

Meeting Date: Tuesday 26 August 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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NOTE: A copy of the report for Item 20 has not been distributed to members of the Executive Team at the City of Ryde.

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LATE ITEMS

18 MULTICULTURAL - EASTWOOD MURAL PROPOSAL FEEDBACK

Report prepared by: Manager - Community Capacity and Events
File No.: GRP/09/4/10 - BP14/969

REPORT SUMMARY

This report recommends the creation of a mural on the front wall of Eastwood Library in conjunction with Ryde Community Forum and St George Bank.

At its meeting held 24 June, Council resolved as follows:

- (a) That Council facilitate meetings between Council staff and the Ryde Community Forum to consider the creation of a mural in the Eastwood Town Centre to celebrate multiculturalism in the area.*
- (b) That the recommendations of the meetings be reported to Council prior to any action being taken in respect to creation of the mural.*

The Mayoral Minute and subsequent resolution was brought about from an approach by the Ryde Community Forum to the Mayor to initiate a community project in Eastwood. Ryde Community Forum intends to unveil the proposed mural at a Moon Festival community celebration on 6 September 2014.

Staff have facilitated meetings with the Ryde Community Forum to discuss the logistics in creating a community mural and has undertaken community consultation in conjunction with the Ryde Community Forum to receive feedback from the community on what they consider to be important aspects in the content of a mural.

This report recommends the installation of a mural on the entrance wall of Eastwood Library.

RECOMMENDATION:

That Council approve Option one, a community mural to be installed on Eastwood Library entrance wall on Saturday, 6 September 2014.

ATTACHMENTS

- 1** Artists sketches for Eastwood Mural proposal

ITEM 18 (continued)

Report Prepared By:

Derek McCarthy
Manager - Community Capacity and Events

Report Approved By:

Baharak Sahebekhtiari
Acting Group Manager - Community Life

ITEM 18 (continued)

Discussion

As per the Council resolution of 24 June 2014, an initial meeting on the proposed mural was held in the Mayor's office on 14 July with Tony Tang, President Ryde Community Forum, representatives from St George Bank, who will be sponsoring the mural, Baharak Sahebekhtiari, Acting Group Manager - Community Life and Dianne Turner, Community Project Officer - Community Life.

Further meetings between staff and stakeholders were undertaken to discuss the following matters:

- Consultation into the content of proposed mural
- Location of the proposed mural
- Activities associated with event
- Restoring site back to original condition after the use by date of the mural

The findings of these meetings are highlighted in this report.

The objective of the proposed installation of a mural at Eastwood is in line with Councils Public Art Implementation Guide, which supports the development of inspiring, creative and innovative public art works in the City of Ryde.

The role of public art is to establish a dialogue, mediated by an artist, between a community and its environment, the proposed artwork is visible from publicly accessible locations, enhances connection to and experience of place and local identity.

Public art in the City of Ryde focuses on achieving the following results, all of which are achieved in this proposal:

- Increase Community Pride
- Attribute a Place Identity
- Strengthen Community
- Celebrate Local Diversity
- Add Aesthetic Value
- Economic Development

Consultation

Given the short lead time, consultation was undertaken by Ryde Community Forum and President Tony Tang with the following stakeholders to get their feedback on what they would like to see in a mural at Eastwood:

- Hon. Victor Dominello MP, Minister for the Communities
- Councillor Roy Maggio, Mayor, City of Ryde
- Councillor Justin Li, Deputy Mayor, City of Ryde
- St George Bank

ITEM 18 (continued)

- Eastwood Hotel
- Landmark Hotel
- Eastwood Shopping Centre
- Asian supermarkets/retail shops/restaurants/coffee shops
- The Korean Women's Association
- The Korean Chamber of Commerce, Eastwood
- The Korean Daily Newspaper
- The Eastwood Chinese Senior Club
- The Eastwood Rotary Club
- The Indian community
- The Ryde Community Forum

Additionally, Council staff consulted with Eastwood Country Women's Association (CWA), Eastwood Seniors, Eastwood Events and Promotions Committee and Eastwood Library staff.

Results of the consultation included the following:

- A brief history of Eastwood including Granny Smith and orchard growing area
- CWA and scones
- Colourful with lots of people
- Youth with diverse cultures working together
- Multicultural children celebrating a festival
- People living together happily
- All residents, young and old living in harmony
- Working and living in harmony
- To share experiences with different ethnic communities
- Uniting all cultures

This information was forwarded to the artist as a brief to develop concept images for the consideration of Council.

Location of Mural

Staff together with Tony Tang from Ryde Community Forum and a St George Bank representative undertook an inspection of possible sites where a community mural could be installed.

The sites inspected were, Eastwood Library left side front entrance wall, Eastwood CWA front wall and Eastwood Hotel.

It was considered that Eastwood Library would be the best location for a community mural as it has high exposure to the community being opposite the train station, is on a wall on a community building that is highly used and is a suitable size for a mural.

ITEM 18 (continued)

The signage on the left wall of the library may need to be removed for the installation of the mural; there is signage for both City of Ryde and Eastwood Library on the main entrance and right hand wall of the library.

The location of the mural on the library wall is shown in the **ATTACHED**.

The CWA site was not considered appropriate due to the size of wall and its location as the entrance to CWA. Eastwood Hotel was also not considered appropriate as it was felt that the mural would not be seen as a community project, more of a commercial piece of work.

Final Artwork

Results from the consultation were forwarded to the artist and two concepts were received from the artist as shown in the **ATTACHED** as Options 1 and 2.

Option 1:

Overall the image captures the feedback of multiculturalism, place, enjoyment and inclusiveness. With greater detail on the final image (as shown in the artist's previous work included in the **ATTACHED**), the end product would meet the objectives of the project.

The image is an interpretation of the consultation capturing place with the harbour of the plaza, the history with the Granny Smith Apple, busyness of the area with people, multiculturalism celebrations and food.

The artist has used the feedback from the consultation together with images of the area to develop this concept. As we have the option to alter elements of the sketch, we would ask the artist to remove GUIDE from the marching band drums as there is no such group in Eastwood, although we do have numerous bands perform in our Granny Smith street parade. To capture more of the day to day life of people in Eastwood we would ask to replace the image of the fan dancers with people sitting at tables eating.

These changes to the image would represent the results of the consultation and reflect the people and place of Eastwood.

It is recommended to proceed with this Option as it meets the objectives of the project and recognises the feedback from the community consultation.

Option 2:

This image is designed to show harmony within the community, reflecting the people of Eastwood and inclusiveness. The artist would capture photos of people in Eastwood prior to the installation and use these as the images on the final art.

ITEM 18 (continued)

This idea is a less literal way to reflect the consultation and is based on a similar project by another artist. The final artwork from that project is shown in the **ATTACHED** as Option 2.

Examples of the artist's work which reflects the quality of the end product and detail are shown in the **ATTACHED** as A and B.

There is a risk with this option that given its use of actual people within the community, it may be more vulnerable to graffiti and vandalism targeting the subjects of the mural.

Decommissioning

The artist has advised that the life expectancy of the mural would be approximately three years given the quality of the paint and weather conditions.

The cost to restore the wall back to original condition would be \$600. It would be Council's responsibility to restore the area.

Council has the right to remove the mural at any stage without consultation from St George Bank or the artist.

Copyright

The artist 'owns' the artwork that they have completed. Once the artwork is installed there is a five year licence with Council where we may use images how we wish.

Activities associated with the Moon Festival event

The mural will be installed at the Moon Festival event on Saturday 6 September 2014 by Artist Heesco, who will complete the mural on the day. St George bank together with Ryde Community Forum and its partners will fund the cost of the mural together with the celebrations on the day.

The artist will paint the mural on the wall throughout the day and be unveiled by the Mayor in the early evening. The live art performance and the unveiling of the mural will be a highlight event of the Festival.

The proposed schedule of events for the day is listed below:

- 10.00am Commence mural painting
- 1.00pm Lantern making for children – Eastwood Centre
- 3.00pm Jumping castle, petting zoo, stage performances, food stalls - Eastwood Hotel carpark
- 6.00pm Lantern procession from Eastwood Hotel to Plaza
- 6.15pm Lion Dance performance – Eastwood Plaza
- 6.30pm Unveiling mural

ITEM 18 (continued)

6.45pm Procession back to Eastwood Hotel
7.00pm Celebrations continue at Eastwood Hotel
10.00pm Finish

Financial Implications

It is proposed that Council support this event with event management support, promotion through the website, mayoral column, hanging of banners and printing.

The support provided by Council will be met within the existing Community and Cultural Program budget.

The current cost to have the wall repainted back to original condition would be approximately \$600.

Council may decide at time of decommissioning to install another mural.

Options

Council may consider using a different location than that proposed however the two alternate locations are not deemed to be appropriate.

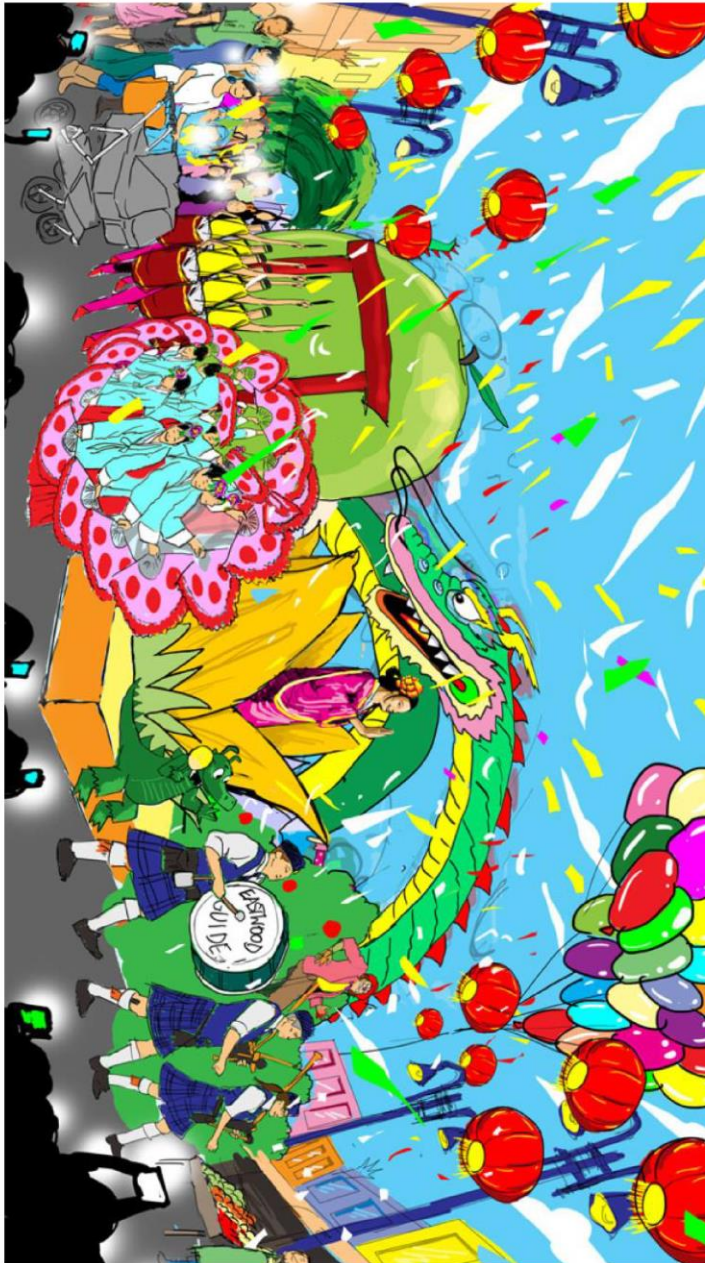
It is recommended to proceed with the location of Eastwood Library front wall.

Council may consider using Option 2 as presented by the artist, however this option may be more vulnerable to graffiti and vandalism directed at the subjects of the art.

Option 1 as recommended meets the objectives of the project and addresses the feedback received during the consultation.

ITEM 18 (continued)

ATTACHMENT 1



ATTACHMENT

OPTION 1: A multicultural artwork that speaks to place, celebrates different elements from the two cultures, is vibrant and engaging and something everyone can enjoy.

ITEM 18 (continued)

ATTACHMENT 1



OPTION 1: Mock-up

ITEM 18 (continued)

ATTACHMENT 1

OPTION 2: The brief was to create a piece of work that would bring the community together and demonstrate inclusiveness. The artist thinks it would be best achieved with portraits of children, from all ethnicities, from the local community. We would engage a photographer to capture the portraits beforehand. The idea is based on international artist JR's Inside Out Project - See reference below. The portraits of The children will all be standing in a line, laughing and eating a big, green Granny Smith apple. This photo-realism work is a more sophisticated way to send a great message of inclusiveness and future focus on the next generation.



ITEM 18 (continued)

ATTACHMENT 1



OPTION 2: Mock-up

ITEM 18 (continued)

ATTACHMENT 1



ATTACHMENT A) Example works by Artist Keeso



ITEM 18 (continued)

ATTACHMENT 1



ATTACHMENT B) Artist's Sketch - Impression of Previous Work and final product

19 RENEW PARTNERSHIP WITH ABORIGINAL HERITAGE OFFICE FOR FIVE YEARS FROM 2015

Report prepared by: Heritage/Strategic Planner**File No.:** URB/08/1/10/13 - BP14/1021

REPORT SUMMARY

Council has received a request from North Sydney Council to extend the partnership arrangement between the Aboriginal Heritage Office (AHO) and the City of Ryde Council from the 27 March 2015 to 27 March 2020. The partnership arrangement is governed by a Memorandum of Understanding (MOU). The proposed costs associated with retaining this service and partnership are \$185,000 for five years from 2015 -2019 inclusive.

The City of Ryde Council is a signatory to an existing MOU with the Aboriginal Heritage Office (AHO) at a cost of \$176,960 from March 2010 to March 2015. Several other north shore councils are also members of the partnership including North Sydney, Lane Cove, Willoughby, Warringah, Manly, Ku-ring-gai, Pittwater and Ryde City Councils providing similar funding for the AHO services.

There are 57 Aboriginal sites listed in the City of Ryde, all of which are located on Council or state government owned land. Under the MOU (existing and proposed) the role of the AHO is to assist Council in the effective conservation and protection of Aboriginal heritage sites. This includes;

- Identifying mapping and describing Aboriginal Heritage sites;
- Providing educational tours and awareness training;
- Preparing comments in response to DA referrals from participating Councils;
- Project Research/ due diligence for capital works projects;
- Preparation of consultancy reports for Council works;
- Review and assessment of Plans of Management, walking trails etc;
- Advice for parks maintenance, construction works and management activities;
- Regular enquiries from bush care volunteers and the public; and
- Advice on legislative obligations with respect to Aboriginal heritage.

The proposed MOU has been reviewed by North Sydney Legal Counsel on behalf of the partner councils and is attached.

Given City of Ryde Council's legislative obligations with respect to the management and care of identified Aboriginal sites this report recommends that Council enter into the proposed MOU. Should Council determine not to enter into the MOU ad hoc advice regarding Aboriginal heritage would still be required to be sought from a consultant with relevant expertise in relation to the care, management and works programs for many parks (particularly those along the foreshore) in the City of Ryde.

ITEM 19 (continued)

RECOMMENDATION:

- (a) That Council enter into the Memorandum of Understanding with the Aboriginal Heritage Office to provide specialist services to assist Council in the effective conservation and protection of Aboriginal heritage sites.
- (b) That Council delegate the /Acting General Manager to sign the Memorandum of Understanding on 15 September 2014, becoming effective on 15 March 2015.

ATTACHMENTS

- 1 Proposed Renewal of Memorandum of Understanding between City of Ryde Council, North Sydney Council and the Aboriginal Heritage Office

Report Prepared By:

Nancy Tarlao
Heritage/Strategic Planner

Report Approved By:

Lexie Macdonald
Team Leader - Strategic Planning

Meryl Bishop
Manager - Urban Planning

Dominic Johnson
Group Manager - Environment & Planning

ITEM 19 (continued)

Purpose

This report relates to a request from North Sydney Council to extend the partnership arrangement with the Aboriginal Heritage Office (AHO) and the City of Ryde Council from the 27 March 2015 to 27 March 2020. The partnership arrangement is governed by a Memorandum of Understanding (MOU). The proposed costs associated with retaining this service and partnership are:

Costs of Proposed MOU with the Aboriginal Heritage Office March 2015 – March 2019	
Year	Ryde Council annual contribution
One (2015)	\$ 35,000
Two (2016)	\$ 36,000
Three (2017)	\$ 37,000
Four (2018)	\$ 38,000
Five (2019)	\$ 39,000
TOTAL	\$185,000

The role of the AHO is to assist the participating Councils in the effective conservation and protection of Aboriginal heritage sites.

Note: The MOU has been prepared by North Sydney Council and their General Counsel has approved the document.

Background

The City of Ryde Council previously signed an MOU with the Aboriginal Heritage Office (AHO) in March 2010 entering into a five year partnership agreement.

In March 2000 the AHO established a partnership with North Sydney, Lane Cove, Willoughby City and Warringah Councils. This partnership was extended in 2010 to Manly, Ku-ring-gai, Pittwater and Ryde City Councils. The following amounts under the MOU have been paid by Ryde Council to the AHO since 2010;

Costs of Existing MOU with the Aboriginal Heritage Office March 2010 – March 2015	
Year	Ryde Council annual contribution
One	\$ 33,000
Two	\$ 34,155
Three	\$35,350
Four	\$ 36,587
Five	\$ 37,868
TOTAL	\$176,960

The AHO have successfully achieved their objectives for the term of the MOU agreement and met their key commitments (outlined below).

ITEM 19 (continued)**Objective of the MOU**

The objective of the MOU is that the AHO will assist City of Ryde Council in the effective conservation and protection of Aboriginal heritage sites within the City of Ryde Local Government area.

Part of the work of the AHO is to monitor Aboriginal Sites on a day to day basis under the guidance of the long term management reports developed to ensure their preservation and protection. Management of Aboriginal sites is to also involve Aboriginal people and non-Aboriginal people including (as appropriate) the Metropolitan Local Aboriginal Land Council.

An important part of the AHO role is to communicate with schools and community groups to promote an ethos of understanding of the unique culture of the Aboriginal people, specific to the City of Ryde.

Summary of Outcomes in MOU 2010-2014

The Aboriginal Heritage Office has been a valuable resource for the Urban Planning and the Project Development Unit within Council due to their ability to respond in a timely manner and to assist Council in preparing long-term solutions for parks and maintenance works. During the past 5 years the AHO has accomplished the following:

- Preparation of the Aboriginal Site Management Plan (SMP) that lists Aboriginal Heritage Sites all of which are on Council or State Government owned land, including inventory/site cards. Refer Table 1 for details;
- Preparation of the Potential Aboriginal Sites Report (many of which are on private land);
- Review of legislative amendments and updates to Council staff;
- DA Referrals. Refer to Table 2;
- Involvement in the 'Finding Bennelong Steering' Committee.
- Various referrals and detailed reports on the Ryde River Foreshore Walk
- Two training sessions for over 50 City of Ryde: Town Planners, Heritage /Strategic Staff, Project Managers, Parks, Landscape Architects;
- Site Visits as a result of public observations regarding the condition of Aboriginal sites or potential sites and referrals from Council. Refer to Table 2
- Assists Council with the preparation of Plans of Management.
- Comprehensive review of the Putney Park Plan of Management and detailed recommendations in consultation with the Senior Landscape Architect;
- Educational talks to both schools and community groups including, Field of Mars walks, bush tucker events and tours around the Aboriginal sites of Glades Bay. Four educational talks were given in the period. Refer to Table 3 for details;
- Protocol matters such as assistance with the references to traditional land owners for speeches;

ITEM 19 (continued)

- Assessment and review of parks maintenance programs as they affect Aboriginal Sites and feedback to Bush care workers or Volunteers;
- Assistance and assessment of vandalism to protected Aboriginal sites, such as graffiti in Glades Bay;
- Ongoing site management and protection works including coordinate volunteers to clean and provide updates on protected Aboriginal Sites.

Table 1 Identified Aboriginal Sites

Council	2010-2013 Total Sites identified	2013-2014 New sites added	2010-2014 Total sites	Protection works done or in-progress
Ku-ring-gai	102	0	102	1
Lane Cove	93	1	94	3
Manly	74	0	74	1
North Sydney	79	1	80	2
Pittwater	145	2	147	1
Ryde	57	2	59	1
Warringah	201	8	209	2
Willoughby	166	5	171	2

Table 2 Development Assessments referrals and other events

Council	2013-14 DA referrals	2010-14 total DA referrals for each council since commencement of partnership	2010 – 14 Site Inspections, Monitoring and Other Events
Ku-ring-gai	2	5	40
Lane Cove	1	4	38
Manly	7	45	52
North Sydney	4	9	67
Pittwater	2	9	36
Ryde	3	4	41
Warringah	90	678	85
Willoughby	2	22	56
Total	111	776	502

ITEM 19 (continued)
Table3 Ryde Council - Breakdown of Site Inspections, Monitoring & Other Events 2010 – 14

Table 3 provides more detail on the 41 activities identified in Table 2 Column 4

RYDE Council - Activity	Total
Advice	3
Meeting	6
Mock dig	2
Site Monitoring	7
Potential areas mapping	2
Presentation	1
Report	1
Review	3
Site inspection	10
Stall/Talk/Walk	1
Talk	1
Training sessions (training over 50 COR staff)	2
Walk & Talk	2
Total	41

AHO's knowledge and expertise is used for research, project implementation, project development and construction projects. Their use is available to various sections of councils from the onset of a project to the finalization.

It is anticipated annual training will be required for various sections within Council to meet Council's due diligence obligations under the National Parks and Wildlife legislation.

On various occasions the AHO has negotiated and dealt with both the public and the Office of Environment and Heritage on CoR's behalf for issues that related to damage, vandalism or security concerns of Aboriginal Relics. This is a sensitive, complicated and difficult topic to understand and would have taken extensive council resources and time to investigate and manage these issues to further authorities. Examples are:

- On-going vandalism and graffiti to Aboriginal relics in Glades Bay- this has involved Police investigations
- The recent re-grooving by vandals of the figures in Glades Bay. This was reported to both the police (for finger prints) and action has been sought from the Office of Environment and Heritage for penalties (around \$270,000 for individual crimes on Aboriginal artefacts);
- On-going questions from the public on specific Aboriginal Sites, their significance and actions taken to protect them etc- these enquiries have been directed to AHO directly for discussion;

ITEM 19 (continued)

- Bushcare protection and management in areas of high significance or adjacent to protected Aboriginal sites;
- Volunteer's Program: site monitoring and training of volunteers - to manage damage and littering to Aboriginal Sites- is dealt with directly by the AHO.

The above examples demonstrate the types of enquires and questions that arise from the public. Without the AHO service research and investigation would be undertaken in-house without the benefit of specific Aboriginal Heritage expertise and understanding.

Achievements

Under the current partnership the AHO has received numerous awards highlighting their strengths in dealing with the community and public on Aboriginal related matters. Below is an extract from the Aboriginal Heritage Office State of Environment publication regarding awards:

"The Aboriginal Heritage Office is a unique partnership of eight local Councils in northern Sydney working to protect Aboriginal sites and promote Aboriginal history and heritage, and was the first initiative like it in Australia in 2000. It hosts the only Aboriginal Museum, Education Centre and Keeping Place in northern Sydney and supports local Aboriginal people. The Aboriginal Heritage Office assists local governments to take more responsibility and be more effective in planning for, protecting, managing and promoting Aboriginal heritage. It has also established Council Aboriginal heritage planning procedures to prevent accidental damage to sites on Council land and, where possible, private property, including a referral system that helps to identify Aboriginal heritage issues."

An art prize was won recently by students at Ryde Public School for their involvement in the education program nominated and organised by the AHO.

Changes in Legislation

Recent changes in the legislation governing Aboriginal sites has resulted in there being more control and greater penalties for damage to relics/artefacts.

All Aboriginal sites in NSW are protected under the *National Parks and Wildlife Act 1974*, and it is an offence to damage or destroy them (this includes collecting artefacts) without prior permission of the Director-General of the Office of Environment and Heritage.

ITEM 19 (continued)

The most important aspect of the legislation is what is known as 'due diligence'. If someone is planning an activity that may disturb the ground / midden/engraving, they must show that they have taken steps to avoid damaging or harming any Aboriginal site. Therefore including a review of potential Aboriginal heritage issues (whether at desk-top level or up to a full archaeological survey) will ensure Aboriginal sites are not accidentally damaged and the people undertaking the work (individuals and 'corporations') are not liable for prosecution.

The two pieces of legislation that most effect Aboriginal heritage management in NSW are:

- *National Parks and Wildlife Act 1974*
- *Environmental Planning and Assessment Act 1979*

Anticipated Partnership Activities in 2015-2019 and Projects

It is proposed that the Council continue to utilise the services of the AHO as discussed in the summary above. The following projects and activities will be undertaken as part of the proposed MOU:

- Educational tours and awareness training;
- Heritage/DA referrals;
- Project Research/ Due diligence for capital works projects;
- Preparation of consultancy reports for Council works;
- Review and assessment of PoM and walking trails etc;
- Advice for Parks Construction and associated works;
- Regular enquiries from bush care volunteers and the public;
- updates on legislation;
- Updates to the Site Mapping and GIS details;

The work program with respect to the quantum of each activity above is yet to be determined.

Review of the Draft MOU

North Sydney Council's Legal Counsel has reviewed the proposed MOU on behalf of all potential partner Councils. The MOU has also been referred to City of Ryde Legal Counsel for review.

Options**1. That Council does not enter into the partnership arrangement as detailed in the MOU.**

There are 57 Aboriginal Heritage Sites in the Ryde Local Government Area. These carry certain obligations with respect to management, safe keeping and capital works programs.

ITEM 19 (continued)

Secrecy surrounds the detail and management of Aboriginal Sites due to the legislative requirements of the National Parks and Wildlife Act under which they are listed. As a result Council requires the advice of experts in the field, such as the AHO and their archaeologists, specializing in Aboriginal heritage management.

Due to the legislative requirements under this option Council would need to obtain specialist consultant archaeologist advice on an ad-hoc basis particularly in relation to capital works and maintenance programs in Council's parks (where most Aboriginal Sites are located).

In addition the AHO has provided education and awareness training for Council's parks, bush-care, planning and other staff. Refresher and top up training would also need to be obtained on an ad-hoc basis in order for staff to understand their obligations in managing Aboriginal Heritage Sites.

Under this option heritage advice and training programs are estimated to cost between \$20,000 and \$35,000 per annum.

2. That Council enter into the partnership and pay a lesser amount than requested.

This is put forward as an option as Ryde Council uses the service to a lesser extent than other Council's in the partnership.

For example, Warringah Council has made 678 DA referrals to the AHO between 2010 and 2014 while Ryde Council has made 4 DA referrals in the same period. The AHO has undertaken 85 site inspections and other activities on behalf of Warringah Council while the AHO has undertaken 41 similar activities for Ryde Council between 2010 and 2014. This is because there are more Aboriginal Sites in Warringah than in the Ryde Local Government Area.

Under this option Council would offer to pay an as yet undetermined amount to be negotiated with North Sydney Council and the AHO. The risk with this option is that the overall funding model for the AHO is undermined and the future of the AHO potentially put at risk.

However, should Council prefer this option, the Acting General Manager would need to be delegated to negotiate an agreed fee to retain the services of the AHO.

3. That Council enter into partnership as proposed

This option is preferred as keeping the Aboriginal Heritage Office on retainer (as offered by the partnership arrangement) represents value-for-money when the range of services, timely responses and the very specialized nature of the service is taken into account together with the legislative obligations on Council to appropriately manage heritage sites

ITEM 19 (continued)**Financial Implications**

Should Council resolve to enter into the proposed MOU it will result in a financial impact of \$185,000 over the next 5 years (as detailed in the table below). This would be funded from the base budget allocations for the Urban Planning unit.


Year	Ryde Council annual contribution
One (2015)	\$ 35,000
Two (2016)	\$ 36,000
Three (2017)	\$ 37,000
Four (2018)	\$ 38,000
Five (2019)	\$ 39,000
TOTAL	\$185,000

Recommendation

That Council agrees to support the on-going partnership agreement and work carried out by the AHO as the partnership reinforces a positive understanding of Aboriginal Heritage in the City of Ryde area and promotes increased public and social awareness of Aboriginal Culture.

ITEM 19 (continued)

ATTACHMENT 1

N O R T H S Y D N E Y  C O U N C I L

address	200 Miller Street North Sydney NSW 2060	telephone	(02) 9936 8100
all correspondence	General Manager North Sydney Council PO Box 12 North Sydney NSW 2059 DX10587	facsimile	(02) 9936 8177
		email	council@northsydney.nsw.gov.au
		internet	www.northsydney.nsw.gov.au
		ABN	32 353 260 317

Mr Roy Newsome
General Manager
City of Ryde Council
Locked Bag 2069
North Ryde NSW 1670

16 July 2014

Dear Roy

**RENEWAL OF THE MEMORANDUM OF UNDERSTANDING
BETWEEN NORTH SYDNEY COUNCIL AND CITY OF RYDE COUNCIL
TO CONTINUE THE PARTNERSHIP TO PROVIDE ABORIGINAL HERITAGE
SERVICES**

As you are aware, a Partnership was formed in March 2000 between North Sydney Council, Lane Cove Council, Willoughby City Council and Warringah Council, to collectively fund and employ an Aboriginal Heritage Manager to assist the participating Councils in the effective conservation and protection of Aboriginal heritage sites. Since that time, Ku-ring-gai, Pittwater, City of Ryde and Manly Councils have also seen the benefits of this partnership and have joined in this partnership arrangement.

During this period the Aboriginal Heritage Office has grown in resources and experience providing highly valued services to all participating Councils and is an excellent example of local government working together to achieve common goals.

In March 2015 the Aboriginal Heritage Office partnership will have been established for fifteen years and, in order to begin the planning for the future of this operation, we are now writing to all participating Councils to determine each Council's commitment to signing a further five year Memorandum of Understanding.

It is anticipated that the cost for each Council to continue to fund the Aboriginal Heritage Office will be similar to the current year's contributions of \$35,000 per annum, with a \$1,000 increase per year, commencing on 27th March 2015.

If your Council intends to participate in this arrangement for a further five years, it would be appreciated if you could sign and return the attached Memorandum of Understanding (in duplicate) by 6 August 2014.

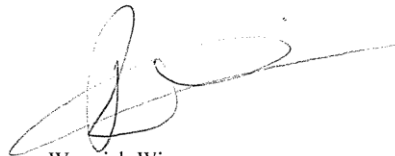


ITEM 19 (continued)

ATTACHMENT 1

A special event marking the signing of the Memorandum of Understanding is anticipated to be held on the 12th September 2014 and the MC for the event will be Minister & Premier Mike Baird.

Yours sincerely



Warwick Winn
GENERAL MANAGER

ITEM 19 (continued)

ATTACHMENT 1



MEMORANDUM OF UNDERSTANDING

Between

NORTH SYDNEY COUNCIL

And

CITY OF RYDE COUNCIL

Preamble

A partnership was formed in March 2000 between North Sydney Council, Lane Cove Council, Willoughby City Council and Warringah Council, to collectively fund and employ an Aboriginal Heritage Manager to assist the participating Councils in the effective conservation and protection of Aboriginal heritage sites. This partnership was extended to Manly, Ku-ring-gai, Pittwater and Ryde City Councils. The duration of the initial agreement commenced in March 2000 and was for a period of five years, which was then extended to 2010 and subsequently extended to 2015. The purpose of this Memorandum of Understanding is to extend the partnership arrangement to City of Ryde Council from the 27th March 2015 to 27th March 2020.

Objective

That the Aboriginal Heritage Office will be employed to assist City of Ryde Council in the effective conservation and protection of Aboriginal heritage sites within the City of Ryde Local Government area.

Key Principles

- a) City of Ryde Council will agree to participate in the funding of the Aboriginal Heritage Office. The period of funding will run 27th March 2015 for a five year term until the 27th March 2020.

ITEM 19 (continued)

ATTACHMENT 1

- b) The funding required for the operation of the Office identified in Attachment One is indicative and subject to change based on increased employment costs.
- c) That in the event that a further local government authority requests to participate in this partnership, then, if approved unanimously by the existing partners, the annual funding contribution will be reviewed.
- d) That any information that is provided to the media regarding the Aboriginal Heritage Office acknowledges the partnership arrangement with participating Councils.
- e) That the Aboriginal Heritage Office will equally proportion time on an annual basis between each of the participating Councils, or by agreement of the participating Councils.
- f) City of Ryde Council will determine the selection and priority of tasks required to be undertaken by the Aboriginal Heritage Office.
- g) The funding identified in Attachment One encompasses the Aboriginal Heritage Office's total employment and operational costs. Any additional resources required for specific projects Council may wish to undertake beyond the identified estimates, such as desktop publishing, printing etc, will be required to be resourced by City of Ryde Council.
- h) North Sydney Council will be responsible to provide appropriate employment services and administration including workers' compensation, salary payment, and superannuation payments for staff employed at the Aboriginal Heritage Office.
- i) North Sydney Council will consult, co-operate and co-ordinate on Work Health and Safety with participating Councils.
- j) In the event of additional workers compensations costs the committee will convene to discuss appropriate action to be undertaken.
- k) A steering committee will be convened each four months with representation from each participating Council to monitor the progress and determine the future work programming requirements of the Aboriginal Heritage Office.
- l) City of Ryde Council will make payments to North Sydney Council on the commencement of every three-month employment period over the duration of this agreement.
- m) North Sydney Council will provide a financial statement to City of Ryde Council annually identifying expenditure for that period.
- n) The Aboriginal Heritage Manager will provide a progress statement to City of Ryde Council at the end of each financial year outlining the progress and allocation of time the Aboriginal Heritage Office has worked on City of Ryde Council projects/programs.

ITEM 19 (continued)

ATTACHMENT 1

- o) The Aboriginal Heritage Office Staff will be employed under the conditions contained in the Local Government (State) Award 2010.
- p) The Aboriginal Heritage Office Staff will be paid in accordance with the North Sydney Council salary system. The performance of the Aboriginal Heritage Manager & Staff will be assessed in accordance with the provisions of the North Sydney Council Performance Planning and Assessment System and, where appropriate, salary adjustment will occur based on the achievement of performance objectives.
- q) The Aboriginal Heritage Manager and Staff will be required to adhere to the policies of City of Ryde Council when undertaking work in the Council area or representing City of Ryde Council.

.....
General Manager
Warwick Winn
North Sydney Council

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General Manager
Roy Newsome
City of Ryde Council

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Witness

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Witness

Date

Date

ITEM 19 (continued)

ATTACHMENT 1

Attachment One

Proposed budget and contribution schedule

Year	Council annual contribution
One	\$35,000
Two	\$36,000
Three	\$37,000
Four	\$38,000
Five	\$39,000

ITEM 19 (continued)

ATTACHMENT 1



MEMORANDUM OF UNDERSTANDING

Between

NORTH SYDNEY COUNCIL

And

CITY OF RYDE COUNCIL

Preamble

A partnership was formed in March 2000 between North Sydney Council, Lane Cove Council, Willoughby City Council and Warringah Council, to collectively fund and employ an Aboriginal Heritage Manager to assist the participating Councils in the effective conservation and protection of Aboriginal heritage sites. This partnership was extended to Manly, Ku-ring-gai, Pittwater and Ryde City Councils. The duration of the initial agreement commenced in March 2000 and was for a period of five years, which was then extended to 2010 and subsequently extended to 2015. The purpose of this Memorandum of Understanding is to extend the partnership arrangement to City of Ryde Council from the 27th March 2015 to 27th March 2020.

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ITEM 19 (continued)

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ITEM 19 (continued)

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General Manager
Warwick Winn
North Sydney Council

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General Manager
Roy Newsome
City of Ryde Council

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Witness

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Witness

Date

Date

ITEM 19 (continued)

ATTACHMENT 1

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20 GENERAL MANAGER POSITION DESCRIPTION - For Review And Adoption By Council

Report prepared by: Manager - Human Resources
File No.: HRS/07/5/28 - BP14/1017

NOTE: A copy of this report has not been distributed to members of the Executive Team at the City of Ryde.

REPORT SUMMARY

At the Councillor Workshop on 5 August 2014, a copy of the draft position description for the role of General Manager was circulated to Councillors for review. The purpose of disseminating this document was to obtain approval from Council to forward this position description as the official document to be provided to candidates applying for the role which is currently being advertised.

Feedback from Councillors was that the document needed revision to reflect the discussions held during this workshop regarding the skills and experience being sought in prospective candidates.

This document has now been reviewed to more accurately reflect the responsibilities of the role and the relevant selection criteria. The updated position description is attached to this report.

RECOMMENDATION:

- (a) That Council note the amended position description for the role of General Manager.
- (b) That Council advise the Manager Human Resources of any further changes or, alternatively, endorse this document for provision to candidates as part of the current recruitment process.

ATTACHMENTS

- 1 DRAFT Position Description - GENERAL MANAGER - AUGUST 2014

Report Prepared By:

Melissa Attia
Manager - Human Resources

Report Approved By:

Angela Jones-Blayney
Acting Group Manager - Corporate Services

ITEM 20 (continued)**Discussion**

In the attached Draft Position Description Councillors should note the following changes:

- (1) As per discussions during the workshop of 5 August 2014, the full listing of Service Accountabilities has been removed and replaced with a statement outlining the General Manager's ultimate responsibility for all service accountabilities, which are subject to change
- (2) Update of the organisation chart to reflect the current structure
- (3) Following discussion at the workshop of 5 August 2014, addition of new responsibilities under "Primary Purpose of the Position" (the additions are highlighted in yellow)
- (4) Additions to both essential and desirable selection criteria following Councillor feedback (also highlighted in yellow) during the workshop and also in the process of drafting the advertisement

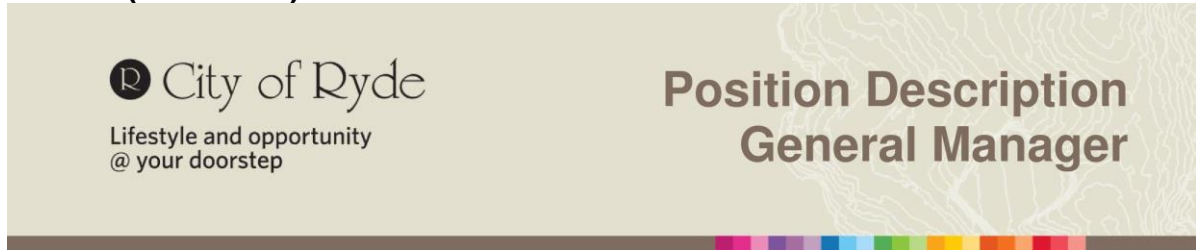
For purposes of completeness, no deletions have been made from the document (excepting the service accountability listing), so if Councillors feel that any aspects of the document are irrelevant or superfluous, this should be conveyed to the Manager Human Resources so the relevant points can be removed prior to publication to candidates.

Financial Implications

Adoption of the recommendation will have no financial impact.

ITEM 20 (continued)

ATTACHMENT 1



POSITION DETAILS			
Position Title:	General Manager	Position Grade	CONTRACT
Unit/Group:	Office of the General Manager	Position Status / Hours per Week:	Full Time / As per contract

PRIMARY PURPOSE OF THE POSITION
<ul style="list-style-type: none"> Act as the primary interface between councillors and the organisation and to provide executive level support and advice to the Council in developing policies and plans and in the determination of Council resolutions. Effectively manage the dual obligations of the organisation (internal) and community (external), with a view to ensuring the organisation is geared at all times to act in the best interests of the community Work with Councillors and the Executive Team to seek, identify and implement opportunities for revenue generation and cost containment, to cement Council's long term fiscal sustainability Review the organisation structure and business model to ensure the most cost effective modes of service delivery exist and implement the necessary changes where this is not the case Under the direction of Council, develop and implement long term strategic plans to pro-actively address the current and future challenges facing the local government sector, with a view to strengthening the position of City of Ryde to address these concerns as and when they arise Develop and maintain the relevancy of Council's Community Strategic Plan and vision with alignment to resource plans including the Four Year Delivery Plan, Long Term Financial Plan, Asset Management Plan and Workforce Plan to ensure long term viability. Develop and report performance against Four Year Delivery Plans, Annual Operating Plans and quarterly reviews which deliver Council's strategic outcomes and relevant programs. Lead and manage the day to day operations of Council's staff, finances and assets in accordance with the organisation's Mission, accountabilities, structure and resources as approved by the Council, to ensure optimal triple bottom line returns to the Council and the community. Ensure processes and protocols are in place for organisational compliance with all relevant legislation and Council policies and ensure that risks are managed. Exercise the functions of the Council as delegated to the General Manager and to ensure appropriate delegation is in place throughout the organisation. Develop, lead and motivate the Executive Team and other direct reports to model effective leadership styles across the organisation. Build strategic partnerships with the government, private and community sectors to deliver the aspirations of the Community Strategic Plan.

SELECTION CRITERIA
<p>Essential</p> <ul style="list-style-type: none"> An appropriate degree qualification in Business or Management or related discipline or extensive equivalent experience in administration and management Senior leadership experience in a complex service delivery environment, including a proven record in delivering outcomes to meet business, financial and stakeholder objectives Experience in managing complex projects and budgets with a demonstrated ability to identify, seek and implement opportunities for revenue generation Demonstrated ability to assess organisation structure and alignment against service delivery models, with a

ITEM 20 (continued)

ATTACHMENT 1

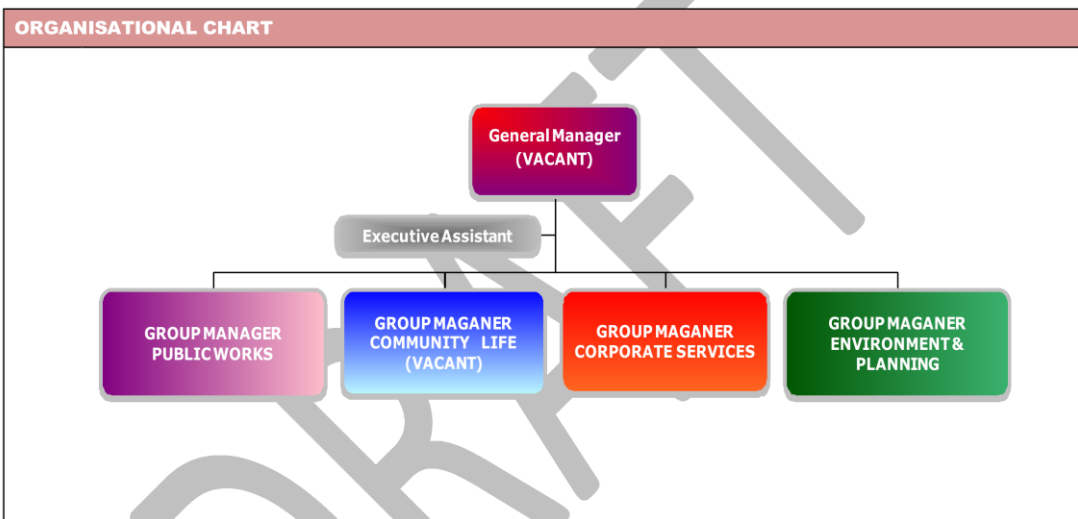
<p>view to identifying opportunities for efficiencies or cost savings, ensuring best value service delivery to customers</p> <ul style="list-style-type: none"> • Proven ability to initiate, review and implement economic and social development opportunities which will deliver substantial benefits to the community and strengthen the diversity within our Local Government Area • Demonstrated leadership of a multidisciplinary team, and proven ability to motivate and develop staff • High level verbal communication, negotiation, presentation, customer engagement and lobbying skills and demonstrated ability to apply these skills with a wide range of internal and external stakeholders • Proven success in championing and managing significant change initiatives • Knowledge of industrial relations, equal employment opportunity and work health and safety legislation and the capacity to develop a customer focused and ethical culture and an equitable, healthy and safe workplace • Excellent financial management and planning skills; and knowledge (or ability to understand) contemporary local government accounting practices • Excellent written communication skills including the ability to prepare complex and detailed technical reports, proposals and submissions • Sound strategic & integrated planning and policy development skills, and the capacity to develop and implement economic and community development projects <p>Desirable</p> <ul style="list-style-type: none"> • Postgraduate qualifications in business or management • Knowledge of the social, political and legal framework within which local government operates and current developments and challenges for the sector
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CORPORATE ACCOUNTABILITIES	
1	To comply with legislative requirements.
2	To provide timely support and expert / technical advice to the organisation.
3	To adhere to Council plans, policies, procedures and Code of Conduct.
4	To understand, adhere and promote all Workplace Health and Safety policies and procedures.
5	To understand, adhere and promote Council's Equal Employment Opportunities policies and procedures.
6	To engage with the community in accordance with Council's policies.
7	To understand and respond to the needs of our customers in accordance with the Customer Service Charter.
8	To deliver your accountabilities and meet your project milestones, performance targets and service levels as required within your job plan.
9	To develop and manage budgets.
10	To achieve best value for money.
11	To efficiently manage built assets and resources.
12	To actively document all policies, procedures, projects and activities (as required).
13	To actively share information and knowledge on issues, training and better practice to relevant staff.
14	To identify and initiate improvements of business systems to maximise service delivery.
15	To identify and initiate improvements of processes to maximise service delivery.
16	To deliver all project deliverables through PM_CoR methodology.
17	To identify and minimise exposure to risk.
18	To actively work toward delivering City of Ryde's Leadership Model.
19	To manage people to realise their individual and team potential.
20	To be involved in or provide feedback on corporate initiatives.
21	To positively and proactively work with others across the organisation to deliver the outcomes.

ITEM 20 (continued)

ATTACHMENT 1

22	To provide advice to support Executive Team and Councillors in decision making.
23	To build and strengthen strategic partnerships with key stakeholders.
24	To recognise and reward results.
25	To model Council's values.
26	To create and contribute to a positive work environment within my team, my Unit and the workplace.
27	To initiate relevant training in accordance with organisational, service and staff requirements.
28	To undertake relevant training to improve performance of the individual, organisation and meet mandatory requirements.
29	To keep abreast of and apply industry wide trends, better practice and innovation.
30	To interact with Councillors and approve responses to their requests.



SERVICE ACCOUNTABILITIES

The General Manager is ultimately responsible for the delivery of every Service Accountability under the City of Ryde's Community Strategic Plan, Delivery Plan and Operational Plan, as varied from time to time.

ITEM 20 (continued)

ATTACHMENT 1

WORK HEALTH AND SAFETY AND EQUAL EMPLOYMENT OPPORTUNITY RESPONSIBILITIES
<p>You are required to perform your duties in accordance with this Position Description, City of Ryde Code of Conduct, policies procedures and instructions, where appropriate. You are also responsible for the following:</p>
<p>Work Health and Safety (WHS)</p> <ul style="list-style-type: none">• Follow safe practices/procedures to perform your duties in a manner, so as not to put yourself or others at risk of harm• Participate in development of safe work methods and risk assessments with your supervisor when required;• Actively participate in WHS inductions and training when required;• Wear personal protective equipment (PPE) in the prescribed manner and when specified;• Participate in workplace inspections if required;• Take care of any plant or equipment of any kind, including computer and other telecommunication devices;• Participate in emergency preparedness training, including any required knowledge for business continuity plans• Report all hazards, near misses and damage to City of Ryde property to your supervisor.
<p>Certificates of Competency / Licences</p> <ul style="list-style-type: none">• Where required for the position, either by legislation or through City of Ryde policies and procedures, maintain all certificates, licences, operative training etc, and advise Supervisors of any change to these, including vehicle licences.
<p>Injury Management</p> <ul style="list-style-type: none">• Report all injuries/illnesses to your Supervisor immediately;• If injured at work, actively cooperate and participate to comply with obligations imposed under injury management and return-to-work plans where applicable.
<p>Risk Management</p> <ul style="list-style-type: none">• Report any potential public liability and professional indemnity exposures in your workplace to your Supervisor.
<p>Equal Employment Opportunity (EEO)</p> <ul style="list-style-type: none">• Work to the best of your ability and provide quality service to customers;• Recognise the skills and talent of other staff members;• Act to prevent bullying, harassment and discrimination against others in your workplace;• Respect differences among your colleagues and customers such as cultural and social diversity;• Treat people fairly - don't discriminate against or harass them;• Work in keeping with the city of Ryde's EEO management plan and other EEO policies.

ITEM 20 (continued)

ATTACHMENT 1

OUR VALUES
All employees at City of Ryde are to observe our values which are:
<u>Safety</u> We are committed to preventing injury to ourselves, our team and our community.
<u>Teamwork</u> We work together with respect and support.
<u>Ethics</u> We are honest, responsible and accountable for our actions.
<u>Professionalism</u> We deliver effective services to the community with consistent decision-making.

Employee's Name	
Employee's Signature:	
Date:	

DRAFT

2 JOINT REGIONAL PLANNING PANEL REAPPOINTMENTS - THE HON. PRU GOWARD

Report prepared by: Acting General Manager
File No.: GRP/09/7/8 - BP14/1045

CORRESPONDENCE:

The Hon. Pru Goward, Minister for Planning and Minister for Women has written to all Council's on 7 August 2014, advising that she has re-appointed all State members and alternates of the Joint Regional Planning Panels for a period of 6 months up to 31 December 2014.

A copy of the letter provided to Council is **ATTACHED** for the information of Council.

RECOMMENDATION:

That the correspondence be received and noted.

ATTACHMENTS

- 1** The Hon Pru Goward MP Minister For Planning - Joint Regional Planning Panel reappointments

Report Prepared and Approved By:

Roy Newsome
Acting General Manager

Precis of Correspondence 2 (continued)

ATTACHMENT 1



The Hon. Pru Goward MP

Minister for Planning
Minister for Women



14/07759

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

Dear Mr Newsome,

Joint Regional Planning Panel reappointments

I am pleased to advise you I have decided to re-appoint all State members and alternates of the Joint Regional Planning Panels for a period of 6 months up to 31 December 2014.

Accordingly, Dr John Roseth, Mr David Furlong and Ms Sue Francis have been re-appointed as State members to the Sydney East Joint Regional Planning Panel (regional panel). Local Government NSW has endorsed the appointment of Dr John Roseth as the chair of the Sydney East regional panel. A table outlining all State members and alternates of the regional panel is attached as Annexure A.

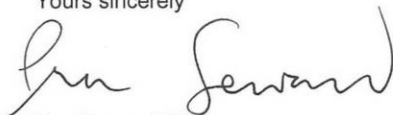
The appointment of Council-nominated members to regional panels and the remuneration of those members remains a matter for Council to determine. However, you are reminded that, consistent with the Department of Premier and Cabinet *NSW Government Boards and Committees Guidelines*, payments should not be made to council staff.

The Joint Regional Planning Panels Code of Conduct and the Conduct Guidelines for Members of NSW Government Boards and Committees require that all members complete an annual Pecuniary Interests Declaration and Undertaking. The Regional Panels Secretariat manages this process for State appointed panel members. Councillors and council staff members who are required to complete these same annual declarations under the *Local Government Act 1993* need not complete additional declarations for their role on the regional panel. However your council should ensure that the required declarations are obtained for all council nominated panel members who are not subject to these requirements, such as community members.

I would like to take this opportunity to thank you for your Council's ongoing co-operation with and support for the regional panels.

If you have any further questions, I invite you to contact Mr Stuart Withington, Regional Panels Secretariat on 9228 2061 or email stuart.withington@planning.nsw.gov.au.

Yours sincerely



Pru Goward MP
Minister for Planning
Minister for Women

Precis of Correspondence 2 (continued)

ATTACHMENT 1

Annexure A

Membership of Sydney East Joint Regional Planning Panel

Chair	Members	Pool of Alternates
John Roseth	David Furlong Sue Francis	Bob McCotter Bruce Clarke Jason Perica John Colvin Julie Savet Ward Kara Krason Lindsay Fletcher Mark Grayson Stuart McDonald Timothy Moore Ruth Fagan

CONFIDENTIAL ITEMS

21 TECHONE LICENSING REQUIREMENTS

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: Chief Financial Officer

File No.: FIM/07/6/8/2 - BP14/1025

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