of an interim heritage order on the site.</p>
<p>8. Report from Community Representatives</p> <p>Real Estate Ryde Heritage listed properties.</p> <p>It was noted that a number of heritage properties in Ryde had recently come on the market and that Real Estate advertising often contained significant errors about the history of the properties. It was suggested that a workshop with Real Estate agents would be a useful way to improve information flow about heritage listings.</p> <p>Information will be available when Council's Heritage register appears on the NSW Heritage Office website. The register is being delayed as the Heritage Office won't put it up until after gazettal of Ryde LEP 2011. Gazettal of Ryde LEP 2011 is</p>	<p>Noted</p>

ITEM 9 (continued)
ATTACHMENT 1

Details	Action
<p>awaiting approval by the Dept of Planning.</p> <p>RHHFFPS – Field of Mars</p> <p>Advice was provided that the RHHFFPS has tapped into Chinese New Year by conducting tours of the Field of Mars with a touch of Asian Flair. Tai chi demonstrations and classes to paint trees in Chinese art styles were held. Fifty people attended. It was noted the park is also used by adult groups with autism etc as it provides a sensory experience.</p> <p>Talk at Vienna Cottage – Hunters Hill</p> <p>On 16th Feb a talk will be given at Vienna Cottage Hunters Hill on NSW Governance changes to planning legislation</p> <p>Ryde Community Alliance – Civic Centre submission</p> <p>A question was raised as to the number of submissions received – Answer was approx. 740.</p> <p>Ryde District Historical Society meeting</p> <p>Office bearers were recently elected.</p> <p>The main focus of the group at present is work on “Ryde Goes to War”. Initial research has been conducted on 400 soldiers. Now deciding how many soldiers to highlight.</p> <p>It was noted it would be a shame to lose the information that has been gathered.</p> <p>Work is continuing on gathering details and researching of the first 103 soldiers who will feature in a book.</p> <p>Some soldiers will be highlighted in the local press. Tom Gascoigne from 1912 to 1915 who was on the HMS Sydney when it sunk the Emden will be featured in local media.</p>	<p>Information was noted. Lyn to send details of the talk by Mark Dusseldorf.</p> <p>Peter to provide details</p> <p>Noted</p> <p>Noted</p>
<p>9. General Discussion / Other Business:</p> <p>Request by Director Macquarie University museum</p> <p>The director of the Museum has extended an invitation to the committee to hold a meeting or visit the museum.</p> <p>Report on Civic Centre Planning Proposal – report by Ms Bishop</p> <p>It is anticipated that on 25th March 2014, Council will consider a report on the Civic Centre Planning Proposal following the close of submissions on 29th January 2014.</p> <p>Following a recommendation from the HAC, Council, on 22nd October 2013 resolved not to undertake heritage study on this site for two reasons: That it was considered in 2 previous “comprehensive heritage” studies and Council had no current plans to develop the site, Council has resolved to invest \$4.5M in refurbishment of the building.</p>	<p>Nancy to liaise re visit to the museum</p>

ITEM 9 (continued)
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Details	Action
<p>On 3rd January 2014, Cllr Pendleton went through somefiles on the two “comprehensive” studies done on this site.</p> <p>The studies were undertaken in 1988 and the late 1990’s. The second study was a review of additional suggestions for sites to be included since the earlier study and resulted in the 170 items which are currently listed.</p> <p>Councillor Pendleton advised that the initial thematic study has a focus on colonial history and has little emphasis on Aboriginal, C19-20 industrial heritage and little on civic governance.</p> <p>Her research showed the Civic Centre was not really considered in the study and there was no record of the inventory sheet showing the factors considered by the consultant. It would be possible to seek further explanation from the original consultant who completed the study in 1988</p> <p>It is now 50 years since the Civic Centre was built.</p> <p>Councillor Pendleton asked for volunteers who may like to help her with a project that will report back to the HAC about Ryde’s rich civic life:, Ryde governance important people and places and the role of local government in shaping lives and the area.</p> <p>This project will not require staff resources.</p> <p>Jennie Minifie advised she would like to assist.</p> <p>A suggestion was made regarding the celebration of the Civic Centre’s 50th birthday.</p> <p>Missing artefacts</p> <p>A question was raised regarding the location of the Cenotaph and everlasting flame.</p> <p>Staff advised that the plaques had been located with a staff member and that the bronzes had been forwarded to Gladesville RSL.</p> <p>The red bricks and stone that comprised the plinth had gone to landfill.</p>	<p>Advice by Cllr Pendleton was noted.</p> <p>Cllr Pendleton raised the issue of celebrating the 50th year of the Civic Centre building to be held during 2014 and sought volunteers to assist.</p> <p>Nancy to liaise with consultant for 1988 study to seek and a copy of the inventory sheet</p> <p>Investigation will be undertaken and reported to the next meeting re location of plaques, bronzes, etc.</p>
<p>Next Meeting:</p> <p>16th April 2014</p>	<p>Noted</p>

ITEM 9 (continued)

ATTACHMENT 2

**Archaeological potential of 20 Waterview St, Ryde.
Notes prepared by Dr P.B. Mitchell, Dec 2013.**

A property at 20 Waterview St, Ryde, on the Parramatta River is occupied by Putney Marina using the large boatshed constructed by Lars Halvorsen Sons at the beginning of WWII. Prior to its present use the site was the Naval Refit Centre and the building was listed as having heritage significance in the Sydney Harbour Catchment REP 2005 although no details seem to have been documented.

The whole property is likely to become a proposal for redevelopment in the near future with the City of Ryde being the consent authority. As the property includes the location of the *The Malting Shovel Inn* and brewery constructed by James Squire in 1798 any development proposal will need to seriously address heritage values. In its time the brewery may have been the earliest industrial site on the river between Sydney and Parramatta and today it is potentially the most important early settlement archaeological site in the City of Ryde.

These notes were prepared as background to the assessment of any Development Application. They are only intended to demonstrate the archaeological potential of the site and should not be used as a definitive study.

James Squire (~1754 – 16 May 1822). (aka Squires and Phillip Morris?)

Remarkably little is known about James Squire despite the fact that he was one of the most successful First Fleet convict entrepreneurs in Sydney. The following account summarises data that has archival support but none of the points have been referenced as all need verification. The best published and referenced account is in Wikipedia which was used as the base for this paper.

James was a son of Timothy Squires and Mary Wells who were married on 8 December 1752 in West Molesey, Surrey. He was baptised on 18 December 1754 in Kingston upon Thames. The family are said to have been Romani (Gypsy) and it has been suggested that may have been part of the reason that James later had good relations with Aboriginal people, particularly those of the 'Kissing Point Tribe' led by *Woollarawarre Bennelong*.

At the age of 20 (1774) Squire was arrested when leaving a ransacked house and was charged with highway robbery. He was sentenced to be transported to America for seven years but served in the army during the American War of Independence and returned to Kingston as a free man within four years. In 1776, (whilst still in the army?), Squire married Martha Quinton. After his military discharge he managed a hotel in Heathen Street, Kingston.

In 1785 James was in trouble again for stealing five hens, four cocks and other goods from the yard of John Stacey. The case was heard on 11 April 1785 at the General Sessions of the Peace for the Town and Hundred of Kingston upon Thames, England. He was again sentenced to seven years transportation. On 10 March 1787 James was released from Southwark gaol under a document signed by Evan Nepean to voyage to Botany Bay. He was assigned to the *Friendship*, then transferred to the *Charlotte* in a reshuffle of the women convicts. Mary and the three children were left behind and James never saw them again. However he did not forget them as they were listed in his Will, although there is some doubt that they ever received any of the money he left them.

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ATTACHMENT 2

On 5 March 1789 in Sydney town, James gave evidence concerning the theft of six cabbages by two convicts. He was later charged with stealing 'medicines' from the hospital stores where he worked with Surgeon White. The items were one pound of pepper in a quart bottle and a quantity of horehound. Squire claimed that the horehound was for his pregnant girlfriend (Mary Spencer? the dates don't add up) but it is more likely that it was used for brewing beer which he was then selling at 4d per quart (another source says per pint) to Lt Francis Grose and William Paterson. He was sentenced on 14 November 1789 to 300 lashes, '150 now and the remainder when he could bear it'. By the standards of the day this was a lenient sentence, as he could have been executed. Perhaps the officers did not want to lose their brewer?

In 1790 James is recorded as being a servant to 2nd Lt Ralph Clark assisting him in survey and exploration of the harbour. Clark had also been on the *Friendship* and had served in the American War of Independence – did Clark and Squire know one another? On 15 Feb 1790 Clark, along with pte William Ellis and convicts Davis (William or Richard?) and James Squire were on the Lane Cove River. On this occasion Clark made contact with two Aboriginal men, *Dourrawan* and *Tirriwan*, whom he had previously met. Ellis and Squire had muskets and were ordered by Clark to fire on the men if there was any indication of trouble. In the event this was not necessary and the encounter was friendly. Clark was to establish good rapport with a number of Aboriginal people and is known to have quietly ignored requests from Governor Phillip to bring some individuals into the settlement. Squire was apparently also assigned as a guard to Governor Phillip at about this time.

In the colony James Squire had a relationship with Mary Spencer who arrived as a 19 year old on the *Prince of Wales* sentenced to transportation for five years for the theft of two handkerchiefs, a petticoat, and a black silk cloak. Mary gave birth to a son named Francis, born and baptised on 1 August 1790 on Norfolk Island. As James Squire was in Port Jackson he was unable to care for the child and he enrolled him in the Army at 15 months of age. Francis joined the NSW Corps as a drummer on his 7th birthday.

On 19 August 1791, James and another man were fined 5 each for 'buying the necessaries of a Private'. 'Necessaries' being a legal term defining those things that a private (marine/soldier) must have and that were originally supplied by the Crown. To learn exactly what they purchased needs more research. Both of the accused protested that they did not know it was a crime. This was Squire's last recorded criminal act.

In 1791 James began a relationship with Elizabeth Mason his live-in convict servant who was born in 1759 in London, baptised 20 February 1759 in London, and arrived on the *Mary Ann* in 1791. Elizabeth had a daughter Priscilla Mason, who was baptized in Sydney on 29 May 1792. The baptismal certificate states that Priscilla's father was Phillip Morris but James described her as his natural daughter in his will. Perhaps this is the origin of the story that James was also known by the name Phillip Morris although there seems to be no other record of his use of this name. James and Elizabeth Mason had seven children (see table), Elizabeth died on 10 June 1809 in Sydney.

It is likely that James was brewing on a larger scale as early as 1791 but it is not known where this took place. Sometime between 1790 and 1792 his sentence expired and he was granted 30 acres of land at Eastern Farms (Kissing Point) on 22 July 1795, rent being 1/- per year payable after 10 years. Like many others he may have occupied the site before the grant was made. This block was not near the water but on the ridge west of present day Top Ryde

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ATTACHMENT 2

between Parkes St and Squire St and bisected by Shepherd St. Over time he enlarged his land holdings by buying up the grants of others who were not using them. Some of these properties may have been leased back to the original owners.

By 1798 James had obtained land on the waterfront at Kissing Point originally granted to John Pollard where he established *The Malting Shovel Inn*. The Inn was first licensed by Judge Advocate William Balmain on 19 September 1798. Simeon Lord was involved in providing surety and the 5 license allowed Squire to sell spirituous liquors. Although the records are incomplete the licence was renewed on 5 Sept 1799 and presumably every year thereafter to at least 1822. After James Squire's death in 1822 the brewery continued to operate under control of his son James, producing about 100,000 gallons (450,000 litres) of beer a year. James (jr) died in 1826 and there was a gap in production until Thomas Farnell took it up between 1828 and 1834. In 1999 Lion Nathan (now Lion Nathan National Foods) renamed their previously-purchased Hahn Brewery as the *Malt Shovel Brewery*, releasing a line of James Squire beers in honour of Australia's first commercial brewer. Regrettably Lion Nathan have promoted a number of inaccurate stories about James Squire in their advertising.

James Squire was very successful as a brewer and was the first person to successfully grow hops. His first plantings were made at Kissing Point in 1802, and in 1806 he attended Governor King with a fine sample and was rewarded with a cow from the Government herd.

Between 1805 and July 1810 James Squire was the district constable and in that capacity he made several arrests. The full duration of this appointment has not been determined. John Small was constable in June 1809 so there may have been more than one position.

Squire's agricultural and industrial enterprises flourished and by the middle of 1800s he had ten sheep, 18 pigs and 35 goats. Five acres were sown in wheat and another 45 acres were ready for planting maize and barley. Two years later he owned 291 acres with 120 acres cleared and 28 acres in grain. His household then included Elizabeth Mason, six children, four free men, and two government servants (convicts) and he was self-supporting. In 1802 another convict and later successful farmer, James Shepherd (aka Shepheard) was assigned to James Squire. Shepherd later became a successful Ryde settler in his own right. By 1806 Squire's estate covered approximately 881 acres and extended to modern Victoria Rd. In 1810 he offered 1,000 hop seedlings for sale at 1/- each, and in 1812 he picked 1,500 lbs of product. Even this level of production was not enough to match his brewery output and he was reluctantly given permission by the Governor to import dried hops. At the time of his death his estate covered 1276 acres and he held property in Castlereagh St, Sydney.

After Elizabeth's death (1809) James entered a long term relationship with his housekeeper Lucy Harding. He moved into her residence on Castlereagh Street, Sydney in 1816, and in the following year (3 May 1817) he advertised his estate of nearly 1,000 acres for sale. In that same year he acquired another 115 acres from William Tyrrell and pte Archibald Morrison. The sale was not successful and all of his property was listed in his estate after his death in 1822.

As well as being a brewer and inkeeper Squire ran a number of other successful ventures. This included a bakery in Kent Street, he sold meat in the city, and he ran a credit union (no details of this have yet been found). Squire was known for his fair play as a lender and a philanthropist. In 1812 Rev Sam Marsden arranged for a school teacher to work at Kissing Point, subscriptions were raised and James Squire donated £10

ITEM 9 (continued)

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James Squire died on 16 May 1822. The *Sydney Gazette* notice was:

Deaths: – On Thursday evening last, at Kissing Point, after an illness of about three months, Mr James Squire, in his 68th year. As one of the primary inhabitants of the Colony, having come hither in the first fleet in 1788, none ever more exerted himself for the benefits of the inhabitants than the deceased. He was the first that brought Hops to any perfection and hence was enabled to brew beer of an excellent quality. "Squire's Beer" was well known. He might for long residence, be styled the *Patriarch of Kissing Point*; as he had lived, where he died, 26 years. The "OLD HANDS," by the frequent visitation of death, are becoming thinned in their ranks; this should lead to reflection, for the day will soon arrive when even those, now living, shall cease to say, "I came in the first fleet."

Joseph Lycett commented;

'Had he not been so generous, James Squire would have been a much wealthier man.' ... 'Universally respected for his amiable and useful qualities as a member of the lower class of settlers... his name will long be pronounced with veneration by the grateful objects of his liberality'.

James Squire was buried at the Devonshire Street Cemetery. His funeral was described as the biggest held in the colony to that time. His remains were later removed to Botany. The headstone is reported to have the following epitaph:

"In Sacred Respect to the Loving Remains of Mr. Jas. Squire, late of Kissing Point who departed this Life 16 May 1822 at the age of 67 years. He arrived in the colony in the First Fleet and by Integrity and Industry acquired and maintained an unsullied reputation. Under his care the HOP PLANT was first Cultivated in this Settlement and the first BREWERY erected which Progressively matured to Perfection. As a Father, Friend and Christian he Lived Respected and Died Lamented.

Last Will of James Squire of Kissing Point. 6 April 1822.

This is the last will and testament of James Squire of Kissing Point in the territory of New South Wales, Brewer.

First I direct the payment of my just debt, funeral and testament any expenses by my Executor and Executrix herein after named as soon as conveniently may be after my decease. I give and devise unto James Mason otherwise Squire, a natural son of mine by Elizabeth Mason deceased the messuage and premises in which I now live together with the piece or parcel of Land on which the same stand containing twenty five acres and called by the name of Pollards farm / also I give and devise unto the said James Mason otherwise Squire my farm containing one hundred and sixteen acres granted to Nicholas Bayley Esquire also my farm containing fifty acres granted to John Callaghan also my farm containing thirty acres granted to John Bayley to hold the said four several farms or pieces or parcels of Land unto the said James Mason otherwise Squire and to the heirs of his body lawfully begotten for ever / I give and devise unto Priscilla the wife of Thomas Small (a natural daughter of mine by the said Elizabeth Mason deceased) all that my farm containing thirty acres formerly granted to William Carelefs to hold the same unto the said Priscilla Small until her son James Devlin shall attain the age of twenty one years and when he shall attain that age I give and devise farm unto the said James Devlin to hold the same to him his heirs and assigns for ever / I give and devise unto Elizabeth the wife of John O'Donnell / also a natural daughter of mine by the said Elizabeth Mason deceased / all that my farm containing thirty acres formerly granted to John Laurel / also my farm containing

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thirty acres granted to Thomas Chaddock also my farm containing fifty acres granted to Joseph Hatton also my farm containing sixty acres granted to William Tirrell also my cottage or dwelling house situate in Castlereigh Street Sydney to hold the said four several last mentioned farms or pieces of Land and also the said cottage or Tenement until the said Elizabeth O'Donnell and to the heirs of her body lawfully begotten for ever / I give and devise unto Mary Mason otherwise Squire (also a natural daughter of mine by the said Elizabeth Mason deceased) all that my farm containing thirty acres granted to William Johnson also my farm containing sixty acres granted to Sarah Trelder also my farm containing five hundred and eighty five acres granted to William Bayley also my farm containing thirty acres granted toEverell also my farm containing thirty acres granted to Jones also my farm containing fifty five acres granted to Archibald Morrison also my farm containing sixty acres granted to William House to hold the said seven and several last mentioned farms or picces or parcels of Land unto the said Mary Mason otherwise Squire and to the heirs of her body - lawfully begotten for ever / I give and bequeath unto my wife Martha Squire now residing in London Great Britain the sum of fifty pounds also I give and bequeath unto my son John Squire also residing in Great Britain the sum of Thirty pounds also I give and bequeath unto my son James Squire also residing in Great Britain the sum of Thirty pounds also I give and bequeath unto my daughter Sarah Squire also residing in Great Britain the sum of thirty pounds which said I do hereby direct my Executor and Executrix to transmit to England as soon as they conveniently can after my decease.

Also I give and bequeath unto James Spencer the son of Francis Spencer of Sydney aforesaid who is a natural born child of mine by Mary Spencer deceased the sum of - thirty pounds also I give and bequeath unto John Bray son of Martha the wife of Thomas Bray formerly Martha Mason otherwise Squire now deceased the sum of Thirty pounds also I give and bequeath unto Sarah the wife of William Lucas (formerly Sarah Mason otherwise Squire spinster) the sum of One hundred pounds also I give and bequeath unto George Lucas a son of the said Sarah Lucas the sum of thirty pounds Also I give and bequeath unto Lucy Harding my housekeeper as a reward for her long and faithful services to myself and my family the sum of nine hundred pounds also the boat called Lucy the prefs bed and bedstead and any other articles of household furniture she may chose amounting in value with those already mentioned to the sum of one hundred pounds so as to make up the whole sum bequeathed to her amount to One thousand pounds also I give and bequeath unto Mrs Mary Audling (?) as a reward for her services in my family the sum of one hundred pounds also suit of mourning also I give and bequeath unto my servants John Bray, John Robins, Thomas Gale, John Carney, John? And Thomas Dwyer the sum of ten pounds each to purchase their mourning.

I give and devise and bequeath all the rest residue and remainder of my real and personal estate and Effects of every description which I shall be professed of or entitled unto at the time of my decease unto and equally between the said James Squire otherwise Mason, Priscilla Small, Elizabeth O'Donnell and Mary Mason otherwise Squire share and share alike as tenants in common and to their several and respective heirs and assigns I nominate constitute and appoint the said James Mason otherwise Squire and Lucy Harding Executor and Executrix of this my will and hereby revoking all former and other wills by me at any time hereafter made declare this only to be and contain my last will and testament contained in two sheets of paper

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to the first sheet set my hand and seal this sixth day of April in the year of our Lord one thousand Eight hundred and twenty two - James Squire (J.S.) _____ Signed sealed published and declared by the said James Squire the Testator as and for his last will and testament in the presence of us who with presence at his request and in the presence of each other have pursuant subscribed our names as witnesses - James Norton - Thomas Fox - John Small -

Probate granted to James Mason otherwise Squire and Lucy Harding both of Kissing Point the Executor and Executrix the 15th of August 1822. Value 2,000 Pounds.

Other incidents in the life of James Squire can be identified in brief stories and advertisements in the *Sydney Gazette*. None of these have been followed up but are included here as a guide to further study.

Sydney Gazette 3 July 1803

Report of a stolen boat belonging to Richard Hawke, Settler, of Kissing Point and a sail and oars from James Squire. Offenders believed to be five absconders from Castle-Hill, along with J Duce, Cockswain of the Government Long Boat. Their intention was to seize a boat in the vicinity of Broken Bay and escape from the colony.

In the same paper is a brief account of the arrest of another escaped convict, Jonathan Horral on the farm of James Squire.

Sydney Gazette 24 July 1803

James Squire gave evidence that a sail and two oars recovered from a boat in Hunter's River had been stolen from Kissing Point. The six men had been arrested.

Sydney Gazette 7 August 1803

The six were sentenced, Druce to receive 500 lashes the others 300.

Sydney Gazette 16 October 1803

An attempt was made to recover the boat.

Sydney Gazette 23 October 1803

John Elder a convict stock-keeper in the employ of James Squires abandoned 250 sheep and goats and decamped. The flock came home without loss!

Sydney Gazette 6 November 1803

James Squire advertised a reward of 10/- for the whereabouts of John Elder.

Sydney Gazette 20 Nov 1803

John Elder stood charged with having absconded from the service of James Squires, of Kissing Point, settler, to whom he had engaged himself as stock-keeper; and with leaving a flock of sheep without a herd, to the great risque of his master; which being proved he was ordered to work Three Months for Government. He had been absent

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about six weeks, and hearing when at Hawkesbury that ten shillings were offered as a reward for his apprehension, chose to surrender himself, that he might be entitled to that sum.

Sydney Gazette 29 April 1804

James Squire offered a reward for the recovery of a lost Promissory Note.

Sydney Gazette 1 July and 6 July 1804

James Squire advertised to purchase any quantity of barley from 10 to 1,000 bushells at 6/- per bushel.

Sydney Gazette 4 Nov 1804

James Squire advertised to purchase 100-300 bushels of shelled corn at 4/- per bushel and 1,000 to 1,500 bushels of good barley not before Feb next. Apparently he was then brewing corn beer as well as ale.

18 November and 24 November 1804

James Squire advertised to purchase 1,000 to 1,500 bushels of barley and noticed that he no longer required maize.

Sydney Gazette 23 December 1804

James Squire placed a Notice to collect your orders for kegs of beer as no business will be conducted on 24 and 25 December.

Sydney Gazette 13 Jan 1805

First brief account of Squire's successful production of hops.

Sydney Gazette 20 Jan 1805

James Squire, resident constable pursued a couple of Egyptians on suspicion of sheep stealing. He caught one.

Sydney Gazette 17 November 1805

Squire lost a cow that over-indulged from a tub of grain. A second (and his last) cow was also poorly.

Sydney Gazette 15 December 1805

Constable James Squire arrested Abraham Smith for theft.

Sydney Gazette 16 March 1806

James Squire delivered a sample of hops to HE and was rewarded with a cow from the Government Herd.

Sydney Gazette 4 May and 11 May 1806

Notices that James Squire is acting as executor for the estate of John Chapman Morris.

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Sydney Gazette 10 Aug 1806

James Squire advertised: Reward for the return of a promissory note and for information about the theft of one 40 gallon, one 30 gallon and two smaller casks from his property at Kissing Point.

Sydney Gazette 16 Nov 1806

Six sheep stealers (4 male, 2 female) were arrested at Kissing Point and delivered to Sydney by the District Constable.

Sydney Gazette 23 Nov 1806

James Squire acted as executor of the estate of James Stewart. This included the sale of a farm of 30 acres with a house, an orchard of 100 peach trees, 2 acres of wheat, 5 acres of corn, and 40 rod of potatoes.

Sydney Gazette 26 July 1807

Further notice concerning the estate of John Chapman Morris.

Offer of hop plants for sale 12 to 1,500 plants available at 6d each.

Sydney Gazette 15 Jan 1809

Carried an advertisement for a strayed brown mare with a long tail and the lovely name of 'Kicking Fanny' for which Squire offered one guinea reward.

Sydney Gazette 9 October 1809

A boat and a 60 gallon copper boiler stolen from James Squire, both found near Parramatta with the boiler 'secreted in a thicket'.

Sydney Gazette 21 July 1810.

Bundle (who in 1791, as an orphan boy, had accompanied Captain William Hill to Norfolk Island) assisted district constable James Squire at Kissing Point by tracking footprints left by two nails in the sole of a shoe worn by an armed robber. Three arrests were made at Lane Cove.

This is the first record of an Aboriginal tracker helping police.

Sydney Gazette 29 Sept 1810

1,000 perfect hop plants available at 1/- each from James Squire.

Sydney Gazette 16 March 1811

James Squire licensed to brew beer at Kissing Point.

Sydney Gazette 4 May 1811

Stray bullock with a white star on the forehead may be recovered from James Squire after expenses are paid.

Sydney Gazette 21 March 1812

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Mr Squire has produced 1,500 weight of fine hops. From 750 hills planted in October last he harvested 150 lbs. First plantings 1806, 1807 he produced a few pounds, 1808 50 lbs, 1809 250 lbs, 1810 500 lbs, 1811 750 lbs, this year production has doubled.

Sydney Gazette 4 July, 11 July and 18 July 1812

An 18' boat recovered at Kissing Point may be claimed from James Squire.

Sydney Gazette 19 September 1812.

The body of Jeremiah Long was found in the river. He had been missing from the Government boats for 9 days having last been seen at Squire's Inn.

Sydney Gazette 5 December 1812

Several natives found a pocketbook containing £5 and several bills, recover from James Squire.

Sydney Gazette 9 Jan 1813

Death of Bennelong noted.

Sydney Gazette 15 October 1814

Gentlemen who have made application for hop plants should come and get them immediately.

Sydney Gazette 3 May 1817

TO be SOLD by PRIVATE CONTRACT, the whole FARMS and ESTATE of Mr. JAMES SQUIRES, of Kissing Point; consisting of the following Lots, viz.

1. Twenty-five Acres of Land, known by the name of J. Pollard's Kissing Point Farm; the whole in-closed in five paddocks, and granted by Colonel Paterson, having four acres of hop ground in excellent condition, & large orchard stocked with choice fruit trees. On the Farm is a commodious Dwelling House, Kitchen, Brewhouse, and Cellar, with two Coppers and Coolers, together with all the Utensils requisite to carry on the Brewing Business, having a good Malt-house, with Kiln 80 feet long, and good Stabling, Cow-house, and Pig-styes, &c. &c.
2. Thirty Acres of Land situate in the Eastern Farms, Kissing Point, granted to J. Beasley by Governor Phillip.
3. Thirty Acres of ditto, granted to W. Chadwick.
3. Thirty Acres of ditto, granted to J. Lorrel.
4. Thirty Acres of ditto, granted to W. Careless.
5. Fifty Acres of ditto, granted to J. Caryhom.
6. Sixty Acres of ditto, granted to W. Terrell, with Dwelling-house, and Sheep-shed 90 feet long.

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7. Fifty Acres of Land, granted to J. Hatton.
8. Fifty-five Acres of ditto, granted to A. Morrison by Colonel Paterson.
9. Sixty Acres of ditto, granted to S. Fielder.
10. One hundred and sixteen Acres of Land, granted to N. Bayly, Esq. by Governor Hunter.
11. Three hundred and fifty Acres of Land, granted to W. Raven.

The whole of the above Farms are bounded from Kissing Point to the Hen and Chickens by the water, on the northern side by the road that leads to the Common, and at the back by a Common of 5,000 acres.

Likewise to be Sold, 100 Ewes of the Merino breed, 6 Heifers in Calf, and a capital Bull, of well-known breed, three years old.

Any Person wishing to become a Purchaser may be accommodated with 300 Weight of Hops, of the last growth - Further information may be obtained by applying to the Proprietor, Mr. JAMES SQUIRES, on the Premises.

Sydney Gazette 22 May 1819

James Squire threatens to prosecute anyone illegally cutting timber from the Common.

Placed a notice that a Native (Black Harry) had found a pitsaw at Charity Point. The saw could be recovered in 14 days if identified and costs paid otherwise it would be sold for the benefit of Black Harry.

Sydney Gazette 27 May 1820

James Squire gave notice that no accommodation would be provided to Government boats without an order from HE Governor Major Druitt. Accommodation also not available to travellers as he had considerably extended his brewing and farming interests.

Sydney Gazette 5 Aug 1820

James Squire placed a notice of the theft of household goods from the house of Patrick Troy. £5 reward for '...apprehension and conviction of the desperadoes;' Two men were later charged and sent to Newcastle. (SG 13 Jan 1821)

Sydney Gazette 17 March 1821

James Squire was authorized to seize illegally cut timber and to impound cattle wandering on the estates of Capt Wm Kent.

Sydney Gazette 21 July 1821

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District Committees of the Emancipated Colonists are to conclude their proceedings –
Kissing Point Squires and Shepherd on 11 August.

The COMMITTEE of the EMANCIPATED COLONISTS, with the Sanction
of His EXCELLENCY the GOVERNOR, continue to meet on every Tuesday
and Friday Evenings, at the House Mr Eagar, in Pitt-street, for the final
Dispatch, of Business preparatory to the forwarding of their Petitions to
England.

This must have been in preparation for the Bigge inquiry and report of 1822.

Sydney Gazette 8 Sept and 20 Oct 1821.

Death and burial of Nanbaree in the same grave as Bennelong and his wife. Primary
report that James Squire buried his mother.

Sydney Gazette 24 May 1822

Death of James Squire reported.

The following entries were placed after the death of James Squire (snr) and must refer to his
son also James Squire.

Sydney Gazette 20 Sept 1822

James Squire placed a notice that it had been common practice to steal hogsheads and
casks from James Squire's wharf and advising of a £5 reward for information.

Sydney Gazette 19 June 1823

All persons cutting timber or trespassing with stock on James Squire's farm will be
prosecuted.

Sydney Gazette 18 May and 20 May 1824.

Notice to merchants and ship's Captains of the availability of sweet oranges up to
1000 dozens.

Sydney Gazette 1815 to 1824

Tenders accepted from James Squires for fresh meat to be delivered to Government
Stores in Sydney:

8 July 1815 1,000 lbs	27Dec 1817 2,000 lbs
15 July 1815 1,000 lbs	3 Jan 1818 2,000 lbs
29 July 1815 1,000 lbs	10 Jan 1818 2,000
1 June 1816 1,000 lbs	17 Jan 1818 2,000 lbs
8 June 1816 2,000 lbs	27 Jan 1818 2,000 lbs
14 June 1817 1,000 lbs	James Squires (jr). Did the
21 June 1817 1,000 lbs	son take over management
27 June 1817 2,000 lbs	at this point? It was after
5 July 1817 1,000 lbs	the farm had been

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unsuccessfully offered for	22 May 1819 1,000 lbs
sale.	20 May 1824 1,000 lbs
24 April 1819 1,000 lbs	27 May 1824 1,000 lbs
1 May 1819 1,000 lbs	3 June 1824 1,000 lbs
8 May 1819 1,000 lbs	

Partners and children.

Partner	Children	Notes
Martha Quinton 1754-?		
	John 1778-	Born Kingston upon Thames
	Sarah 1780	Born Kingston upon Thames
	James 1783	Born Kingston upon Thames
Mary Spencer convict 1768-1822		Transported 5 years, arrived on <i>Prince of Wales</i> May 1787
	Francis 1790- 1851	Born Norfolk Island, died Melbourne. Enrolled NSW Corps as a drummer boy 1797.
Elizabeth Mason convict 1759-1809		Transported 7 years, arrived <i>Mary Ann</i> July 1791, died Sydney.
	Priscilla 1792-1862	Born Sydney, died Ryde Baptised as daughter of Phillip Morris
	Martha 1794- 1814	Born Kissing Point, died Concord
	Sarah 1795- 1877	Born Kissing Point, died Newtown
	James 1797- 1826	Born and died Kissing Point
	Timothy 1799-1814	Born Kissing Point
	Elizabeth 1800-1830	Born Kissing Point, died Sydney
	Mary Ann 1804-1850	Born Kissing Point, died Ryde. Mother of James Squire Farnell 1825-1888 the first Australian-born Premier of NSW and original owner of <i>Squireville</i> on Victoria Rd.
Lucy Harding (nee Vaughan) aka Lucy Vaughan- Harding convict 1780-1852		Born Shropshire, Arrived Sydney 1806 per <i>William Pitt</i> , sentenced 7 years. Died Sydney.
	No issue.	

The site of *The Maling Shovel* and its archaeological potential.

In order to determine what archaeological potential remains on 20 Waterview St the following images and maps were assembled and compared.

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Figure 1 is the best image of the original buildings on Squire's Kissing Point land (John Pollard's grant). This is a watercolour painting by an unknown hand that must date to the early 19th Century. The layout of the buildings in this painting compare reasonably with the layout of buildings drawn (but probably not surveyed) on an 1842 plan of his estate that was produced for the Supreme Court (Mitchell Library Z/M3 811.1422/1842/1).



Figure 1. Squire's Brewery, Kissing Point / watercolour by unknown artist. Presented by Tooth's Brewery 1957. Note from Mitchell Library catalogue: Unsigned. Heavily varnished and restored; affixed to backing board on which is remnant of Sydney Morning Herald, Friday January 1853. Reproduced before restoration in Carmichael, R. ed. *Ryde 1790-1926* opp. p.20. It has been suggested that this drawing was by J. Lycett. It is not the original of Lycett's plate in his *Views in Australia* and does not seem to be by the same artist as other drawings in ML and Dixson which are attributed to Lycett.

Figure 1 was painted at about the same time as Lycett's better known and similar view (Figure 2). The wharf appears to be on timber piles, and there is a small weatherboard boatshed to the right of the wharf. The identity of each building is unknown but the path/road from the wharf leads to the largest, two storey building which is presumably *The Malting Shovel Inn*. Barrels outside the large door of the central building suggest that it may be a cooperage. The two storey building to the left has a ventilated roof lantern of the type that was common in malt houses of that time. For convenience of working the malt house and the brewery were typically in the one building thus making the handling of material and water relatively easy.

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All the buildings appear to be constructed of sandstone. The single storey buildings may be residences and the one on the far right behind the inn could be the house that was still present on the site in the late 1930s when Halvorsens constructed their boatshed (Figures 5 and 6).

To produce 100,000 gallons of beer per year the brewery would have required a large quantity of clean water. Streams flowing from the ridge along Victoria Rd would probably not have had sufficient reliable flow and no dams are shown on the 1842 map therefore rainwater storage would have been necessary. A well is shown in the garden on the 1842 map and others have been located along the foreshore toward Cleves. Although the term 'well' is widely used for these structures they are more often cisterns that store runoff rather than wells that tap groundwater supplies. They vary in size but typically may be about 3 to 4m diameter and up to 15 to 20m deep. Lined with brick and waterproof mortar three or four such cisterns would have been sufficient to supply the brewery. When no longer used for water supply cisterns and wells often made convenient disposal points for household refuse and today they can present rich archaeological deposits.

Cool storage would also have been necessary in the brewery and this was usually provided in sandstone lined cellars. The presence of a cellar below a kitchen in the Halvorsen boatshed has been described by McAndrew (2003).



Figure 2. An etching after a watercolour by Joseph Lycett published in 1825. The number and scale of the buildings are comparable to those shown in Figure 1. Lion Nathan used a modified version of this image in their advertising that should not be taken as an accurate representation of Squire's establishment.

ITEM 9 (continued)

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Figure 3. View of the remaining buildings of Squires brewery from Douglas St across Waterview St in about 1938. Apparently taken before construction of Halvorsens boatshed, the house in the trees on the left is probably the house shown in Figures 5 and 6. Ryde Library collection 5158281

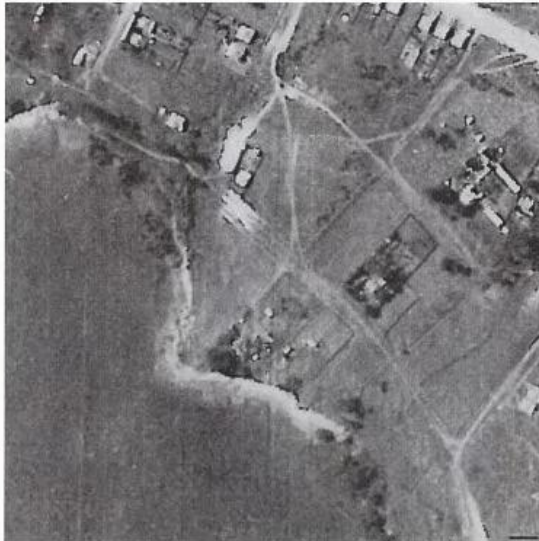


Figure 4. Scanned image of the 1930 air photo in which the outline of buildings from Squires time can be seen. There is no trace of his wharf. The original photo is of low resolution and low contrast and little detail can be identified.

Commonwealth of
Australia Map 3424
Sydney 6-3-1930 Run 9,
photo 1251

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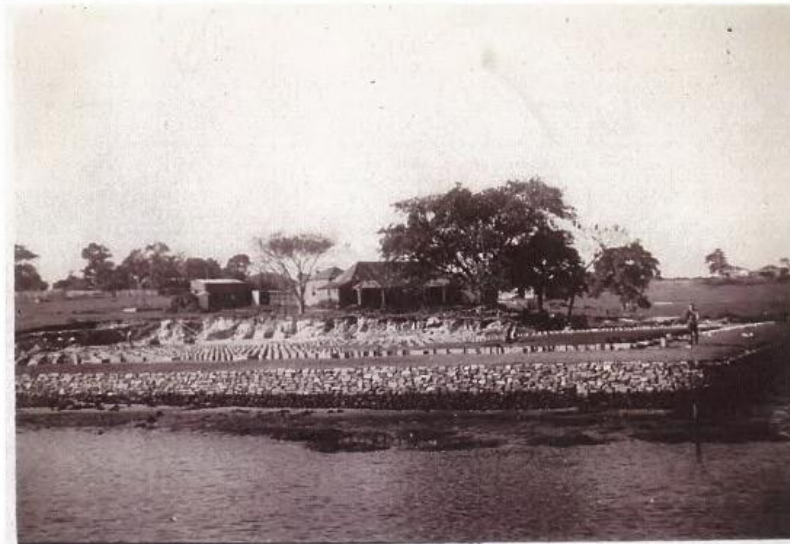


Figure 5 Construction of Halvorsens boatshed circa 1939/40. Sandstone was excavated to provide a level foundation and dressed blocks were placed in the seawall. The original house and outbuildings in the rear were demolished soon after this photo was taken. Note that the depth of the foundation cut at the rear of the building is probably sufficient to destroy any original building footings. Photo from Randi Svensen collection held by the National Maritime Museum, Darling Harbour.



Figure 6. Another view of the 'Squire' house through the framework of the boatshed. Photo from Randi Svensen collection.

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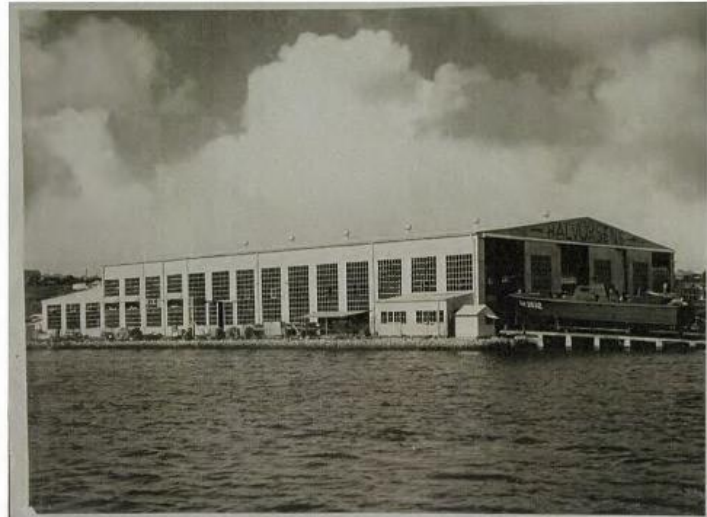


Figure 7. Similar view to Figure 5 above circa 1941/2. The photo was taken between mid-tide and high tide and the remains of Squire's wharf are not visible. Photo from Randi Svensen collection.



Figure 8. Halvorsens mid to late 1940s. This photograph was taken at low tide and the foundation of Squires wharf can be seen extending from the left corner of the slipways. The building footprint is larger than in the 1943 air photo (Figure 9) indicating that the photo was taken after that date. Photo from Randi Svensen collection.

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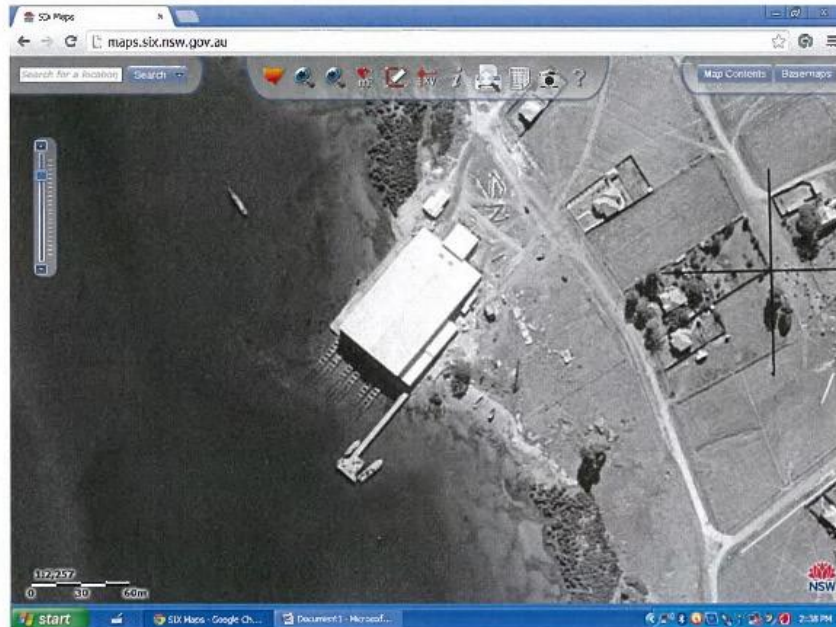


Figure 9. 1943 air photo. There is a faint shadow off the corner of the slipways in the same location as the low altitude oblique (Figure 8) which is the remains of Squire's wharf, and there are several sandstone building foundations visible to the right of the main building. The location of the well shown on the 1842 plan is evident as a round point as well as two overgrown quarries that were probably the source of sandstone used in Squire's buildings. Note also WWII air raid trenches near the front entrance of the boatshed.



Figure 10. Foundation remains of James Squire's wharf exposed at low water springs, January 2014. These sandstone blocks are in the same position as the trace of the wharf visible in Figures 8 and 9.

ITEM 9 (continued)

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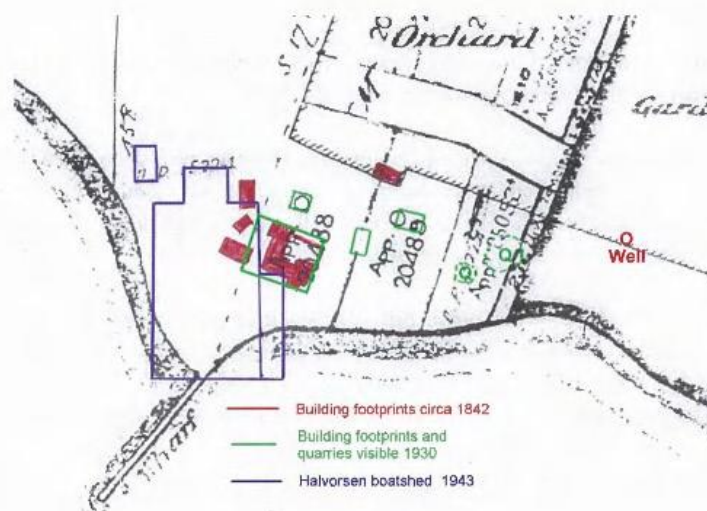


Figure 11. Composite map based on an undated survey plan with addition of building footprints from 1842, 1930 and 1943. Despite the absence of survey and inherent inaccuracies of the plots the location of the features shown are consistent and there is a high probability that some parts of Squire's original buildings remain on site today beneath the present surface. Base map is part of Roll Plan 579 FP192080

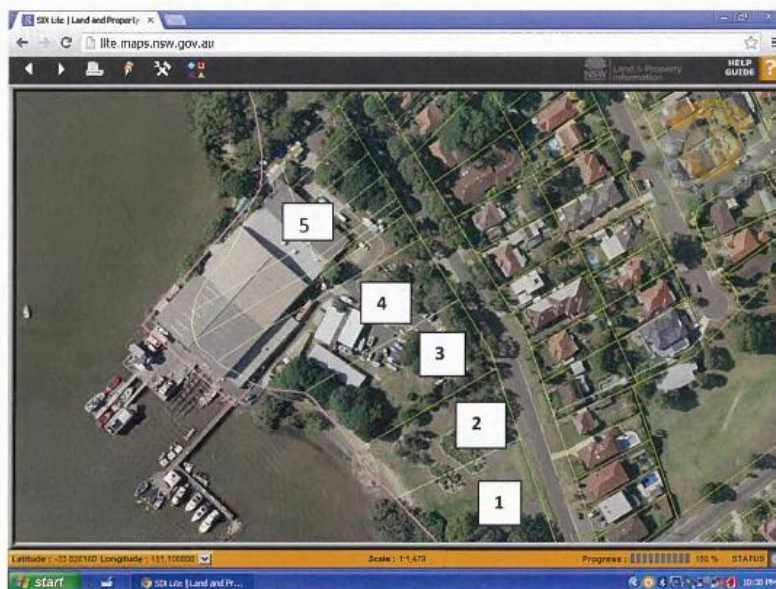


Figure 12. Present day buildings and property boundaries. 1 = #24 Lot 1, 2 = #24 Lot 448, 3 = #20 Lot 1, 4 = #20 Lot 2, 5 = #20 Lots 440-447. Source SixLite.

ITEM 9 (continued)

ATTACHMENT 2

Conclusions

A considerable archaeological trace of Australia's first commercial brewery can be expected in different parts of the properties shown in Figure 12.

Number 24 Waterview St, Lots 1 and 448 are managed by Council and on these the faces and floor of the late Eighteenth Century sandstone quarries are present along with the location of a well shown on the 1842 plan (Figure 11). The well is a potential target for excavation and the quarries should be mapped and interpreted.

Within number 20 Waterview St a number of other archaeological traces can be predicted:

- Several wells/cisterns should be present outside the immediate footprint of Squire's buildings. All of these could contain valuable archaeological deposits. Their location may be identified on property plans that have not yet been located.
- Part of a cellar beneath the original Inn is said to be present.
- Building foundations can be expected in all areas other than that part of Halvorsens shed that had deeper foundations cut into the sandstone (north east corner).
- The stone foundations of Squire's wharf are present in deeper water and are exposed at extreme low tide. The sandstone blocks should reveal post holes and provide information about the structure and sediments adjacent to the wharfs may preserve archaeological material, possibly including more perishable items preserved in anaerobic mud. Investigation of the structure of the wharf and a search for material in the sediment would require using submarine archaeological techniques.
- There are likely to be so many building foundations and structural features preserved beneath the present car park areas on this site that an initial geophysical survey would be warranted. A ground penetrating radar survey of all accessible parts of the site is suggested.
- Halvorsens boatshed itself is now close to 75 years old and has an interesting history of boat construction during WWII and the racing yacht *Gretel*. This building should be fully assessed and recorded as a heritage item in its own right.

When development on this site is proposed a comprehensive heritage assessment and a focussed archaeological assessment is essential.

References:

Wikipedia entry includes a number of references that have not been followed up for these notes. http://en.wikipedia.org/wiki/James_Squire

ITEM 9 (continued)

ATTACHMENT 2

Lavett, John K. 1965 *The Kissing Point Squires: pages from the history of a nation* 1965 [manuscript] 200p Manuscript reference: NLA MS 1251.

McAndrew A. 2003. *Putney on Parramatta: from straggletown to peninsular paradise*.

Supreme Court. 1842 *Plan of the Estate of the late James Squire New South Wales*. Mitchell Library an aperture card at Z/M3 811.1422/1842/1

Svensen, Randi. 2007 *Wooden Boats, Iron Men: the Halvorsen Family*, Sydney, Halstead Press/Australian National Maritime Museum

Sydney Gazette entries are from NLA Trove.

Walsh G.P. Squire, James (1755–1822) *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/squire-james-2688/text3759>

ITEM 9 (continued)

ATTACHMENT 3



Office of
Environment
& Heritage

Our reference: DQC13/18641

15 July 2013

Mr Michael Whittaker
Chief Executive
City Of Ryde
Locked Bag 2069
NORTH RYDE NSW 1670



Dear Mr Whittaker

I am writing to advise that the Minister for Heritage, the Hon Robyn Parker MP, has authorised all local councils in NSW to make Interim Heritage Orders (IHOs) under the NSW *Heritage Act 1977*.

This initiative is consistent with the Government's commitment to devolve decision making to the appropriate level and allows for local decision-making by council on local heritage issues. As you may be aware, consultation occurred with councils and other key heritage stakeholder groups prior to the authorisation being approved.

What does an IHO do?

An IHO is a temporary heritage order (made for up to one year) which provides time to assess the heritage significance, or values, of a potential heritage item. The definition of a potential heritage item is one not currently listed on a statutory Local Environmental Plan (LEP) heritage schedule or the State Heritage Register. IHOs provide time for studies and inspections to take place, so that a decision on whether a place should be formally considered for local or State heritage listing can be taken. An IHO should be made over a potential heritage item only where the heritage item is being or is likely to be harmed, they are not to be used as a tool to block development.

Why is this authorisation needed?

Most of the State's heritage items, places and objects are protected at the local government level by listing on LEPs. There are currently 26,000 heritage items listed in this way across NSW. While this figure sounds large, it equates to an average of only 160 heritage items per local government area. This is a relatively small number, taking into account the size of the State's property and asset base, with less than one per cent of the State's properties listed as heritage items. This also indicates there are likely to be additional places of heritage significance in local communities that warrant consideration for heritage protection.

What happens after an IHO is made?

During the period of an IHO, councils are required to assess the significance of the item and determine if it warrants statutory listing. While an IHO can be in place for up to a year, they lapse after six months if a council does not resolve to add the item to its LEP. Importantly, an IHO does not stop a development from proceeding. Because council is the approval body under the Heritage Act for changes to an item during the period of an IHO, council can approve all or parts of a development to continue but cannot authorise demolition. When an IHO is in place, section 60 applications are not referred to the Heritage Council for its consideration.

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ITEM 9 (continued)

ATTACHMENT 3

Page 2

In addition to supporting local heritage decisions being made at the local level by council, the NSW Government recognises that statutory heritage listing is not an end in itself. Consequently, owners, business, councils and the community should work together to find viable adaptive reuse options for our heritage places to retain their vitality and contribution to the community's sense of place. Heritage places play a significant role in setting a locality's identity and should be seen as a way to enliven local communities and provide economic and tourism benefits where appropriate. The granting of the authority to issue IHOs provides councils with the ability to safeguard community heritage assets, while informed decisions on their long-term futures are made.

To help ensure Council staff are acquainted with the IHO authorisation and conditions, please find enclosed, the authorisation notice from the NSW Government Gazette; and Question and Answer sheet summarising the IHO provisions. For any assistance in the use of the authorisation powers, please contact the Heritage Division of the Office of Environment and Heritage on (02) 9873 8500.

Yours sincerely



TERRY BAILEY
Deputy Chief Executive
Regional Operations

Enclosures: Ministerial Order and Schedules published in NSW Government Gazette
Making Interim Heritage Orders—Questions and Answers

ITEM 9 (continued)

ATTACHMENT 3



Office of
Environment
& Heritage

Making Interim Heritage Orders
by Local Government

Questions & Answers

What is an Interim Heritage Order?

An Interim Heritage Order (IHO) is a temporary heritage order made to protect a potential heritage item while a heritage assessment is carried out.

What is Council required to do when an IHO is in place?

Council is required to make a decision about whether to take further action such as listing as a heritage item on an Local Environmental Plan (LEP). This decision must be based on the heritage assessment prepared by a person with appropriate heritage knowledge, skills and experience who is employed or retained by Council.

When should IHOs be considered

Only where the site has potential heritage value following a preliminary assessment by a heritage expert, and where:

- the site is likely to be of local heritage significance, or of State significance;
- the site is likely to be harmed or destroyed; and
- where an existing heritage LEP exists.

The IHO must be confined to the item under threat.

Does an IHO freeze a property?

No, Council becomes an approval body for the life of an IHO under the NSW *Heritage Act 1977*. Council is not permitted to approve demolition of an item within the life of the order.

How long does an IHO last for?

Six months unless Council resolves to add the item to its LEP schedule, then 12 months applies. Council can revoke an IHO at any time.

Is compensation payable to the owner if an IHO is made?

No.

ITEM 9 (continued)

ATTACHMENT 3

When should an IHO not be made?

An IHO cannot be made in the following circumstances:

- Where there are no significant heritage values.
- ✦ • Where the site is already listed as a heritage item or in a Heritage Conservation Area.
- The item is subject to an emergency order (s.136) under the Heritage Act.
- Where there has been a previous IHO over the site.
- Where a Development Application consent has already been issued which permits harm to the item.
- Where a complying development certificate has been issued for the demolition of a house and the erection of a single or two storey house.

Can an IHO be made over Crown land, activities or approvals?

No, an IHO cannot be made over:

- Crown Land;
- land subject to Crown development (or on its behalf);
- land where the consent authority is the Minister for Planning and Infrastructure (e.g. SSD and SSI); or
- land where there is an existing licence or similar issued by the Crown or a Minister which permits the item to be harmed.

What about a proposed IHO for Aboriginal heritage?

A proposed IHO over an Aboriginal place, site or object must first be referred to the Office of Environment & Heritage for expert assessment.

10 INDEPENDENT HEARING AND ASSESSMENT PANEL (IHAP)

Report prepared by: Business Support Co-ordinator
File No.: GRP/09/6/5 - BP14/471

REPORT SUMMARY

At its meeting of 13 August 2013 Council considered a report proposing measures to address the risks and issues raised during the Independent Commission Against Corruption's Operation Cavill hearings. The implementation of an IHAP is considered to be the most effective measure at Council's disposal to maintain a reputation for transparent, merit-based, best-practice decision making in relation to Development Applications, Planning Proposals, and Rezoning. On Tuesday 15 October 2013 a workshop was held providing an overview of the various Panel options available to Council. On 26 November 2013 Council resolved:

That Council further investigate the establishment of an IHAP to with a view to its introduction in the near future.

A further workshop was held detailing the preferred options on 18 March 2014. This report proposes that Council pursue a fully delegated IHAP and provides Terms of Reference for such a model.

RECOMMENDATION:

- (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.

ATTACHMENTS

- 1** City of Ryde IHAP - Draft Terms of Reference

Report Prepared By:

Dyalan Govender
Business Support Co-ordinator

Report Approved By:

Dominic Johnson
Group Manager - Environment & Planning

ITEM 10 (continued)**Context**

At its meeting of 13 August 2013 Council considered a report proposing measures to address the risks raised during the Independent Commission Against Corruption's Operation Cavill hearings. The report noted that:

Council's reputation with the public and business community is at risk in the areas of its management of confidential information relating to Development Applications and tenders, as well as in its ability to deal effectively and confidently with complaints.

The implementation of an IHAP is considered to be the most effective measure at Council's disposal to maintain a reputation for transparent, merit-based, best-practice decision making in relation to Development Applications, Planning Proposals, and Re-zonings. The Department of Planning has consistently recommended the adoption of IHAPs and over a quarter of Sydney Councils have already adopted and maintain IHAPs to ensure the quality of their Development Assessment outcomes. The metropolitan Sydney Councils operating undelegated IHAPs are Canterbury, Fairfield, Liverpool, Sutherland, while Holroyd, Lane Cove, Manly, Mosman, North Sydney, Warringah, and Waverly all operate delegated IHAPs.

It was therefore recommended that Council endorse the intention to establish an IHAP and that a briefing workshop be scheduled to discuss the various models, policies, and procedural frameworks available. Council resolved to hold a workshop to provide a briefing on the various models of IHAP.

At its workshop of Tuesday 15 October 2013 an overview of the current Planning and Environment Committee was provided. Council also reviewed the structure and operation of various Independent Hearing and Assessment Panels (IHAPs) currently used by other Councils.

IHAP options considered at that workshop included:

- Delegation
 - A fully delegated IHAP with the authority to determine matters
 - A undelegated IHAP providing recommendations to Council for determination
- Panel Selection
 - Council appointed panel members
 - General Manager appointed panel members
 - The legislative requirement for panel members to have some relevant expertise.

ITEM 10 (continued)

On 26 November 2013 Council resolved:

That Council further investigate the establishment of an IHAP to with a view to its introduction in the near future.

A further workshop was held detailing the preferred options on 18 March 2014. It is noted that at the workshop a number of Councillors indicated they had a range of concerns about the introduction of an IHAP and indicated that they would not support its implementation.

Discussion

Following on from the recent ICAC enquiry it is considered prudent to investigate options that would further safeguard Councillors and the Planning/Development processes from further reputational damage and to limit the risks in the decision making processes.

The Panel would be tasked with assessing Development Application and Planning Proposals, taking into consideration not only the relevant Plans and Legislation, but also any relevant site constraints, submissions, and the issues outlined in the reports provided by staff. It is noted that the Panel's scope would be to provide appropriate outcomes consistent with Council's controls; this does not limit the Panel to numerical or technical compliance, and provides the Panel with some flexibility to ensure appropriate development is located in appropriate locales, and appropriate design outcomes are pursued to address site constraints or submissions. The Panel may also pursue mediated outcomes where appropriate.

It is recommended that a trial of 12 months be undertaken to provide Council with an opportunity to monitor and assess the Panel's effectiveness and to adapt the Terms of Reference if required. Council reserves the right to discontinue the Panel at any time, and regular reviews of the Panel's operation and Terms of Reference will also be undertaken beyond the trial period.

The Panel would replace the Planning and Environment Committee and would consider the following matters (not including those matters where Council is not the consent authority such as applications referred to the Joint Regional Planning Panel):

- All Development Applications with a cost of works greater than \$5million.
- All Development Applications where over 10 separate submissions have been received (petitions will be counted as 1 submission).
- Development Applications where Council is the applicant and a call-up is received by a Councillor.
- Any Development Application called-up to the Panel by a Councillor.
- All Planning Proposals.

ITEM 10 (continued)

Panel Experts would need to have expertise in at least one of the following areas: planning, architecture, the environment, urban design, land economics, traffic and transport, law, engineering, tourism, or government and public administration.

The Panel would be chaired by the legal expert, who would be expected to have particular experience with development matters, such as having served as a Commissioner or Justice of the Land and Environment Court.

The Panel would undertake site inspections. Panel meetings would be open to the public except where subject to relevant confidentiality, security, or privilege. Speakers would be permitted to address the Panel before it deliberates on a matter.

The minutes of Panel Meetings would be reported to Council.

It is recommended that the Panel be fully-delegated to determine the matters before it. This would ensure the IHAP minimises the risks to Councillors associated with their current involvement in the Development and Planning Processes. It would also ensure that in taking on Development Application and Planning Proposals, the IHAP would allow Councillors to reallocate time to the consideration of other strategic planning and management issues.

OptionsPreferred Option:

- Fully delegated Panel
- 3 Members – 2 Experts and 1 Community Member.
- Membership Pool of 8 Individuals – 6 Experts and 2 Community Members
- Members appointed by Council

Other Options:

- Council could resolve to establish an un-delegated Panel.

Under this model the IHAP would provide recommendations for the consideration of Council. The Terms of Reference would be amended to remove the Panel's delegations and to replace them with provisions for the Panel's recommendations to be considered at the next practicable Council meetings.

This provides a means by which Councillors may retain their role in the decision making process for Development Applications and Planning Proposals, while also receiving the advantages of independent, expert advice in these matters. It is also noted that under the Environmental planning and Assessment Regulations (2000) Council is required to provide an annual report to the Director-General, which includes the reasons for any Council determinations not in accordance with the assessment of the Panel.

ITEM 10 (continued)

While an un-delegated IHAP does not offer the full reduction in risk of a delegated panel, it would still offer a useful increase in transparency and independence by providing public, independent, expert recommendations in relation to planning and development matters. This would be of particular use in relation to development on Council land such as floodlight applications and applications relating to Council's property investment portfolio.

- Council could resolve not to pursue an IHAP at this time.

Financial Implications

Should Council resolve to establish an IHAP it would result in a financial impact of \$90,000/annum. This would fund the site inspections, recruitment and the wages of Panel Members for 12 meetings per annum. There is no additional administrative cost as resources will be transferred from the administration of the Planning and Environment Committee to the IHAP.

The cost to Council is offset by income from Development Applications and Planning Proposals. Anecdotally, other Councils that have established IHAPs also report a reduction in legal costs associated with appeals to the Land and Environment Court.

ITEM 10 (continued)**ATTACHMENT 1****City of Ryde Independent Hearing and Assessment Panel (IHAP)****Terms of Reference**

The purpose of these IHAP Terms of Reference are to:

- Define the function of the IHAP and to provide a complementary framework to Council's Code of Conduct in relation to the responsibilities of IHAP members.
- To provide procedures for the orderly and effective conduct of IHAP meetings.
- To outline practices that ensure determinations made by the IHAP have legal effect and are within the scope of their powers.
- To ensure the transparency and openness of all IHAP meetings.

These Terms of Reference are subject to Council's Code of Conduct and the Local Government Act NSW 1993.

Owner: Environment & Planning

Review date:

Versions:

Drafted	Published	Commencement
Draft endorsed by Executive Team at its meeting of	Website and Policy Register	Adopted by Council at its meeting of



ITEM 10 (continued)**ATTACHMENT 1****Definitions**

"The Act" means the Environmental Planning and Assessment Act (1979)

"The Code" means the City of Ryde Code of Conduct.

"Council" means the Council of the City of Ryde.

"The Panel" means the City of Ryde Independent Hearing and Assessment Panel (IHAP)

Except as otherwise provided, expressions used in this document that are defined in the Act have the meanings set out in the Act.

1. Functions of the City of Ryde Independent Hearing and Assessment Panel

1.1 The City of Ryde IHAP has delegated authority to determine planning matters in accordance with all the functions of a council as consent authority under the Environmental Planning and Assessment Act (1979) for the following matters:



- Any development application, or application to modify a consent under Section 96(2), where Council has received more than 10 submissions during a notification period and where Council is the consent authority.
- Any development application, or application to modify a consent under Section 96(2), where the subject development has a stated construction value over \$5 million and where Council is the consent authority.
- Any development application, or application to modify a consent under Section 96(2), where:
 - a Councillor has requested that the Group Manager Environment and Planning refer the application to the IHAP in writing, and
 - Council is the consent authority.
- Any application, including planning proposals and rezonings, submitted to Council seeking an amendment to the Ryde Local Environment Plan (excluding Council's own amendments to the Ryde Local Environment Plan).

1.2 To assess and determine (ie: approve or refuse) applications and proposals referred to the Panel. The Panel may defer an application or proposal in order to:

- Seek additional information fundamental to the determination of the proposal and which has not previously been requested by Council staff.
- Seek a mediation meeting relating to specific aspects of the application or proposal as identified and minuted by the Panel.
- Seek amendments to the application or proposal as specified by the Panel.



ITEM 10 (continued)**ATTACHMENT 1**

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- 1.3 To achieve planning and development outcomes consistent with the Ryde Local Environment Plans, Development Control Plans, and any relevant legislation.
 - 1.4 To provide independent, transparent review of development applications and planning proposals in relation to the City of Ryde's Local Environment Plan, Development Control Plans, and any relevant legislation.
 - 1.5 To provide an open forum in which the concerns and views of the community and Councillors can be voiced and considered.
-
2. Membership of the IHAP
 - 2.1 The Panel shall consist of at least three members.
 - 2.2 Panel members shall be selected for each meeting by the General Manager from a membership pool and shall include a legal expert who will function as chairperson and a community member. The community member's primary place of residence must be located in the City of Ryde.
 - 2.3 The membership pool for the Panel is to be appointed by way of Council resolution for a minimum term of two years with an option for Council (by way of Council resolution) to extend the term for an additional, third year. Council shall appoint no fewer than eight members to the membership pool for each term.
 - 2.4 Alternate pool members may be appointed by the General Manager from time to time to fill vacancies relating to absences from an individual Panel meeting within a member's term.
 - 2.5 Casual vacancies in the membership pool will be filled by way of Council resolved appointment where there is greater than six months remaining in the original two year term.
 - 2.6 Expressions of Interest shall be sought from prospective members and evaluated in accordance with Council's Procurement Policy.
 - 2.7 The membership pool shall consist of no fewer than two community members, whose primary place of residence must be located in the City of Ryde.
 - 2.8 Pursuant to Section 231 of the Act, Panel members are to have expertise in at least one of the following fields: planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering, tourism or government and public administration.
 - 2.9 Members are required to sign a Memorandum of Understanding (Schedule 1) prior to, and for, each term of the membership pool.
 - 2.10 Membership of the IHAP ceases:
 - If the Panel member dies or is legally declared incompetent.
 - If at the completion of their term, the term is not extended or the member is not re-appointed.
- 

ITEM 10 (continued)**ATTACHMENT 1**

- Resigns as a member of the Panel in writing to the General Manager.
- Is removed from office by the General Manager or Council resolution.

2.11 The General Manager may remove a Panel member from office at any time, for any reason, without notice.

3. Member Responsibilities

- 3.1 Panel members must undertake their duties in the execution of the functions of the Panel in accordance with Council's Code of Conduct.
- 3.2 Panel members or any of their employees or agents do not act as the legal representatives, agents, joint venturers, or partners of Council or the City of Ryde; nor can they assume or create any obligations, representations, or warranties on behalf of the Council beyond the execution of their delegations in the determination of development applications or planning proposals.
- 3.3 Panel members must have read and be familiar with the documents provided by Council with respect to a Panel meeting prior to attending that meeting.
- 3.4 Panel members may communicate with Council staff, including the General Manager, Group Manager Environment and Planning, the Manager Assessment, and planning, technical and administrative staff as reasonably required for the performance of their duties.
- 3.5 No Panel member may make any comment to the media in relation to any matter before the Panel or any recommendation of the Panel.
- 3.6 Any Conflicts of Interest are to be managed in accordance with Council's Code of Conduct.
- 3.7 Panel members must not accept, demand, solicit, or request a gift or benefit in connection with their duties on the Panel.
- 3.8 Panel members will be treated as designated persons in accordance with the Local Government Act NSW and will be required to complete annual pecuniary interest declarations which will be publicly available documents.
- 3.9 Panel members must attend all Panel meetings reasonable required by the General Manager or the Group Manager Environment and Planning.
- 3.10 Failure by a Panel member to fulfil these responsibilities may result in their removal in accordance with 2.10 above.



ITEM 10 (continued)**ATTACHMENT 1****4. Procedures**

- 4.1 Panel Meetings are to be chaired by the Legal Expert in attendance. Should the Chairperson not be present/available for a meeting, the members attending shall elect an alternate Chairperson by a majority vote.
- 4.2 Panel Meetings shall be open to the public. However, a meeting or part of a meeting may be closed to the public where it concerns information:
 - a) that would prejudice the maintenance of law if disclosed;
 - b) that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege;
 - c) that would confer a commercial advantage if disclosed; or
 - d) that would fall within the scope of Section 10A of the Local Government Act NSW.
- 4.3 The reason for which a meeting or part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting.
- 4.4 The Panel must allow members of the public or Councillors present to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed. Agendas for meetings are to be publicly available in accordance with Council's adopted Code of Meeting Practice. A person may only address the Panel after having registered to do so in advance and in a form and manner approved by Council. Those wishing to address the panel may submit a written summary or supporting photographs amounting to a document no more than one A4 page (two sided).
- 4.5 Speakers are afforded five minute timeslots; no speaker may address the Panel for more than five minutes in respect to any one matter before any one meeting of the Panel. In addition to the five minute timeslot, the Panel members may ask speakers questions. Speakers are under no obligation to answer any questions posed by the Panel.
- 4.6 One timeslot is provided to speakers from a property per item (Strata units are considered individual properties for the purposes of addressing the panel). If multiple individuals residing at the one property wish to address the committee they may do so within the one (five minute) timeslot.
- 4.7 Timeslots are not transferrable notwithstanding the following: individuals may request representatives to speak on their behalf in a professional capacity (for example: town planners, engineers, solicitors) or with leave from the chair where translation or assistance communicating is required. In these circumstances a single timeslot is to be shared by the individual and their representative(s).
- 4.8 Registrations to speak and any related documentation (including supporting information under section 4.4) must be submitted to the Council no later than 12 noon on the day prior to the Panel meeting.



ITEM 10 (continued)**ATTACHMENT 1**

- 4.9 Speakers at the Panel meeting shall be heard before the Panel deliberates on an item in the following order:

- Objectors and submitters (and their representatives)
- The applicant and owner (and their representatives).

However, the Panel will be able to reserve the right to recall speakers for the purpose of clarification or the provision of further information.

- 4.10 Site inspections will generally be undertaken on the day of the meeting.
- 4.11 Site inspections will be held at the discretion of the chair.
- 4.12 Appropriate planning staff as identified by the Group Manager Environment & Planning will accompany the panel on the site inspections.
- 4.13 Conversations and dialogue relating to the assessment of the application will not be entered into on the site inspection. Clarification of the characteristics of the site or the application may be provided through the Chair.

5. Determinations and Decisions

- 5.1 Each panel member is entitled to one vote, unless otherwise disentitled to vote in accordance with the Code of Conduct. However, the chairperson presiding over the meeting has a second, casting vote in the event that votes are tied.
- 5.2 Determinations and any relevant decision of the Panel shall be made by a majority of votes of members present and voting. In the event of a tied vote the Chairperson will have the casting vote.
- 5.3 Voting is to be recorded for the public record by way of division.
- 5.4 Minutes of Panel meetings must be kept in accordance with the requirements for Committee Meetings specified in Council's Code of Meeting Practice.



ITEM 10 (continued)

ATTACHMENT 1



Schedule 1 – Memorandum of Understanding – City of Ryde Independent Hearing and Assessment Panel (IHAP).

I _____ hereby accept appointment to the Panel on the following terms and conditions.

1. I confirm I have read the City of Ryde Code of Conduct and acknowledge that I am a 'delegate of Council' for the purposes of the Code and agree to act in accordance with the Code.
2. I confirm that I have read and understand the City of Ryde Code of Meeting Practice and agree to act in accordance with the relevant provisions of the Code.
3. I confirm that I have read and understood the City of Ryde Independent Hearing and Assessment Panel Terms of Reference and agree to act in accordance with the terms set out therein.
4. I acknowledge and accept that if I have a pecuniary interest or a conflict of interest as defined in the City of Ryde Code of Conduct in relation to any matter before me as a Panel member then:
 - I will immediately disclose the nature of the interest prior to the Panel's consideration of the matter.
 - Unless otherwise permitted under the City of Ryde Code of Conduct, I will not be present during the Panel's consideration of the matter.
5. I accept and understand that the business of the Panel is subject to the provisions of the Environmental Planning and Assessment Act (1979) and I will not disclose or misuse any information provided to me as a member of the City of Ryde Independent Hearing and Assessment Panel.
6. I acknowledge and accept that I am a designated person for the purposes of the Local Government Act NSW 1993 and am required to submit annual pecuniary interest disclosures which will be publicly available.
7. I acknowledge and agree that my appointment begins on _____ and ends on _____.
8. I accept that the term of my appointment is renewable by Council at its absolute discretion.
9. I acknowledge and agree that the City of Ryde may terminate my appointment to the Panel by notice in writing at any time.

Panel Member

Signed _____ Date _____

General Manager

Signed _____ Date _____



11 RE-ESTABLISHMENT OF ALCOHOL FREE ZONES IN EASTWOOD

Report prepared by: Community Projects Officer – Roads and Community Safety
File No.: GRP/09/4/1/7 - BP14/465

REPORT SUMMARY

The Alcohol Free Zone in Eastwood Town Centre is due to expire on 1 July 2014.

Following consultation with Ryde Local Area Command, Council is proposing to re-establish the existing Alcohol Free Zone for a further four years, as provided for in the Ministerial Guidelines on Alcohol Free Zones.

RECOMMENDATION:

- (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.

ATTACHMENTS

- 1 Proposal to Re-Establish Alcohol Free Zone in Eastwood Town Centre
- 2 NSW Police Force - Ryde Local Area Command is seeking approval from Ryde City Council for the re-establishment of the Alcohol Free Zone within the Eastwood CBD which is due to expire in July 2014. J Duncan
- 3 Ministerial Guidelines on Alcohol Free Zones - February 2009

Report Prepared By:

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ITEM 11 (continued)**Background**

At the Council meeting on 9 November 2010, Council endorsed the proposal to establish an Alcohol Free Zone (AFZ) in Eastwood Town Centre. The proposal was prepared in response to a number of requests from the community, including Eastwood (now Ryde) Local Area Command (LAC). Following a public consultation period during which no objections were received, the AFZ came into effect on 1 July 2011 for a period of three years.

Discussion

Council received a request from Ryde LAC to re-establish the existing AFZ in Eastwood Town Centre due to expire on 1 July 2014 (**ATTACHMENT 2**).

Statistics provided by the Ryde LAC Intelligence Analyst suggests that the offences which include alcohol as a factor within the Eastwood CBD AFZ have declined since the inception of the area back in 2010.

At that time, incidents of alcohol related offences had been increasing and the impact of more licenced venues due to open in the surrounding areas raised concerns that Eastwood would see increasing alcohol related street crime and malicious damage. Statistics from the NSW Bureau of Crime Statistics and Research (BOCSAR) show that alcohol related incidents for Ryde LGA as a whole have remained stable between 2011 and 2013.

Section 642 of the Local Government Act enables police to seize or dispose of alcohol being consumed within AFZ. Ryde LAC has noted that the ability to utilise this legislation greatly assists in the prevention and management of alcohol related incidents. The re-establishment of this AFZ will continue to aid police in reducing incidents such as alcohol related assaults, malicious damage, street offences and general acts of anti-social behaviour.

It is considered appropriate to re-establish the existing AFZ based on recommendations from police to provide a deterrent to anti-social behaviours and alcohol related crime and to enable the seizure and disposal of alcohol from persons who choose to consume alcohol on the street.

Location

The AFZ would be located at Glen Street, Lakeside Road, Wingate Avenue, West Parade, Coolgun Lane, Progress Avenue, Hillview Lane, Rowe Street, Trelawney Street, Shaftsbury Road, Rutledge Street, First Avenue, East Parade, Railway Parade, Rowe Lane, Station Lane, Ethel Street, Ethel Lane, May Lane, May Street and the western side of Blaxland Road.

ITEM 11 (continued)**Duration of Operation**

The Ministerial Guidelines (**ATTACHMENT 3**) state that an AFZ may operate for a maximum of four years. It is proposed that the AFZ operate for four years.

Public Consultation

The Ministerial Guidelines require Council to prepare a proposal and undertake a consultation process before considering establishing AFZs.

The consultation process includes the following:

- Publishing a notice of the proposal in a local newspaper, allowing inspection of the proposal, and inviting representations or objections within 30 days of publication.
- Exhibition of the proposal at key customer service locations during the abovementioned 30 days, including customer service centres and libraries.
- Sending the proposal to:
 - Police Local Area Commander and officer in charge
 - Liquor licensees and secretaries of registered clubs whose premises border on or adjoin or are adjacent to the proposed zone
 - Any known organisation representing, or able to speak on behalf of, an identifiable Aboriginal or culturally and linguistically diverse group.

Financial Implications

Adoption of the recommendations will have no adverse financial impact, any costs associated with undertaking community consultation and signage can be funded from existing budgets allocated to the Community Safety project.

ITEM 11 (continued)**ATTACHMENT 1****PROPOSAL TO RE-ESTABLISH AN ALCOHOL FREE ZONE
IN EASTWOOD TOWN CENTRE**

An Alcohol Free Zone in Eastwood Town Centre is due to expire on 1 July 2014.

Following consultation with Ryde Local Area Command, Council is proposing to re-establish the existing Alcohol Free Zone for a further four years, as provided for in the Ministerial Guidelines on Alcohol Free Zones.

Background

The City of Ryde can establish Alcohol Free Zones in the Council area under Section 646, of the *Local Government Act 1993* and in accordance with NSW Ministerial Guidelines.

Council is required to comply with the procedures outlined in the Guidelines and the legislation in relation to the proposal to establish Alcohol Free Zones.

Reasons

Police have noted the success of the existing Alcohol Free Zone in reducing alcohol related crime and anti-social behaviour, but have indicated that alcohol remains a factor in this area for crimes such as assault, malicious damage and anti-social behaviour.

It is considered appropriate to re-establish the existing AFZ based on recommendations from police to provide a deterrent to anti-social behaviours and alcohol related crime and to enable the seizure and disposal of alcohol from persons who choose to consume alcohol on the street.

Location

The Alcohol Free Zone to be re-established is located within an area bounded by Glen Street, Lakeside Road, Wingate Avenue, West Parade, Coolgun Lane, Progress Avenue, Hillview Lane, Rowe Street, Trelawney Street, Shaftsbury Road, Rutledge Street, First Avenue, East Parade, Railway Parade, Rowe Lane, Station Lane, Ethel Street, Ethel Lane, May Lane, May Street and the Western Side of Blaxland Road.

ITEM 11 (continued)

ATTACHMENT 1



Duration of Operation

The Ministerial Guidelines state that an Alcohol Free Zone may operate for a maximum of four years. It is proposed that this zone operate for four years.

Have Your Say

All representations and comments are invited and must clearly state support or objection to the specific Alcohol Free Zone with reasons.

Submissions marked “Alcohol Free Zones” may be sent to:

The General Manager
City of Ryde
Locked Bag 2069
North Ryde NSW 1670

Via email to: cityofryde@ryde.nsw.gov.au
Subject – Alcohol Free Zones

Submissions must be received by Friday 30 May 2014.

Organisations that were consulted on this process must respond with any comments or representations in writing within 30 days of receipt of the letter of proposal.

ITEM 11 (continued)

ATTACHMENT 2

3rd April 2014

Lisa Pears
Road and Community Safety Project Officer
Community & Culture
City of Ryde Council



The Ryde Local Area Command is seeking approval from Ryde City Council for the re-establishment of the Alcohol Free Zone within the Eastwood CBD, which is due to expire in July 2014.

The utilization of section 642 of the Local Government Act by Police to seize or dispose of alcohol from persons who choose to consume alcohol on the street greatly assists Police in the prevention and management of alcohol related incidents. The re-establishment of this Alcohol Free Zone will continue to aid Police in reducing incidents such as alcohol related assaults, malicious damage, street offences and general acts of anti social behaviour.

Historically it would appear that the Eastwood CBD was nominated to be an Alcohol Free Zone due to the reported incidents involving alcohol related offences. As can be seen from the NSW Crime Statistics obtained from BOSCAR between 2011 & 2013 the trend over this period is stable for the incidents of Alcohol Related Assault (Non Domestic assault). This information does not relate solely to the Eastwood CBD but the entire Ryde City Council LGA. (ANNEXURE 1)

Statistics provided by the Ryde LAC Intelligence Analyst suggests that statistically the offences which include alcohol as a factor, within the Eastwood CBD Alcohol Free Zone have declined since the inception of the area back in 2010.

Police hope that this information assists Council with their decision to re establish the Eastwood CBD Alcohol Free Zone. (ANNEXURE 2)

Should you require any further information please do not hesitate in contacting Sergeant Barnard or Senior Constable Perigo on 9879 9699.

Regards,


J Duncan
Superintendent
Local Area Commander
Ryde Local Area Command



Ryde Local Area Command
8 Victoria Road
Gladesville

Telephone 02 9879 9699 Facsimile 02 9879 9611 ENet 69699 EFax 69611 TTY 9211 3776 (Hearing/Speech impaired)
ABN 43 406 613 180

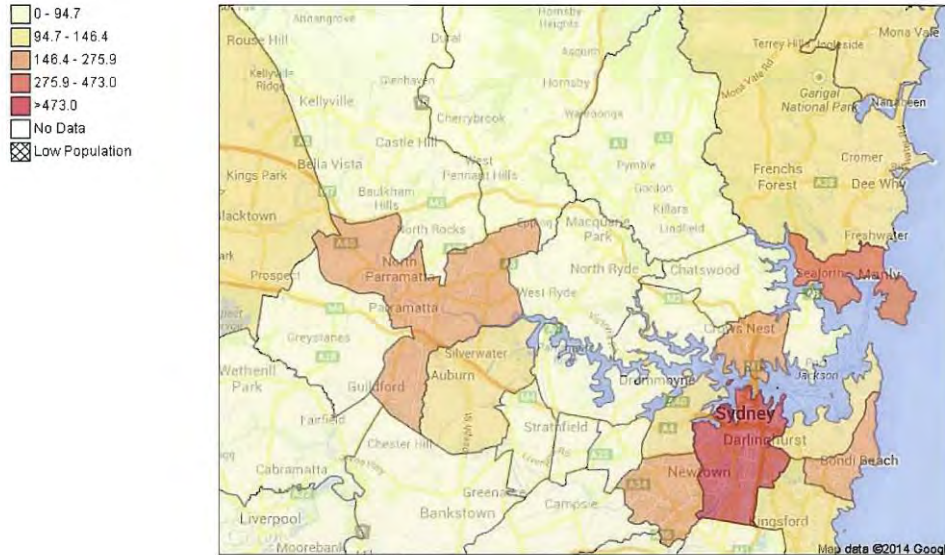
NSW POLICE FORCE RECRUITING NOW 1800 222 122
WWW.POLICE.NSW.GOV.AU/RECRUITMENT

ITEM 11 (continued)

ATTACHMENT 2

Page 1 of 1

Incidents of Alcohol Related Assault (Non-domestic assault) from Oct 2012 to Sep 2013



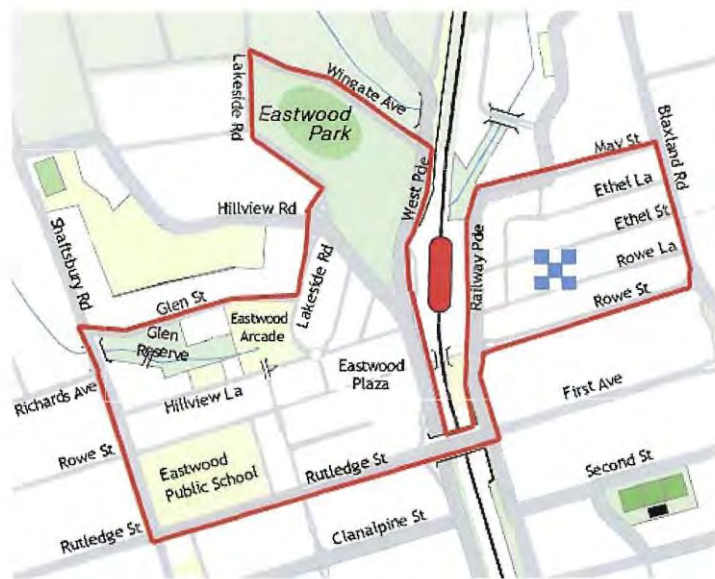
<http://crimetool.bocsar.nsw.gov.au/bocsar/api/map/frame?lat=-33.80150948844189&ln...> 3/04/2014

ITEM 11 (continued)

ATTACHMENT 2

ANNEXURE 2

Eastwood Alcohol Free Zones



ITEM 11 (continued)

ATTACHMENT 3

**Ministerial
Guidelines
on
Alcohol - Free
Zones**

February 2009

ITEM 11 (continued)**ATTACHMENT 3****ACCESS TO SERVICES**

The Department of Local Government is located at:

Levels 1 & 2
5 O'Keefe Avenue
NOWRA NSW 2541

Locked Bag 3015
NOWRA NSW 2541

Phone 02 4428 4100
Fax 02 4428 4199
TTY 02 4428 4209

Level 9, 323 Castlereagh Street
SYDNEY NSW 2000

Locked Bag A5045
SYDNEY SOUTH NSW 1235

Phone 02 9289 4000
Fax 02 9289 4099

Email dlg@dlg.nsw.gov.au
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ITEM 11 (continued)**ATTACHMENT 3****FOREWORD**

The NSW Government has made clear its determination to tackle the growing problem of anti-social behaviour and alcohol-related violence in our community. The Government has introduced a comprehensive package of initiatives to help address this issue, including amendments to the alcohol-free zone provisions in the *Local Government Act 1993* to give Police and local council enforcement officers more power to enforce alcohol-free zones.

These Ministerial Guidelines have been prepared under section 646(1) of the *Local Government Act*. The Guidelines take effect on 5 February 2009 replacing the previous Guidelines issued in 1995.

The principal object of an alcohol-free zone is to prevent disorderly behaviour caused by the consumption of alcohol in public areas in order to improve public safety.

Alcohol-free zones are most effective if they form part of a larger program in which the local community is actively involved directed at irresponsible alcohol consumption. Used in isolation they may only move the problem from one place to another.

The Guidelines provide councils with detailed procedures to be followed when considering the establishment of alcohol-free zones. The guidelines include details on the application process, consultation and operational requirements, as well as guidance on enforcing alcohol-free zones. Councils are encouraged to establish a good working relationship with their Police local area command to enhance the effectiveness of alcohol-free zones.

There is evidence that when alcohol-free zones are established in appropriate areas and operated with the required level of resources to promote and enforce the zones, they are an effective tool in assisting Police and councils manage public safety.

I encourage all councils to consider the appropriate use of alcohol-free zones to manage alcohol related anti-social behaviour in their community.



The Hon. Barbara Perry, MP
Minister for Local Government
5 February 2009

ITEM 11 (continued)**ATTACHMENT 3**

Ministerial Guidelines on Alcohol-Free Zones

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ITEM 11 (continued)**ATTACHMENT 3**

Ministerial Guidelines on Alcohol-Free Zones

INTRODUCTION

The object of alcohol-free zones is an early intervention measure to prevent the escalation of irresponsible street drinking to incidents involving serious crime.

The drinking of alcohol is prohibited in an alcohol-free zone that has been established by a council. Public places that are public roads, footpaths or public car parks may be included in a zone. Alcohol-free zones promote the use of these roads, footpaths and car parks in safety and without interference from irresponsible street drinkers.

Any person living or working within an area, the local police or a local community group may ask a council to establish an alcohol-free zone or a council itself may decide to do so. A proposal to establish an alcohol-free zone must in all cases be supported by evidence that the public's use of those roads, footpaths or public car parks has been compromised by street drinkers. For example, there could be instances of malicious damage to property, littering, offensive behaviour or other crimes.

The council must undertake a consultation process to decide if an alcohol-free zone is appropriate. Once established by council resolution, the roads, footpaths and public car parks within the zone must be signposted and notice of the zone must appear in the local press. The maximum duration of an alcohol-free zone is four years, although it may be re-established at the conclusion of the original period, following a review by council of its continuing applicability. Alcohol-free zones may also be established for special events only.

Alcohol-free zones are enforced by the police or by council enforcement officers where the Commissioner of Police gives written authorisation. Any person observed to be drinking in an alcohol-free zone may have the alcohol in their possession immediately seized and tipped out or otherwise disposed of.

Alcohol-free zones are most effective if they are part of a larger program directed at irresponsible alcohol consumption in which the local community is actively involved. Used in isolation they may only move the problem from one place to another.

These Ministerial Guidelines provide local councils with detailed procedures which must be followed in the establishment of an alcohol-free zone. They supplement the relevant provisions of the *Local Government Act 1993*.

Each of the paragraphs of these Guidelines are accompanied by the relevant section reference in the Act. As set out in section 646 of the Local Government Act, the Ministerial Guidelines must be used by councils when establishing an alcohol-free zone.

The Commissioner of Police may separately issue directions relating to the enforcement of alcohol-free zones.

ITEM 11 (continued)**ATTACHMENT 3**

Ministerial Guidelines on Alcohol-Free Zones

GUIDELINES FOR COUNCILS**VALID ESTABLISHMENT OF AN ALCOHOL-FREE ZONE****sections 644, 644A, 644B, 644C and 646**

To validly establish an alcohol-free zone a council must comply with the procedures in sections 644 to 644C of the Local Government Act as well as those set out in these Guidelines.

The Act identifies that alcohol-free zones can be established in those areas which have identified problems with regard to street drinking.

APPLICATION FOR AN ALCOHOL-FREE ZONE**section 644 (1) and (2)**

One or more of the following people may make application to a local council to establish an alcohol-free zone:

- a person who is a representative of a community group active in the area,
- a police officer, or
- a person who lives or works in the area.

An application to the relevant council is to be made in the form set out at Appendix 1 to these Guidelines. A council may adapt the form, provided the same information is required as a minimum. Councils may consider making the application form available on their website.

An application fee is not appropriate.

If council receives more than one application referring to the same roads, footpaths or public car parks, they may be joined in a single alcohol-free zone proposal.

PROPOSAL FOR THE ESTABLISHMENT OF AN ALCOHOL-FREE ZONE**section 644**

A council may prepare a proposal for the establishment of an alcohol-free zone. In this case, receipt of an application is not necessary as the council itself is initiating action for a zone.

A proposal must be prepared in respect of every proposed alcohol-free zone.

An alcohol-free zone is a means by which a council may limit the locations within its area where the consumption of alcohol is permitted. Because it will impose restrictions on the personal freedom of citizens, a proposal to establish a zone must adequately address the following matters:

ITEM 11 (continued)**ATTACHMENT 3**

Ministerial Guidelines on Alcohol-Free Zones

1 Reasons to Support an Alcohol-Free Zone

The irresponsible consumption of alcohol on roads and footpaths and in public carparks can compromise their safe use by members of the public without interference. Each individual zoning is to be considered according to its particular circumstances.

Reasons for supporting alcohol-free zones must be included and must reflect the fact that irresponsible behaviour arising from the consumption of alcohol is occurring on those roads and footpaths and in those public carparks included in the proposal. This could involve instances of obstruction, littering, the actual commission of, or police intervention to avoid the commission of, more serious offences under the *Law Enforcement (Powers and Responsibilities) Act 2002*, *Summary Offences Act 1988* or the *Crimes Act 1900*, such as malicious damage, etc.

It is not appropriate to consider an alcohol-free zone for reasons that are unrelated to the irresponsible behaviour of drinkers, for example, the congregation of drinkers where irresponsible behaviour does not occur, general conduciveness to business or tourist activities or the personal beliefs of particular citizens.

2 Location of an Alcohol-Free Zone

An alcohol-free zone may only be established to include a public road, footpath or a public place that is a carpark (ie carparks on public land or Crown land). Private carparks (being on private land and not under the control of the council) may not be included.

Generally, an alcohol-free zone should be as small as is possible and must only extend to areas which can be supported by reasons as set out in point 1 above. However, larger alcohol-free zones, sometimes known as 'whole-town' alcohol-free zones may be effective in some rural and remote towns where they are supported generally by all stakeholder groups in that community. There are legal issues that need to be considered by councils when such 'whole-town' zones are proposed, as some relevant areas of a town will not be public roads, footpaths or public carparks.

Large alcohol-free zones need to be established in a way which is complementary with public places signposted under section 632 of the *Local Government Act 1993*. It is not usually appropriate to establish an entire local government area, or a substantial part of that area, as an alcohol-free zone. Similarly, it would usually be inappropriate to zone the greater part of a town, suburb or urban area as alcohol-free.

Alcohol-free zones should primarily be located adjacent to outlets supplying alcohol where drinkers congregate. In the absence of such an outlet a zoning should be considered only in exceptional circumstances. For example, a known hot spot for inappropriate street drinking may be in a public carpark adjacent to a beach or public reserve, but which is many kilometres from an outlet supplying alcohol.

ITEM 11 (continued)**ATTACHMENT 3****Ministerial Guidelines on Alcohol-Free Zones*****Alcohol-free zones and alfresco dining***

In some circumstances an alcohol-free zone may be proposed for an area that includes footpath alfresco dining areas for cafés and restaurants which fall within the zone. When a council issues a licence for the use of public footpaths for such dining use in an alcohol-free zone, it must impose conditions on the licensee (eg restaurant operator) about the requirements of the zone, including clear delineation and control of the licensed area from the alcohol-free zone.

3 Duration of an Alcohol-Free Zone

An alcohol-free zone may be established for a maximum period of four years. Once established, it applies twenty-four hours per day.

Where a problem with irresponsible street drinking exists only in relation to a special event within the local area, an alcohol-free zone may be established only for that special event. A "special event" is not defined in the Local Government Act. It could be applied to any event that is of significance to the local area, for example, a local show day, a cultural event such as Tamworth's Country Music Festival, or a particular time of year such as New Year's Eve celebrations. It is for the relevant council to decide what is a "special event" for the purposes of establishing an alcohol-free zone.

An alcohol-free zone declared for a special event also has a maximum duration of four consecutive years. The proposal and related signage needs to define the special event that the alcohol-free zone relates to.

The duration of an alcohol-free zone established prior to 3 December 2008 is not extended.

4 Consultation with the Police

In preparing a proposal to establish an alcohol-free zone a council must consult with the relevant Police Local Area Commander about the appropriate number and location of alcohol-free zones.

COUNCIL CONSULTATION WITH INTERESTED PARTIES**section 644A**

After preparing a proposal to establish an alcohol-free zone a council is required to undertake a public consultation process. The process under the Act involves all of the following:

1. Publish a notice of the proposal in a newspaper circulating in the area of the proposed alcohol-free zone, allow inspection of the proposal and invite representations or objections within 30 days from the date of publication. The notice should state the exact location of the proposed alcohol-free zone, and the place and time at which the proposal may be inspected.

ITEM 11 (continued)**ATTACHMENT 3****Ministerial Guidelines on Alcohol-Free Zones**

2. Send a copy of the proposal to:

- a) the Police Local Area Commander and the officer in charge of the police station within or nearest to the proposed zone,
- b) liquor licensees and secretaries of registered clubs whose premises border on, or adjoin or are adjacent to, the proposed zone,

and invite representations or objections within 30 days from the date of sending the copy of the proposal, AND

3. Send a copy of the proposal to the NSW Anti-Discrimination Board, if the local area is listed in Appendix 2 to these Guidelines, and invite representations or objections within 30 days from the date of sending the copy of the proposal. Other councils have the option of advising the Board if they wish to seek the Board's views on the proposed alcohol-free zone.

In addition to these statutory requirements there are other consultative avenues that may enhance the effectiveness of any alcohol-free zone that is subsequently established. Accordingly, a council is also required to:

4. Send a copy of the proposal to any known organisation representing or able to speak on behalf of an identifiable Aboriginal or culturally and linguistically diverse group within the local area and invite representations or objections within 30 days from the date of sending the copy of the proposal.

A council is to give proper consideration to any representations, submissions or objections received and as a result may amend or withdraw a proposal to establish an alcohol-free zone. However, any amendment that extends the location of the proposed alcohol-free zone must be supported by reasons (as outlined above).

COUNCIL RESOLUTION TO ESTABLISH AN ALCOHOL-FREE ZONE**section 644B (1) and (2)**

After complying with the procedures a council may, by resolution, adopt a proposal to establish an alcohol-free zone. The resolution itself will establish the zone.

After resolution, a council's usual administrative processes would apply in informing interested parties including any applicant, the Anti-Discrimination Board (if applicable), the relevant police Local Area Commander and officer in charge of the local police station (if different), affected liquor licensees and club secretaries and other organisations advised of the original proposal.

OPERATION OF AN ALCOHOL-FREE ZONE**section 644B (3) and (4)**

A council must publicly advise the establishment of an alcohol-free zone by notice published in a newspaper circulating in the area that includes the zone.

An alcohol-free zone will not operate until 7 days after publication of the notice AND until the roads, footpaths and public carparks affected are adequately signposted.

ITEM 11 (continued)**ATTACHMENT 3****Ministerial Guidelines on Alcohol-Free Zones****Signage for Alcohol-Free Zones**

A council is required to consult with the police regarding the placement of signs.

As a minimum, signs are to be placed at the outer limits of the zone, at the site of specific trouble spots (as indicated by the police) and at other suitable intervals within the zone.

Signs designating an alcohol-free zone must indicate that the drinking of alcohol is prohibited in the zone. Signs should note that alcohol may be seized and disposed of if alcohol is being consumed in the zone. Starting and finishing dates for the operation of the zone should also be included.

It is recommended that signs use consistent, easily recognisable symbols and include a map of the area defining the location of the zone. Some councils may choose to complement erected notices with spray-painted no-alcohol symbols on the footpaths.

Graphic representation on signs is an option. However, Standards Australia does not have an internationally recognised symbol for alcohol and considers that depiction of a bottle, glass AND can would be ideal to avoid confusion. The International Organisation for Standardisation (ISO) provides advice on methods that can be used to create different types of prohibition signs (ISO 7010-2003 *Safety Signs used in Workplaces and Public Areas*). This can be read with ISO 3864.3-2006 (*Design Principles for Graphical Symbols for use in Safety Signs*) which is used to ensure symbols and signs have the intended meaning and can be comprehended by persons as they enter the area the sign applies to. The Standard provides sizing requirements and font sizes for letters used in symbols.

Councils are encouraged to utilise symbols on their signage which don't rely on high levels of literacy.

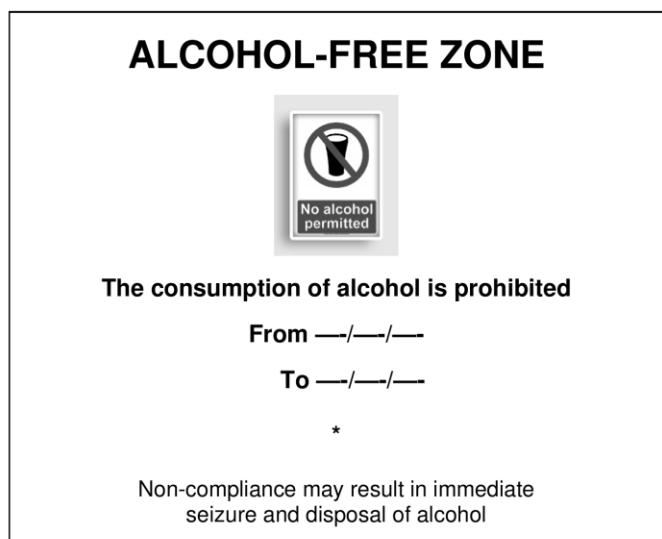
The local Aboriginal community may be engaged to design signs which are also appropriate for their community.

ITEM 11 (continued)

ATTACHMENT 3

Ministerial Guidelines on Alcohol-Free Zones

The content of the sign below is considered a minimum standard.



** Insert appropriate directional arrow or map*

On such signs the dates may be inserted in a manner that allows re-use of the sign, provided the dates cannot be removed during the period of operation.

Signs are to be removed as soon as practicable, but no longer than 30 days, after the end date of an alcohol-free zone.

SUSPENSION OR CANCELLATION OF AN ALCOHOL-FREE ZONE

section 645

The power to suspend or cancel an alcohol-free zone during its period of operation is provided so that a council may respond to more immediate situations that arise within the area of the zone.

A council must pass a valid resolution to suspend or cancel a particular alcohol-free zone. Such action may be taken as a result of a request received from any person or body, or at a council's own initiative.

Liaison with the local police, before and after the council resolution, is essential to ensure that both groups are informed and action is coordinated. Additionally, a council may undertake any other consultation that it considers necessary.

A council must publish notice of a suspension or cancellation as required under section 645 (1) and (3). In the case of cancellation of an alcohol-free zone the signs should be removed immediately.

ITEM 11 (continued)**ATTACHMENT 3****Ministerial Guidelines on Alcohol-Free Zones**

A council is not limited in the reasons for which it may suspend or cancel an alcohol-free zone. A suspension would not usually be appropriate for any period longer than one month, and generally would be of a much shorter duration eg. to accommodate a specific community event. Alcohol-free zone signage should be removed for the duration of any suspension of the zone.

The four year operation of an alcohol-free zone is not extended by any suspension occurring within that period.

RE-ESTABLISHMENT OF AN ALCOHOL-FREE ZONE**section 644B(4)**

An alcohol-free zone is essentially a short-term control measure and in many instances a zone will achieve the desired objectives within its operational period.

There is no general provision for an alcohol-free zone to be extended. However, the roads, footpaths or public carparks comprising a zone may be included in another alcohol-free zone of the same or different configuration, immediately following the cessation of the existing zone or at any future time.

All the requirements for the valid establishment of a zone apply whether or not any of the roads, footpaths or carparks concerned have previously been zoned as alcohol-free.

Where a proposal for an alcohol-free zone includes roads, footpaths or public carparks that have previously been zoned as alcohol-free, a council is to have regard to that previous zoning.

The evaluation criteria that councils use when considering the re-establishment of an alcohol free zone should include the following:

- what were the factors which originally supported a zoning in that area?
- how successful was the previous alcohol-free zone in achieving a reduction in unacceptable street drinking?
- what do police statistics indicate about the value of re-establishing an alcohol-free zone in that area?
- what other measures may need to be considered (eg a community education program) if unacceptable street drinking is still of concern in that area?
- has the community's perceptions of safety improved?

The re-establishment procedure provides a council with the opportunity to focus again on any community problems associated with irresponsible alcohol consumption and the range of strategies that may be implemented to address these problems.

ITEM 11 (continued)**ATTACHMENT 3**

Ministerial Guidelines on Alcohol-Free Zones

RECORDING OF ALCOHOL-FREE ZONES

The maintenance of appropriate records is essential for established alcohol-free zones. As a minimum, records need to be kept in sufficient detail:

- to document that all the steps for valid establishment have been undertaken
- to provide for removal of signs at the conclusion of the zone's operation
- to identify suspensions or cancellations of alcohol-free zones
- to avoid overlap in the establishment of alcohol-free zones
- to provide a reference base where re-establishment of an alcohol-free zone is sought.

ENFORCEMENT OF ALCOHOL-FREE ZONES**sections 642 and 648**

Alcohol-free zones may be enforced by any officer of the NSW Police Force or an enforcement officer. An enforcement officer means an employee of a council authorised in writing by the Commissioner of Police to be an enforcement officer for the purpose of section 642 of the Local Government Act.

The legislation applies to all persons, including minors.

The power to seize and tip out or otherwise dispose of alcohol without the need to issue a warning applies within an alcohol-free zone.

Where a council has authorised enforcement officers, the council will be required to adopt a procedure regarding the disposal of any alcohol that is seized.

A Police officer or authorised council enforcement officer may use their discretion to issue a warning to a person who is drinking in an alcohol free zone, for example, where the person may be unaware of the zone.

It should also be noted that in circumstances where a person does not co-operate with a Police officer or authorised council enforcement officer, they can be charged with obstruction under section 660 of the Local Government Act which carries a maximum penalty of \$2,200.

The Commissioner of Police has the power to authorise council officers to enforce alcohol-free zones. The Commissioner may delegate his or her authority to Police Local Area Commanders. Where councils identify benefits to their communities for their officers to enforce alcohol free zones, the general manager will need to liaise with the Local Area Commander to ensure that council officers are suitable for this enforcement role.

Only authorised employees of a council and not contractors, who may be otherwise engaged by a council to provide regulatory services, may be authorised for this purpose.

Councils are responsible for ensuring that their authorised enforcement officers have appropriate identification to support this enforcement role.

ITEM 11 (continued)**ATTACHMENT 3****Ministerial Guidelines on Alcohol-Free Zones**

Councils with authorised council enforcement officers need to establish a system to record the number of occasions that these officers enforce the Alcohol-Free Zone legislation in their area. This should include monitoring the number of authorised council enforcement officers and how often alcohol is tipped out or otherwise disposed of. Councils may from time to time be required to report this data to the Department of Local Government to inform the evaluation of the usage of the Alcohol-Free Zone powers by councils.

It is important that the Police Local Area Commander and the officer-in-charge of the local police station (if different) are involved in the establishment procedure so that the zone operates and is enforced most effectively.

ALCOHOL-FREE ZONES AND COMMUNITY EDUCATION

As well as the requirement to publish information in the local media about the establishment of an alcohol-free zone, the community will be better educated about the intent of the alcohol-free zone if a community education campaign is run in line with the establishment of the zone.

Councils may wish to engage their local Community Drug Action Team or Drug and Alcohol Service within their Area Health Service so that responsible drinking messages can be promoted within the community to coincide with the establishment of the alcohol-free zone.

Posters and other information about the consequences of irresponsible street drinking may be displayed in local licensed premises and bottle shops. Collaboration between council, the police and stakeholders including liquor licensees may be assisted through a local Liquor Accord. Further information on Liquor Accords is available on the Office of Liquor, Gaming and Racing website at www.olgr.nsw.gov.au.

ITEM 11 (continued)**ATTACHMENT 3**

Ministerial Guidelines on Alcohol-Free Zones

CONTACTS**Department of Local Government**

Level 1, 5 O'Keefe Avenue
(Locked Bag 3015)
Nowra, 2541

Telephone: (02) 4428 4100

Website: www.dlg.nsw.gov.au

Anti-Discrimination Board

Level 4, 175 Castlereagh Street,
Sydney
(PO Box A2122, Sydney South, 1235)

Telephone:

General Enquiry Service & Employers Advisory Service (02) 9268 5544
For rural and regional New South Wales only 1800 670 812

Website: www.lawlink.nsw.gov.au/adb

NSW Police Service

1 Charles Street
(Locked Bag 5102)
Parramatta, 2150

Telephone: 1800 622 571

Website: www.police.nsw.gov.au

ITEM 11 (continued)

ATTACHMENT 3

Ministerial Guidelines on Alcohol-Free Zones

Appendix 1

APPLICATION FOR ALCOHOL-FREE ZONE

(Local Government Act 1993, section 644)

To(Name of Council)

1 I
(Full Name)

2 of
(Address) (Telephone No.)

3 **Being** (tick appropriate box):

(a) ☐ a representative of
(Name of Community Group in area)

(b) ☐ a police officer stationed at

(c) ☐ a person living in the area

(d) ☐ a person working in the area at
(work address)

apply to the Council to establish an alcohol-free zone.

4 Roads or parts of roads ('roads' includes 'footpaths') and/ or public car parks to be included in the alcohol-free zone:

.....
.....
.....
(Specify exactly by referring to street numbers or other landmarks)

5 Reasons for requesting the alcohol-free zone:

.....
.....
.....

(Give details of obstruction, littering, personal injury, property damage, police intervention, etc. that have occurred on those roads or in those car parks)

Signed.....

Date.....

Documents supporting the information on this form may be attached.

ITEM 11 (continued)**ATTACHMENT 3**

Ministerial Guidelines on Alcohol-Free Zones

Appendix 2**COUNCILS WHICH MUST CONSULT WITH
THE ANTI-DISCRIMINATION BOARD**

Sixteen councils are required to consult with the NSW Anti-Discrimination Board in their establishment of an alcohol-free zone to provide a measure of protection against the possibility of a discriminatory impact upon certain groups in the community. These councils are:

Blacktown
Bourke
Campbelltown
Dubbo
Kempsey
Lake Macquarie
Liverpool
Moree Plains
Newcastle
Penrith
Randwick
Shoalhaven
South Sydney
Tamworth
Walgett
Wollongong

12 REPORTS DUE TO COUNCIL

Report prepared by: Meeting Support Coordinator

File No.: CLM/14/1/4/2 - BP14/175

REPORT SUMMARY

This Report is submitted to Council to review the status of outstanding reports and confirm the date reports are due to be provided to Council as at 15 April 2014 (listing **ATTACHED**).

There are currently 25 reports listed. Following consideration of this report there will be seven overdue reports due to Council.

RECOMMENDATION:

That the report on Outstanding Council Reports be endorsed.

ATTACHMENTS

- 1 Outstanding Council Reports - as at 15 April 2014

Report Prepared By:

Carol Mikaelian
Meeting Support Coordinator

Report Approved By:

Amanda Janvrin
Section Manager - Governance

Shane Sullivan
Acting Group Manager - Corporate Services

ITEM 12 (continued)

ATTACHMENT 1

Outstanding Reports

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	MAYORAL MINUTE 15/12 - REVIEW OF POLICIES REGARDING VISITING OVERSEAS DELEGATIONS AND SISTER CITY RELATIONSHIPS	13/08/2013	<i>Council resolved that a Workshop be conducted to allow Council to reconsider its policy with regard to Visiting Overseas Delegations and all aspects of existing sister city relationships. This Workshop has been held.</i>
Meeting Date		Anticipated date	
13/11/2012	(b)That the General Manager bring back a report to Council of existing sister city relationships.	24/06/2014	
Group		Officer	
Corporate Services		Shane Sullivan	<p><i>Subsequently, Council asked that a further workshop be conducted with Korean representatives.</i></p> <p><i>Due to the large number of planned workshops this workshop will be delayed. Workshop anticipated to be held in April 2014 with a report to follow.</i></p> <p><i>It was planned for this workshop to be held on 22 April 2014, however as a result of Councillor feedback this has been rescheduled to 27 May 2014.</i></p>

ITEM 12 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	7-9 RUTLEDGE STREET, EASTWOOD, LOT 23 DP 4231 and LOT 24 DP 653568. Local Development	3/12/2013	<i>Amended plans and information to be submitted and then renotified. Not yet received.</i>
Meeting Date	Application for a mixed use development, containing 6 retail/commercial tenancies, 79 units & basement parking for 155 cars & strata subdivision. LDA 2011/0612.		<i>Amended plans not yet received as at March 2013.</i>
27/11/2012	That Local Development Application No. 2011/0612 at 7-9 Rutledge Street, Eastwood, being LOT 23 DP 4231 and LOT 24 DP 653568 be deferred pending receipt of the information required by the deferred commencement conditions including amended plans etc and exhibition of this information with a further report to Council for consideration in 2013.	Anticipated date 22/07/2014	<i>Follow-up letter to applicant sent seeking amended plans 3 April 2013 - applicant has requested more time to provide amendements.</i>
Group		Officer Liz Coad	<i>Date of Report to be determined upon receipt of amended plans. Amended plans not yet received as at August 2013.</i>
Environment and Planning			<i>Some amended plans received, still awaiting further plans as at September 2013. Notification to be undertaken upon receipt of complete amendments and report to Council to follow.</i>
			<i>Amended plans Received. Notification closes 30 October 2013.</i>
			<i>Amended Plans do not address all</i>

ITEM 12 (continued)

ATTACHMENT 1

15-Apr-14

Page 3 of 20

*issues identified by Council.
Further amendments required.
New date of report yet to be
determined.*

*Amended Plans on exhibition.
Notification closes 19 March
2014. Significant changes to
staging and parking/driveway
proposal requires significant
assessment work. Report
proposed for July 2014.*

ITEM 12 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	NOTICE OF MOTION - AMENDMENT TO VOLUNTARY PLANNING AGREEMENT (VPA) POLICY	24/09/2013	<i>In keeping with the Integrated Open Space Plan, the amended VPA Policy seeking additional open space, was approved by Council at its meeting held on 13 August 2013.</i>
Meeting Date	(b) The Acting General Manager prepare a report identifying how much money Council has for open space acquisition and identify potential purchases for consideration by Council in keeping with the Draft IOSP.	Anticipated date	
14/05/2013		22/07/2014	
Group		Officer	
Community Life		Tatjana Domazet	<i>The Open Space Future Provision Plan is currently under development and will be discussed at a confidential Councillor workshop to be held in November 2013.</i>
			<i>Workshop deferred to February 2014.</i>
			<i>Workshop further delayed to 18 March due to another workshop needing to take priority. Report to be provided to Council in May 2014.</i>
			<i>Workshop was held in March, and a further workshop to be scheduled as soon as practicable.</i>

ITEM 12 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Works and Community	NOTICE OF MOTION - ADVERTISING ON PUBLIC LAND AND AROUND DOG OFF LEASH PARKS	10/12/2013	<i>Investigation is being undertaken on potential policy changes required to allow advertising, currently City of Ryde's LEP and DCP falls under a 'no 3rd Party advertising' category which disallows any private or council owned property, including in parks.</i>
Meeting Date	1. That the Acting General Manager provide a report to Council advising of the options for advertisement around the dog off leash parks including proposed fees and terms and conditions for such advertising that are compliant with the requirements of the State Environmental Planning Policy 64.	Anticipated date	
28/05/2013	2. That the Acting General Manager investigate the potential of advertising on public land as an revenue generating option such as advertisement around dog parks, with the expression of interests to be sent to all local vet business and dog food companies, and report back to Council.	22/07/2014	<i>Report anticipated for Council Meeting on 22 July 2014.</i>
Group		Officer	
Community Life		Tatjana Domazet	

ITEM 12 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	DRAFT DCP 2010 PART 4.4 RYDE TOWN CENTRE - CIVIC PRECINCT	25/03/2014	Gateway determination under consideration of DoPI - exhibition pending DoPI decision.
Meeting Date	(c) That Council is presented with a further report following the completion of the exhibition period.	Anticipated date	DoPI requested additional information, which has been provided by Council 5 August 2013.
28/05/2013		13/05/2014	
Group		Officer	
Environment and Planning		Meryl Bishop	Still awaiting DOPI determination as at September 2013.
			Still awaiting DOPI determination as at October 2013. Staff have contacted DOPI for update. No response has yet been provided.
			DOPI have approved the exhibition of the draft. It will be exhibited in early 2014.
			Exhibition period 20 November 2013 to 24 January 2014.
			Report to Council anticipated for 13 May 2014.

ITEM 12 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution ESTABLISHING AN INTEGRATED YOUTH SERVICE HUB	Due Date of Report 14/07/2015	Comments/Update <i>This report will be provided to Council in July 2015, after a duration of 24 months as per the resolution.</i>
Meeting Date 23/07/2013	(d)That following the trial period (2 years), a review of the Integrated Youth Service Hub governance model be undertaken by Community and Culture and reported to Council.	Anticipated date 14/07/2015	
Group Community Life		Officer Gunjan Tripathi	
Meeting Type Council	Resolution PLANNING PROPOSAL - 111 WICKS ROAD, 29 EPPING ROAD AND 31 - 35 EPPING ROAD MACQUARIE PARK - COMPLETE	Due Date of Report 25/03/2014	Comments/Update <i>Awaiting provision of additional information from applicant.</i>
Meeting Date 27/08/2013	That a further report be provided to Council following the outcomes of those discussions.	Anticipated date 22/04/2014	<i>Report to Council scheduled for 22 April 2014.</i>
Group Environment and Planning		Officer Meryl Bishop	<i>COMPLETED (To be removed following Council Meeting held on 22 April 2014).</i>

ITEM 12 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	PLANNING PROPOSAL - 10 MONASH ROAD AND 2 COLLEGE STREET, GLADESVILLE	27/05/2014	<i>Date of exhibition yet to be determined.</i>
Meeting Date	(c) That, in the event of a gateway determination being issued pursuant to Section 56 of the Environmental Planning and Assessment Act 1979, the planning proposal be placed on public exhibition and a further report be presented to Council following the completion of the community consultation advising of the outcomes and next steps.	Anticipated date	<i>DOPI has issued a Gateway determination approving the exhibition of the Planning Proposal. The DOPI conditions require the Planning Proposal to be exhibited with the Bunning's Site Traffic Study (currently underway).</i>
24/09/2013		27/05/2014	
Group		Officer	
Environment and Planning		Meryl Bishop	

ITEM 12 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	WESTERN SYDNEY LIGHT RAIL - PART 2 FEASIBILITY REPORT	10/12/2013	<i>The Acting General Manager wrote to Parramatta City Council. The Group Manager - Environment and Planning attended a Transport Forum on 29 November 2013.</i>
Meeting Date		Anticipated date	
8/10/2013	(b) That the Acting General Manager liaise with Parramatta City Council in respect to their proposed light rail transport system on the basis that any such proposal should involve consultation with the City of Ryde, particularly in relation to Ryde's transport needs, community concerns and future requirements.	27/05/2014	<i>As a result of this Forum an update on this matter was provided to Councillors via the Councillors Information Bulletin on 9 January 2014.</i>
Group	(c) That the Acting General Manager bring a report back to Council as a result of part (b) above.	Officer	<i>There have been recent announcements of possible state/federal funding of this project. The report to Council is suggested to be deferred to 27 May 2014 to await further confirmation of details related to this project, including Government funding.</i>
General Manager		Roy Newsome	

ITEM 12 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	PLANNING PROPOSAL - AMENDMENTS TO LEP 2013	27/05/2014	<i>Land Owner advised of deferral; Public Works preparing report to Works Committee on drainage and structural issues relating to the site; a further report regarding the planning controls for the site will be provided at a latter date.</i>
Meeting Date		Anticipated date	
8/10/2013	(f) That Council defer amending the planning control for 100 Rowe Street Eastwood from the Planning Proposal Amendments to DLEP 2013 to allow further consideration and discussion with the land owner of the flooding solutions / proposed planning controls for the site. The matter will be reported to Council at a later date.	27/05/2014	
Group		Officer	
Environment and Planning		Meryl Bishop	
Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	PLANNING PROPOSAL - AMENDMENTS TO LEP 2013	27/05/2014	<i>Date of exhibition yet to be determined.</i>
Meeting Date		Anticipated date	
8/10/2013	(c) That in the event of a gateway determination being issued pursuant to Section 56 of the Environmental Planning and Assessment Act 1979, the Planning Proposal Amendments to DLEP 2013 be placed on public exhibition and a further report be presented to Council following the completion of the exhibition period.	27/05/2014	
Group		Officer	
Environment and Planning		Meryl Bishop	
15-Apr-14			
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ITEM 12 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Works and Community	SANTA ROSA PARK AMENITIES BUILDING - COMPLETE	25/02/2014	<i>This report will be provided to the Works and Community Committee in March.</i>
Meeting Date	(c) That a report be provided to the Works and Community Committee providing an in-house detailed schedule of works required to bring the toilet facilities in the Air League building to a standard for safe public use.	Anticipated date	<i>This report is delayed until information on the costs associated with conversion of the Air League Building to public toilets is received. It is anticipated that this report will be provided to the Works and Community Committee in April 2014.</i>
Group		Officer	
Community Life		Tatjana Domazet	<i>COMPLETED (To be removed following Council Meeting held on 22 April 2014).</i>

ITEM 12 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	MAYORAL MINUTE - NIGHT FOOD MARKETS IN EASTWOOD	22/07/2014	<i>This report will be provided to Council in July 2014.</i>
Meeting Date		Anticipated date	
26/11/2013	(a) That Council in conjunction with Eastwood Events and Promotions Committee investigate the operation of Night Food Markets including development of objectives, operating parameters and terms and conditions for a potential Market.	22/07/2014	
Group		Officer	
Community Life	(b) That all funding options be explored as part of the investigation.	Derek McCarthy	
	(c) That at the completion of the investigation as outlined in parts (a) and (b), a report be presented to Council.		
	(d) That Council further investigate the operation of Night Food Markets as outlined in parts (a) and (b) above in other town centres and that a report be presented to Council.		

ITEM 12 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	NOTICE OF MOTION - FEASIBILITY STUDY – 53-71 ROWE STREET, EASTWOOD CAR PARK - COMPLETE	8/04/2014	<i>Update 17 February 2014: A Councillor Workshop is schedule for 18 February 2014. A report on this matter will be submitted to a future Council meeting as further planning needs to be completed before the anticipated date of report can be set.</i>
Meeting Date	That the Acting General Manager prepare an initial feasibility study for the construction of a mixed use development on the 53-71 Rowe Street, Eastwood car park to be held in Councils investment property portfolio and report back to Council.	Anticipated date	
26/11/2013		8/04/2014	
Group		Officer	
Public Works		Chris Redman	<i>Update 6 March 2014: Workshop completed. Report scheduled for the Council Meeting to be held on 8 April 2014.</i>
			<i>Update 9 April 2014: Report submitted to Council Meeting held on 8 April 2014.</i>
			<i>COMPLETED: (To be removed following Council Meeting held on 22 April 2014).</i>

ITEM 12 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	PROPERTY INVESTMENT PORTFOLIO - COMPLETE	8/04/2014	Update 17 February 2014: A Councillor Workshop is scheduled for 18 February 2014. A report on this matter will be submitted to a future Council meeting as further planning needs to be completed before the anticipated date of report can be set.
Meeting Date	(c) That a further report be provided back to Council on the management framework and objectives for Council's Property Investment Portfolio including a draft Action Plan.	Anticipated date	
26/11/2013		8/04/2014	
Group		Officer	
Public Works		Chris Redman	Update 6 March 2014: Workshop completed. Report scheduled for the Council Meeting to be held on 8 April 2014.
			Update 9 April 2014: Report submitted to Council Meeting held on 8 April 2014.
			COMPLETED: (To be removed following Council Meeting held on 22 April 2014).

ITEM 12 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	NOTICE OF MOTION - FEASIBILITY STUDY - 6 RESERVE STREET, WEST RYDE - COMPLETE	22/04/2014	<i>Update 17 February 2014: A Councillor Workshop is schedule for 18 February 2014. A report on this matter will be submitted to a future Council meeting as further planning needs to be completed before the anticipated date of report can be set.</i>
Meeting Date	That the Acting General Manager prepare an initial feasibility study for the construction of a development at 6 Reserve Street, West Ryde and report back to Council.	Anticipated date	
26/11/2013		22/04/2014	
Group		Officer	
Public Works		Chris Redman	<i>Update 6 March 2014: Workshop completed. Report scheduled for the Council Meeting to be held on 22 April 2014.</i>
			<i>COMPLETED: (To be removed following Council Meeting held on 22 April 2014).</i>

ITEM 12 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	MAYORAL MINUTE - VOLUNTEER READING PROGRAM	24/06/2014	<i>This report will be provided to Council in June 2014.</i>
Meeting Date	That Council staff prepare a brief report regarding the feasibility of running a trial program in one of Council's Libraries involving a seniors volunteer or other volunteer, reading to children who are in the care of the Library concerned. The report is to be completed in six months.	Anticipated date	
10/12/2013		24/06/2014	
Group		Officer	
Community Life		Jill Webb	
<hr/>			
Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	NOTICE OF MOTION - CENTENARY OF ANZAC AND COMMEMORATION OF WW1 COMMITTEE FUNDING OPTIONS	22/04/2014	<i>This report will be provided to Council in April 2014.</i>
Meeting Date	(b) That the Acting General Manager report back on internal and external funding opportunities for projects identified as a priority by the Committee.	Anticipated date	<i>Awaiting confirmation of the grant application outcome. The new anticipated date of report is 27 May.</i>
10/12/2013		27/05/2014	
Group		Officer	
Community Life		Derek McCarthy	

ITEM 12 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution EASTWOOD TOWN CENTRE MASTER PLAN	Due Date of Report 10/06/2014	Comments/Update <i>Exhibition period expected to be 5 March 2014 to 16 April 2014. Two Community Information Sessions will be held during this period.</i>
Meeting Date 10/12/2013	That the Eastwood Town Centre Master Plan be placed on public exhibition for a period of at least six weeks, commencing in February 2014, and that following the public exhibition period, a further report be presented to Council.	Anticipated date 10/06/2014	<i>Notification area expanded and exhibition period extended until 14 May 2014. An additional information session will also be held on 3 May 2014.</i>
Group Environment and Planning		Officer Meryl Bishop	
Meeting Type Council	Resolution NOTICE OF MOTION - COUNCIL PARKING INFRINGEMENT POLICIES AND IMPLEMENTATION	Due Date of Report 6/05/2014	Comments/Update <i>Report to be presented to Council in May 2014.</i>
Meeting Date 11/02/2014	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.	Anticipated date 6/05/2014	
Group Environment and Planning		Officer Leon Marskell	

ITEM 12 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	CITY OF RYDE'S FINANCIAL FUTURE - PROPOSED COMMUNITY ENGAGEMENT PROCESS - COMPLETE	22/04/2014	<i>Scoping of strategy development commenced. Budget changes as requested by Council will be incorporated in draft Delivery Plan for 2013/14.</i>
Meeting Date	(a) That the Acting General Manager provide a report to Council regarding short, medium and long term propositions with regards to the City of Ryde's financial future. Councillors are to provide input and feedback to the Acting General Manager by 18 March 2014.	Anticipated date	
25/02/2014		22/04/2014	<i>Council's draft Communications & Engagement Strategy will be presented to Council at its meeting on 22 April 2014.</i>
Group	(b) That the Acting General Manager also provide a report to Council outlining a proposed Community Engagement Strategy to engage the community once Council determines its position.	Officer	
General Manager	(c) That this matter be reported to Council in April 2014.	Roy Newsome	<i>COMPLETED (To be removed following Council Meeting held on 22 April 2014).</i>

ITEM 12 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Works and Community	NOTICE OF MOTION - BUSH REGENERATION ACTIVITIES	17/06/2014	
Meeting Date	That the General Manager provide a status report to the Works and Community Committee on bush regeneration activities on Council land within the City of Ryde. The report should include details of paid and volunteer work during the last 12 months, the current condition of bushland subject to active regeneration and plans for the future.	Anticipated date	
25/02/2014		17/06/2014	
Group		Officer	
Community Life		Tatjana Domazet	
<hr/>			
Meeting Type	Resolution	Due Date of Report	Comments/Update
Works and Community	CITIZEN ENGAGEMENT ADVISORY COMMITTEE REPORT TO COUNCIL	25/03/2014	<i>Work has commenced on the establishment of the Bushcare and Environment Committee and the Terms of Reference will be provided to the Works and Community Community for comment. This is anticipated for 20 May 2014.</i>
Meeting Date	(h) That Council establish as soon as possible a Bushcare and Environment Committee and that a further report be provided to Council reviewing the existing Advisory Committee structure in 2016 in preparation for the next term of Council.	Anticipated date	
25/02/2014		20/05/2014	
Group		Officer	
Community Life		Tatjana Domazet	

ITEM 12 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution PROPOSED SALE - WALKLEY PATHWAY, WEST RYDE	Due Date of Report 29/07/2014	Comments/Update <i>Negotiations to take place. It is expected that a report will be submitted to Council by 26 August 2014, at the latest, following these negotiations.</i>
Meeting Date 8/04/2014	(b) That this matter be reported back to Council following further negotiations being finalised.	Anticipated date 26/08/2014	
Group Public Works		Officer Chris Redman	
Meeting Type Council	Resolution PUBLIC TOILET AT SAGER PLACE SHOPPING CENTRE	Due Date of Report	Comments/Update <i>Contact will be made with owners of 8 Sager Place to discuss opportunities for leasing toilets for public use; a further report to follow. The date of this report is yet to be determined.</i>
Meeting Date 8/04/2014	(c) That the matter be reported back to Council.	Anticipated date	
Group Environment and Planning		Officer Meryl Bishop	

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

Report prepared by: Acting General Manager**File No.:** GRP/09/7/7 - BP14/493

CORRESPONDENCE:

The **ATTACHED** correspondence provides an update on the 'Roads to Recovery' funding program.

This email was received from Local Government NSW is provided for the information of Council.

RECOMMENDATION:

That the correspondence be received and noted.

ATTACHMENTS

- 1 LGNSW - Message to all Mayors and General Managers - 9 April 2014

Report Prepared By:

Roy Newsome
Acting General Manager

PRECIS OF CORRESPONDENCE 1 (continued)

ATTACHMENT 1

Roxanne Thornton

From: City of Ryde
Sent: Wednesday, 9 April 2014 4:32 PM
To: Desk Help (Councillors Helpdesk); Baharak Sahebkhitiari; Dominic Johnson; George Dedes; Roxanne Thornton; Shane Sullivan
Subject: FW: MESSAGE TO ALL MAYORS & GENERAL MANAGERS

From: LGNSW [<mailto:lgnsw@lgnsw.org.au>]
Sent: Wednesday, 9 April 2014 3:55 PM
Subject: MESSAGE TO ALL MAYORS & GENERAL MANAGERS

Dear Mayor and General Manager

I know a number of you are concerned about the apparent delays in the passage of legislation to secure Roads to Recovery funding until 30th June 2019.

I am writing to let you know that at a late night teleconference involving the President of the Australian Local Government Association, Cr Felicity ann Lewis, and the two Vice Presidents of ALGA, Cr Troy Pickard and myself, the picture has become clearer. Roads to Recovery continues to be supported by both the Government and the Opposition.

Cr Felicity-ann Lewis has now provided the following advice which I thought I should pass on to you:-

"The extension of Roads to Recovery beyond 20 June 2014 to a new end date of 30 June 2019 is just one of the amendments which the Government is seeking to enact in the current Land Transport Infrastructure Amendment Bill which has now passed the House of Representatives. The R2R extension is supported by both the Government and the Opposition and they have both stated that they will pass a Bill which includes the R2R extension. Unfortunately, however, the Opposition and Government disagree with parts of the Bill dealing with other matters and this is creating concern about the passage of the legislation through the Senate in the next few months. ALGA is acutely aware of the issue and is discussing the matter with both Government and Opposition with the objective of ensuring that there is no impact on the R2R extension as a result of disagreement between the parties on other issues. I will keep you informed of developments on this matter and on any action that ALGA may need to take as events unfold in the new few weeks."

I trust that this information is useful.

Yours sincerely



Cr Keith Rhoades AFSM
President
M: 0408 256 405

LGNSW.ORG.AU

NOTICES OF MOTION**1 HERITAGE ADVISORY COMMITTEE RECOMMENDATIONS FROM
MEETING HELD 12 FEBRUARY 2014 - Councillor Denise Pendleton****File Number: CLM/14/1/4/6 - BP14/520**

MOTION:

That the Council Meeting

1. 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 50th year of the Civic Centre building be held during 2014
 - b. Nancy to liaise with the consultant for the 1988 study to seek a copy of the inventory sheet for the Civic Centre building.
2. A short report be prepared for the next Council Meeting on 13 May 2014 outlining options for the 50th anniversary celebration for consideration and approval.
3. That the Inventory Sheet for the Civic Centre be included in the Meeting Papers for the next Heritage Advisory Committee 18 June 2014.

CONFIDENTIAL ITEMS

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.

Report prepared by: Section Manager - Properties

File No.: BPU/08/5/3/13 - BP14/487

Page No.: 219

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.

Report prepared by: Place Manager

File No.: ENV/08/3/8/14 - BP14/502

Page No.: 225

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.

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

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

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

Report prepared by: Paralegal

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