



16 OCTOBER 2014

NOTICE OF MEETING

You are advised of the following meeting:

TUESDAY 28 OCTOBER 2014.

Ordinary Meeting of Council Meeting No. 17/14

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, խոսակցելու* Բաղաքապետարանի պաշտօնետաներուն հետ, որոնք թարգմանիչ մը կրնան կարգադրել: Կամ, կրնաք հեռաձայնել Թարգմանութեան Ապասարկութեան՝ 131 450, եւ խնդրել որ թարգմանիչ մը Բաղաքապետարանին հետ կապ հաստատէ 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：週一至週五，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 بزنیید 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 28 October 2014
Location: Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde
Time: 7.30pm

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

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1 CONFIRMATION OF MINUTES - Council Meeting held on 14 October 2014

Report prepared by: Meeting Support Coordinator
File No.: CLM/14/1/4/2 - BP14/140

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 16/14, held on 14 October 2014 be confirmed.

ATTACHMENTS

- 1 Minutes - Ordinary Council Meeting - 14 October 2014

Council Meeting MINUTES OF MEETING NO. 16/14

Meeting Date: Tuesday 14 October 2014
Location: Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde
Time: 7.30pm

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

Note: Councillor Maggio left the meeting at 9.32pm and did not return. He was not present for consideration or voting on Item 9.

Apologies: Councillor Yedelian OAM.

Leave of Absence: Councillor Simon.

Absent: Councillor Petch (currently suspended).

Staff Present: Acting General Manager, Acting Group Manager – Community Life, Group Manager – Corporate Services, Acting Group Manager – Environment and Planning, Group Manager – Public Works, General Counsel, Chief Financial Officer, Manager – Communications and Media, Manager – Governance, Risk and Audit, Internal Auditor, Economic Development Manager, Development Contributions Coordinator, Acting Manager – Project Development, Section Manager – Governance and Meeting Support Coordinator.

PRAYER

Councillor Laxale offered prayer prior to the commencement of the meeting.

LEAVE OF ABSENCE

Note: Councillor Simon requested and was granted a Leave of Absence for the period of 10 October to 24 October 2014 inclusive, at the Council Meeting held on 23 September 2014.

Councillor Etmekdjian requested a Leave of Absence for the Council Meeting to be held on 28 October 2014.

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

That Councillor Etmekdjian's Leave of Absence for the Council Meeting to be held on 28 October 2014 be approved.

Record of Voting:

For the Motion: Unanimous

ITEM 1 (continued)**ATTACHMENT 1****DISCLOSURES OF INTEREST**

Councillor Etmekdjian disclosed a Less than Significant Non-Pecuniary Interest in Item 2(3) - 21 Winbourne Street, West Ryde – LDA2013/0420 for the reason that the applicant is known through the Community.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

No addresses were made to Council.

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

The following persons addressed the Council:

Name	Topic
Lisa Aynajian	Urban Forest Technical Manual

MAYORAL MINUTES**33/14 NOMINATION OF JANE STOTT TO POSITION ON HERITAGE ADVISORY COMMITTEE**

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

That Ms Jane Stott be asked to join the Heritage Advisory Committee.

Record of Voting:

For the Motion: Unanimous

COUNCIL REPORTS**1 CONFIRMATION OF MINUTES - Council Meeting held on 23 September 2014**

RESOLUTION: (Moved by Councillors Pendleton and Laxale)

That the Minutes of the Council Meeting 15/14, held on 23 September 2014 be confirmed.

Record of Voting:

For the Motion: Unanimous

ITEM 1 (continued)**ATTACHMENT 1****2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING
10/14 held on 7 October 2014**

RESOLUTION: (Moved by Councillors Chung and Laxale)

That Council determine Item 3 of the Planning and Environment Committee report 10/14 held on 7 October 2014, noting that Items 1 and 2 were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

**3 21 WINBOURNE STREET, WEST RYDE. LOT 4 DP 39266. Local
Development Application for Alterations and additions and change
of use of existing dwelling to a childcare centre for 39 children.
LDA2013/0420.**

Note: Councillor Etmekdjian disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that the applicant is known through the Community.

MOTION: (Moved by Councillors Chung and Laxale)

- (a) That Local Development Application No. 2013/420 at 21 Winbourne Street, West Ryde, being LOT 4 DP 39266 be deferred for a meeting to be held with the Group Manager – Environment and Planning and the applicant to discuss amendments to address the issues raised in the assessment report.
- (b) That amended plans be submitted to Council and renotified to all adjoining owners and those people who made submissions.
- (c) That a further report be submitted to the Planning and Environment Committee.

AMENDMENT: (Moved by Councillors Perram and Pendleton)

- (a) That Local Development Application No. 2013/420 at 21 Winbourne Street, West Ryde, being LOT 4 DP 39266 be refused for the following reasons:
 - 1. The proposal will exacerbate existing traffic congestion along Winbourne Street in morning and afternoon peak periods.
 - 2. A high volume of children traverse Winbourne Street during weekday morning and afternoon peak periods. The number of vehicles that will be associated with the development is not appropriate for the locality and will put the safety of children at risk.

ITEM 1 (continued)

ATTACHMENT 1

3. The amenity of surrounding residential properties will be detrimentally impacted - in particular the ability to enter and exit their driveways will be further impeded.
4. The proposal fails to comply with mandatory requirements of the following Regulations and is unacceptable when assessed in terms of the Ryde DCP 2010:
 - Education and Care Services National Regulation 2012: Clause 108(2) Space requirements - outdoor space.
 - Children (Education and Care Services) Supplementary Provisions Regulation 2012: Clause 28(4) Space requirements – centre based education and care services.
 - Ryde DCP 2010 (Part 3.2 - Child Care Centres): Clause 6.2.1 Size/functionality of play spaces (unencumbered outdoor play space).
5. The proposal is unacceptable in terms of streetscape impacts as it involves removal of existing/possible landscaped areas within the front setback area of the existing dwelling and replaces these with hard-surface area associated with the car parking spaces and driveways.
6. The allocation of on-site parking results in the provision of spaces for the drop off / pick up of children failing to achieve compliance with the Ryde DCP 2010(Part 3.2 - Child Care Centres):
 - Clause 5.1(b) Car parking
The layout of parking will result in a high demand for on-street parking by parents / carers along Winbourne Street.
7. In the circumstances of the case, approval of the development is not in the public interest.

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

On being put to the Meeting, the voting on the Amendment was two (2) 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 Pendleton and Perram

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

ITEM 1 (continued)

ATTACHMENT 1

RESOLUTION: (Moved by Councillors Chung and Laxale)

- (a) That Local Development Application No. 2013/420 at 21 Winbourne Street, West Ryde, being LOT 4 DP 39266 be deferred for a meeting to be held with the Group Manager – Environment and Planning and the applicant to discuss amendments to address the issues raised in the assessment report.
- (b) That amended plans be submitted to Council and renotified to all adjoining owners and those people who made submissions.
- (c) That a further report be submitted to the Planning and Environment Committee.

Record of Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Laxale, Li, Maggio and Salvestro-Martin

Against the Motion: Councillors Pendleton and Perram

3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 11/14 held on 7 October 2014

RESOLUTION: (Moved by Councillors Maggio and Etmekdjian)

That Council determine Items 3 and 5 of the Works and Community Committee report 11/14 held on 7 October 2014, noting that Items 1, 2, 4 and 6 were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

3 DEFERRED REPORT: REVIEW OF TREE MANAGEMENT APPLICATION AT 127 HERRING ROAD, MARSFIELD

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

- (a) That Council approve the request for the removal of both the *Jacaranda mimosifolia* (Jacaranda) and the *Eucalyptus pilularis* (Black Butt) located at the front of the property at 127 Herring Road, Marsfield.
- (b) That Council include as part of the condition for consent to remove both the *Jacaranda mimosifolia* (Jacaranda) and the *Eucalyptus pilularis* (Black Butt) that they be replaced with a suitable tree species as per Council's standard condition for tree replacement.

ITEM 1 (continued)

ATTACHMENT 1

Record of Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Maggio and Salvestro-Martin

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

5 STORMWATER CAPITAL WORKS PROGRAM

RESOLUTION: (Moved by Councillors Maggio and Li)

- (a) That Council approve the change in the delivery plan schedule of works in bringing forward East Parade and Delange Road.
- (b) That Council allocate an additional amount \$130,000, from the Stormwater Management Service Charge Reserve for the Stormwater Improvements Works Renewal Program, for funding works brought forward and also the CCTV investigations project.
- (c) That Council allocate an additional amount \$100,000, with \$89,000 from the Stormwater Management Service Charge Reserve and \$11,000 from the Section 94 Stormwater Contributions, for the Stormwater Asset Replacement Renewal Program, for pit replacements.

Record of Voting:

For the Motion: Unanimous

4 2013/2014 FINANCIAL STATEMENTS

RESOLUTION: (Moved by Councillors Etmekdjian and Pendleton)

- (a) That in accordance with Section 419 of the Local Government Act, Council receive and note the Auditors Reports on the 2013/2014 Annual Financial Statements for the year ended 30 June 2014.
- (b) That any public submissions on the 2013/2014 Financial Reports be referred to Council's Auditors, Pricewaterhouse Coopers.
- (c) That Council suspend standing orders to allow a presentation by Council's staff and any comments by or questions of the external auditor, Pricewaterhouse Coopers or members of the Audit Committee, in respect of the 2013/2014 Financial Statements including the Auditor's Reports.

ITEM 1 (continued)

ATTACHMENT 1

Record of Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Li, Pendleton, Perram and Salvestro-Martin

Against the Motion: Councillors Laxale and Maggio

Note: In accordance with this resolution, Council's Chief Financial Officer, Mr John Todd made a presentation to the meeting in providing an overview of the financial results for the 2013/2014 year.

5 FINANCIAL REVIEW - Sustainability of West Ryde Community Centre

RESOLUTION: (Moved by Councillors Etmekdjian and Chung)

That Council note the findings of the West Ryde Community Centre financial review.

Record of Voting:

For the Motion: Unanimous

6 ECONOMIC DEVELOPMENT PLAN 2015 - 2019

RESOLUTION: (Moved by Councillors Etmekdjian and Chung)

- (a) That Council endorse the public exhibition of the DRAFT City of Ryde Economic Development Plan 2015 – 2019.
- (b) That a further report detailing the outcomes of the public exhibition be presented to Council in early 2015.
- (c) That Council acknowledge the efforts of Mr Nathan Pratt, Council's Economic Development Manager.

Record of Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Laxale, Li, Maggio, Pendleton and Salvestro-Martin

Against the Motion: Councillor Perram

ITEM 1 (continued)**ATTACHMENT 1****7 S94A DEVELOPMENT CONTRIBUTIONS PLAN**

RESOLUTION: (Moved by Councillors Chung and Laxale)

- (a) That Council endorses the S94A Development Contributions Business Plan as provided by SGS Economics and Planning /Lindsay Taylor Law and the Plan is submitted to the Minister for Planning
- (b) That Council endorses the draft S94A Plan for public exhibition undertaken in accordance with the Environmental Planning and Assessment Act 1979.
- (c) That Council provides to the Acting General Manager delegated authority to amend the draft S94A Plan, if required by the Minister for Planning following her consideration and assessment of the S94A Development Contributions Business Plan.
- (d) That Council allocates an amount of \$36,844 including GST from the S94 Plan Administration Reserve for the purpose of funding further services from SGS Economics and Planning /Lindsay Taylor Law to assist in finalising the S94A Plan and its implementation, subject to the extent of work required to comply with the Minister's direction.

Record of Voting:

For the Motion: Unanimous

8 CHRISTMAS LIGHT COMPETITION

MOTION: (Moved by Councillors Maggio and Salvestro-Martin)

- (a) That Council endorse Option 1 for a Christmas Light Showcase in 2014 as outlined in the report.
- (b) That Council take the following actions in respect of the Christmas Competition for 2015:
 - (i) That Council prepare an EOI for sponsorship for the 2015 City or Ryde Christmas Light Competition.
 - (ii) That Council allocate \$3000 for prizes in its 2015/2016 draft budget.
 - (iii) That Council promote the competition through all its appropriate media channels.
 - (iv) That Councillors provide feedback on the proposal.

ITEM 1 (continued)**ATTACHMENT 1**

RESOLUTION: (Moved by Councillors Pendleton and Etmekdjian)

That this matter be dealt with in Seriatim.

Record of Voting:

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

Against the Motion: Councillors Perram and Salvestro-Martin

Note: This Item was then dealt with in Seriatim.

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

(a) That Council endorse Option 1 for a Christmas Light Showcase in 2014 as outlined in the report.

Record of Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Laxale, Li, Maggio and Salvestro-Martin

Against the Motion: Councillors Pendleton and Perram

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

(b) That Council take the following actions in respect of the Christmas Competition for 2015:

- (i) That Council prepare an EOI for sponsorship for the 2015 City or Ryde Christmas Light Competition.
- (ii) That Council allocate \$3000 for prizes in its 2015/2016 draft budget.
- (iii) That Council promote the competition through all its appropriate media channels.
- (iv) That Councillors provide feedback on the proposal.

Record of Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Laxale, Li, Maggio and Salvestro-Martin

Against the Motion: Councillors Pendleton and Perram

ITEM 1 (continued)

ATTACHMENT 1

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

- (a) That Council endorse Option 1 for a Christmas Light Showcase in 2014 as outlined in the report.
- (b) That Council organise the following with regards to the Christmas Competition for 2015:
 - (i) That Council prepare an EOI for sponsorship for the 2015 City or Ryde Christmas Light Competition.
 - (ii) That Council allocate \$3000 for prizes in its 2015/2016 draft budget.
 - (iii) That Council promote the competition through all its appropriate media channels.
 - (iv) That Councillors provide feedback on the proposal.

PRECIS OF CORRESPONDENCE FOR CONSIDERATION

1 20 WATERVIEW STREET PUTNEY - PLANNING PROPOSAL

Note: Councillor Maggio left the meeting at 9.20pm and was not present for consideration or voting on this Item.

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

That the correspondence be received and noted.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Maggio returned to the meeting at 9.21pm.

LATE PRECIS OF CORRESPONDENCE FOR CONSIDERATION

2 ROADS TO RECOVERY FUNDING 2014 TO 2019

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

That the correspondence be received and noted.

Record of Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

3 NATIONAL STRONGER REGIONS FUND - AUSTRALIAN GOVERNMENT

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

That the correspondence be received and noted.

Record of Voting:

For the Motion: Unanimous

4 FIT FOR THE FUTURE - LETTER FROM HON PAUL TOOLE MP

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

That the correspondence be received and noted.

Record of Voting:

For the Motion: Unanimous

NOTICES OF MOTION

1 NO SMOKING AT EASTWOOD PLAZA - Councillor Justin Li

Note: Councillor Li tabled a petition from 240 regular users of the Eastwood Plaza in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Li and Maggio)

In light of a petition received from 240 regular users of the Eastwood Plaza, Council consults with the Eastwood community and local businesses with a view to create a Smoke Free Zone in the Plaza area between appropriate hours, in order to minimise users and school children being exposed to harmful effects of passive smoking. The outcome of the consultation and recommendations are to be reported to the Council meeting.

Record of Voting:

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

Against the Motion: Councillor Salvestro-Martin

ITEM 1 (continued)

ATTACHMENT 1

COUNCIL REPORTS

9 COR-RFT-11/14 - PROVISION OF MINOR WORKS AND SERVICES TENDER + PRE-QUALIFICATION FOR LARGE CIVIL AND LANDSCAPE WORKS

Note: Councillor Maggio left the meeting at 9.32pm and was not present for consideration or voting on this Item. He did not return to the meeting.

Note: Councillor Salvestro-Martin left the meeting at 9.32pm and was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Chung and Laxale)

- (a) That Council accept the tenders for Provision of Minor Works & Services and Pre-qualification for Large Civil and Landscape Works up until 31 October 2016 from the tenderers outlined in the **CONFIDENTIAL ATTACHMENTS** be accepted on an “as required” basis for the items outlined.
- (b) That Council delegate to the General Manager the authority to execute all contract documents for the Provision of Minor Works & Services Tender and Pre-qualification for Large Civil & Landscape Works.
- (c) That Council advise all the respondents of Council’s decision.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Salvestro Martin returned to the meeting at 9.33pm.

NATIONAL ANTHEM

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

The meeting closed at 9.34pm.

CONFIRMED THIS 28TH DAY OF OCTOBER 2014

Chairperson

2 SPECIAL RATING VARIATION (SRV) APPLICATION INCLUDING UPDATED INFORMATION RELATING TO COUNCIL'S INFRASTRUCTURE ASSETS

Report prepared by: Chief Financial Officer
File No.: FIM/07/6/2/5/4 - BP14/1222

REPORT SUMMARY

Council at its meeting held on Tuesday, 24 June 2014 resolved to undertake extensive engagement with the City of Ryde community, in gaining their feedback towards a Special Rating Variation (SRV) and for the results of the engagement programme to be reported back to its meeting on 28 October 2014.

Council also resolved that this report would include updated information relating to the condition of Council's infrastructure assets, confirmation of the annual funding required for asset renewal and maintenance and the revised position in respect to Council's asset backlog and projected long term financial position.

This report provides the results of the Community Engagement program together with the updated information in respect of Council's asset condition, confirmation of the annual funding requirements to ensure Council's asset renewal and maintenance are both manageable and financially sustainable.

The report confirms that as a result of the community feedback through postcards, online and a random telephone survey, it demonstrates 57.7% of the community support an SRV application, with 42.3% against.

The report also confirms the current annual funding shortfall of \$10 million for asset renewals and maintenance. From the independent analysis undertaken by Jeff Roorda and Associates (JRA), they have confirmed that based on the updated asset condition data, that;

- Option A (rate peg only), Council service standards would have to be reduced with possible service cuts in the future
- Option B (7%) raises sufficient funds to cover the funding shortfall and to meet Council's requirements for asset renewal and maintenance
- Option C (12%) showing additional funds available to improve service standards.

Therefore, for the above reasons, this report recommends for Council to notify IPART of its intentions to make an application for a Special Rating Variation by 28 February 2015, noting Council's preferred option is for a 7% per annum increase, inclusive of any rate pegging, for a period of four years, with the increase being a permanent increase in the rating base, commencing 1 July 2015.

ITEM 2 (continued)

As the report details, this increase if supported and approved is projected to make Council's annual funding for its asset renewal and maintenance, financially sustainable over the life of Council's infrastructure assets. It should be noted that if Council supports the recommendation, Council will be required to revise its current Delivery Plan to incorporate the SRV proposal, together with the associated works, that will be applicable from for 2015 / 2016 Financial year. The revised Delivery Plan and Resourcing Strategy will be reported to Council's meeting on 25 November 2014, for endorsement to be placed on public exhibition for the period, early December 2014 to early February 2015.

RECOMMENDATION:

- (a) That Council note the updated information and results relating to the Community consultation on a possible SRV application and the updated information relating to Council's infrastructure assets.
- (b) That Council endorse IPART being notified of Council's intentions to make an SRV application, confirming its preferred option for an SRV application for 7% inclusive of the rate peg, as detailed in Option B in this report and also in the recent community consultation program.
- (c) That Council note that the revised Delivery Plan and Operational Plan will be reported back to Council on 25 November 2014.

ATTACHMENTS

- 1 JRA discussion paper on the Asset Management Plan and Council's SRV Options
- 2 Affordability and Community Capacity to Pay

Report Prepared By:

John Todd
Chief Financial Officer

Report Approved By:

Roy Newsome
Group Manager - Corporate Services

ITEM 2 (continued)**Discussion**

Council at its meeting 24 June 2014 considered a report on the City of Ryde's Financial Future and resolved as follows:

- (a) *That Council note the information provided in this report and acknowledge Council's funding shortfall in respect of the renewal of Council's existing infrastructure assets.*
- (b) *That Council note the findings from Council's auditor, PricewaterhouseCoopers, following their review of the City of Ryde's financial position and comparison of key financial and other benchmark indicators to other similar sized Councils.*
- (c) *That Council endorse the Acting General Manager to complete the remaining stages of Council's Community Engagement Program – Proposed SRV Application, as detailed in the Program and in this report.*
- (d) *That Council, subject to endorsing part (c) of this recommendation, note that the Acting General Manager will report the findings of the Community Engagement Program and the additional information relating to the condition of Council's infrastructure, asset renewal backlog and Long Term Financial Plan to Council's meeting by 28 October 2014.*

Community Engagement Program

As a result of Council's resolution and adoption of the Community Engagement Plan to meet a proposed SRV application, Council implemented the strategy throughout the months of August and September 2014. The consultation program also included detail of the proposed impacts of each option and that any proposed SRV application would be complemented by an annual efficiency saving totalling \$2.5 million, in generating adequate annual funding for Council's asset renewal and maintenance requirements.

It should be noted that no funds from any of the SRV options would be used to address the refurbishment of the Civic Centre.

The key options that were included in the Community Engagement program were as follows:

Option A - DECLINE in services (Approximate 3% rate peg increase)

Option A would be no additional rate increase for the next 4 years, commencing 2015/16 other than the estimated rate peg increase of 3% each year. This would mean no additional investment in local infrastructure or facilities and would therefore lead to a reduction in service levels and possible cuts in services.

ITEM 2 (continued)
Option B - MAINTAIN SERVICES *Approximate 7% increase (including rate peg)*

Option B would be an average annual 7% rate increase for the next 4 years, commencing 2015/16 (including the rate peg increase of around 3%) to maintain services at their current level, and provide additional money for renewing the City's infrastructure. It would not be sufficient to undertake all repairs and maintenance needed, but would be enough to renew all assets that are rated as 'Condition 5' and some assets that are in 'Condition 4.'

Option C - UPGRADE SERVICES *Approximate 12% increase (including rate peg)*

Option C would be an average annual 12% rate increase for the next 4 years, commencing 2015/16 (including the rate peg increase of around 3%) to maintain services at their current level and provide further money for renewing the City's infrastructure. It would still not be sufficient to undertake all repairs and maintenance needed, but would be enough to renew all assets that are rated as 'Condition 5' and most assets that are in 'Condition 4'

Summary of Community Survey Results:

The community survey results are a combined result of both the voluntary votes (ie: votes lodged either through the reply paid postcard or the online portal) and also the random telephone survey.

Due to the difference in the base size of the two survey methods (i.e. voluntary votes n=2,883 and random telephone survey n=655), the random telephone survey result was weighted up in order to provide a true representation of the average. This means that results from both survey methods are evenly represented.

Option A:	Supporting no increase at all in the rates over and above the rate peg	42.3% Community support
Option B & C:	Supporting either a 7% or 12% increase, inclusive of the rate peg	57.7 % Community support

In preparing the community engagement strategy for this proposed SRV, Council referred to Criterion 2 of the IPART guidelines which outlines what Councils must undertake in ensuring that "the community is aware of the need and extent of a rate rise. Councils should canvas alternatives to a rate rise, the impact of any rises upon the community and the Council's consideration of the community's capacity and willingness to pay rates."

To this end the community engagement component of this report will address the following areas in line with the IPART requirements:

- community's awareness of the proposal
- level of community engagement in the proposal
- community's willingness to pay increased rates
- community's capacity to pay the proposed increase

ITEM 2 (continued)

To provide further validity to the data, this report also makes comparisons against neighbouring Councils who have received an SRV approval from IPART in recent years.

Council's strategy

Council referred to the IPART guidelines which states that all IPART applications must demonstrate that *"the council has demonstrated an appropriate variety of engagement methods to ensure community awareness and input into the special variation process"*.

IPART notes that it expects councils to choose and execute methods that reflect the size and impact of the proposed rate increase, and the resources of the council.

To this end, Council developed and executed a comprehensive eight week strategy that included:

- 12 page information brochure mailed directly to over 30,000 residential ratepayers
- Soft copies of the brochure emailed to over 200 real estate agents for distribution to non -residential ratepayers (which totals approximately 5000 properties)
- Brochure translated in to the City's top five languages
- A dedicated website that included an online Q&A portal
- A dedicated phone number for community enquiries
- 3 town hall community meetings, where the proposed SRV options were presented and workshops with the Community
- 16 information booths at various times and days during the eight week consultation period
- Community members could provide their feedback in a variety of ways including:
 - Return of the reply paid postcard
 - Online vote through the dedicated engagement portal
 - Contacting customer service to register a vote over the phone

ITEM 2 (continued)

Comparison of engagement strategy against other Councils

An analysis of the engagement approaches and statistics of other Councils who have undertaken an SRV process, have been compared to the City of Ryde's approach and are detailed below:

	City of Ryde	Ku-ring-gai (2011)& (2013/14)	Lane Cove (2011/12)	Holroyd (2014/15)	Auburn (2010/11)	Warringah (2014/15)	Parramatta (2011/12)	North Sydney (2011)	Willoughby (2012/13)	Hunters Hill (2012/13)	City of Ryde's position against the other Councils
Mail out	30,211			36,000		6,000		32,813		5,092	Above Average
Mail In	2,408			2017		151		3163		0	Above Average
Postal Response Rate (%)	8%			6%		3%		10%			Above Average
Online Response	475	37	174			419	37		911	160	Above Average
Random phone survey respondents	655	400	400	400	400	400	505	600		400	Above Average
Awareness (%)	61%	50% /37%		42%							Above Average
Support (%) for proposed SRV*	57.7%			37.2%			77.9%			40.2%	within the acceptable range

** Average value of voluntary and random survey results*

As can be seen from the above analysis, the City of Ryde's approach compares quite favourably on how it has engaged with its community on this matter.

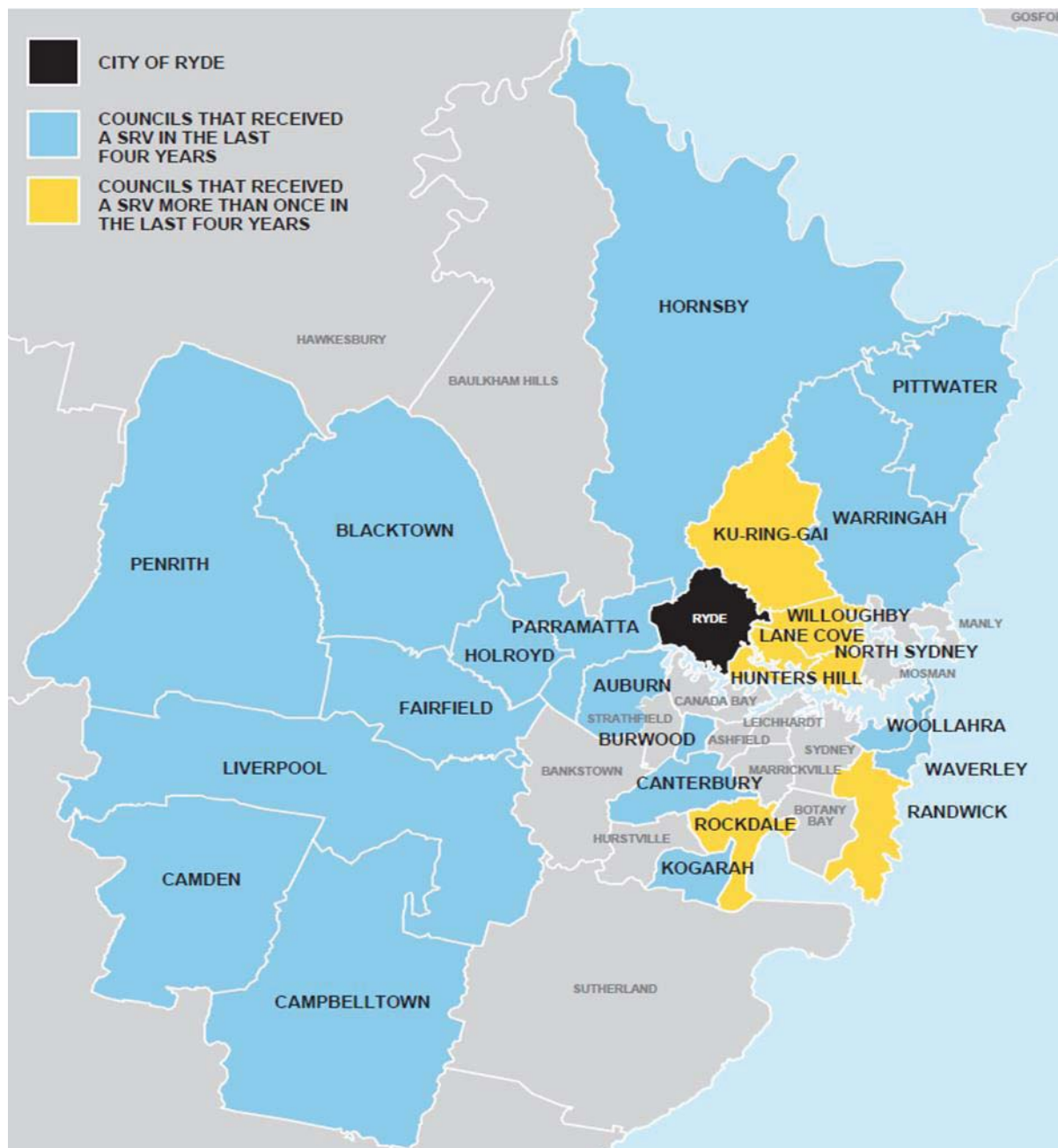
The support of 57.7%, represents those members of the community that support either Option B or Option C.

ITEM 2 (continued)

Comparison of Surrounding Councils - Where SRV Approvals have been granted

It should be noted that the City of Ryde last had a general SRV approval for the whole City area, in 1996 / 1997.

The table below demonstrates that, while the City of Ryde has had no SRV application or approvals in the last 4 years, the number of Councils that have received an SRV in the last 4 years is extensive. The table also highlights those Councils that have had multiple increases in the last 4 years.



ITEM 2 (continued)

Due to their locality, nine neighbouring Councils have been selected for comparison of the community awareness and engagement levels, that was undertaken in recent SRV applications.

COUNCIL	SRV APPLICATION / IPART DETERMINATION
Auburn Council (2010/2011)	Applied for a special variation to increase its general income by: <ul style="list-style-type: none"> ▪ 11.74% in 2011/12, and ▪ 8.5% each year from 2012/13 to 2015/16. IPART partially accepted by allowing a SRV of 6% each year in the period of 2011/12 to 2013/14, due to the concerns with the cumulative impact of the rate increases requested and whether there is sufficient community support for some of the new capital expenditure proposed by the council.
Holroyd Council (2014/2015)	Applied and received IPART approval for SRV of 8% for 3 years then 7% for 2 years, or a cumulative increase of 44.22% over the next 5 years.
Hunters Hill Council (2012/13 and 2013/14)	Applied and received IPART approval for SRV of 10.4% for 10 years in 2012/13. They applied again in 2013/2014 and received IPART approval for a SRV of 10.67% including the rate peg. They are to retain 5.27% of the SRV in its rates base for 10 years and 2% permanently.
Ku-ring-gai Council (2011/12 and 2013/14)	Applied for SRV increase by 8.4% for 5 years. IPART approved SRV increase by 8.4% in 2013/14, including the rate peg. The increase above the rate peg can be retained in the council's general income base for 1 year only due to lack of awareness level.
Lane Cove Council (2011/12)	Applied and received IPART approval for 10.24% increase to be permanently incorporated into its revenue base.
North Sydney Council (2011 and 2012/13)	Applied for SRV increase by 5.5% for 7 years. IPART only partially approved the SRV by allowing a 5.5% increase by rate peg from 2011/12 to 2017/18 as they believed that the request was not clearly presented to the community. This has led North Sydney to apply once again in 2012/2013 for SRV increase of 12.34% in 2012/13, 14.57% in 2013/14, and 5.50% each year from 2014/15 to 2017/18. This was approved by IPART.

ITEM 2 (continued)

COUNCIL	SRV APPLICATION / IPART DETERMINATION
Parramatta Council (2011/2012)	Applied and received approval from IPART to increase its general income by: <ul style="list-style-type: none"> ▪ 4.3% in 2011/12 ▪ 4.3% in 2012/13 ▪ 9.2% in 2013/14 These increases represent a cumulative increase of 18.79% for these 3 years.
Warringah Council (2014/2015)	Applied for annual increases of 6.1%, 6.0%, 6.0% and 5.9% over 4 years for a cumulative increase of 26.25%. IPART only partially approved of 3.1%, 3.0%, 3.0% and 9.4% for the years 2014/15 to 2017/18, due to insufficient demonstration of the need for an increase.
Willoughby Council (2012/13)	Applied and received IPART approval for an increase in the minimum level of rates by 23.6% in 2012/13. The same application was rejected in 2011 due to lack of consultation.

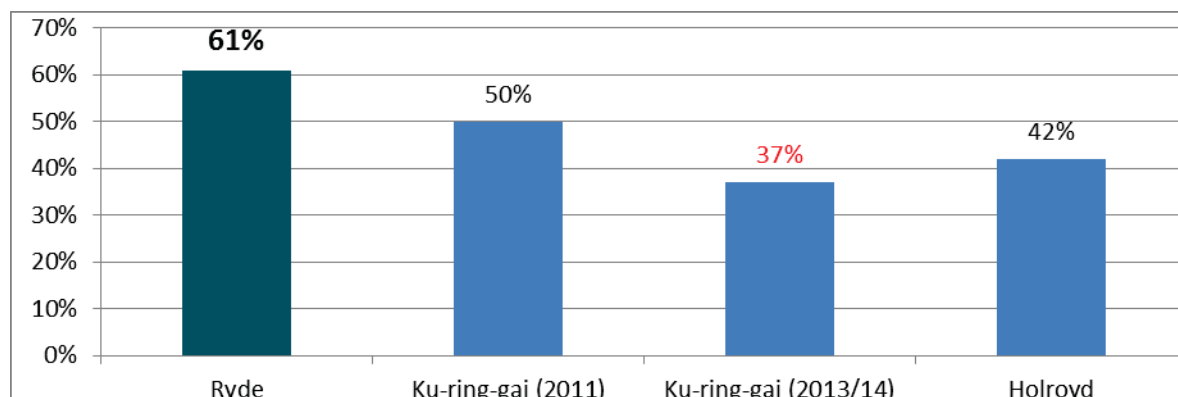
Community Awareness of the Proposal

Overall, the comparison results show a significantly high awareness of the SRV proposal in the City of Ryde community.

According to the random telephone survey, with 95% confidence and ±3.8% margin of error, it can be stated that the majority (61%) of the rate payers in City of Ryde are aware of the SRV proposal.

The City of Ryde strongly compares with other Councils on the community’s awareness of a proposed SRV application as detailed below:

Awareness

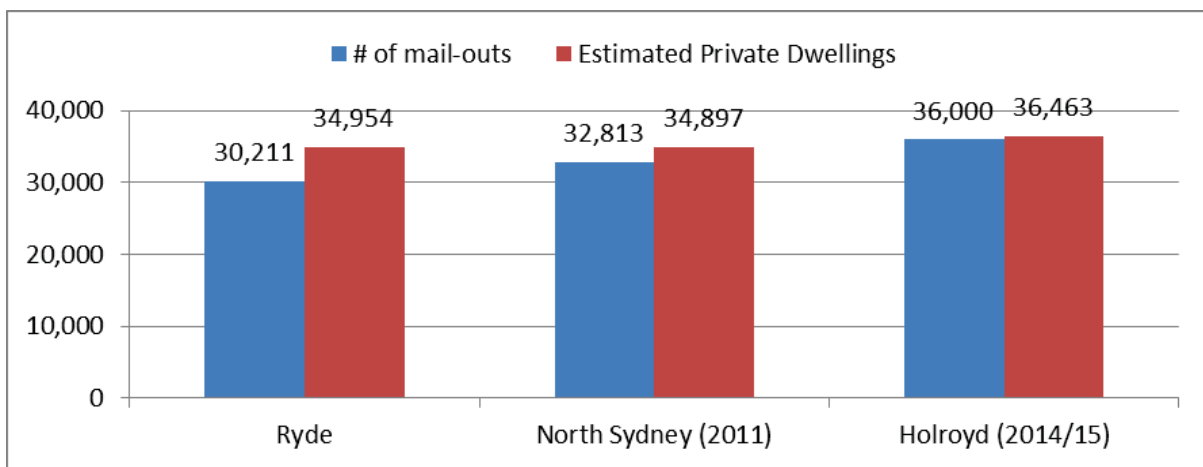


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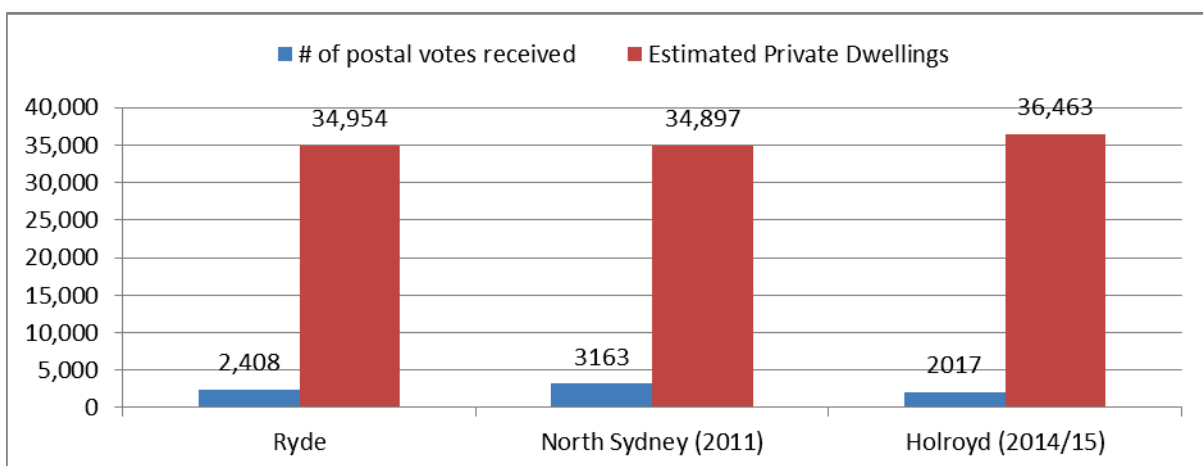
Community’s involvement in the engagement strategy

As at 30 September 2014, City of Ryde has received over 2,883 voluntary votes (2,408 postal votes and 475 online votes) and 655 telephone survey respondents, reflecting a high level of community engagement. In comparison to the neighbouring Councils, City of Ryde has achieved the most responses by telephone surveys, second highest response rate via postal votes, and third most votes via online.

Number of Mail Outs (i.e. Brochures, letters, booklets)

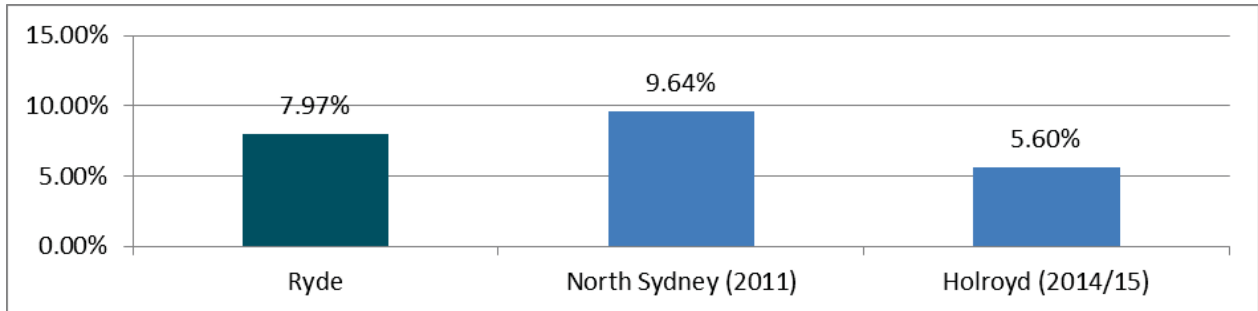


Number of Postal Votes Received

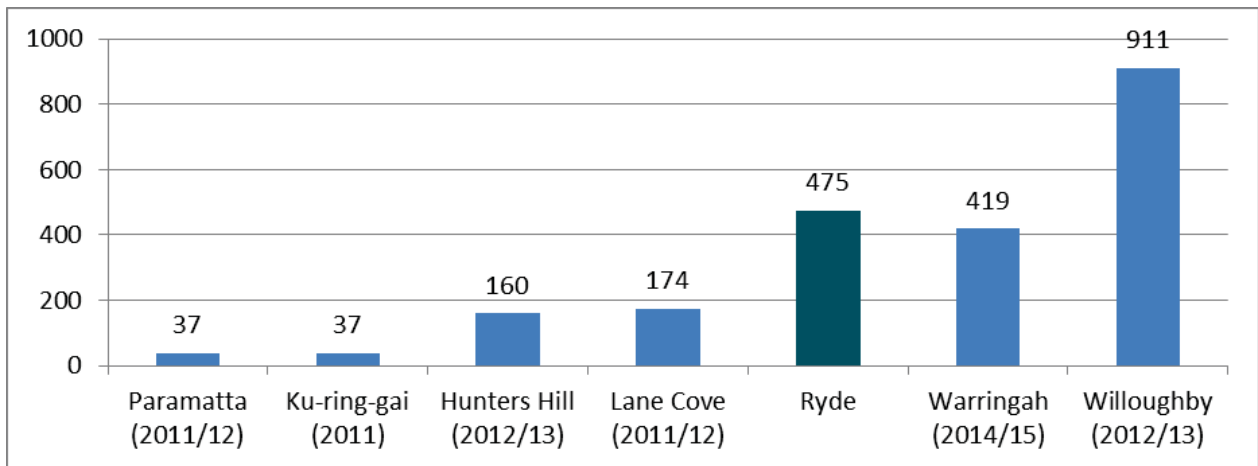


ITEM 2 (continued)

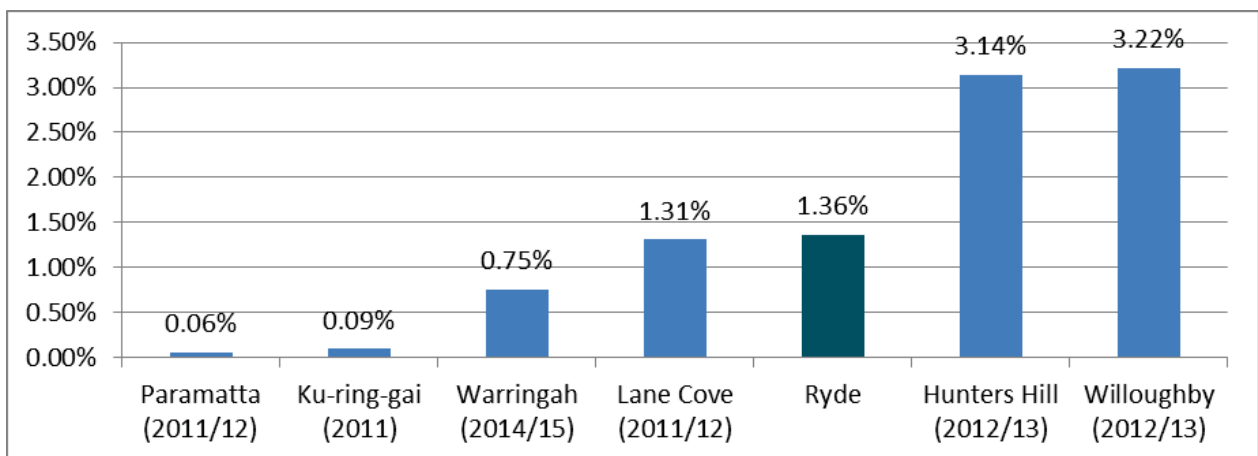
Response Rate by Mail



Online Votes

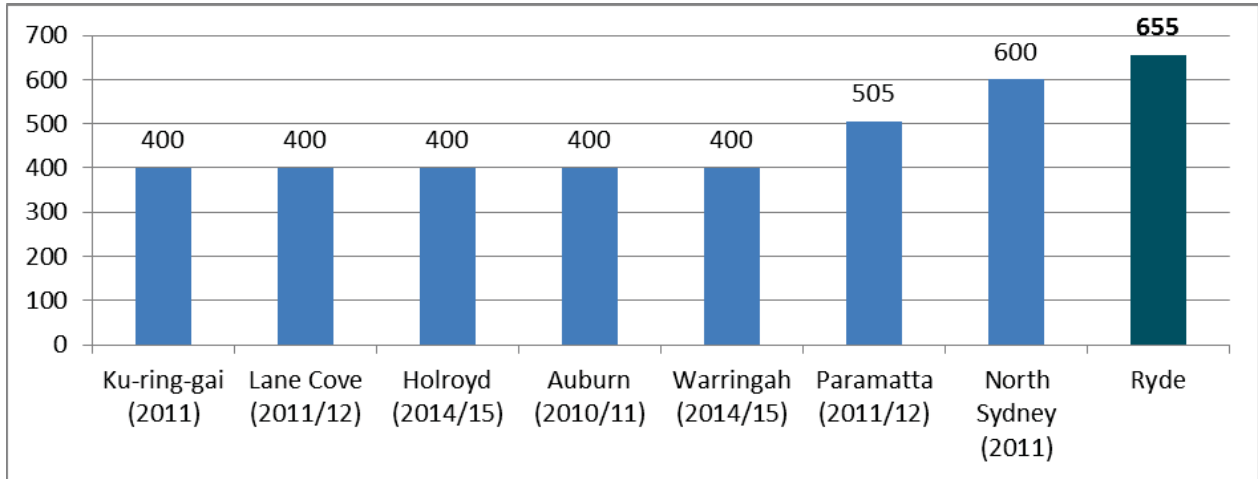


Proportion of Dwellings Voted Online



ITEM 2 (continued)

Random Telephone Survey



Community Support and Willingness to Pay

When reviewing community support and willingness to pay, the comparison pool was reduced from the original nine councils to three Councils including Holroyd, North Sydney & Hunters Hill.

These three Councils were chosen for this comparison due to the similarity in both the type of submission and also the community engagement strategy undertaken. As can be seen from the table below, Holroyd, North Sydney and Hunters Hill Councils undertook similar engagement strategies. Whilst Warringah also undertook an equally comprehensive strategy, their voting methods differed to that of Ryde and the other three Councils and as such it was difficult to make accurate comparisons against the Warringah results.

ITEM 2 (continued)

	City of Ryde	Ku-ring-gai (2011)& (2013/14)	Lane Cove (2011/12)	Holroyd (2014/15)	Auburn (2010/11)	Warringah (2014/15)	Parramatta (2011/12)	North Sydney (2011)	Willoughby (2012/13)	Hunters Hill (2012/13)	City of Ryde's position against the other Councils
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Awareness (%)	61%	50% /37%		42%							Above Average
Support (%) for proposed SRV*	57.7%			37.2%			77.9%			40.2%	within the acceptable range

** Average value of voluntary and random survey results*

The comparison Councils made the following applications:

COUNCIL	SRV APPLICATION / IPART DETERMINATION
Hunters Hill Council (2012/13)	Applied and received IPART approval for SRV of 10.4% for 10 years in 2012/13.
Parramatta Council (2011/2012)	Applied and received approval from IPART to increase its general income by: <ul style="list-style-type: none"> ▪ 4.3% in 2011/12 ▪ 4.3% in 2012/13 ▪ 9.2% in 2013/14.3 These increases represent a cumulative increase of 18.79% for these 3 years.
Holroyd Council (2014/2015)	Applied and received IPART approval for SRV of 8% for 3 years then 7% for 2 years, or a cumulative increase of 44.22% over the next 5 years.

ITEM 2 (continued)

In general, Councils showed similar trends from the random telephone surveys, receiving more support for the SRV in contrast to the voluntary votes (via postal and online voting). This is due to the non-biased measure of the random sampling that allows a more representative view of the wider community.

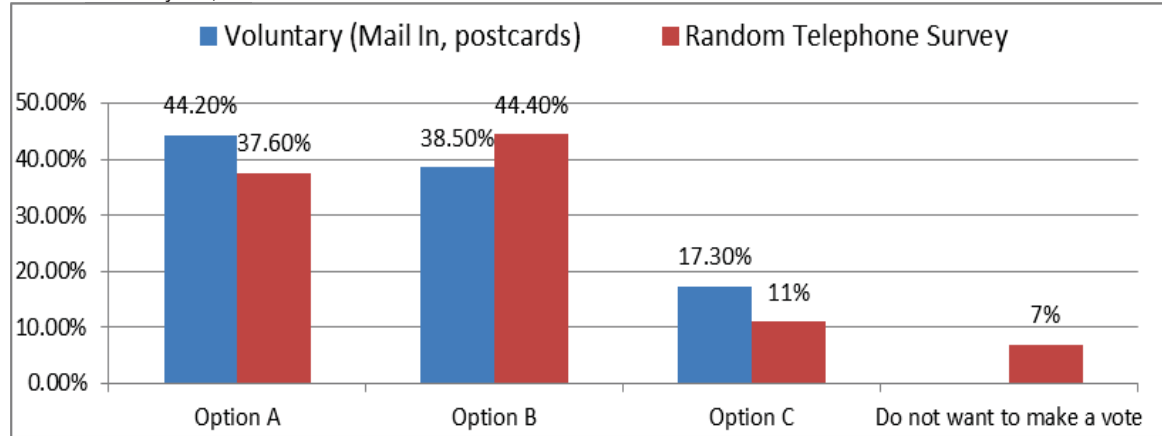
Using an average of the two measures (voluntary votes and random sampling), 57.7% of the community, would support either of Ryde's Option b or C, with 41.5% supporting Option B (i.e. SRV of 7% per year for 4 years). These results are in line with the comparable Councils' range of 37% to 77.9%, previously approved by IPART.

COUNCIL	PROPOSED SRV OPTIONS
Hunters Hill Council (2012/13)	Option 1 - Against the continuance of infrastructure levies. Option 2 - Rate peg increase and continuance of special rates. Option 3 - Support a rate peg increase, continuance of special rates and an operations catch-up increase to the general rate of 2%.
Parramatta Council (2011/2012)	Option 1 – Reduction in community services and infrastructure Option 2 - modest increase in Council ordinary rates (on average \$10 per year over four years)
Holroyd Council (2014/2015)	Option 1 - Not in support of a SRV Option 2 - Special Variation of 8% for 3 years then 7% for 2 years Option 3 - Special Rate Variation of 9% for 6 years

ITEM 2 (continued)

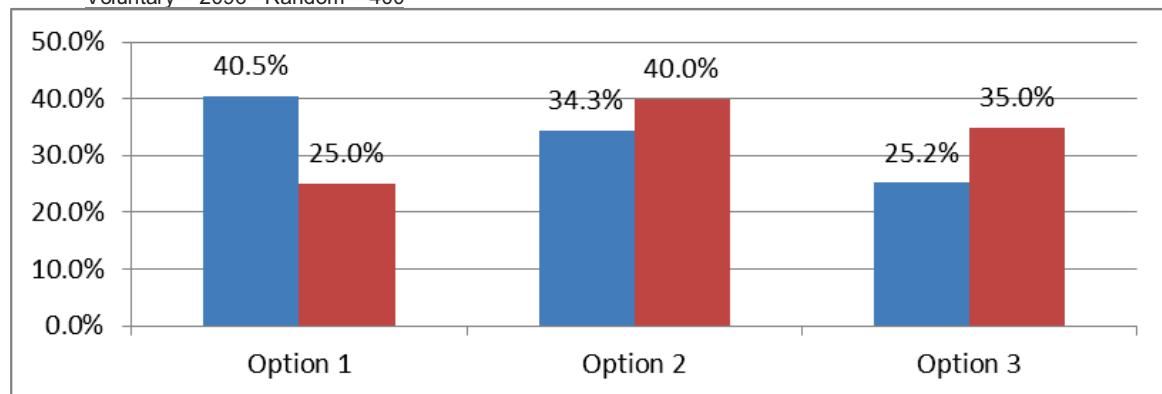
City of Ryde

Voluntary = 2,732 Random = 655



Holroyd Council (2014/15)

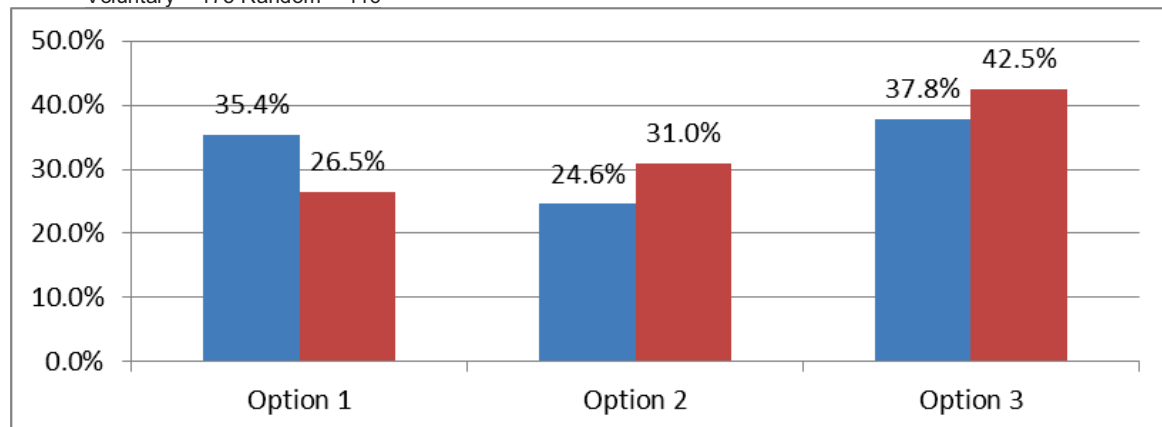
Voluntary = 2096 Random = 400



Note: IPART approved Option 2- SRV of 8% for 3 years then 7% for 2 years.

Hunters Hill (2012/13)

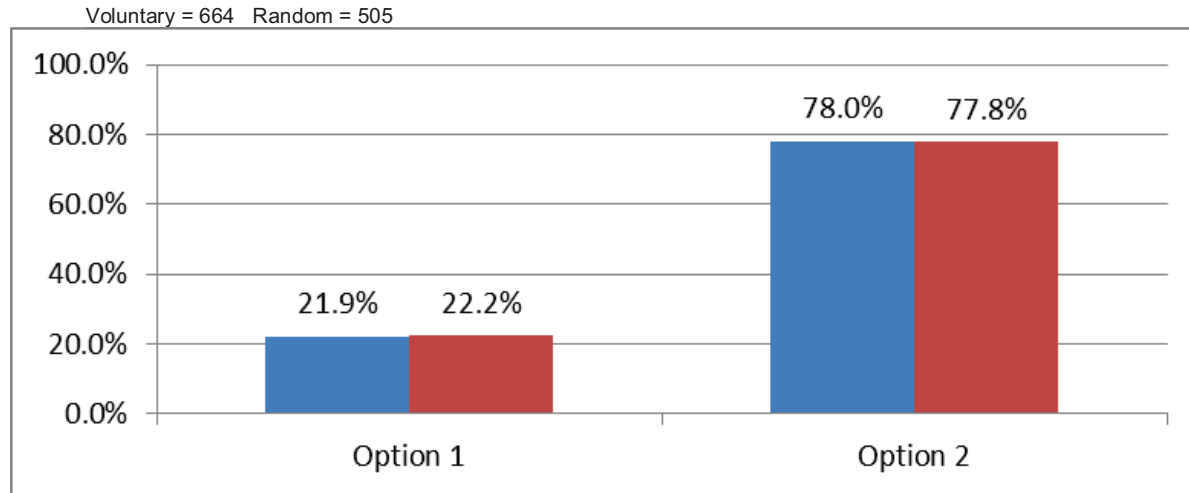
Voluntary = 175 Random = 416



Note: IPART approved Option 3 - 10.4% for 10 years in 2012/13. This option s was presented to the community as "Rate peg increase, a new levy equivalent to the previous levy and operations catch up increase to the general rate of 2".

ITEM 2 (continued)

Parramatta Council (2011/12)



Note: IPART partially approved Option 2 – An accumulative increase of 18.79% for 3 years. This option was presented to the community as a “Modest increase in Council ordinary rates” (increase of average \$10 per year over four years)

Summary of Comparisons with other Councils

Overall, while there are variations between the Councils compared, the City of Ryde’s results of 57.7%% of the community supporting an SRV to 42.3% for no change, are positive and in line with the results of the other Councils surveyed.

Community’s capacity to pay

According to Criterion 2 of the IPART guidelines a Council must consider not just the community’s willingness to pay, but also the community’s capacity to pay.

Whilst the guidelines themselves are not specific as to what level of detailed information IPART would like to see on this subject, there are some framed questions included in the IPART application paperwork. Council has reviewed and considered four other successful applications from the 2013/14 year to determine what information IPART may be seeking and as such the following information has been compiled as information necessary to support a potentially successful application.

A detailed research paper is **ATTACHED (Attachment 2)**, however the key findings of the research are as follows:

- City of Ryde has a total of 40,084 rate assessments. Residential (38,289) and Business (1,795).
- Ryde’s average rate per residential assessment is \$453.65, which is below the average of other neighbouring Councils (\$673.41)
- Ryde’s average rate per business assessment is \$6,622.28, which is above the average of other neighbouring Councils (\$5,243.16)

ITEM 2 (continued)

- The average rate of NSROC member councils is \$871 while Ryde's residential rate is significantly lower at \$646.
- The City of Ryde's outstanding debt percentage remains below the industry standard of 5%, and recent changes to Council's Debt Administration procedures has ensured that the downward trend commenced in 2012 will continue towards a goal of less than 3%.
- Council provides a voluntary Council rebate of \$80 per annum which is only available to ratepayers who are "eligible pensioners" and were already in receipt of this rebate from Council prior to 31 December 1992.
- The median Weekly Household Income (HHI) is higher for the City of Ryde at \$1,500-\$1,999 when compared to the NSW median of \$1,250- \$1,499.
- City of Ryde's median weekly HHI is in line with the NSROC median at \$1,500 - \$1,999.
- The unemployment rate for Ryde has been significantly lower than Greater Sydney until recent years. The unemployment rate has increased in the recent years due to the economy downturn, however it is still in line with that of Greater Sydney.
- In 2011, Ryde had a SEIFA Index score of 1,050 which places Ryde on the 20th ranking among the 153 Local Government Areas in NSW. Ryde is in decile 9 out of 10. (A higher score on the index means a lower level of disadvantage. A lower score on the index means a higher level of disadvantage.)
- The Gross Regional Product (GRP) of Ryde has a positive trend since 2001, significantly exceeding the average % increase of NSW. The % increase has slowed down since 2012 however the trend is still upwards.

Hardship Policy

There may be some concerns about any impact that a SRV may have on pensioners or those that may have issues related to the payment of rates.

Council is aware that it currently provides a eligible pensioners with a maximum pension rebate of \$250 per annum. In addition to this rebate, Council also provides other support under its Hardship Policy.

Key features of Council's Hardship Policy are as follows:

- Policy provides that Council may write off or reduce interest on overdue rates if a person complies with the arrangements.
- Accrued interest on rates and charges may also be written off due to financial hardship on written application, or where a rate payer has experienced some serious illness that has prevented their expenses.

ITEM 2 (continued)

It should also be noted that arrangements can be made to pay rates at a frequency other than by the interest free instalments. Currently there are about 300 ratepayers who are on arrangements.

Asset Management

The other key area to be addressed following Council's resolution on 24 June 2014 was in respect of its condition of its infrastructure assets and confirmation of the projected annual amount required for asset renewal and maintenance.

Council engaged Jeff Roorda and Associates (JRA) to assist in this process. A copy of their discussion paper on their findings of the review and updating of Council's Asset Management Plans and Council's SRV options is **ATTACHED (Attachment 1)**.

Overview of Findings

The key focus areas addressed in the JRA review, was the validation of the current condition of Council's infrastructure assets, particularly in the area in the road pavement, footpaths, kerbs and stormwater assets.

The reason for this review to be concentrated in these asset areas, was due to these assets representing 74% or \$655 million of the total replacement value of \$892 million for all of Council's community assets.

The review resulted in a nett increase of \$10 million, in both condition 4 and 5, increasing from the previous \$69 million of renewal works required to \$79 million. It should be noted that for roads - Condition 5 assets, increased by over \$17 million in this review, with some other categories reducing.

Council should note that following this extensive review, Council staff have redefined the condition definitions, noting that Council's backlog is now defined as Condition 5. Condition 5's are defined when existing assets are due to be renewed, as the asset has become unusable or sections of the asset have failed and represent a safety risk. These assets until renewed would require higher maintenance allocations.

The following detail is provided in explaining key aspects of the work undertaken in the review of Council's infrastructure assets.

a. Process/Methodology

Council is using management methods that meet a range of requirements for Integrated Planning and Reporting (IP&R) legislation and industry best practice through the use of the Institute of Public Works Engineering Australia (IPWEA) National Asset Management System (NAMS) framework.

ITEM 2 (continued)

This is documented in the IP&R Asset Management Plans (AMPs) and sub-plans for each different asset type. These plans are available to the public, and represent the best information and knowledge at the current time.

However, due to the latest work undertaken, all Asset Management Plans are in the process of being updated for reporting to Council's meeting on 25 November 2014, as part of Council's updated Resources Strategy.

The Asset Management Plans include the following asset types:

- Roads – including carparks and kerbs
- Roadside – including footpaths
- Stormwater
- Traffic & Parking
- Parks & Reserves
- Play spaces & Playing Fields
- Buildings
- Library & cultural
- Ryde Aquatic Leisure Centre (RALC)

As part of the SRV project, these are being updated, with the assistance of JRA and will be presented to Council's meeting on 25 November 2014, if Council supports the recommendations as detailed in this report.

b. Condition and Data

The physical condition of assets are rated on an industry standard scale of 1 to 5 (1 is best). As a result of the overview presented to Councillors and feedback from Council's Auditor, Pricewaterhouse Coopers, a project was initiated to inspect and update the information on road and footpaths, which has seen the collection of 25,000 instances of footpath cracks, 71,000 kerb defects, and road pavement condition recorded at every 10 metres giving 41,000 measurements. As stated earlier, the assets inspected over the past 3 months, represent \$655 million or 74% of the \$89 million total value of Council's community assets. This comprehensive approach has seen the assets with a Condition 4 and 5 grow by an estimated \$10 million to an overall revised total of \$79 million, noting this increase relates mainly to road pavement assets.

All of these inspections have been geo-tagged photographs and records are managed within Council's corporate systems. Along with previously collected data for other asset types, this information will be updated and presented in the IP&R Asset Management Plans and reflected in Council's updated Long Term Financial Plan.

ITEM 2 (continued)

The condition definitions, as disclosed on Special Schedule 7 and the AMPs, are:

1	<i>new or equivalent</i>
2	<i>good condition without visible blemishes or deterioration</i>
3	<i>usable & safe condition, with visible signs of wear or deterioration, e.g. cracks in footpaths</i>
4	<i>usable condition with defects that interfere with use or reduce asset life e.g. extensive road cracking</i>
5	<i>requires major repairs or is not suitable to remain in use due to a significant safety hazard</i>

c. Redefining Backlog

Assets that are in a condition that is considered unsatisfactory are typically described as the “backlog”. The term unsatisfactory represents the asset where renewal has been deferred due to insufficient funds.

As stated earlier in this report, the definition that will now be used in describing ‘backlog’ will be all assets that are in Condition 5.

d. Maintenance

Maintenance is the work and repairs that are required over the life of the asset to ensure it lasts its intended useful life. This is separate from operating costs, which do not affect the life or condition of the asset. If priority is not given to maintenance and it is deferred, this shortens the period before renewal is required, and generally at a much greater expense.

These costs generally increase as condition deteriorates, due to a need to replace sections, or manage safety, or keeping the assets in service.

e. Renewals

Assets deteriorate from a range of causes, but mostly from ageing such as road pavements, soil movement, or physical damage, examples are damage from tree roots for footpaths and stormwater drainage. Existing assets are due to be renewed when they reach condition 5 which is when the asset becomes unusable or sections fail and there is a safety risk requiring sections to be closed off or removed.

ITEM 2 (continued)

f. Financial Sustainability

For Council to be financially sustainable over the life of the assets, Council needs to raise sufficient funds annually, so that funds are available to renew assets as they become due.

For large networks of similar assets such as roads, footpaths and stormwater drainage, which have been progressively constructed over decades, generally the rate of replacement is fairly even.

However, where renewals have been deferred, large amounts may be required in short periods, which may require changes in materials or techniques. The renewal profile can therefore be “lumpy”. (See chart later in this report in the section *“Overall asset profile for the remainder of the century”*).

The condition profile gives an indication of the timing of renewals, but the funding requirement has to be constant, which is the total value of the asset type divided by the useful life for each asset type.

This brings intergenerational equity into the funding decision. The only exception that has been allowed is in relation to buildings, where the known renewals have been allowed, equivalent to minor refurbishment. For buildings, major refurbishment or replacement works would be funded from loans and future generations would fund the loan repayments (principal and interest).

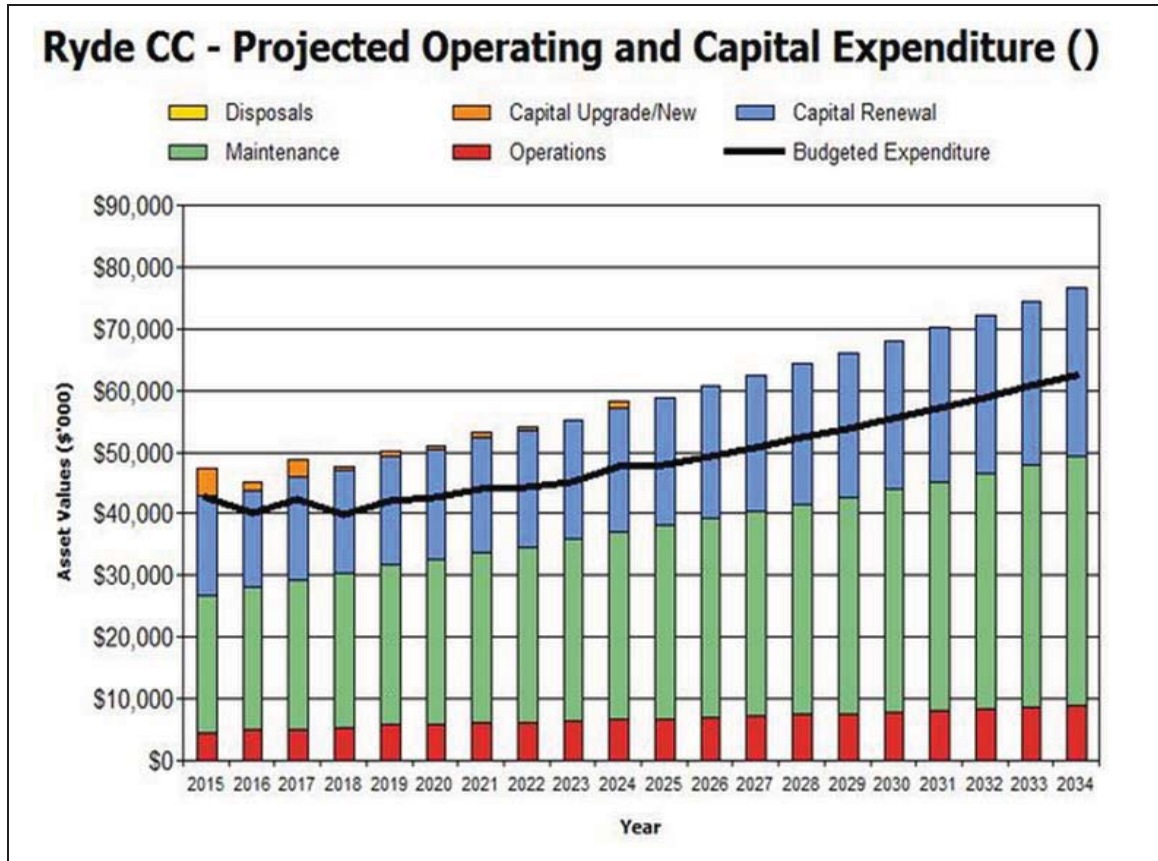
The following graphs show the total funding available (budgeted black line) and funding required (coloured columns) under the three SRV options. The funding required is based on funding renewals over the life of the assets, and not the needs within the horizon of the Delivery Plan or Long Term Financial Plan.

The premise of the SRV application is about giving Council the capacity to renew all of its assets over the life of the assets and spreading the burden of funding evenly over the relevant generations.

This approach therefore is one that will give Council financial sustainability over multiple generations.

ITEM 2 (continued)

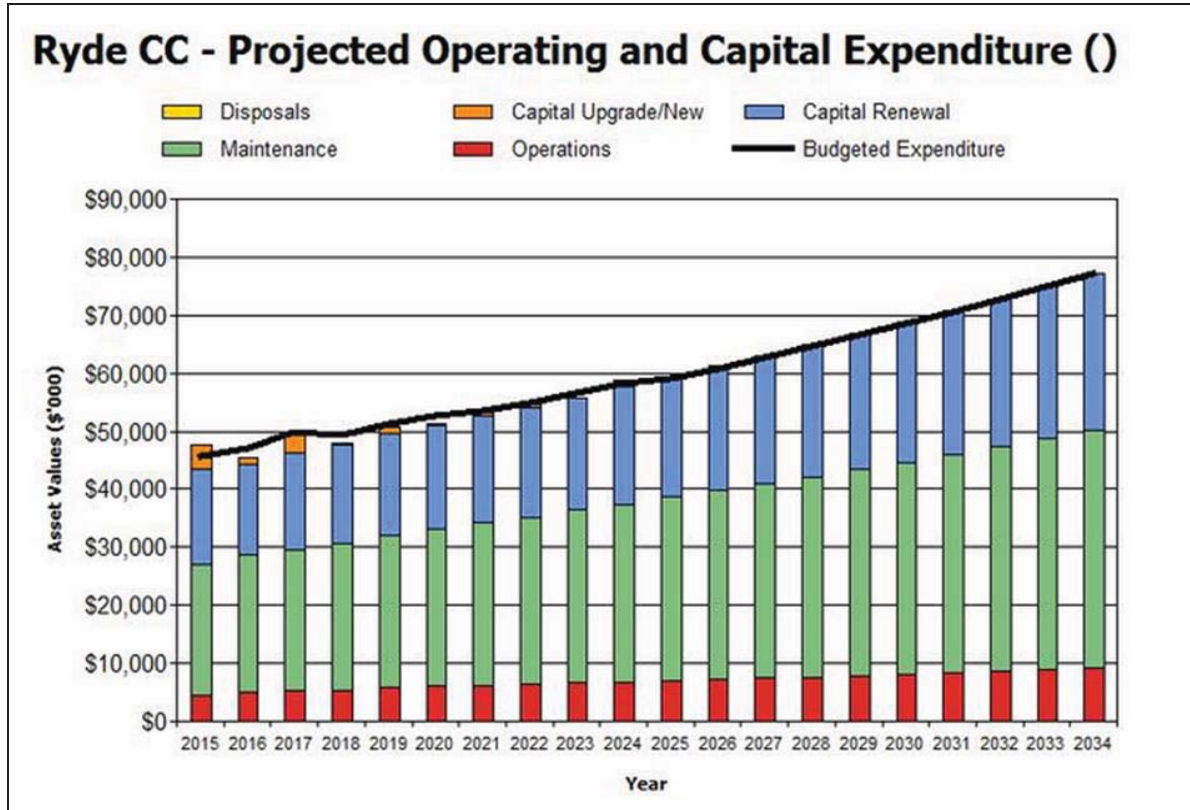
Option A (no increase, apart from Rate Peg– decline in services)



This graph shows that Council is currently underfunding asset renewals and maintenance by approximately \$10m per annum.

ITEM 2 (continued)

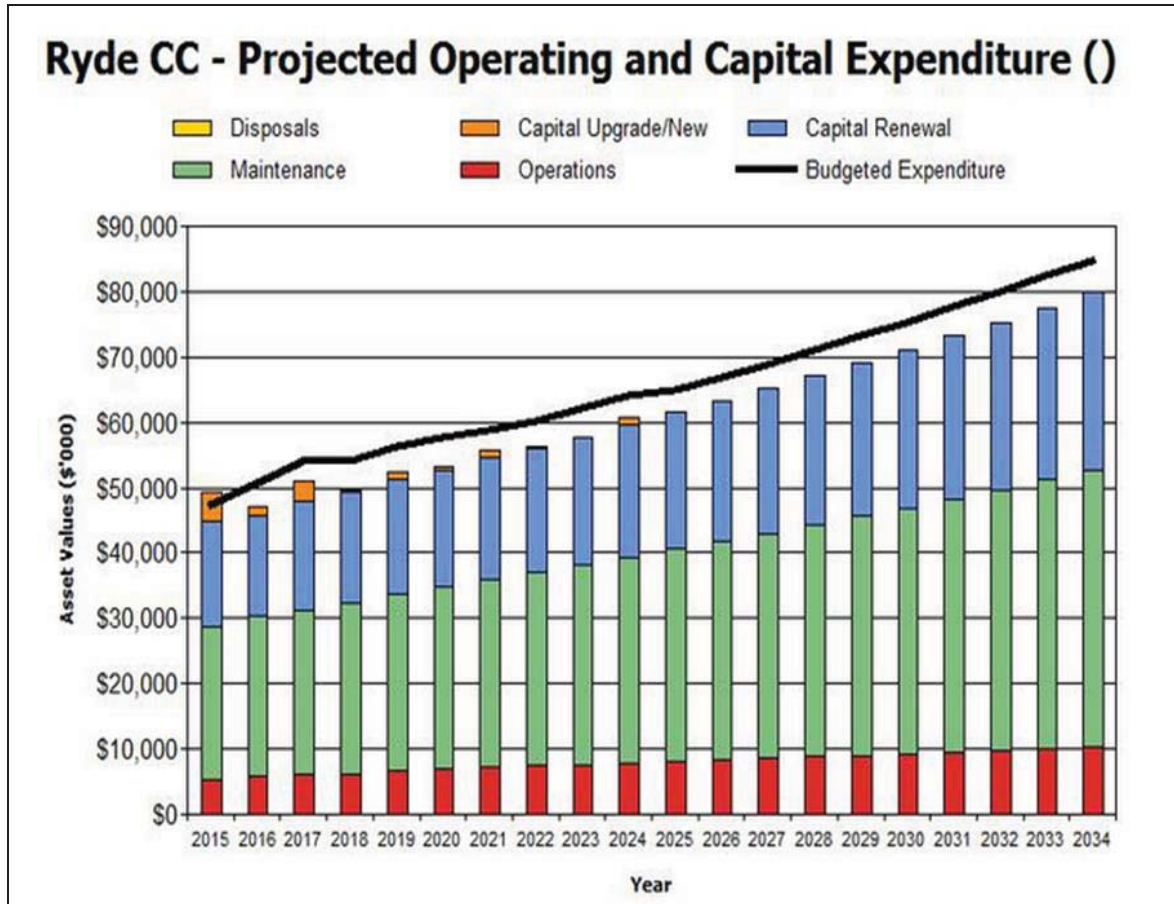
Option B (7%, including Rate Peg)



This graph shows that should Council adopt and be granted a 7% SRV increase, including rate peg, that in conjunction with the \$2.5m of efficiency savings identified, it will raise sufficient funds to meet Council's asset renewal and maintenance requirements over the life of the assets. For this reason, this is why this option is recommended for Council to endorse as its preferred option.

ITEM 2 (continued)

Option C (12%, including Rate Peg)



This graph shows that should Council adopt and be granted the 12% SRV increase, that in conjunction with the \$2.5m of efficiency savings identified, it will raise sufficient funds to meet its asset renewal and maintenance requirements. It will also give Council the capacity to increase service standards or offer more services.

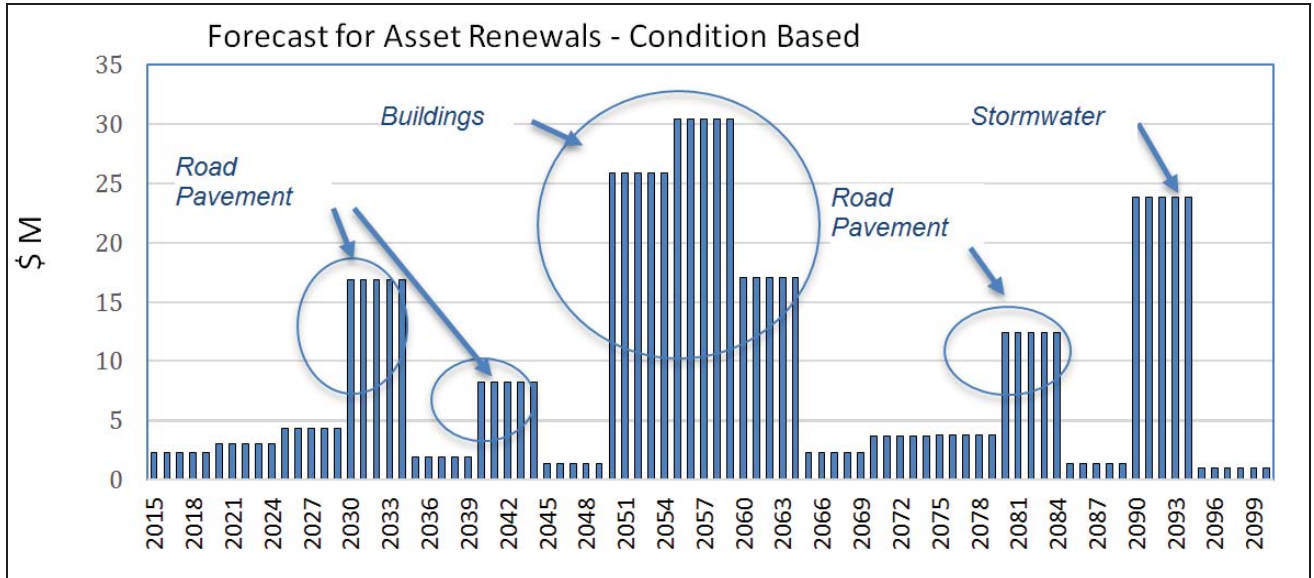
Council’s asset management methodology and projections have been reviewed by Jeff Roorda & Associates (JRA). JRA are an internationally recognised firm specialising in advising governments and agencies on asset management, and have worked with many Councils through the consultation phase and IPART submissions for SRVs.

Representatives of JRA will be providing feedback at the Councillor Workshop on 27 October 2014, on the results of their review of Council’s asset condition and the required annual funding for asset renewals and maintenance.

PricewaterhouseCoopers (PWC) will also be present at the Workshop in providing their feedback on the revised information, which they are currently reviewing.

ITEM 2 (continued)

Overall Asset profile for the remainder of the century



This graph shows that in twenty years there is a large amount of assets that will require renewal, and then again another twenty years later. It shows the lumpiness of our assets and their conditions and the significant renewals that are coming through for the next generation. This is why the premise of the SRV has been to look beyond the 10 year LTFP and the whole of the life of the assets.

The proposed “funding model” that has been put forward for the SRV is one that will give Council the capacity, for the whole of the life of the assets to meet the asset renewal requirements, over the relevant generations.

The proposed “funding model” is based on intergenerational equity that will result in the funding for asset renewals being financially sustainable over the life of the assets.

Efficiency Savings

As detailed in previous reports, Council’s consideration of an SRV will be coupled with an additional \$2.5 million, from 1 July 2015, as a result of internal savings across Council’s operations. This is made up of \$1.9 million in expenditure savings and \$0.6 million in additional revenue.

ITEM 2 (continued)**Summary**

This report has provided Council with the results of the comprehensive community engagement plan that was approved by Council at its meeting on 24 June 2014. It also provides the results of the asset condition assessments and updating the projected funds required for Council to allocate for Asset Renewal and maintenance.

In summary, the key points explained and detailed in this report are:

- Council has undertaken a very comprehensive community engagement program in respect of a proposed SRV
- The report demonstrates the results of each of the mediums used in obtaining the community's feedback, with a result of 57.7% support for an SRV application,
- The City of Ryde is complementing its SRV Application with an additional \$2.5 million in efficiency savings
- The report demonstrates the City of Ryde compares favourably against other Councils who have previously undertaken an SRV process
- The results show a high awareness of this proposal by the community at 61%.
- The report demonstrates that other neighbouring or similar size Councils, in the last 4 years, have received and in some cases, multiple times, in having their SRV applications approved
- The City of Ryde's residential rate is lower than similar size Councils
- Jeff Roorda and Associates have confirmed, through their independent analysis, that a 7% SRV, would be sufficient to maintain the current level of services, if used in conjunction with an overall financial strategy, which is proposed. This options shows that Council will correct the current annual \$10 million shortfall and direct it to the Infrastructure Renewal Reserve.
- The City of Ryde generally has a strong ability to pay, noting that Council supports its pensioners with an annual rate rebate of \$250 together with other mechanisms provided in Council's Hardship Policy, that allows ratepayers to make suitable arrangements, based on their circumstances.

Therefore, for the above reasons, it is recommended that Council support the recommendation, to advise IPART that Council intends to make an SRV application for 7% per annum, inclusive of rate pegging, for a period of 4 years with an increase being a permanent increase from the rating base from 1 July 2015.

ITEM 2 (continued)**Going Forward**

- Notification of intention to make application

Once Council endorses the recommendation, Council will notify the Independent Pricing and Regulatory Tribunal (IPART) that Council intends making an application by 28 February 2015.

- Revised Delivery Plan process

Council will have a report brought before it on 25 November 2014, to re-adopt a new draft Delivery Plan and Operational Plan, which will show Council's endorsed option, together with its current position.

Council will also include the outcome of the community engagement process in the re-drafted Delivery Plan and Operational Plan.

With the adoption of new Draft Plans, this will be put on exhibition from December 2014 - February 2015, with a further report back to Council on 25 February 2015.

- Application process

Once Council has adopted the re-advertised draft Delivery Plan and Operational Plan, a formal application will be lodged with IPART by 28 February 2015.

The application will be drafted while the plans are on exhibition.

Financial Implications

If Council adopts the recommendation as detailed in this report, to give notice to IPART of Council's intentions to submit an SRV application for its preferred option (Option B - 7%), will if endorsed and ultimately approved, provide Council with sufficient funds on an annual basis to meet the current asset renewal and maintenance shortfall of \$10 million. These funds will ensure that Council has the ability to manage the renewal and maintenance of its existing assets, over the life of the assets.

Option C provides additional funds over that provided in Option B, that would allow Council to increase the service standards that are currently provided.

Option A, which provides for the continuation of only rate peg amounts, will result in Council having to reduce service standards and ultimately having to cut services in future years.

Council should also note that if it supports the recommendation, that this will be a positive response to the previous TCorp Report that rated Council's financial position as 'Sound' with a 'Negative' outlook. If Council is successful, Council's future rating would certainly be enhanced.

ITEM 2 (continued)

The other key point to note is that the recent announcement by the Minister for Local Government in his 'Fit for the Future' proposal, is premised on all Councils addressing and resolving their long term financial position. In Council supporting the recommendation, Council would be well advanced in addressing its long term financial sustainability. This would be an important point to be made by Council, in its future submission to the State Government.

ITEM 2 (continued)

ATTACHMENT 1



JRA Discussion on AMP Preparation and SRV

Version 1.3

Date: 7 October 2014



JRA

JEFF ROORDA AND ASSOCIATES

ITEM 2 (continued)

ATTACHMENT 1

JRA Discussion on AMP Preparation and SRV

Version History

Version	Change	Changed by	Reviewed by	Approved by and date
1.0	Draft - AM	AM	CoR	
1.2	Revised Draft	AM	CoR	
1.3	Steering Committee Updates	AM	CoR	

ITEM 2 (continued)

ATTACHMENT 1

1 Background

Jeff Roorda and Associates is currently assisting City of Ryde in the updating of their Asset Management Plans. This work is of particular importance as the work will also be used to support the application to the Independent Pricing and regulatory Tribunal for a special Rate Variation (SRV)

2 Methodology

2.1 Data

The data used for the analysis is based on City of Ryde infrastructure financial valuation.

This data is based on the detail information provided by the technical/operational areas of council who monitor and record condition data for all major asset groups. This information is recorded at a high level of detail and is continually being updated as works and inspections are undertaken.

The major groups of assets include:

- Road Pavements
- Roadside
- Traffic and Parking
- Stormwater
- Buildings
- Parks and Reserves
- Playspaces and Sporting Fields
- Ryde Leisure and Aquatic Centre
- Library and Cultural

The detailed data held for each of these asset groups is provided in a summarised form, being based on their condition type.

As recommended by the International infrastructure Management Manual the condition types used are from Condition 1 to Condition 5. (Condition 1 being near new, condition 5 being those assets that have reached the state at which renewal is required).

These registers are the basis of the annual infrastructure valuations, which are subject to financial audit.

2.2 Analysis

The analysis of needs has been assessed from 2 perspectives, one being from a long term service level sustainability and the other from a short to medium term view.

2.2.1 Long Term Service Level Sustainability - Funding Model

When considering the funding of infrastructure the long term requirements should be a primary consideration. In much of the existing City of Ryde documentation this is referred to as the Infrastructure Funding Model.

In this funding model the Capital Renewal requirements for infrastructure is estimated as being:

Capital Renewal Requirements = Renewal Value / Useful Life

ITEM 2 (continued)

ATTACHMENT 1

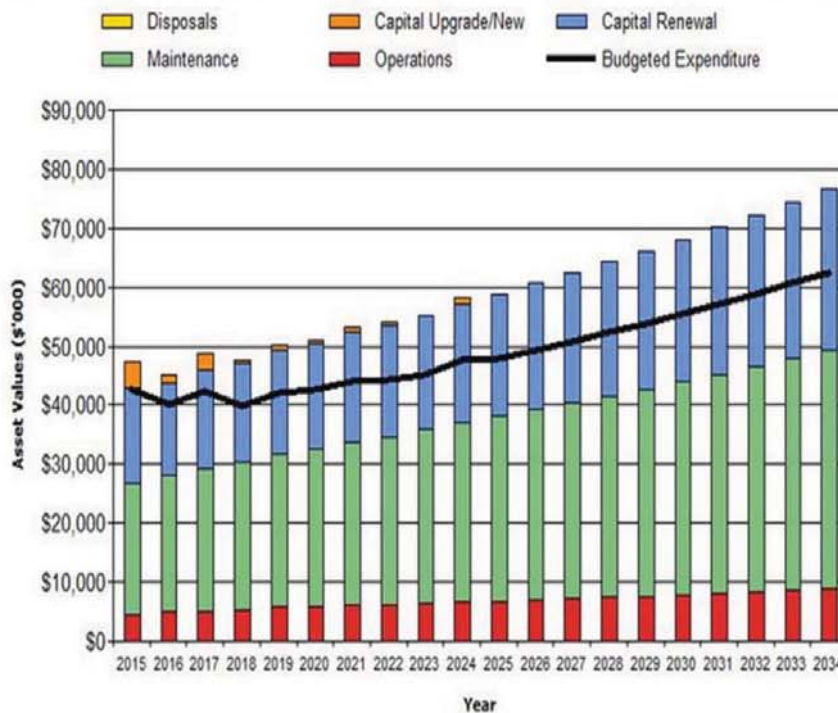
In addition to the Capital Renewal Requirements, Operations, Maintenance and creation of addition assets should be included. Each of these items are described as:

- Operations – what we do to provide the service, e.g. cleansing *
- Maintenance – repairs to the asset to ensure it reaches its life *
- Capital renewal/replacement – replacing the service capacity
- Capital upgrade/new – adding new or upgrading existing assets

In the analysis Operations, Maintenance and Upgrade/New is assumed to stay as per the current situation

Figure 1 – Forecast Funding Model Requirements Compared with Current Budgets
(CPI 3% per annum increase)

Ryde CC - Projected Operating and Capital Expenditure ()



Comments:

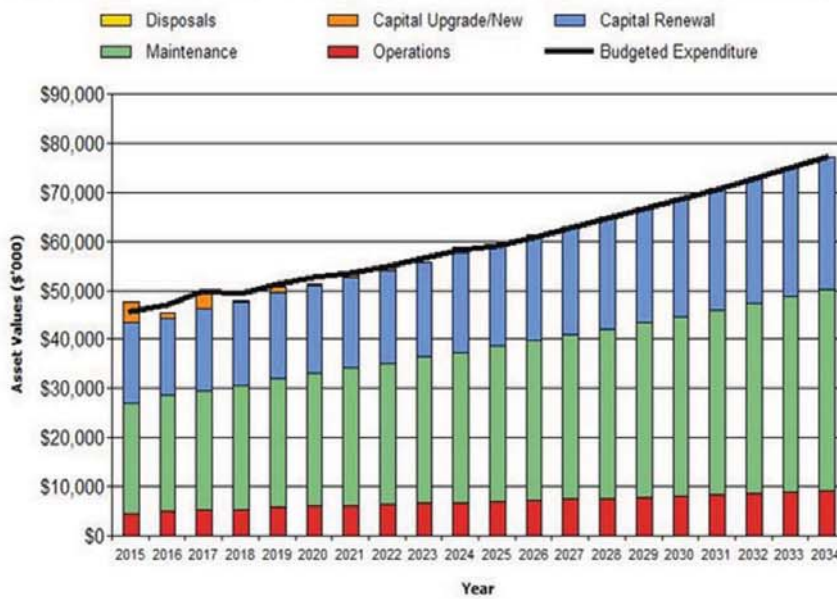
- Comparison of Budget (Long Term Financial Plan) with Forecast needs indicates a shortfall of recurrent funds.
- The long term position would result in a progressive reduction in service levels over time.
- The objective of generating sufficient income to offset all infrastructure requirements is a sound basis for future planning and this analysis is consistent with the need to generate additional income.

ITEM 2 (continued)

ATTACHMENT 1

Figure 2 – Forecast Funding Model Requirements Compared with 7% SRV
(CPI 3% per annum increase)

Ryde CC - Projected Operating and Capital Expenditure ()



Comments

- The provision of additional infrastructure funding provided by a 7% SRV meets the forecast infrastructure requirements
- For a long term sustainability of infrastructure service levels this funding model is the minimum option

What about options considering SRV greater than 7%

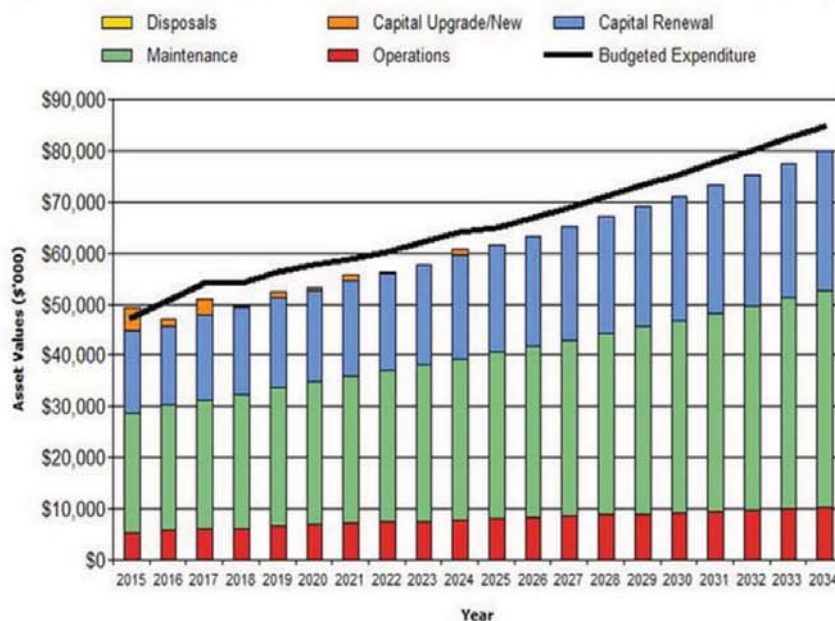
SRV options for increases of up to 12% have been considered. With respect to infrastructure renewal, this would allow the average renewal replacement cycle to be accelerated. This would renew assets earlier and would ultimately lead to a higher standard of infrastructure.

ITEM 2 (continued)

ATTACHMENT 1

Figure 3 – Forecast Funding Model Requirements Compared with 12% SRV
(CPI 3% per annum increase)

Ryde CC - Projected Operating and Capital Expenditure ()



Comments

- The provision of additional infrastructure funding provided by a 12% SRV is slightly above the average forecast infrastructure requirements
- This will enable existing service levels to be sustained, and potentially improved.

2.2.2 Short to Medium Term Service Level Sustainability - Condition Model

Asset Plans

The funding model described provides a forecast of the long term average renewal requirements, and uses this as a basis for estimating income requirements. Generating the income to achieve the funding of this model enables service levels over the long term to be sustained.

Financial Planning should provide for the long term funding, the assets plans will advise on the timing of specific asset renewals. The asset plans take into consideration the distribution of asset condition and identify expenditure need at the short to medium term (typically for input into the 10 year Long term Financial Plan)

Whilst the longer term funding model is appropriate for establishing ongoing income requirements, at a detail level it is likely that the short term asset renewal will not necessarily be required "at the average rate". Depending on when infrastructure was constructed,

ITEM 2 (continued)

ATTACHMENT 1

environmental conditions and asset performance there will be "peaks and troughs" in renewal needs over time.

Council's Financial Strategy will compare the infrastructure need for a period with the funds available and plan accordingly.

For example. In periods where asset renewal requirements are less (renewal trough) than the funding available reserves may be used, whereas in a period of high renewal needs (renewal peak) reserves may be utilised as may be loans if appropriate.

Asset Plans consider the timing of renewal needs. The approach for City of Ryde has utilised the detail condition assessment to anticipate the renewal timing. An example from the full data set is shown in Table 1

Table 1: Asset Condition Profile Example

Asset Group	Condition Rating	Asset Sub Group	Useful Life	Remaining Life	Replacement Cost
Road Pavements	1	AC Local	45	45	\$72,194,200
Road Pavements	2	AC Local	45	40-45	\$127,757,105
Road Pavements	3	AC Local	45	15-20	\$49,299,763
Road Pavements	4	AC Local	45	7-12	\$13,137,980
Road Pavements	5	AC Local	45	0-5	\$0
				TOTAL	\$262,389,047

2.2.3 Sample of Model Methodology

Using the data in Table 1 the following examples are provided to demonstrate the modelling approach.

Funding Model

Average Funding Requirement= Replacement Value/Useful Life

$$= \$262,389,047 / 45 = \$5,830,867.71$$

Comment: If funds of \$5.83M per annum are provided long term renewals can be sustained

Asset Condition Model

Allows for the timing of when the renewal is required:

- Condition 1
 - \$72,194,200 within 45 years, then repeated in another 45 years
- Condition 2
 - \$127,757,105 within 40-45 years, then repeated in another 45 years
- Condition 3
 - \$49,299,763 within 15-20 years, then repeated in another 45 years
- Condition 4
 - \$13,137,980 within 7-12 years, then repeated in another 45 years
- Condition 5
 - \$0 within 5 years, then repeated in another 50 years

ITEM 2 (continued)

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2.2.4 Asset Condition Model Summary

City of Ryde has a detailed register of assets held by type, condition rating and values.

Using this register a profile of renewal forecasts was modelled as described in section 2.2.3

As the register has useful lives are grouped by their condition rating with the corresponding remaining life and useful life, the forward renewal profile initially had very large peaks of renewal. To reduce this impact some averaging of the results over 5 year periods was made to "smooth" the results. This is shown in Figure 4.

Figure 4: Renewal Profile Based on Condition Assessment

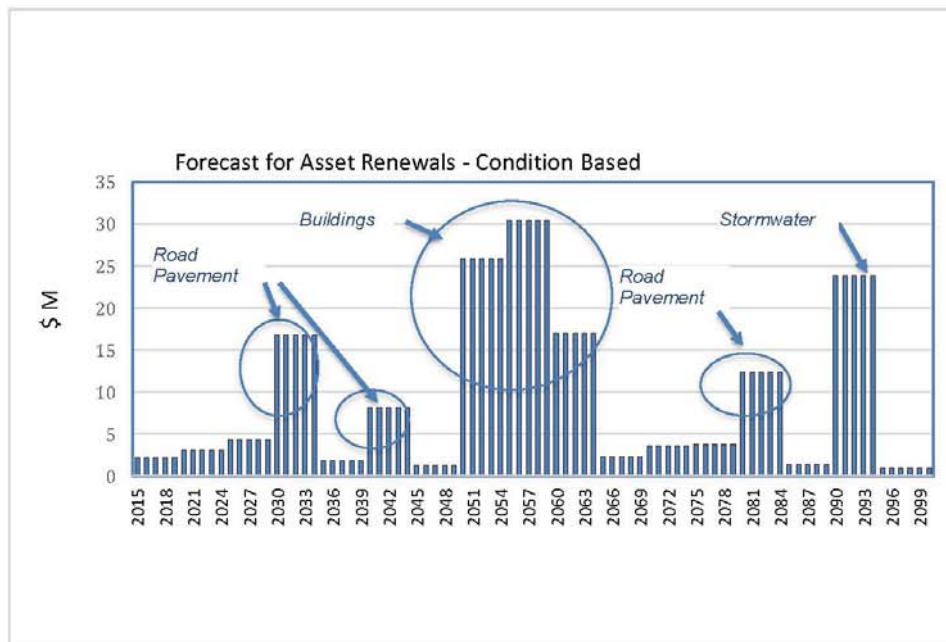


Figure 4 highlights that whilst the assets in Condition 4 and 5 can be managed in the short to medium term there are some very significant peaks of renewal in the future. These peaks represents those assets currently in Condition 3, Condition 2 and even Condition 1 that will deteriorate over time and will require replacement in the future. Some broad labels have been added to identify the main contributors to the renewal peaks.

3 Summary of Modelling Results

The model based on Condition provides a clear indication that:

- Assets due for renewal in the short to medium term can be managed
- There are significant renewals in the future well above current funding levels
- Without a Funding Strategy within an overall infrastructure Financial Strategy future service levels will reduce

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The Funding Model based on the longer term average renewal requirements indicate:

- Current funding levels will not be sufficient to support sustainable service levels in the future
- A 7% SRV will be sufficient to sustain the current level of service if used in conjunction with an overall infrastructure Financial Strategy
- A 12% SRV will enable the cycle of renewal to be achieved and potentially reduced, leading to some small improvement in service levels in the future

ITEM 2 (continued)

ATTACHMENT 2



 City of Ryde

Lifestyle and opportunity @ your doorstep



**INFORMATION FOR SRV
APPLICATION**

Research Paper:

City of Ryde Affordability and Capacity to Pay

ITEM 2 (continued)**ATTACHMENT 2****INTRODUCTION**

According to the 'Guidelines for the preparation of an application for a special rate variation for general income' a council, prior to applying to IPART for a special variation to income must "adopt their Community Strategic Plan, Delivery Program, Long Term Financial Plan and where applicable, Asset Management Plan." These documents are referred to the IP&R documents.

The guidelines state that "the IP&R documentation should canvas alternatives to a rate rise, the impact of a rate rise upon the community and the council's consideration of the **community's capacity and willingness to pay rates.**"

This research has been carried out to determine the **community's capacity** to absorb a rate increase in order to address this section of the guideline application requirements.

Whilst the guidelines themselves are not specific as to what level of detailed information IPART would like to see on this subject, there are some framed questions included in the IPART application paperwork. We have reviewed and considered four other successful applications from the 2013/14 year to determine what information IPART may be seeking and as such the following information has been compiled as information necessary to support a potentially successful application.

EXECUTIVE SUMMARY:**The key points of this research show that:**

- City of Ryde has a total of 40,084 rate assessments. Residential (38,289) and Business (1,795).
- Ryde's average rate per residential assessment is \$453.65, which is *below* the average of other neighbouring Councils (\$673.41)
- Ryde's average rate per business assessment is \$6,622.28, which is *above* the average of other neighbouring Councils (\$5,243.16)
- Council has not exceeded rate pegging since 1996.
- 24 surrounding councils have received a SRV in the last four years. Among those 7 Councils have received a SRV more than once.
- The average rate of NSROC member councils is \$871 while Ryde's residential rate is significantly lower at \$646.
- The City of Ryde's outstanding debt percentage remains below the industry standard of 5%, and recent changes to Council's Debt Administration procedures has ensured that the downward trend commenced in 2012 will continue towards a goal of less than 3%.
- Council provides a voluntary Council rebate of \$80 per annum which is only available to ratepayers who are "eligible pensioners" and were already in receipt of this rebate from Council prior to 31 December 1992.
- The median Weekly Household Income (*HHI*) is higher for the City of Ryde at \$1,500-\$1,999 when compared to the NSW median of \$1,250- \$1,499.
- City of Ryde's median weekly *HHI* is in line with the NSROC median at \$1,500 - \$1,999.



ITEM 2 (continued)**ATTACHMENT 2**

- The unemployment rate for Ryde has been significantly lower than the Greater Sydney until recent years. The unemployment rate has increased in the recent years due to the economy downturn, however it is still in line with that of Greater Sydney.
- In 2011, Ryde had a *SEIFA* Index score of 1,050 which places Ryde on the 20th ranking among the 153 Local Government Areas in NSW. Ryde is in decile 9 out of 10. (A higher score on the index means a lower level of disadvantage. A lower score on the index means a higher level of disadvantage.)
- The Gross Regional Product (*GRP*) of Ryde has a positive trend since 2001, significantly exceeding the average % increase of NSW. The % increase has slowed down since 2012 however the trend is still upwards.

INFORMATION RELEVANT TO IPART APPLICATION**EXTRACT FROM IPART APPLICATION DOCUMENTATION**

Show how your IP&R processes have established that the proposed rate rises are affordable for your community, and that affected ratepayers have the capacity to pay the higher rate levels.

1.1 Key summary of proposed rate increase

- Council is applying for a multi-year variation for 4 years (as per Section 508A of the guidelines) at an annual increase of **XX%** per year over the four years
- The average increase for residential rate payers will be **XX in the 2015/16** year and a cumulative total of **XX** over the four year
- The average increase for residential ratepayers will be **XX per week**.
- The average increase for businesses will be **XX in the 2015/16** year and a cumulative total of **XX** over the four years
- The average increase for businesses will be approximately **XX per week**

THIS SECTION WILL BE COMPLETED FOLLOWING COUNCIL'S DETERMINATION

ITEM 2 (continued)

ATTACHMENT 2



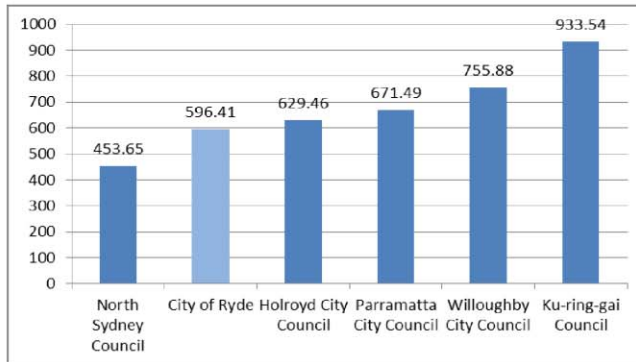
1.2 Average Rate Per Assessment

- City of Ryde has a total of 40,084 rate assessments.
- Ryde’s average rate per residential assessment is \$453.65, which is below the average of other neighbouring Councils (\$673.41)
- Ryde’s average rate per business assessment is \$6,622.28, which is above the average of other neighbouring Councils (\$5,243.16)

Council	Average rate per residential assessment			Average rate per business assessment		
	Total residential rates revenue	Number of Rateable residential properties	Result	Total Business Rates Revenue	Number of Rateable Business Properties	Result
City of Ryde	\$ 22,836,000	38,289	\$ 596.41	\$ 11,887,000	1,795	\$ 6,622.28
Holroyd City Council	\$ 20,864,163	33,146	\$ 629.46	\$ 9,829,000	1,964	\$ 5,004.58
Parramatta City Council	\$ 37,838,000	56,349	\$ 671.49	\$ 38,408,000	4,246	\$ 9,045.69
North Sydney Council	\$ 14,812,000	32,651	\$ 453.65	\$ 9,494,000	3,647	\$ 2,603.24
Willoughby City Council	\$ 20,114,000	26,610	\$ 755.88	\$ 15,642,000	3,103	\$ 5,040.93
Ku-ring-gai Council	\$ 35,312,000	37,826	\$ 933.54	\$ 2,910,000	926	\$ 3,142.21

Source: Office of Local Government (<http://www.olg.nsw.gov.au/>)

Average rate per residential assessment

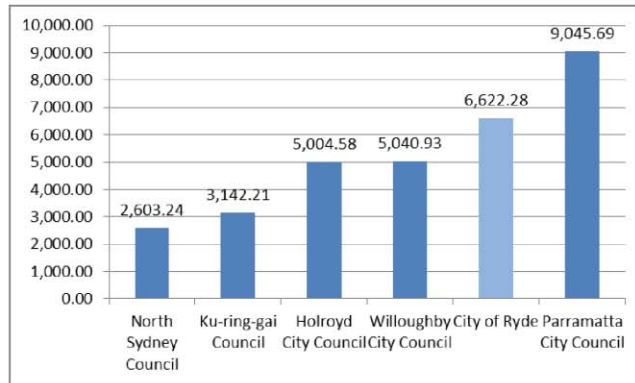


ITEM 2 (continued)

ATTACHMENT 2



Average rate per business assessment



While small business continues to have the largest proportion of businesses in Ryde, Ryde also has a number of very large businesses particularly in the Professional, Scientific and Technical Services industry. This industry represented the largest number of total registered businesses in the City of Ryde, comprising 17.8% of all businesses, compared to 14.2% in New South Wales. This has influenced the average business rate for Ryde, placing it higher than many of its neighbouring councils. However, the median rate for business properties is comparably low, for the current year

1.3 Council has not exceeded rate pegging since 1996

The last time City of Ryde applied for a general residential SRV for infrastructure was in 2005/2006. This was not approved by the then Minister for Local Government. The last approved SRV, for Ryde Council was in 1996/1997. As a result, the rates levied by the Ryde council are generally lower than other comparable councils who have at various stages applied to increase their rates.

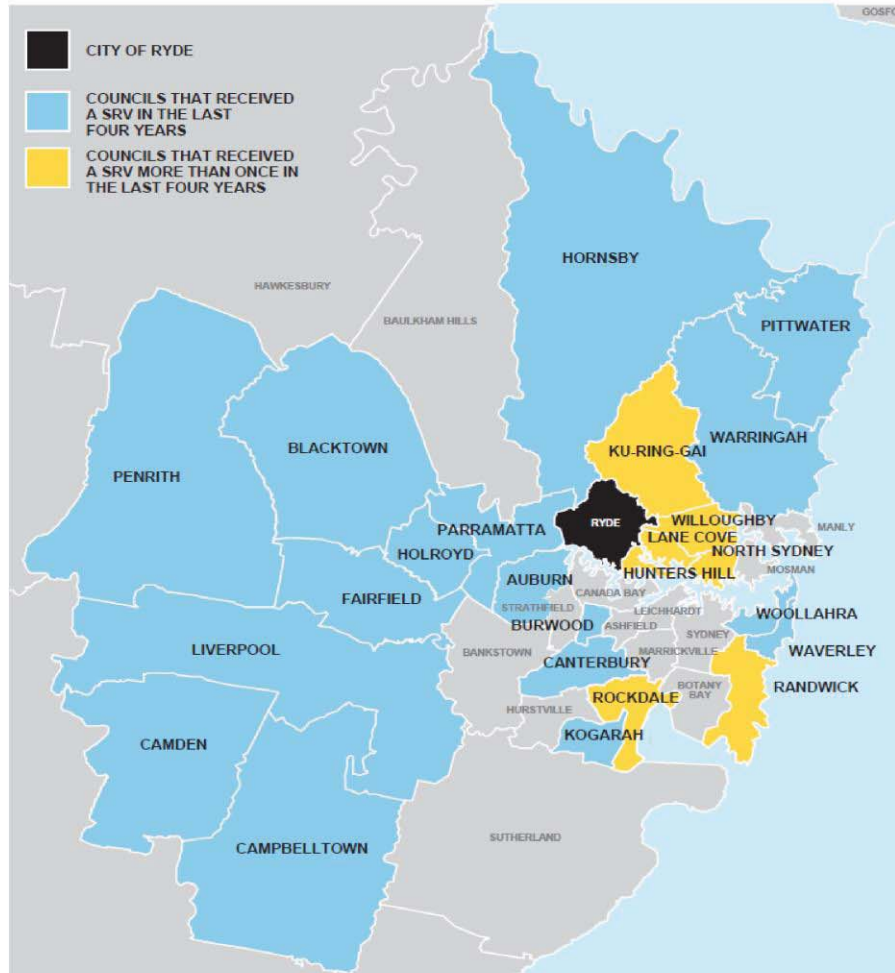


ITEM 2 (continued)

ATTACHMENT 2



1.4 Surrounding councils that received a SRV in the last four years



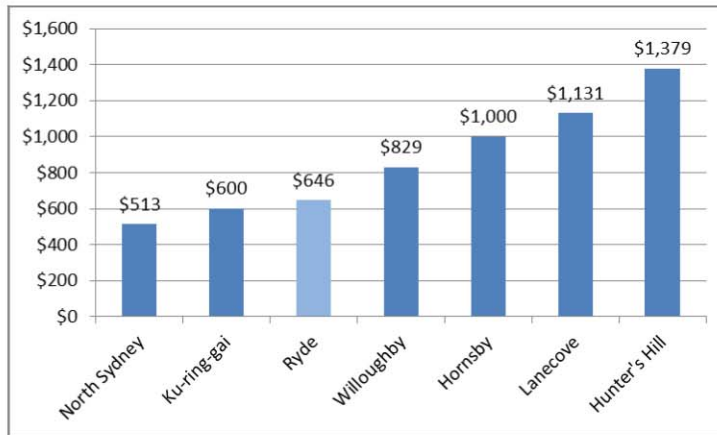
ITEM 2 (continued)

ATTACHMENT 2



1.5 2012/13 Average Residential Rates for surrounding councils

For many years Ryde residential rates have been consistently low in comparison to other NSROC member councils. The average rate of NSROC member councils is \$871 while Ryde residential rate is significantly lower at \$646.



Source: Office of Local Government Comparative Statistics 2012/13

1.6 Debt recovery procedures

City of Ryde works proactively to help ratepayers to manage their commitment to pay rates. Council offers a number of options for ratepayers to tailor their payments to manageable amounts, which means that the ratepayers can arrange to pay quarterly and by varied payment methods if required. Ratepayers may also apply for a 'Hardship Arrangement' if they experience financial difficulties in paying their rates.

According to council's practice, there has been no legal action taken to recover outstanding rating debts on ratepayers who qualify for the pensioner rebate. As of 30 June 2014, Council's total outstanding rates and charges was approximately \$1.8 million of which approximately \$277,000 was attributable to pensioner ratepayers. This equates to 15% of the total outstanding. Council will, where practical, write-off interest charges and allow suitable payment plans.



ITEM 2 (continued)
ATTACHMENT 2
1.7 Low outstanding rates and annual charges arrears

The City of Ryde's Outstanding debt percentage remains below the industry standard of 5% and recent changes to Council's Debt Administration procedures has ensured that the downward trend commenced in 2012 will continue towards a goal of less than 3%.

Outstanding rates and charges ratio City of Ryde	
Year	Percentage
2006/2007	2.50%
2007/2008	2.82%
2008/2009	3.94%
2009/2010	4.10%
2010/2011	3.99%
2011/2012	4.19%
2012/2013	3.65%

1.8 Additional rebate for pensioners

Council provides a voluntary Council rebate of \$80 per annum which is only available to ratepayers who are "eligible pensioners" and were already in receipt of this rebate from Council prior to 31 December 1992 who had to be on a full pension and lived in the area for 10 years.

This rebate is no-longer granted and is being phased out through attrition. The only cases where this rebate is now applicable is where an existing recipient moves from one place to another within the City of Ryde. This rebate is fully funded by Council.

1.9 Household income

The median Weekly Household Income (HHI) was higher for the City of Ryde at \$1,500-\$1,999 when compared to the NSW median of \$1,250- \$1,499.

Weekly income	2011			
	City of Ryde	City of Ryde %	NSW	NSW %
Negative Income/Nil Income	962	2.5	35,372	1.4
\$1-\$199	600	1.6	39,709	1.6
\$200-\$299	941	2.5	71,939	2.9
\$300-\$399	1,956	5.1	161,484	6.4
\$400-\$599	2,774	7.3	235,847	9.4
\$600-\$799	2,478	6.5	209,019	8.3
\$800-\$999	2,556	6.7	190,201	7.6
\$1000-\$1249	2,800	7.4	188,416	7.5
\$1250-\$1499	2,615	6.9	171,494	6.8
\$1500-\$1999	4,203	11.0	271,035	10.8
\$2000-\$2499	3,065	8.0	192,780	7.7
\$2500-\$2999	3,814	10.0	197,586	7.9
\$3000-\$3499	2,417	6.3	117,794	4.7
\$3500-\$3999	1,218	3.2	56,993	2.3
\$4000-\$4999	1,182	3.1	51,414	2.1
\$5000 or more	1,002	2.6	48,814	1.9
Not stated	3,492	9.2	266,346	10.6
Total households	38,075	100.0	2,506,243	100.0

ITEM 2 (continued)

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City of Ryde's median weekly HHI is in line with the NSROC median at \$1,500 - \$1,999.

	North Sydney	Ku-ring-gai	Ryde	Willoughby	Hornsby	Lanecove	Hunter's Hill	NSROC Average
Negative/Nil income	0.9%	10.1%	2.8%	6.6%	8.2%	1.3%	8.8%	5.7%
\$1-\$199	18.5%	1.5%	1.7%	1.6%	1.3%	7.5%	1.8%	4.3%
\$200-\$299	4.0%	8.3%	2.7%	5.3%	10.8%	5.8%	4.8%	6.6%
\$300-\$399	11.1%	15.6%	5.7%	9.9%	3.6%	14.8%	4.5%	8.6%
\$400-\$599	6.0%	4.3%	8.0%	5.0%	5.9%	10.1%	13.9%	6.1%
\$600-\$799	4.1%	2.3%	7.2%	3.1%	5.9%	3.4%	5.2%	4.5%
\$800-\$999	4.7%	4.2%	7.4%	5.7%	6.3%	4.6%	8.0%	5.6%
\$1,000-\$1,249	2.9%	4.9%	8.1%	5.8%	6.1%	5.6%	2.8%	5.5%
\$1,250-\$1,499	6.3%	1.8%	7.6%	2.6%	1.5%	1.6%	4.7%	3.5%
\$1,500-\$1,999	6.8%	4.7%	12.2%	4.6%	12.2%	4.9%	5.1%	8.2%
\$2,000-\$2,499	6.4%	6.3%	8.9%	14.9%	8.6%	1.1%	8.2%	8.0%
\$2,500-\$2,999	1.5%	1.0%	11.0%	7.9%	1.7%	8.0%	2.5%	4.3%
\$3,000-\$3,499	11.2%	13.6%	7.0%	11.4%	8.3%	8.5%	6.1%	9.6%
\$3,500-\$3,999	7.7%	9.4%	3.5%	4.7%	4.3%	12.1%	13.6%	6.2%
\$4,000 or more	4.7%	5.7%	3.4%	7.5%	7.8%	5.1%	4.6%	5.7%
Incomplete Information	0	0	0	0	0	0	0	0
Total	100%	100%	100%	100%	100%	100%	100%	100%

Source: ABS Census of Population and Housing, 2011

1.10 Employment status

The unemployment rate for Ryde has been significantly lower than the great Sydney until recent years. The unemployment rate has increased in the more recent years due to the economy downturn, however it is still in line with that of Greater Sydney.

		2001	2006	2011
Unemployment Rate	Ryde	4.50%	4.70%	5.70%
	Greater Sydney	6.00%	5.30%	5.70%
Difference		-1.50%	-0.60%	0.00%

Source: Profile.id
City of Ryde
Community Profile

1.11 Socio-Economic Indexes for Areas (SEIFA) index of disadvantage

The SEIFA Index of Disadvantage measures the relative level of socio-economic disadvantage based on a range of Census characteristics that reflect disadvantage such as low income, low educational attainment, high unemployment, and jobs in relatively unskilled occupations.

A higher score on the index means a lower level of disadvantage. A lower score on the index means a higher level of disadvantage.

In 2011, Ryde had a SEIFA Index score of 1,050 which ranks Ryde on 20th among the 153 Councils in the Local Government Area in NSW. Ryde is in decile 9 out of 10.

Average SEIFA Score	977
Lowest SEIFA Score	788
Highest SEIFA Score	1,121
Ryde SEIFA Score	1,050
Ranking within NSW	20th /153
Decile within NSW	9th /10

Source: ABS Census of Population and Housing, 2011

ITEM 2 (continued)

ATTACHMENT 2



1.12 Ryde’s economic position

The Gross Regional Product (GRP) of an area is the equivalent of Gross Domestic Product, but for a smaller area it is the amount of the nation’s wealth which is generated by businesses, organisations and individuals working in the area. This dataset is derived from the National Economics microsimulation model, and is a broad indicator of the growth or decline of the local economy over time.

As shown in the table and charts below, Ryde’s GRP has a positive trend since 2001, significantly exceeding the average % increase of NSW. The % increase has slowed down since 2012 however the trend is still upwards.

Annual % change on GRP from previous year

Year (ending June 30)	City of Ryde			New South Wales		City of Ryde as a % of New South Wales
	GRP \$m	% change from previous year		GRP \$m	% change from previous year	
2013	13,934	+1.3	▲	460,106	+2.5	3.0
2012	13,749	+5.3	▲	448,928	+1.9	3.1
2011	13,053	+6.8	▲	440,466	+1.6	3.0
2010	12,223	+8.9	▲	433,568	+2.5	2.8
2009	11,226	+6.8	▲	422,883	+1.7	2.7
2008	10,509	+8.3	▲	415,956	+3.5	2.5
2007	9,699	+2.6	▲	401,959	+1.9	2.4
2006	9,458	+1.4	▲	394,609	+1.6	2.4
2005	9,325	+0.7	▲	388,298	+1.7	2.4
2004	9,258	+1.3	▲	381,658	+2.8	2.4
2003	9,135	+3.1	▲	371,158	+2.2	2.5
2002	8,864	+2.9	▲	363,279	+1.9	2.4
2001	8,618			356,431		2.4



Source: National Institute of Economic and Industry Research (NIEIR)



ITEM 2 (continued)
ATTACHMENT 2

1.13 Residential ownership

Ryde has a higher proportion of income sourced from property income and ownership of dwellings when compared to the average of NSW. It is reasonable to assume that a substantial number of these properties are investment properties.

The Ryde community is also sourcing a higher portion of their income from wages & salaries. Less of a proportion is dependent on superannuation.

Sources of Income per Household (%)

Name	2012/13		2010/11		2009/10		2008/09		2007/08	
	Ryde	NSW	Ryde	NSW	Ryde	NSW	Ryde	NSW	Ryde	NSW
Wages & salaries	52.7%	51.8%	52.9%	51.1%	53.7%	51.1%	53.4%	50.3%	54.0%	51.5%
Property income & Ownership of dwellings	24.5%	22.8%	25.4%	23.4%	25.5%	23.4%	25.7%	23.6%	25.7%	23.9%
Business income	7.9%	9.1%	8.0%	9.3%	8.3%	9.5%	8.0%	9.3%	8.8%	9.5%
Superannuation	6.1%	6.4%	6.3%	6.6%	6.1%	6.3%	5.9%	6.0%	5.9%	6.0%
Cash benefits	8.9%	9.9%	7.3%	9.6%	6.5%	9.7%	7.0%	10.9%	5.6%	9.1%
Total income before tax	\$165,538	\$150,739	\$169,724	\$153,420	\$158,187	\$146,105	\$158,883	\$147,733	\$159,301	\$147,774

Source: National Institute of Economic and Industry Research (NIEIR)

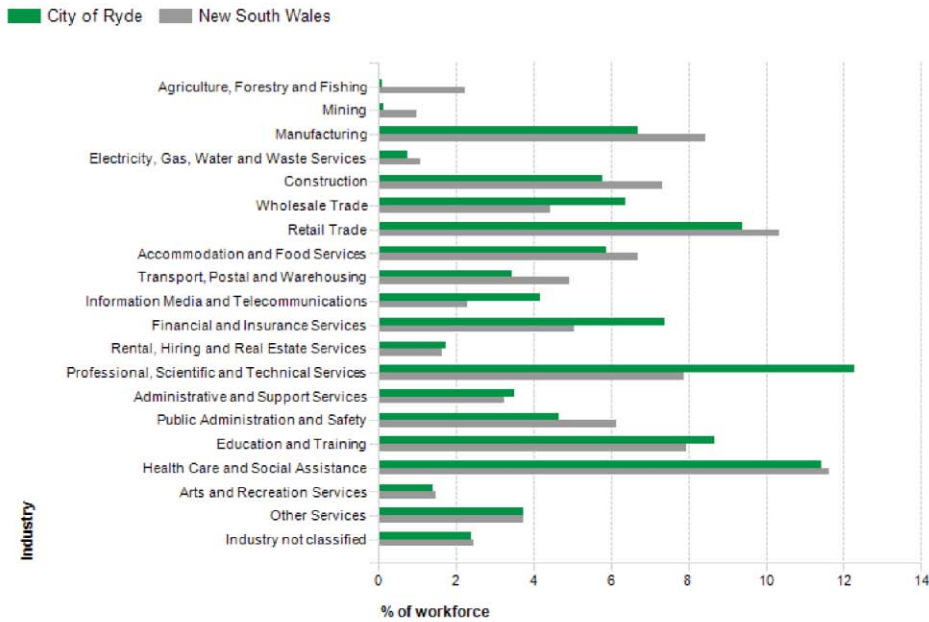
2.0 Analysis of Ryde's businesses

The range and magnitude of businesses in the Ryde LGA continues to expand with the growing population. While small business continues to have the largest proportion of businesses in Ryde, Ryde also has a number of very large businesses particularly in the Professional, Scientific and Technical Services industry. This industry represented the largest number of total registered businesses in the City of Ryde, comprising 17.8% of all businesses, compared to 14.2% in New South Wales.



ITEM 2 (continued)

ATTACHMENT 2



This has influenced the average business rate for Ryde, placing it higher than many of its neighbouring NSROC councils. However, the median rate for business properties is comparably low, for the current year



3 SUBMISSION - M2 Site North Ryde Station Precinct

Report prepared by: Planning Proposal Coordinator
File No.: MIN2011/2/2 - BP14/1170

REPORT SUMMARY

Council has prepared a submission in response to a State Significant Development Application (SSDA) for the M2 Site which forms part of the North Ryde Station Precinct.

This SSDA seeks consent for subdivision of the site and works to deliver infrastructure to support the future redevelopment of the site.

A number of concerns are raised in Council's submission. The key concerns are as follows:

- Extensive non-compliance with the indicative layout contained within the approved Development Control Plan (DCP). This will raise ongoing issues with the application of the DCP to the site and future forthcoming Development Applications.
- Extent and funding of infrastructure to be delivered on the site and the apparent disconnect between what has been approved under the Finalisation Report and what is proposed
- Disconnect between the details of the community facility provided within the SSDA and the discussions with Council to date.
- The detail and provision of public domain including design of roads, location of vehicle footpath crossings, street lighting, bus stops and street trees.
- Location of the road connection to Wicks Road through properties to the west of the subject site does not align with that proposed under Amendment 1,

It should be noted that discussions between Council and UGNSW regarding the nature, design and location of the Community Facility have commenced but are still ongoing. Prior to any decision being made regarding the Community Facility a report will be presented to Council detailing the discussions undertaken to date and seeking Council approval for the design, location, nature and scope of the facility. This facility will be subject to a VPA with UGNSW which will cover multiple aspects of the SSDA including dedication of public domain works, open space areas and other matters.

Council initially received an extension to the exhibition period to the week of 15 September 2014 and the **ATTACHED** submission was issued to the Department as a draft prior to the endorsement of Council.

This report recommends that Council's submission be lodged with the Department of Planning and Environment to ensure that these matters are addressed.

ITEM 3 (continued)

RECOMMENDATION:

That Council endorse the **ATTACHED** submission on the State Significant Development Application for the M2 Site, and submit the submission to the Department of Planning and Environment.

ATTACHMENTS

1 SSDA Submission M2 Site, North Ryde Station Precinct

Report Prepared By:

Adrian Melo
Planning Proposal Coordinator

Report Approved By:

Lexie Macdonald
Acting Manager - Urban Planning

Meryl Bishop
Acting Group Manager - Environment and Planning

ITEM 3 (continued)

History

The North Ryde Station Urban Activation Precinct was approved by the Minister for Planning and came into effect on 23 September 2013. The areas affected by the North Ryde Station Urban Activation Precinct are identified in Figure 1 below.



Figure 1

The NRSP comprises approximately 13.99 hectares of largely government-owned land centred on the North Ryde Railway Station. The NRSP is located in close proximity to the Epping to Chatswood Railway Line (ECRL), which is a high quality underground rail link connecting the Macquarie Park area to the Metropolitan CityRail network.

The Urban Activation Precinct (UAP) program was announced as part of the 2012-13 NSW State Budget and applies to significant areas with re-development potential. The NSW Government endorsed the NRSP including the M2 site, the North Ryde Station sites, OSL and RMS owned lands as one of eight UAPs on 17 October 2012 signifying its potential for precinct-wide renewal and redevelopment for mixed uses in an important strategic location.

ITEM 3 (continued)

A rezoning process to establish specific planning controls for the precinct, by amending Ryde Local Environmental Plan 2010 and preparing a precinct specific development control plan to guide future development was undertaken as part of the UAP process. The Finalisation Report prepared by Department of Planning and Infrastructure (DPI) dated July 2013 formed the basis of its endorsement of the rezoning application. The Finalisation Report included commitments by UrbanGrowth NSW relating to delivery of infrastructure and significantly modified the proposal. The key outcomes included:

- Specification of a total of 14,300sqm open space across the M2 Site.
- Provision of a community centre of 2,500sqm.
- Delivery of a shared pedestrian and cycle bridge linking the M2 Site to the North Ryde Station.
- Exclusion of the Tennis World Site and land Adjoining Bundara Reserve
- Reducing the maximum building height on the station site from 108m to 92m
- Consolidating zones in the mixed use precinct on the M2 site
- Simplifying floor space ratios in the mixed use precinct on the M2 site.

The subject SSDA seeks to undertake enabling works (detailed in full below) on the site to allow for future residential development under this proposal. The area affected by the subject SSDA is shown in blue in **Figure 1**.

It should also be noted that the Station Site North and Station Site South have also been the subject of a SSDA, to which Council made a submission on 7 July 2014. This site is shown in orange on **Figure 1** above.

Discussion

Council has prepared a submission in response to a State Significant Development Application (SSDA) for the M2 Site which forms part of the North Ryde Station Precinct.

This SSDA includes but is not limited to:

- Subdivision of the site into 13 development lots
- Allocation of Gross Floor Area to the lots
- Demolition, site clearing, earthworks, remediation and vegetation removal.
- Rehabilitation of riparian zone along the Porters Creek within the Northern Bushland Park.
- Upgrades to existing roads and intersections,

ITEM 3 (continued)

- Construction and upgrade to pedestrian pathway and cycleway networks, including:
 - Pedestrian/cycle bridge across Delhi Road to the North Ryde Station,
 - Shared ways for pedestrian and cycleway connectivity along the Spine Road and open space to the pedestrian/cycle bridge, and
 - Footpath and landscaping works on Delhi Road, Epping Road, and Wicks Road.
- Establishment open space lots including:
 - Northern Bushland Park.
 - Community Linear Park.
 - Central public open space.
 - Plaza space.
- Enabling works for the subsequent construction of a community facility building.
- Works for water mains, stormwater management, sewers, and other utilities.

It should be noted that discussions between Council and UGNSW regarding the nature, design and location of the Community Facility have commenced but are still ongoing. Prior to any decision being made regarding the Community Facility a report will be presented to Council detailing the discussions undertaken to date and seeking Council approval for the design, location, nature and scope of the facility. This facility will be subject to a VPA with UGNSW which will cover multiple aspects of the SSDA including dedication of public domain works, open space areas and other matters.

It should be noted that much of the detail contained within the SSDA regarding the community facility and other matters is dated due to the preparation of the documentation whilst discussions have been taking place between Council and UGNSW. These areas of discrepancy include the location / design of the community facility, the landing of the bridge on the M2 Site and the implementation of a VPA. UGNSW has recognised this discrepancy and is working with Council to resolve these issues.

Key areas of concern identified in Council's submission include the following:

- The extensive non-compliance with the indicative layout contained within the approved DCP. This will raise ongoing issues with the application of the DCP to the site and future forthcoming Development Applications.
- The extent and funding of infrastructure to be delivered on the site and the apparent disconnect between what has been approved under the Finalisation Report and what is proposed

ITEM 3 (continued)

- The disconnect between the details of the community facility provided within the SSDA and the discussions with Council to date.
- The propose allocation of GFA on the site does not conform with that contained within Ryde Local Environmental Plan 2014 FSR Maps.
- The built form as proposed will result in some potential problems with setbacks and presentation to open space areas.
- The design and nature of open space areas.
- The detail and provision of public domain including design of roads, location of vehicle footpath crossings, street lighting, bus stops and street trees.
- The design and location of the proposed bicycle / pedestrian path through the site. In particular there are concerns regarding:
 - the design of the intersection at Waterloo / Wicks Roads,
 - the location of bicycle path within the linear park, and
 - the landing of the pedestrian bridge at Delhi Road will cause some ongoing issues with pedestrian / cycle conflict, specifically around the entrance to North Ryde Station,
- The design of the pedestrian bridge and the potential impacts upon Bundara Reserve and existing vegetation,
- Location of the road connection to Wicks Road through properties to the west of the subject site does not align with that proposed under Amendment 1,
- Removal of existing trees on the M2 site and the proposed work within the Riparian Corridor,
- Potential impacts upon the existing cistern located on the M2 Site.
- Potential impacts upon downstream properties from the proposed works to alleviate the flooding and resolve drainage issues.

Council's submission raises concerns regarding the extensive revision of the layout for the precinct and that once the SSDA has been approved, the existing Development Control Plan (DCP) for the North Ryde Station Precinct (NRSP) will have limited weight. The submission identifies that this matter should be further discussed between Council and the Department.

Council initially received an extension to the exhibition period to the week of 15 September 2014, and the submission was issued to the Department as a draft prior to the endorsement of Council. The submission is **ATTACHED**.

ITEM 3 (continued)**Financial Implications**

Adoption of the recommendation will have no financial impact. However it should be noted that in the event that a Voluntary Planning Agreement is to be sought with Council, this will be the subject of a separate report at a later date.

Consultation

It should be noted that the Department of Planning and Environment undertook wider community consultation regarding the proposal. Various internal sections of Council were consulted as part of the drafting of the SSDA submission.

Options

The options are as follows:

1. Endorse the submission as attached. This is the recommended option.
2. Elect to not make a submission on the proposal. This will result in significant issues not being addressed. This is not recommended.
3. Recommend amendments to the submission.

This report recommends that the attached submission is endorsed and submitted to the Department of Planning and Environment.

ITEM 3 (continued)

ATTACHMENT 1



North Ryde Station Precinct

State Significant Development Application – M2 Site



City Of Ryde

19 September, 2014



ITEM 3 (continued)**ATTACHMENT 1**

Executive Summary

Council has undertaken a review of the State Significant Development Application (SSDA) and has identified several key areas of concern.

Council recognises high quality of the work undertaken by UrbanGrowth NSW (UGNSW) to date regarding the proposal and the alternate layout developed. However, Council continues to have significant concerns regarding the extensive revision of the layout for the precinct and that once the SSDA has been approved the existing Development Control Plan (DCP) for the North Ryde Station Precinct (NRSP) will have limited weight. To mitigate this issue, the Department should seek to endorse the extensive Master Planning work undertaken to date through amendment of the DCP or ensuring that the wide body of work supporting the SSDA including the building envelopes form part of the final approval.

Also of concern to Council is that much of the information contained within the SSDA is outdated and is subject to ongoing discussions between Council and UGNSW. This applies to the negotiation of a Voluntary Planning Agreement (VPA) and the design and construction of the Community Facility. Council is of the opinion that until these matters are finalised, no determination of the SSDA can be made.

Given the nature of the concerns identified within this submission, Council would like to extend an offer of staff assistance to resolve the SSDA in a mutually acceptable manner. This can be in the form of a workshop on the various elements of the SSDA at Council's offices with sufficient time provided in advance for detailed review of alternate plans / amendments.

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ATTACHMENT 1

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Planning Pathway Development Control Plan

It is noted that the proposal as submitted by UGNSW does not adhere to the recently endorsed Development Control Plan that was approved by the Department of Planning and Environment in late 2013.

Whilst it is noted that Section 1.7.2 of the NRSP DCP allows for variations to be made to the Indicative Layout Plan, this is only where the indicative layout plan can demonstrate compliance with the Objectives of the Ryde Local Environmental Plan 2010 and the Vision for the precinct detailed in Chapter 2 of the DCP. This has not yet been detailed in the provided Environmental Impact Statement (EIS).

It is noted that the proposal as put forth by the applicant is predicated on the implementation of the scheme detailed within the EIS, with the exception of the building envelopes. In this respect, in the event that the Department forms the opinion that the proposed layout is acceptable, certainty must be provided to ensure that the future development of the lots will be in accordance with the master plan undertaken by Bates Smart. Council notes that there are significant inconsistencies with the Master Plan and the DCP which will cause significant issues for Council during the assessment of future forthcoming Development Applications. In this respect, Council notes that the Department initially considered delegating the DCP to Council following the approval of the SSDA. Council looks forward to discussing this in further detail with the Department.

Should this be pursued by the Department, there are some outstanding areas of concern with the proposed master plan detailed within this submission.

Infrastructure Delivery

The submitted EIS identifies a range of infrastructure that is to be delivered on the subject site. Table 21 of the EIS (p. 62-63) identifies that UGNSW, Transport for NSW and Roads and Maritime Services (RMS) have undertaken an in principle agreement regarding the payment of \$10.4 Million towards regional transport upgrades.

In this respect, it is noted that the payment of \$10.4 million is identified as item 24 in the Infrastructure Schedule associated with the Finalisation Report for the NRSP. Table 21 of the EIS states that this is to be used for the following in order of priority:

1. Wicks/Waterloo Roads length turn lane from Wicks Rd into Waterloo Road
2. Upgrade to Wicks/Epping Rd intersection
3. Upgrade to Waterloo/Lane Cove Roads intersection
4. Upgrade to Epping/Lane Cove Rd intersection
5. Widening Delhi Rd adjacent to North Ryde railway station
6. Upgrade to Epping/Pittwater Rd intersection
7. Upgrade to Lucknow Rd ramp onto Epping Rd
8. Bus stop and facilities outbound on Epping Rd at Delhi Rd
9. Cycleways along Wicks/Waterloo Roads.

Many of these items are identified independently within the Infrastructure Schedule and as such should be independent from the \$10.4 Million contribution identified in item 24. This is of particular concern for Council as it may result in some of the later items required under the approval never being delivered.

ITEM 3 (continued)**ATTACHMENT 1**

The timing of the delivery of these items is also of concern to Council. From the submitted information and discussions held with UGNSW it is unclear what the timing of the delivery of these items will be and whether they will be in place to meet the demands of the development and to also mitigate ongoing impacts from the development. The timing for the delivery of this infrastructure must be clarified.

It is noted that Council is still undertaking ongoing discussions with UGNSW regarding the delivery of many of the other items within the Infrastructure Schedule as part of a future VPA. This matter is yet to be concluded.

Community Facility and VPA

Council has been in discussions with UGNSW regarding the funding of the infrastructure to be delivered under this SSDA and the possibility of a Voluntary Planning Agreement between Council and UGNSW. In this respect, it is noted that the funding, bridge landing details and commentary on the community facility contained within the SSDA are obsolete. During discussions between Council and UGNSW, the community facility is no longer proposed to be a "sports-court" type facility and the proposed bridge landing design onto the M2 site cannot be achieved due to impractical gradients.

The implications of this are that *Appendix T – Community Needs Assessment* and *Appendix G – Pedestrian Bridge Plans* may not be relevant as they are likely to change. This may require the relocation of the intended Community facility due to a redesign of the bridge.

Subsequently, the designs illustrated in *Appendix D – Urban Design Report* are likely to be unrepresentative of the outcome which has yet to be finalised between ourselves and UGNSW. Council has raised this issue with UGNSW directly and they have acknowledged that changes to the SSDA will be unavoidable if it is to reflect the Voluntary Planning Agreement between UGNSW and Council.

Additionally it is noted that the application of Section 94 to the development and the consideration of works in kind or material public benefit is also the subject of ongoing discussions between Council and UGNSW.

It is also noted that the EIS identifies that there are two individual lots which are to be utilised for Community Facilities. Whilst one is to be provided to Council it is unclear what is to occur with the second.

Council considers that these matters must be resolved prior to the finalisation of the SSDA and cannot be conditioned as part of any forthcoming approval.

Urban Design

In reviewing the master plan submitted in support of the revised layout plan, Council has identified several concerns. These are detailed in the following sections.

Built form

The Indicative Building Layout shows that consideration has been given to the minimum building separation requirements in the Residential Flat Design Code. The proposed street and courtyard widths generally provide adequate separation between buildings. However, in some instances there are non-compliances, such as the distance between Buildings D2 and D3, F1 and F2, H1 and H2. Whilst these non-compliances can be addressed as part of any forthcoming DAs for the lots, Council is of the opinion that should the Department endorse the alternate layout, certainty

ITEM 3 (continued)**ATTACHMENT 1**

on the delivery of the associated buildings must be provided. This should be provided by amending the DCP to ensure consistency with the master plan.

The proposed street setbacks in the indicative building layout show that in nearly all instances there will be a 3m setback at ground level for both residential and mixed use buildings with the upper levels built to a 0m setback. The built form outcome of these setbacks is not illustrated in the application. Sections through the street frontages should be provided so that the intent of the setbacks can be understood. Clarification is required as to whether the 3m setback is defining an articulation zone with the build-to line being at the 3m setback with balconies extending beyond the 0m setback line. In the event that this 0m setback is a build to line rather than an articulation zone, Council does not support this.

The current NRSP DCP details the setbacks for buildings surrounding many of the roads, however these have not been captured or reflected in the alternate layout. One particular area of concern is the 0m building setback to the Community Park. Whilst it is noted that the SSDA is seeking approval for subdivision and public domain works, given the significant deviation from the DCP, it is questionable what weight the DCP will have. The reduced setback from public domain areas may cause potential issues with individual access to units from the open space areas.

The interface between the buildings that are adjacent to the Community Park needs resolution. It is noted that a detailed section showing the relationship between the buildings and the park has not been provided. To satisfy CPTD requirements, surveillance of the park should be provided by these buildings. However, the detailed design will also need to ensure that overlooking of the park does not inhibit its use. It is noted that the 0m setback of the upper levels does not provide any buffer between the future dwellings and the park. This close proximity will be an issue as the concept for the park shows future exercise areas and gathering spaces adjacent to the property boundary. This should also include consideration of potential direct access from ground floor units to the park to encourage activation of the public space.

It is recommended that a minimum 2m landscape setback be included along the frontage to the Community Park to allow sufficient flexibility to resolve this interface. It is noted that Table 5 of the North Ryde Station Precinct DCP requires a building setback of 3m from the Bushland Park, Community Park and Central Open Space.

Whilst Council notes that many of the above issues are predicated on the building layouts which do not form part of the proposal, this information seeks to support / justify the alternate layout proposed. As such, it must form part of any forthcoming consent to ensure that the alternate layout and associated buildings are deliverable on site.

Gross Floor Area

It is noted that the overall Gross Floor Area is proposed to remain the same, but that the disposition of that floor space on the site is proposed to be altered considerably. In this respect, Council notes the following:

- Zone Q has low FSR to transition to the business park and business core land zones and the permissible heights and FSRs within these. The low FSR within the LEP for Zone Q recognises the fact that a road will go through the site. Indeed all of the existing FSRs within Ryde LEP recognise that there will be new public and estate roads delivered within the site.
- Zone V1 is proposed to have a small decrease in GFA in the order of 7%.
- Zone X is proposed to also have a decrease in GFA of approximately 14%.
- Zone V3 is proposed to have an increase in the order of 0.007%.
- Zone W is proposed to have an increase in GFA of approx.157%.

ITEM 3 (continued)**ATTACHMENT 1**

In response to these amendments, Council would like to raise the following:

- Zone W is the second smallest zone on the site with a height limit of 75m under the provisions of the Ryde LEP. Relocating substantial GFA to this zone without increasing the height limit will lead to bulky buildings with larger floor plates. Larger floor plate residential towers are less likely to meet SEPP 65 and more likely to cast shadows that are broad and deep. (Slender buildings cast shadows that move off other sites more quickly and therefore have less impact on neighbours). Council would not support any increases in heights.
- Under the provisions of the Ryde LEP Zones V1 and X have height limits of 99m. The height limits in the LEP are reflective of a principle to locate the densest development at the core of the site – furthest from sensitive natural landscapes or adjoining sites and to promote the development of tall slender buildings that will meet SEPP 65 and cast shadows that move off other sites as quickly as possible (given the scale of the development)
- The proposal to reallocate substantial Floor Space to zone W is not supported because:
 - FSR / permissible floor space is not a right and developers may choose to provide less – as this may lead to better design outcomes, respond to market conditions or other constraints.
 - Zone W and Zone Q are the least suited to an increase in FSR due to their small site area and the built form that will be created as a result.
 - Zones X and V1 are the better options for accommodating increased GFA because they have higher height limits and the built form outcomes will be better. Having said that the differences in relation to moving GFA should be minimal and in the order of +/- 10% for any zone.

Open Spaces**General Comments**

It is noted that the subject site is in close proximity to significant bushland areas. Accordingly, Council requests that the *Fraxinus americana* 'Urbdehl' be replaced with an alternative suitable deciduous tree species such as *Waterhousia floribunda* or *Pyrus calleryana*

Also, Council's standard seat within open space areas is aluminium not timber. The references to timber seats should be removed from the documentation.

Bushland Reserve

Council acknowledges and supports the creation of an elevated boardwalk, however, across the City the standard width for elevated boardwalks is 1.5m minimum. This width should be applied to this Reserve.

Further detail is needed on the planting species in the planter beds that run along the Spine Road towards the Bushland Reserve. These species must be suitable to the Shale Sandstone Transition Forest that is located in the Bushland Reserve. The use of these suitable species should be included in the planter beds from the northern most Mews Road towards the Reserve.

With regards to the construction works within the Reserve, methods of construction of all items in the Reserve must be referred to Council for review prior to commencement to ensure the protection of this significant vegetation community. It is preferred that the Bushland Reserve boardwalk is not accessible for bicycles. As such there is a need for a barrier design at the entry points of the boardwalk to prevent bicycle access.

ITEM 3 (continued)**ATTACHMENT 1**

Potential improvements to this area could include the extension of the elevated boardwalk area toward Wicks Road with an additional entry point to provide opportunity for the wider community access to the Reserve. Also, whilst it is recognised that the site is subject to flooding, the boardwalk should seek to interface with the creek to allow for stream watch programs and environmental education.

Community Park

The placement of the fitness equipment along the length of the Park is notionally a good idea however placement must consider the amenity of the adjoining residential properties. Given the high level nature of the building envelopes provided to date, the location of these areas should give consideration to potential ingress / egress points for the buildings. To a certain extent this can be 'locked in' through the design of the park but it must also consider individual access to the buildings. The current design of the park does not recognize or appear to allow for this as part of future buildings. This must be recognised and captured in the design of the park.

The location of the proposed gym equipment may find greater use by the community by being located within the Central Park instead.

As identified elsewhere in this submission, there is concern over the amount of activity along the shared bike path, including fitness areas, playgrounds, water features and seating areas. With increasing conflicts between bike riders and pedestrians on other shared paths across the City, consideration should be given to separating the bike path from the pedestrian and recreation area.

Council believes that the proposed play elements along the Community Park should be reduced and concentrated in the Central Park. Council is actively consolidating play areas across the City and in accordance with Council's Play Plan, the spreading out of play along this Park in addition to the playground in Central Park is not supported.

There is extensive use of water in Community Park that will be a cost and maintenance issue for Council if the long term decision is for this infrastructure to be managed and maintained by Council. Water gardens should be deleted from all public access areas. The use of water in private gardens should be considered. It is noted that the dedication of this area is subject to ongoing discussions with UGNSW and Council.

Central Park

Whilst the location of active retail edges fronting the central park is supported, the seating provided along the shop front should not be shown as public open space. Seating associated with café / restaurant should be treated like other areas across Council where a license is obtained to have café / restaurant seating in public open space.

The catchment for the Playground at this location would be, as a minimum, a "district" level playground. Under Councils' Play Plan, the size of this level playground should be 900 – 1950m². As such, the playground proposed is undersize and should be reviewed. There is the possibility to include the deleted play elements from the Community Park to provide a wider play experience in Central Park. There should also be consideration of the inclusion of shade structures over the play area.

Within this area it is noted that there are two areas shown as mass planted garden beds. Given the high numbers of residents this area should be explored for conversion to turf surface to allow for additional passive recreation areas for the community. It is unclear from the submitted plans whether there is a bubbler or water bottle refill station within the Park. This should be provided with ready access afforded to cyclists.

ITEM 3 (continued)**ATTACHMENT 1**

The connection from the Central Park to the bridge over Delhi Rd is not centrally located to the park. It is suggested that either the location of the crossing be revisited or preferably that another additional crossing be provided. It is noted however that this may interfere with the bus stop area along Plaza Street.

Public Domain

Council requirements regarding finishes on footways, shared zones and street lighting in the public domain are outlined in the City of Ryde Public Domain Technical Manual Section 6 - Macquarie Park. The work shall include but not be limited to paving, multifunction light poles, street furniture and plantings.

All public infrastructure works shall be designed and constructed in accordance with Ryde Environmental Standards - Development Criteria Section 4 - Public Civil Works, the City of Ryde Public Domain Technical Manual – Macquarie Park, and DCP 2010 Part 8.2 - Stormwater Management

Roads

Council is currently undertaking a review of its road construction standards which will be seeking to require all new roads to be constructed with concrete pavement. The initial specifications for these standards have been prepared and can be provided to UGNSW and the Department. Council anticipates the finalisation of these standards in short order and would seek to ensure that any future construction works on the site for the delivery of roads is achieved in accordance with these standards.

In the event that the Department seeks to approve the SSDA Council has standard requirements for the design and construction of road works that can be readily conditioned on any forthcoming application.

Vehicle Footpath Crossings

Footpath crossings shall be constructed at all locations where vehicles cross the footpath, to protect it from damage resulting from the vehicular traffic. The location, design and construction shall conform to Ryde Environmental Standards - Development Criteria Section 4 - Public Civil Works, and all relevant Australian Codes and Standards. Crossings are to be constructed to match the granite paving and finished levels shall conform to property alignment levels issued by Council's Public Works Group. Kerbs shall not be returned to the alignment line.

Street Lighting

All telecommunication and utility services are to be placed underground. Consideration of the location of substations should be undertaken at this early stage. Plans prepared and certified by a suitably qualified Electrical Design Consultant for decommissioning any existing network and constructing the new network are to be submitted to Council and Ausgrid for approval prior to commencement of work.

New street lighting serviced by underground power and on multifunction poles(MFPs) shall be designed and installed to Australian Standard AS1158.3.1-1999 Road Lighting, with vehicular luminance category V3 and pedestrian luminance category P2 (Wicks Road and Epping Road) and categories V5 and P2 (all roads within the development site).

Any detailed design of these elements should involve detailed discussions with Council's Public Works staff to obtain details of Council's specifications for the provision of multi-function poles

ITEM 3 (continued)**ATTACHMENT 1**

(MFPs) and LED luminaires for street lighting. Additionally, Council may also provide guidance in the form of a schema showing the proposed positioning of MFPs along the proposed roadways within the development site.

Street trees and landscaping

Street trees and landscaping are to be provided in accordance with the requirements outlined in the City of Ryde Public Domain Technical Manual Section 6 - Macquarie Park. Generally the submitted street trees appear to be satisfactory with the exception of specific references within this submission.

Notwithstanding the above it is noted that there appears to be a disconnect between the landscape plans and the utilities / services plan as part of the SSDA. It appears as though the proposed utilities / services will be located underneath planting areas and this should be amended to ensure that the root areas of trees are completely clear of utilities / services. Dwg No CO3-15 only shows trees within the parking lane, whereas trees are also proposed within the footpath on most streets. An easement within the footpath adjacent to the kerb for kerbside street tree planting needs to be allowed for and shown on the drawings

In addition to the above, it is noted that the submitted Services Plan has not identified NBN cabling. Any work undertaken on the subject site should be registered with the NBN co-development plan. More information can be found here: <http://www.nbnco.com.au/develop-or-plan-with-the-nbn/co-development-program.html>

Bus Stops

All bus stops shall be designed and installed in accordance with the requirements of the Disability Standards for Accessible Public Transport 2002.

Transport and Accessibility**Pedestrian and Cyclist Paths**

The Macquarie Park Active Transport Spine (MATS) is identified within the SSDA and required to be delivered as Item 10 as part of the Infrastructure Schedule included in the Finalisation Report. Whilst it is noted that the spine road forms an integral part of the MATS, there is a missing portion along the northern side of Waterloo Road that is identified in the Public Transport Facilities Plan as being delivered at a later date, subject to Section 94 Contributions. This small section of the missing link is provided along the Southern Side of Waterloo Road.

This intersection of Wicks Rd, Waterloo Rd and the Spine Road should be designed to ensure that adequate access for Cyclist is built into the intersection to ensure ready access to any bike path located along the Spine Road. In this regard it is noted that the proposed route for Cyclist within the precinct is via a shared path within the Community Park. This will result in potential conflicts for:

- Cyclist navigating from the southern side of Waterloo road to the eastern side of the Spine Road.
- Cyclists and Pedestrians within the Community Park. This includes people using the Park and residents accessing the future residential buildings. Whilst this may be suitable for children / families, in the event of commuter cyclists who may travel at significant speeds, it may result in significant conflict / accidents.
- Cyclist / pedestrians along the Park Street leading towards the bridge over Delhi Rd. From the submitted plans it appears as though cyclists at the southern end of the Community Park heading towards the bridge over Delhi Rd are required to utilise the shared path

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along the northern side of Park Street. This may cause potential conflict with entry / exit points for buildings along this section. This may not be an issue as long as the 3m Building Setback for all buildings along this side of the street is achieved as detailed within the Urban Design Report submitted with the SSDA.

Key solutions for this could include:

- Detailed planning of the intersection of Waterloo / Wicks and Spine Road to ensure dedicated lanes / signalling for cyclists through this intersection
- Clear connection and legibility for cyclists directly to a dedicated bicycle lane along the spine road not located within the Community Park.

In addition to the above, the footpath along Epping Road is to be full width granite paving with street trees in accordance with the Macquarie Park Public Domain Technical Manual.

In general, the footpath and road carriageway are of appropriate design and widths to cater for pedestrians and vehicles. In some instances, such as the intersection of the spine street with the retail street and the plaza street, the corner radii could be tightened to better facilitate pedestrian movement. It is noted that the pedestrian crossing on plaza street could be shortened if a tighter radii is provided.

The proposed master plan scheme appears to rely on several pedestrian through paths on Lots 104 and 105 that do not appear to have been captured by an easement or similar restriction upon these lots. This is particularly relevant given the significant amendments to the layout plan proposed and that the landscape / public domain plans clearly envisaged this being achieved on future lots.

Pedestrian Bridge

The proposed pedestrian/cycle bridge crosses over Delhi Road and the M2 Motorway and connects the M2 site with the North Ryde railway station. The bridge is some 200m in length and could be a distinctive and iconic element for the North Ryde precinct. However, the proposed design is utilitarian in design and does not take advantage of the prominent nature of the bridge.

The physical constraints of a bridge over a motorway, such as the need for safety screens, are acknowledged. However, there are numerous examples of pedestrian bridges in other states in Australia and overseas that achieve design excellence whilst satisfying practical considerations. Examples have been provided in the Figures below. Typically the design of these bridges includes the expertise of architects working in collaboration with the structural engineer. The curved alignment of the proposed bridge lends itself to an unorthodox design solution which should be explored as part of the detailed design.

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Figure 1 - Bridge by Enrique Brown at Zapaller, Chile



Figure 2 - Bridge by Tonkin Zulaikha Greer and Taylor Cullity Lethlean over Hume Highway, Melbourne



Figure 3 - Bridge by Bernard Tschumi and Hugh Dutton at La Roche-sur-Yon, France



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In addition to the above, it is also noted that the southern end of the pedestrian bridge should be connecting to the plaza area to be provided by the future development of Station Site North. Whilst no definitive plans have been prepared for this site, the proposed bridge landing to the footpath of the southern side of Delhi Road.

Whilst Council acknowledges that there will be timing of delivery issues regarding access to the bridge, the current alignment will fail to take advantage of the 2,900m² plaza that should be delivered. It is noted that the alignment may have been proposed to maximise ease of access to the North Ryde Station but in Council's opinion this can still be achieved through the landing of the bridge at the edge of the plaza area.

It is noted that Council has commenced preliminary discussions with the landowner of the Station Site North and that the location of the plaza is yet to be fully determined. Given preliminary discussions with the land owner, it may be appropriate for the landing point of the bridge to be along Delhi Road, however there maybe issues regarding pedestrian / cyclist conflict along the southern side of Delhi Road. This has not been fully detailed within the SSSA. The discussions regarding the location of the landing point are still ongoing and at this time the location of the plaza is not known.

It is assumed that the Department will ensure that all the requirements of Section 4.3 of the NRSP DCP will be adhered to by the proposed bridge. In particular, the Departments attention is drawn to Control 10. Additionally it is noted that the southern landing of the bridge adjoining Bundarra Reserve may be in close proximity to existing rock anchors for the M2.

It is also noted that Council have been advised in meetings regarding the VPA that the design of the bridge is likely to be amended.

Traffic and Vehicular Access

The North Ryde Station Precinct is a Transit Orientated Development (TOD), and as such requires careful consideration of the pedestrian, cyclists and vehicle interaction. Council has identified some concerns which are detailed below:

Engineering

All raised platforms are to be in accordance with the RMS technical Direction TDT 2001/04a and if installed on a Bus Route shall comply with State Transit Authority (STA) Bus stop style design guide which recommends '*The height shall not exceed 75mm with ramp grades no greater than 1 in 16 (6.25%). The length of the central platform should be no longer than 5.5m with provision for 3.5m travel lanes in either direction.*'

There is an integration concern regarding the footpath and kerb ramps associated with the Epping Road access way. The path does not align with the current and proposed footpath and kerb ramp. See C-1-4-00.Rev.3

There is inconsistency in relation to the treatment of raised platforms. Specifically regarding the integration of the device with the adjoining footway reserve, as either a raised vehicle platform or a raised pedestrian platform. All Drawings should specify the type being used at each location. See C-O-3-00.Rev.3 in reference to the engineering drawing Civil details plan 1 of 2 – C-O-O-02.Rev.3

Access

Due to conflict issues for truck movements in achieving access to Lot 104 from the Spine Street, a vehicle access management plan for Lot 104 should be provided. This will ensure that the configuration of the access movements to Lot 104 are appropriate and achievable as proposed.

ITEM 3 (continued)**ATTACHMENT 1**

Access ways that generate more than 30 vehicle movements per hour (in/out combined) shall be designed as two way driveways with a nominal width of 6m minimum, however this is contingent on service vehicle movements as well. See vehicle swept path - view 6, 9 and 10 respectively. Drawing ref. C-O-3-41.Rev.3

It is noted that access to the stockpile area is proposed from the M2 which will require RMS approval. In the event that this is not supported, what are the alternative routes for heavy vehicles to access the Stockpile location in accordance with plan C-O-1-00.Rev.3?

It should be noted that all waste and recycling bins for future development will be required to be collected from within the basement of future buildings. The height required for the trucks to service bins from within the building is 3.8m for rear loader vehicles and 4.5m for side loaders which may be required to service the recycling bins. The truck should be able to enter and exit the building in a forward movement. The sweep path of the waste vehicle is required and must not impede traffic access entering the basement. Whilst this should be achievable for most areas, of concern is the vehicular access point for Lot 104 area as a shared zone.

Buses

With regards to the bus stop proposed on Epping Road, this bus stop does not detail the amenity provisions which are required under the Disability Discrimination Act. It is also noted that this bus stop is located within a Deceleration Lane on Epping Road. RMS approval will be required for this bus stop. Council would like it noted that this will result in buses 'weaving' across a number of traffic lanes when heading east along Epping Road towards Lane Cove Tunnel. This poses safety risks, which is undesirable.

It is noted that some plans show turning paths crossing over Kerb and Gutters. Turning Paths should be wholly contained within the road pavement and particular reference is made to C-1-3-40.Rev.3. These plans must show turning paths only over road pavement.

It is noted that initially the NRSP sought to require the accessing of buses to Station Street. The recent SSDA and various discussions with UGNSW has identified that this may no longer be required as bus layovers will be provided as part of the M2 Site SSDA. In reviewing the submitted plans it is unclear where this area is to be located. It is noted that there is a bus zone identified along the pedestrian plaza outside the proposed community facility. It is unclear whether this is to be a bus stop or simply a layover area. Each of this options has potential ramifications as to how this area should be treated.

Signs and Lines

In relation to the provision of 'No Stopping' signage, Council requests additional line marking enhancements to improve the visual cue of 'No Stopping' restrictions around the circular "hub" namely Lot 106. See C-0-5-01.Rev.3

The R3-1A pedestrian walking signs are to be condensed at all zebra crossing locations such that 'back-to-back' signs are installed at the vehicle approaches only. Refer to RMS TDT 2001/04a

Traffic Management

The Parsons Brinckerhoff (PB) report, dated 20 February 2014, specifies multiple intersection treatments that will require implementation in order to accommodate the anticipated increase in vehicles accessing the road network associated with the North Ryde Station Precinct (NRSP). The proponent should implement the items within the report to ensure that the traffic generation is managed appropriately.

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Parking

It is noted that the SSDA has identified that a total of 3 Car Share Spaces will be provided within the Mixed Use Precinct and 29 Spaces will be provided within the High Density Precinct. From the submitted plans it is unclear whether this will be provided within the roadway or within individual developments as they occur. In this respect, should the Department seek to approve these within the roadway, this should be subject to future licensing agreements with Council

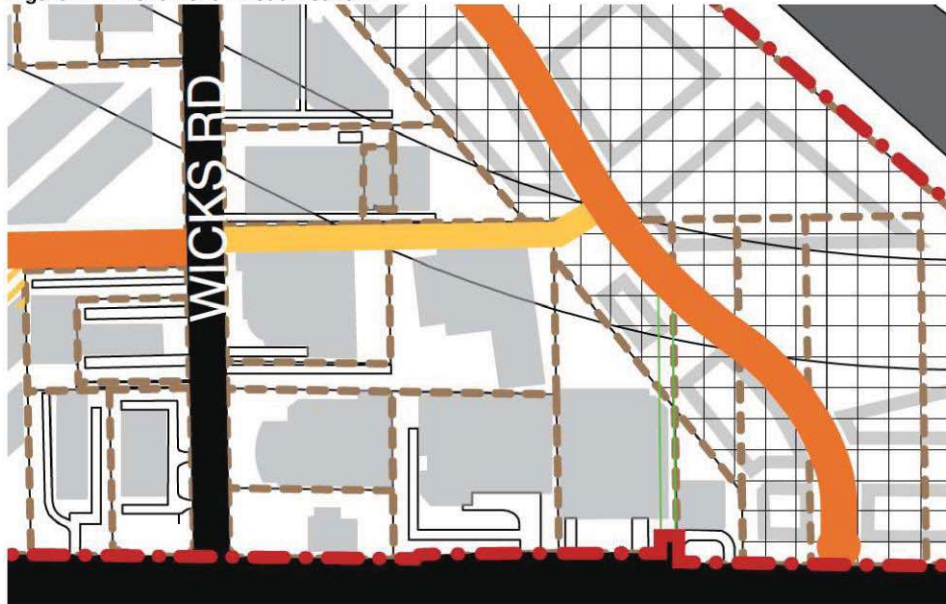
Shared Zone

It is noted that the vehicular access point for Lot 104 is to be achieved from Plaza / Retail Street. This area has been identified in much of the submitted documentation as being a shared area also. Clarity is required on the functionality and access of this area.

Road Connection

It is noted that the proposed subdivision plan has identified Lot 109 as being the location of a future road connection. Council is currently in the process of finalising a Planning Proposal for Macquarie Park which seeks to rationalise the road network detailed within the existing controls. This Planning Proposal and supporting documents is generally referred to as Amendment 1. Amendment 1 identifies that the proposed road connection is to be located at the northern most boundary of 11 and 113 Wicks Road. This proposed road network is detailed within Figure 4.

Figure 4 - Amendment 1 Road Network



The road connection as identified is predicated on a recent planning proposal that was not supported by Council seeking residential land uses on 111 Wicks Road, 29 Epping Road, 31-35 Epping Road, Macquarie Park. This planning proposal is currently undergoing a Gateway Review with no definitive outcome at this stage.

ITEM 3 (continued)**ATTACHMENT 1**

As such, Council strongly recommends the amendment of the SSDA to reflect the future controls proposed for Macquarie Park.

Further works to be undertaken

An independent design road safety audit must be undertaken, for the full public road architecture, in accordance with RMS Guidelines. Concerns are raised with regard to Swept Path View 4 which clearly shows conflict between bus and vehicle turn movements. This may potentially require relocation of driveway access that serves Lot 107.

An independent bicycle road safety audit of the bridge design should be undertaken and should consider the transition points from the bridge to the adjoining footway/shared path at both ends. This may require suitable RMS approved fencing. Further, the audit should detail the integration of the shared Bridge onto the Delhi Road access near the sub-station.

It is noted that the Parsons Brinkerhoff report demonstrates a minimalistic approach to the traffic generation of the M2 site. As such, RMS approval should be obtained on this reduced rates. In the event that no RMS approval has been obtained, the proponent will need to run a SIDRA analysis for the base case + Development impact. RMS will have to agree to the results of the assessment as there will be expected discounts based on the fact that the site is a Transit Oriented Development.

The Traffic Control Signals (TCS) phasing plan for Wick's and Waterloo Road is showing preferential vehicular access towards Spine Street, from the Western approach of Waterloo Road, and the southern approach of Wicks Road, which is NOT supported by Council. With regards to the intersection phasing, Council will need the SIDRA files and supporting documentation to understand the applicants proposed signal configuration. See C-1-5-00.Rev.3

Riparian Corridors / Biodiversity

In considering the proposed works, it should be noted that Bundarra Reserve is Turpentine Ironbark Forest, which is an Endangered Ecological Community. It does not appear as though due consideration has been given to this EEC that may be affected by the proposed Pedestrian Bridge. In particular, this EEC may extend into the adjoining RMS land to the east of the Park.

It is also noted that the bridge at the curve near Bundarra Reserve appears to be much wider and this will have impact on the canopy layer of the Reserve. This may unduly impact upon Bundarra Reserve and that may be potential for seating to be located elsewhere to reduce the impacts upon the reserve. Additionally it is noted that the ARUP Structural Report on page 3 identifies that the piers will be "*located in the north eastern corner of Bundarra Reserve*". However the accompanying plans show the piers are located outside of the Reserve boundary. This must be clarified. In particular it is noted that Section 5.6 of the NRSP DCP identifies that no overshadowing of Bundarra Reserve is to occur after 9am on June 21.

With regards to the proposed Vegetation Management Plan, the Oculus Report commissioned by Council has a contradictory assessment of the vegetation community on the Site. Oculus identifies the community as Shale Sandstone Transition Forest which is an EEC and this will drastically impact the development of the site. The Vegetation Management Plan and the Ecological Impact Assessment has not considered the potential impacts upon Bundarra Reserve, both during construction and from shading following construction.

Additionally, it is noted that page 5 of the Vegetation Management Plan states that "*SWR recorded on the M2 site is on poor condition as shown in Figure 4*". However, Figure 4 actually

ITEM 3 (continued)**ATTACHMENT 1**

identifies two categories of Sandstone Ridgetop Woodland on the site. Figure 4 maps both "low condition" or "moderate to high condition" woodland.

The Ecological report identified two categories of Sandstone Ridgetop Woodland on the site. Figure 4 maps both "low condition" or "moderate to high condition" woodland and hollow bearing trees. In review of this document and the proposed development area, the areas with the all hollow bearing trees and "moderate to high condition" woodland will be removed. There does not appear to be any discussion as to why this decision has been made nor does there appear to be any consideration for the retention of the "moderate and high condition" area.

Council also notes that there are significant areas of confusion between the Arborist Report (Appendix Q) which details which trees are to be retained on site with protection fencing. Many of these are unlikely to be retained due to the location and extent of works to be undertaken on site.

Heritage

Heritage With regards to heritage, it is noted that the NRSP DCP Section 8.9 provides detailed requirements for how heritage is to be considered on the subject site. Whilst it is acknowledged that a detailed Archaeological Assessment has been prepared it does not address the DCP controls, specifically Control 2 a, b & c. Additionally it is noted that the DGRs require consultation with the Office of Environment and Heritage, but this does not appear to have occurred.

The assessment commits to the removal/demolition of the cistern with no consideration of the significance of the item. From the DCP, it is clear that the cistern is to be subject to further investigations and reporting by a qualified Archaeologist and that the destroying of the cistern has not been approved. The cistern is considered to potentially have local heritage significance and may yield specific artefacts relating to the previous use and occupation of the site.

In the event that the proposed masterplan for the site is to inform a DCP, Shadow diagrams must be provided to ensure that the proposed building envelopes do not unduly affect the heritage listed cemetery.

As such, Council is of the opinion that the following must be required in the event of future development of the site:

- Should the cistern / well be identified during excavation / construction works, all works within 15 m of the cistern must cease, the NSW Heritage Office be advised and a heritage / archaeological consultant is to be engaged.
- Protective fencing is to be installed at a 15 m perimeter setback from the base of the cistern whilst all archaeological/investigation works are being undertaken.
- The archaeologist must identify, investigate and appropriately report the finding of the excavation of the cistern in a clear and concise manner that complies with the NSW Heritage Division guidelines.
- This Archaeological Investigation report must be submitted to the Council and the NSW Heritage Office and a site visit undertaken by the Council.
- Once Council are satisfied the appropriate research and investigations have been undertaken and that the methodology has been prepared, written approval is to be issued by Council with the concurrence of the NSW Heritage Office prior to ANY excavation or construction works occur within the 15 m radius restrictive protection zone of the cistern.
- A qualified Archaeologist must be located on site during construction and ANY excavation/earthworks works that are within 15m of the cistern.

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- All contractors working on site must be inducted into the potential heritage significance of the cistern.
- The protective fencing to contain a jersey kerb base is to be erected at the 15 m perimeter protection zone to ensure protection from large machinery and trucks located onsite.
- A layout plan must accurately detail the location of the existing cistern in relation to the proposed buildings, this must be at a scale that provides clarification in relation to the 15 m restricted radius Protection Zone that surrounds the cistern.
- It is recommended that an Interpretation Strategy be prepared by a qualified heritage consultant for the entire subject site and must include details and findings from the investigation of the cistern.
- A separate interpretation strategy should be prepared for the inclusion of signage on the proposed bridge where the seating overlooks the cemetery. This could include detailing the historical significance of the Cemetery.

Construction Impacts

Council has concerns regarding the potential building construction noise which the documentation has suggested will, from time to time, exceed allowable noise levels. Additional measures would be required to mitigate the impacts of those exceedances to comply with EPA standards.

It is also noted that there appears to be existing issues with gas pipelines located along the M2 Sites western most boundary. Jemena has contacted Council regarding this matter and Council would like to ensure that adequate consultation occurs with Jemena as part of the proposal.

Flooding and Drainage

In general, Council supports the proposed concept drainage system augmentation scheme detailed in the Flood Assessment Report by Cardno. However it is noted that the models were not provided to Council and therefore unable to comment on the results.

Cardno has recommended exempting the future development on the individual lots from the requirements of an OSD system. The site area is about 9.2 hectares and is located in the middle of the catchment. Council is unable to comment on this due to insufficient information in the report. Council recommends that the models are independently reviewed and verified. Any future development must ensure that the structural integrity of the downstream conduits should not be compromised.

The report did not address the flooding impacts on the downstream reaches by the proposed development. It is noted the maps covers areas up to M2 freeway. This may be of significant concern due to the existing areas of fill and associated leachates in adjoining land.

With regards to Stormwater management, the methodology adopted by the consultant is acceptable. Council notes that stormwater quality modelling has been undertaken for the Public Domain areas and that the supporting report listed Tree pits and Stormwater 360 Enviropod as water quality treatment devices for a catchment area of 2.75 ha. These devices are likely to require frequent maintenances.

City of Ryde recommends vegetated swales and Bio-retention swales or similar treatment devices where appropriate to avoid ongoing high maintenance costs. These devices will be required to be installed within the public domain areas.

As with the flooding report, no models were provided for Council's review. As such Council is unable to comment on the accuracy of the report findings without reviewing the models.

4 SUBMISSION - SEPP 65 AND RESIDENTIAL FLAT DESIGN CODE REVIEW

Report prepared by: Business Support Co-ordinator
File No.: GRP/09/6/5 - BP14/1230

REPORT SUMMARY

In November 2011 The Department of Planning and Environment commenced a review of State Environmental Planning Policy 65 – Design Quality of Residential Flat Development (SEPP 65) and the associated Residential Flat Design Code. Since their introduction in 2002, the City of Ryde has used SEPP 65 and the Design Code to assess proposed Residential Flat developments in conjunction with Council’s Local Environment Plan and Development Control Plans.

On 23 September 2014 the Department placed a Draft SEPP 65 Amendment and a Draft Apartment Design Guide on exhibition; submissions close 31 October 2014. Council has prepared a submission raising concerns with a number of aspects of the proposed Policy including:

- proposed changes to the minimum parking requirements for Residential Flat developments;
- the further reduction of Council’s capacity to refuse inappropriate developments;
- the lack of transition arrangements for the implementation of any new Policy.

The submission is **attached** (Attachment 1).

RECOMMENDATION:

- (a) That Council endorse the submission to the Exhibition of Draft SEPP 65 Amendment and Draft Apartment Design Guide; and
- (b) That the submission be lodged with the Department of Planning and Environment.

ATTACHMENTS

- 1 Draft Submission to the exhibition of proposed changes to SEPP 65

Report Prepared By:

Dyalan Govender
Business Support Co-ordinator

Report Approved By:

Meryl Bishop
Acting Group Manager - Environment and Planning

ITEM 4 (continued)

History

In 2002 State Environmental Planning Policy 65 – Design Quality of Residential Flat Development (the SEPP) was introduced to promote better apartment design by establishing broad Design Quality Principles that need to be considered in determining applications for residential flat buildings that are three or more storeys high and have four or more dwellings. Further detail providing guidance as to how these principles may be met was provided in the Residential Flat Design Code (the Code). While the SEPP and the Code does not provide numerical standards that have to be met by a proposal it does limit Council's ability to refuse applications on the basis of minimum ceiling heights and the proposed apartments areas.

In November 2011 the Department of Planning and Environment commenced a review of the SEPP and the Code. The Department held a number of workshops and invited comments in the lead up to the commencement of the review. A Discussion Paper was exhibited between 16 November 2011 and 24 February 2012. The City of Ryde provided a submission highlighting a number of issues; the key issues identified were:

- the need to retain Councils' capacity to set appropriate standards for the local context via Council's Development Control Plans (DCPs);
- where the guidelines in the Code were inconsistent with local DCP's the standards to be enforced are unclear;
- technical aspects of the Code required updating to bring them into line with new standards.

Discussion

On 23 September 2014 the Department placed a Draft SEPP 65 Amendment and a Draft Apartment Design Guide on exhibition; submissions close 31 October 2014. The Draft Apartment Design Guide is proposed to replace the existing Residential Flat Design Code. In summary, the key changes seek the following:

- to extend the policy to mixed use developments and shop top housing of three or more storeys;
- standardise design criteria to ensure greater consistency;
- to provide more detailed criteria for the achievement of good design outcomes;
- add a car parking standard that removes or reduces parking requirements for proposed new apartment developments and prevents Council from refusing consent to developments that comply with this car parking standard;
- add a minimum apartment size (35 square meters) for studio apartments and changes to the minimum apartment size requirements for other apartment sizes;

ITEM 4 (continued)

- update the Code to bring it into line with current access and environmental standards.

Council has prepared a submission on the draft documents (Attachment 1). The key issues are outlined as follows:

- Objection to the proposed removal of parking standards for apartments within 400m of train stations and also objects to the removal of the guideline promoting underground parking where possible.
- Support for the addition of minimum apartment sizes for studios
- Objection to the proposed changes to bedroom size and layouts information provided in the Code
- The need for transitional arrangements to ensure Councils and developers have clarity as to how the new policy and guidelines will be brought into effect.
- The need for appropriate controls relating to overshadowing and minimum wall length on the street frontage to further promote the protection of local amenity and good design outcomes.

Financial Implications

Adoption of the recommendation will have no financial impact.

Options

Options are as follows:

1. Endorse the submission as attached.
2. Elect not to make a submission on the drafts. This would mean Council's concerns are not provided to the Department. This is not recommended.
3. Recommend amendments to the submission.

This report recommends the endorsement of the **attached** submission.

ITEM 4 (continued)

ATTACHMENT 1



Manager, Centres and Urban Renewal Branch
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

October 2014

Dear Ms Wing,

City of Ryde's Submission to the exhibition of proposed changes to SEPP 65

Thank you for the opportunity to comment on the proposed changes to the SEPP 65 and the Residential Flat Design Code. While the City of Ryde is broadly supportive of efforts to update the code and to provide greater detail and consistency with respect to the design criteria for proposed residential flat developments a number of the proposed changes are not supported in their current form.

The following proposed changes are supported:

- Extending the policy to mixed-use development and shop-top housing of three or more storeys.
- Giving councils the ability to appoint design review panels and to determine who is on the panel.
- Giving prevalence to certain design criteria in the Apartment Design Guide to promote certainty and consistency.
- Clarification of the Design Quality Principles, particularly the matrix showing the relationship between the Principles and the different Design Guide sections.
- The new requirement for ceiling heights to comply with room depth ratios.
- The new minimum dimension requirements for different room sizes.

In addition to the proposed changes the City of Ryde would like to see:

- The inclusion of appropriate numerical controls in relation to overshadowing of neighbouring properties.
- Clarification to 3F-1.6 such that main bedrooms should not have a light well as the primary source of daylight and ventilation.
- A requirement for the provision of minimum areas of open space for studio apartments.

ITEM 4 (continued)

ATTACHMENT 1



- Transitional clauses to the SEPP such as those provided in Part 5 of the current Policy.

These transitional clauses are of particular importance to ensure councils and developers can enact a smooth transition to any new Policy and to avoid confusion as to the controls and criteria that apply to the assessment of a given application.

The City of Ryde does not support the proposed changes relating to car parking provisions. Councils should retain the capacity to refuse applications that do not provide appropriate levels of parking given the local context, particularly given the varying levels of service provided at stations across Sydney. The removal of minimum parking requirements for proposed developments within 400m of a railway station or light rail stop in inner and middle metropolitan Sydney is not appropriate and further review to set an appropriate minimum is required. While Council recognises the need to promote sustainable transport, any effective strategy must practically address the local conditions. Allowing new flat developments with no additional parking to be provided for new residents will exacerbate congestion around transport nodes as residents and commuters will be forced to compete for already sparse on-street or station parking spaces. Furthermore, the preference given to underground parking in the current Code should be retained and Council does not support the suggestion that at-grade and above ground parking may be acceptable or desirable (3J-4, 3J-5, and 3J-6).

As noted above, the addition of minimum apartment sizes for studio apartments is supported, however, the removal of the table providing a range of minimum sizes for varying bedroom sizes and layouts is not supported. This table encourages design quality and should be retained as the standard table of minimum apartment sizes.

Finally, while the City of Ryde supports the use of the Roads and Maritime Service's Guide to traffic generating developments, it is Council's view that this document needs to be made more readily available through the RMS and Department of Planning and Environment's websites.

Thank you for the opportunity to comment on the proposed changes.

Regards,

Meryl Bishop,

Acting Group Manager Environment & Planning

5 ADVISORY COMMITTEE MEMBERSHIP

Report prepared by: Governance Support Coordinator
File No.: CLR/07/8/22/4 - BP14/1203

REPORT SUMMARY

This report seeks confirmation of the current Advisory Committee membership for the following committees:

- Access Advisory Committee
- Bicycle Advisory Committee
- Bushland and Environment Advisory Committee
- Heritage Advisory Committee
- Status of Women Advisory Committee
- Economic Development Committee
- Macquarie Park Forum
- Community Harmony Reference Group
- Sport and Recreation Advisory Committee

This confirmation is required in accordance with each of these Committees' adopted Terms of Reference.

RECOMMENDATION:

That Council confirm the current membership of the following Advisory Committees:

- Access Advisory Committee
- Bicycle Advisory Committee
- Bushland and Environment Advisory Committee
- Heritage Advisory Committee
- Status of Women Advisory Committee
- Economic Development Committee
- Macquarie Park Forum
- Community Harmony Reference Group
- Sport and Recreation Advisory Committee

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:
Lorie Parkinson
Governance Support Coordinator

Report Approved By:
John Schanz
Manager - Governance, Risk and Audit

Roy Newsome
Group Manager - Corporate Services

ITEM 5 (continued)**Discussion**

Council currently has the following Advisory Committees in place:

- Access Advisory Committee
- Bicycle Advisory Committee
- Bushland and Environment Advisory Committee
- Community Harmony Reference Group
- Eastwood Events and Promotions
- Economic Development Committee
- Macquarie Park Forum
- Heritage Advisory Committee
- Ryde/Hunters Hill Joint Library Services Committee
- Ryde Youth Forum
- Sport and Recreation Advisory Committee
- Status of Women Advisory Committee
- Audit and Risk Committee

At the commencement of each Committee's term, following their Expression of Interest processes, each committee's membership was endorsed by Council.

Additionally, in the Terms of Reference of a number of these committees there is a requirement that their membership be submitted to Council annually. Accordingly, this report now seeks that Council confirm the membership of the following committees:

- Access Advisory Committee
- Bicycle Advisory Committee
- Bushland and Environment Advisory Committee
- Heritage Advisory Committee
- Status of Women Advisory Committee
- Economic Development Committee
- Macquarie Park Forum
- Community Harmony Reference Group
- Sport and Recreation Advisory Committee

Please note that the Eastwood Events and Promotions Committee is also required to present its membership to Council for confirmation. However, this committee is not included here, as its membership will be considered in a separate Council report.

ITEM 5 (continued)

Access Advisory Committee	
Councillor Membership	Councillor Pendleton (Chair)
Community Membership	Greg McClure Hazel Myers Doris Rose Carrall Brian Bernard Barbara Stannard Neita Matthews OAM Connie Netterfield Seaja Chang - Catholic Community Services, Korean Day Centre

Bicycle Advisory Committee	
Councillor Membership	Councillor Perram (Chair)
Community Membership	Doug Stewart - Bike North John Begley - Roads & Maritime Services David Edwards Alf Torrisi - Bike North Rebecca Lehman - Connect Macquarie Park Jill Hartley Penny Dillon - Optus Sarah Jo Steinhoff - Macquarie University

Bushland and Environment Advisory Committee	
Councillor Membership	Councillor Pendleton (Chair) Councillor Perram
Community Membership	Pamela Reeves - Environmental/Sustainable Groups Representative Libby Lawson - Bushcare Volunteer Representative David Thomas - Bushcare Volunteer Representative Justin Alick - Community Representative Margaret Kelly - Bushcare Volunteer Representative Jill Hartley - Environmental/Sustainable Groups Representative Geoff Hudson - Community Representative Peter Brown - Bushcare Volunteer Representative Bev Debrincat - Environmental/Sustainable Groups Representative Michele Cooper - Industry Body Representative

ITEM 5 (continued)

Heritage Advisory Committee	
Councillor Membership	Councillor Perram (Chair) Councillor Pendleton
Community Membership	Peter Mitchell Suzanne Marks Beth Kosnik Cate Fisher John Hull Jane Stott Jennie Minifie - Ryde Community Alliance Gregory Blaxell - Hunters Hill Historical Society Eleanor Chaine - Putney and Districts Progress Association Lyn Langtry - Ryde-Hunters Hill Flora & Fauna Preservation Society Peter Colthorpe - Centenary of Anzac & Commemoration of WW1 Committee

Status of Women Advisory Committee	
Councillor Membership	Councillor Pendleton (Chair) Councillor Maggio
Community Membership	Margarita Grunberg Rose Torossian Nora Alexanian Marg Somerville Simone Checchia Agnes Shim - Sydney Korean Women's Association Ivy Pang - Eastwood Chinese Senior Citizen Club

Economic Development Committee	
Councillor Membership	Councillor Etmekdjian (Chair) Councillor Chung
Community Membership	Doug Hardy Philip Peake Simone Checchia Morell Boyce - Ryde Business Forum Stephan Sojka - Rotary Lydia Scuglia - Ryde Business Forum Tony Abboud - Ryde Macquarie Park Chamber Brad Cha - Eastwood Chinese Business Community June Heinrich - Macquarie Community College Rebecca Lehman - Connect Macquarie Park & North Ryde Yvonne Dornan - Gladesville Chamber of Commerce

ITEM 5 (continued)

Economic Development Committee	
	David Tomkins - West Ryde Chamber of Commerce Cassy Norris - Ryde Secondary College Kaylar Michaelian - Ryde Business Forum Graeme Janes - Salvation Army Ryde City Eastwood Chamber of Commerce Korean Chamber of Commerce Chinese Chamber of Commerce Armenian Chamber of Commerce
Macquarie Park Forum	
Councillor Membership	Councillor Chung (Chair), Councillor Maggio Councillor Etmekdjian Councillor Perram
Community Membership	Ritchie Howitt Kim Saxon Vic Tagg Morell Boyce - Ryde Business Forum Andrew Wheatley - Johnson & Johnson Stephen Viles - Johnson & Johnson Gordon Hunt - Transport for NSW Vanessa Hindmarsh - Sonic Healthcare Graham McMaster - Pathways Properties Rob Caruana - Macquarie Shopping Centre Rebecca Lehman - Connect Macquarie Park and North Ryde Amelia Jelland - Property Council of Australia Peter Stewart - MGSM Stephen Sanlorenzo - Johnson & Johnson John Goubran - John Goubran & Assoc Mark Broomfield - Macquarie University Nathan Moulds - Salvation Army Tony Abboud - Snowden Properties Denys Bizinger - Jones Lang LaSalle Jeff Peers - AMP Capital Andrew Parker - Optus

ITEM 5 (continued)

Community Harmony Reference Group	
Councillor Membership	Councillor Yedelian OAM (Chair) Councillor Li Councillor Pendleton Councillor Etmekdjian
Community Membership	Hugh Lee Rose Torossian Hassib Elias Jon Soemarjono Ying-fan Yvonne Wang Li Hua Chu Safar Sarmed Agnes Shim Kim Lee

Sport and Recreation Advisory Committee	
Councillor Membership	Councillor Maggio (Chair) Councillor Perram
Community Membership	Matt Anderson Brad Shaw Anne Doring - Eastwood Ryde Netball Association Simon Farrow - Ultimate Frisbee NSW (UFNSW) Thomas Jubb - North Ryde Dockers Craig Menzies - NDCA Inc Geoff Driscoll - Gladesville Hornsby Football Association Russell Field - Norwest Sydney Women's Football Association Elizabeth Lawrence - Macquarie Dragons Football Club David Fletcher - Ryde Community Sports Centre Hernan Gonzales - Ryde Hornsby Baseball League Chris Harvey - Ryde Rugby Shirley McLachlan - Eastwood Croquet Club Sandra Donovan - Ryde Sailing Club

Financial Implications

Adoption of the recommendation will have no financial impact.

6 EASTWOOD EVENTS AND PROMOTIONS COMMITTEE

Report prepared by: Manager - Community Capacity and Events
File No.: GRP/09/4/10 - BP14/1198

REPORT SUMMARY

This report recommends to Council the adoption of the Minutes (**ATTACHMENT 1**) from the August 2014 Eastwood Events and Promotions Committee meeting which proposes changes to the Terms of Reference to include West Ryde business area, changes to the members of the committee and inclusion of the West Ryde Easter Parade and Fair as a sub-committee.

The proposed changes will expand the coverage of the Committee and its work to both Town Centres, so that when the plaza area in West Ryde is handed to Council the two areas could work together in promotions and event related activities.

RECOMMENDATION:

- (a) That Council adopt the minutes of the August 2014 Eastwood Events and Promotions Committee including draft changes to the Eastwood Events and Promotions Committee Terms of Reference.
- (b) That Council advertise for positions in the new committee and this is reported back to Council for approval.

ATTACHMENTS

- 1 Minutes - Eastwood Events and Promotions Advisory Committee - 25 August 2014
- 2 Minutes - Eastwood Events and Promotions Advisory Committee - 26 May 2014
- 3 DRAFT Eastwood Events and Promotion Committee Terms of Reference including West Ryde

Report Prepared By:

Derek McCarthy
Manager - Community Capacity and Events

Report Approved By:

Tatjana Domazet
Acting Group Manager - Community Life

ITEM 6 (continued)

Discussion

At its meeting held in May 2014, **(ATTACHMENT 2)** the Eastwood Events and Promotions Committee discussed the expansion of the committee to include the West Ryde business area, so that when the plaza area in West Ryde is handed to Council the two areas could work together in promotions and event related activities. The committee requested that a Draft Terms of Reference be developed to be tabled at the August 2014 meeting for further discussion.

The Draft Terms of Reference **(ATTACHMENT 3)** were presented at the August 2014 Committee meeting with the major changes being to include West Ryde Town Centre, the makeup of the committee and the inclusion of the West Ryde Easter Parade and Fair as a sub-committee similar to that of the Granny Smith Festival and the Lunar New Year events.

Background

The Eastwood Events and Promotions Committee is responsible for the following activities:

- organising entertainment and events in the Eastwood Town Centre;
- fund or co-funding any capital and maintenance improvements, within agreed budgets and delegations of staff in the Eastwood Town Centre which may be seen to be over and above the levels of service expected of Council;
- managing and monitoring the presentation of merchandise on display within Eastwood Plaza; and
- considering and making recommendations on any matter which Council may refer.

Council funds the Committee to undertake these activities through an annual budget allocation. This budget originated from funds received through the goods on display and the outdoor dining licences.

After the devastating fire in Eastwood Town Centre, Council appointed a part time Project Officer in 2013, to reinvigorate the area, this was expanded to include the West Ryde Town Centre due to the ongoing developments in the area, to look at ways to bring the community together and assist local business.

During this time Council has worked with the West Ryde Chamber of Commerce, local community and service groups to develop new programs for the area as well as working with established committees to further enhance existing programs.

ITEM 6 (continued)**Future Proposal**

With the West Ryde Plaza area nearing completion it was felt that there is a need to take a coordinated approach to how the Plaza area can be utilised, this includes use by community groups, busking, events and commercial use. This is very similar to the Eastwood Plaza and the Eastwood Events and Promotions Committee thought that a committee that looks at both areas and worked together in promotions and activities would be both beneficial and efficient.

The Draft Terms of Reference include West Ryde business area, changes to the members of the committee and inclusion of the West Ryde Easter Parade and Fair as a sub-committee.

The proposed make of the committee would include:

- No less than One (1) Councillor
- Two (2) members of the Eastwood Chamber of Commerce
- Two (2) members of the West Ryde Chamber of Commerce
- One (1) member of the Korean Chamber of Commerce
- One (1) member of the Meadowbank West Ryde Progress Association
- Two (2) community representatives

Council would advertise Expressions of Interest for the Committee and report back to Council for adoption.

Financial Implications

Adoption of the recommendation will have no financial impact.

Council currently funds activities in Eastwood, the Granny Smith Festival and provides part funding for the Lunar New Year and West Ryde Easter Parade and Fair; it is proposed that this does not change and any further events would require sourcing of external funding. Additionally there is funding under the Connecting Communities (Eastwood and West Ryde) Project which is currently used for smaller projects within West Ryde and Eastwood.

It is not proposed that any additional funding would be required for the proposed committee.

ITEM 6 (continued)**Consultation with relevant external bodies**

Staff have had initial discussions with the West Ryde Chamber of Commerce and Meadowbank West Ryde Progress Association about the make-up and role of the committee. Should Council proceed with this recommendation, staff will consult further with these groups in the committee and advertise for community participation.

Options

Council may decide not to proceed with the recommendation however this does not provide a planned approach to activities within West Ryde and coordination between West Ryde and Eastwood town centres.

ITEM 6 (continued)
ATTACHMENT 1
MEETING RECORD


Subject:	Eastwood Events and Promotions Committee	Page 1 of 3
File No:	COR2013/208/4	
Document Ref:	D14/81998	
Venue:	Eastwood Women's Rest Centre, Hillview Road - Eastwood	
Date:	Monday, 25 th August 2014	
Time:	6.00pm	Started at: 6.05pm Closed at: 7.00pm
Chair:	Clr Etmekdjian	
Meeting Support (MS):	Linda Smith – EA to the Mayor and Councillors	
Staff Convenor:	Derek McCarthy	

Committee Role:

The Eastwood Events and Promotions Committee promotes and sponsors entertainment, new activities/initiatives in the Eastwood Town Centre.

Committee Members as per the Terms of Reference:

Councillor Representatives: Councillors Li (Chairman) Laxale and Perram.

Community Representatives: Tony Tang, Wilson Fu, Che Fai (Jeffrey) Tse, Vivien Lor, Roseanna Gallo JP, Hugh Lee and Peter Sullivan

Present	Apology	Name	Position Title	Organisation
x		Councillor Etmekdjian	Chairman	City of Ryde
x		Councillor Li	Councillor	City of Ryde
x		Councillor Perram	Councillor	City of Ryde (item 3.3 – 6.20pm)
		Mr Tony Tang		Rotary Club of Eastwood
	x	Mr Wilson Fu	Secretary	Eastwood Chinese Senior Citizens Club
		Mr Che Fai (Jeffery)Tse		Eastwood Chinese Senior Citizens Club
		Ms Vivien Lor		Community
	x	Mrs Roseanna Gallo JP		RG Music
x		Mr Hugh Lee OAM	President	AAAB
x		Mr Peter Sullivan		Eastwood Chamber of Commerce

Additional Attendees

Name	Position Title	Organisation
Derek McCarthy	Manager - Community Relations	City of Ryde
Ms Linda Smith	EA to the Mayor and Councillors	City of Ryde
Diane Turner	Community Project Officer	City of Ryde

Details	Action	Responsibility and Date
1. Apologies: As noted above	Noted	
2. Adoption of Minutes The minutes from the meeting of 26 th May 2014 were endorsed	Noted	
3.0 Business Arising		
3.1 Granny Smith Festival Update		

ITEM 6 (continued)

ATTACHMENT 1

MEETING RECORD

City of Ryde

	<p>including Minutes for June, July and August.</p> <p>Derek advised that preparations for the Festival are proceeding well. Stall holders, performers and participants in the parade have all been confirmed.</p>	Noted	
3.2	<p>Markets</p> <p>Derek advised that Council recently resolved to proceed to an EOI for markets to be held in Eastwood. Following the receipt of expressions of interest, further consultation will be carried out with local retailers. The matter will then again be submitted to Council.</p>	Noted	
3.3	<p>Committee Terms of Reference – West Ryde and Eastwood Events</p> <p>Derek provided a copy of the updated Terms of Reference and asked Committee Members to provide him with any additional suggestions by the end of the week.</p> <p>The revised Terms of Reference will then be submitted to Council for adoption.</p>	The Committee endorsed the changes to date and will submit further suggestions to Derek by the end of the week.	
3.4	<p>September Cinema and Christmas Cinema</p> <p>It was noted that the film Frozen will be shown in Eastwood Plaza on 19th September 2014.</p> <p>The film Elf, will be shown in the Plaza on 5th December 2014.</p>	Noted	
4.0	<p>New Business</p>		
4.1	<p>Tai Chi</p> <p>Derek advised that some complaints had been received with regard to the length of Tai Chi sessions and the noise associated with the Tai Chi group.</p> <p>Councillor Li advised that Council had discussed the use of the Plaza by the Tai Chi Group at the end of 2008 early 2009. Derek to check the conditions imposed by Council under which the group use the Plaza.</p> <p>Depending on the result of this investigation, the group may be asked to conclude practise by 9.30am.</p>	Noted. Derek to check past Council records and report back to this Committee.	

ITEM 6 (continued)
ATTACHMENT 1
MEETING RECORD

City of Ryde

4.2	Eastwood Plaza Permits Derek advised that Council is now issuing permits to buskers in the Plaza. This practice has been adopted to stop charity collectors operating outside the kiosk which they must book if they wish to operate in the area of the plaza. Permits are issued to all applicants unless they wish to operate in an inappropriate manner.	Noted	
4.3	Lunar New Year Dates 2015 Hugh Lee advised that the Committee had not set the dates for 2015 yet. Derek advised it may be necessary to introduce road closures and a Traffic Management Plan for 2015 to handle the traffic volume. This Plan should be submitted to the Local Traffic Committee before the end of 2014.	Hugh to advise this Committee of the dates when finalised by the Lunar New Year Committee. Derek to put Traffic Management Plan to Local Traffic Committee if deemed necessary.	
4.4	Moon Festival The Moon Festival will be held on 6 th September 2014. It is intended to unveil a new mural at this time. A report will be considered by Council regarding the mural on 26 th August 2014.	Noted. This Committee made a suggestion that all religious overtones be removed from the mural.	
4.5	Tasting Asia Derek advised that the Parks Section of Council had been approached to hire Eastwood Park for a "tasting Asia" festival at the end of January 2015. The matter is submitted for this Committee's information.	The Committee noted the information provided. It is considered by this Committee that the use of the Park for the requested purpose is not suitable as the group is not local and the timing may impact on the Lunar New Year Festival use of the area.	
5.	Confirmation of Next Meeting: Date: 24 th November 2014 Time: 6.00pm Venue: Eastwood Women's Rest Centre, Hillview Road, Eastwood	Noted	

ITEM 6 (continued)
ATTACHMENT 2
MEETING RECORD

City of Ryde

Subject:	Eastwood Events and Promotions Committee	Page 1 of 4
File No:	COR2013/208/4	
Document Ref:	D14/45699	
Venue:	Eastwood Women's Rest Centre, Hillview Road - Eastwood	
Date:	Monday, 26 th May 2014	
Time:	6.00pm	Started at: 6.05pm Closed at: 6.50pm
Chair:	Clr Etmekdjian	
Meeting Support (MS):	Linda Smith – EA to the Mayor and Councillors	
Staff Convenor:	Derek McCarthy	

Committee Role:

The Eastwood Events and Promotions Committee promotes and sponsors entertainment, new activities/initiatives in the Eastwood Town Centre.

Committee Members as per the Terms of Reference:

Councillor Representatives: Councillors Li (Chairman) Laxale and Perram.

Community Representatives: Tony Tang, Wilson Fu, Che Fai (Jeffrey) Tse, Vivien Lor, Roseanna Gallo JP, Hugh Lee and Peter Sullivan

Present	Apology	Name	Position Title	Organisation
x		Councillor Etmekdjian	Chairman	City of Ryde
	x	Councillor Li	Councillor	City of Ryde
x		Councillor Perram	Councillor	City of Ryde
		Mr Tony Tang		Rotary Club of Eastwood
x		Mr Wilson Fu	Secretary	Eastwood Chinese Senior Citizens Club
		Mr Che Fai (Jeffrey) Tse		Eastwood Chinese Senior Citizens Club
		Ms Vivien Lor		Community
x		Mrs Roseanna Gallo JP		RG Music
x		Mr Hugh Lee OAM	President	AAAB
x		Mr Peter Sullivan		Eastwood Chamber of Commerce

Additional Attendees

Name	Position Title	Organisation
Derek McCarthy	Manager - Community Relations	City of Ryde
Ms Linda Smith	EA to the Mayor and Councillors	City of Ryde

Details	Action	Responsibility and Date
1. Apologies: As noted above	Noted	
2. Adoption of Minutes The minutes from the meeting of 3 rd March 2014 were endorsed	Noted	
3.0 Business Arising		
3.1 <u>Lunar New Year Celebration 2014 - update</u>		

ITEM 6 (continued)

ATTACHMENT 2

MEETING RECORD

City of Ryde

	<p>Hugh advised that all matters regarding this event had been reported to the committee.</p> <p>He further advised that income exceeded expenditure in 2014 resulting in a surplus of funds. He asked how this surplus would be spent and could it be carried over to the 2015 Festival.</p> <p>Derek advised that funds could not be carried over for use at a future Lunar New Year Festival. He advised that some of the money may be spent on additional street pole banners.</p> <p>Derek advised that not all invoices had been paid but that the accounts should be finalised by 30th June 2014.</p> <p>It was noted that the Lunar New Committee will have a new Treasurer next year – Wilson Fu is taking on the role of treasurer following the resignation of Ricky Lui.</p> <p>The issue regarding payment to performers by Liz Kim was discussed and noted.</p>	Noted	
4.0	New Business		
4.1	Granny Smith Festival Minutes – May	Noted	
	The Minutes of the Granny Smith Festival Committee were noted.		
4.2	<p>Markets</p> <p>Council had previously resolved that a report be prepared by the Group Manager - Community Life on the possibility of holding a night market in Eastwood.</p> <p>In preparing this report, the advice of the Eastwood Events Committee is sought.</p> <p>Derek provided examples of the types of markets that Council could hold ie night markets, farmers market, art market etc.</p> <p>It is considered important that the markets be held regularly.</p> <p>A night food market could be held in conjunction with Lunar New Year and not as a regular event.</p> <p>A Sunday farmers market at Eastwood was suggested for reasons of less traffic congestion and less competition with retailers and complimenting the</p>	Noted	

ITEM 6 (continued)

ATTACHMENT 2

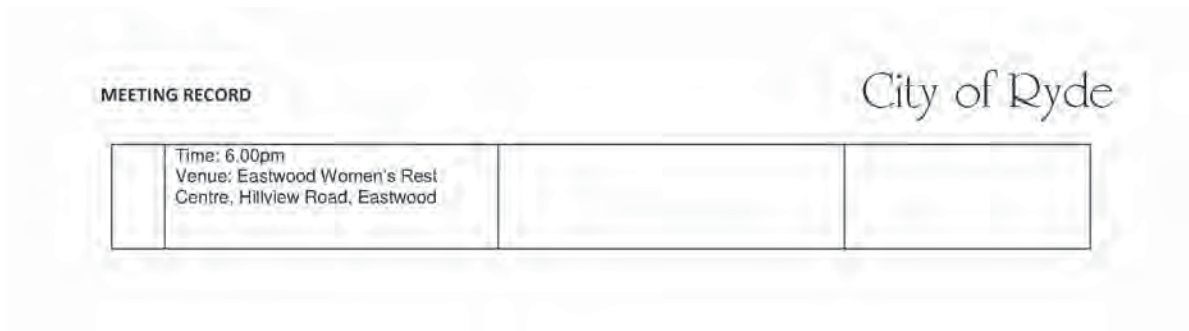
MEETING RECORD

City of Ryde

	<p>reputation Eastwood has a Food hub</p> <p>An EOI process to conduct the markets was suggested.</p>		
4.4	<p>West Ryde and Eastwood Events</p> <p>A suggestion was made that a combined committee be formed to consider both Eastwood and West Ryde events.</p> <p>Derek will review the Terms of Reference for the Eastwood Events and Promotions Advisory Committee to determine if it is possible to add items raised by West Ryde Chamber of Commerce to the agenda for this committee.</p> <p>It would be good to have a collaborative approach to events in both Eastwood and West Ryde.</p> <p>A suggestion of a combined committee with sub committees as currently exist for Lunar New Year, Granny Smith and West Ryde Easter Fair was supported by the committee.</p> <p>There would be an advantage re use of resources if a combined committee were formed.</p> <p>Finances to support events in the two suburbs would need to be kept separate.</p> <p>Each area would need its own means of generating income.</p>	<p>Derek to investigate the possibility of altering the Terms of Reference of the Eastwood Events and Promotions Advisory Committee to permit a combined West Ryde and Eastwood Events Committee.</p>	
4.4	<p>Christmas Cinema – Date confirmation</p> <p>A Christmas movie night will be held on the first Thursday in December.</p> <p>A children’s film will be shown on either the 19th or 20th September.</p> <p>Derek advised that a trial by the Benevolent Society of a Food tour was held on 26th April 2014 and was successful with excellent feedback received.</p> <p>Local guides are trained through TAFE to guide the tours.</p> <p>The program will be ongoing.</p>	<p>Noted</p>	
5.	<p>Confirmation of Next Meeting:</p> <p>Date: 25th August 2014</p>	<p>Noted</p>	

ITEM 6 (continued)

ATTACHMENT 2



MEETING RECORD


	Time: 6.00pm Venue: Eastwood Women's Rest Centre, Hillview Road, Eastwood		
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City of Ryde


ITEM 6 (continued)

ATTACHMENT 3



 City of Ryde

Lifestyle and opportunity @ your doorstep



Terms of Reference
Eastwood [and West Ryde](#) Events and
Promotions Advisory Committee

Adopted: *TBC*

ITEM 6 (continued)
ATTACHMENT 3


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Document Version Control

Document Name:	Terms of Reference – Eastwood and West Ryde Events and Promotions Advisory Committee
Document ID:	D13/45718
Document Status:	Draft – <i>presented to Council for consideration</i>
Version Number:	Version 1.8
Date:	6 June 2013
Author:	City of Ryde
Authorised By:	Council on <i>TBC</i>
Distribution:	Council

Change History

Version	Issue Date	Author	Reason for Change
1.2	08/07/08	Scott Allen	Council Resolution 8 July 2008 to refer all minutes to Council/Committee meeting
1.3	07/10/08	Scott Allen	Council Resolution 7 October 2008 to ensure at least 1 Councillor delegate on each Committee, Mayor not automatically represented, Mayor not needed to be Chairperson and Chairperson to be either Councillor or Staff Member.
1.4	16/4/09	Derek McCarthy	Council Resolution 8 July 2009 to review terms of reference to reflect Granny Smith Festival Committee, amendments made to starting times of meetings and chair
1.5	09/6/10	Derek McCarthy	Updated Casual Vacancies
1.6	14/9/10	Jennifer Anderson	Resolution of Council 14 September 2010 to report all minutes to CIB unless resolution to Council required: page 7
1.7	1/11/12	Lorie Parkinson	Resolution of Council 16 October 2012. If a member of a Committee misses three consecutive meetings without apology, the position becomes vacant: page 5.
1.8	03/6/13	Courtney Long	Reformat to align with City of Ryde branding. Insert paragraph linking role to Community Strategic plan
1.9	19/08/14	Derek McCarthy	Inclusion of West Ryde town centre into committee



ITEM 6 (continued)

ATTACHMENT 3



Contents

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4. Meetings.....	7
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6. Code of Conduct and Other Council Policies.....	8



ITEM 6 (continued)

ATTACHMENT 3



1. Roles

The City of Ryde has adopted a Community Strategic Plan and Delivery Plan that will shape all activities and projects over the next four years. Council's Advisory Committees are an important mechanism for consultation, advice and feedback to Council staff on implementation and review of the Community Strategic Plan.

The primary role of the Eastwood [and West Ryde](#) Events and Promotions Advisory Committee is to:

- promote and sponsor entertainment in the Eastwood [and West Ryde](#) Town Centres;
- Promote and sponsor new activities/initiatives which enhance the profile of the Eastwood [and West Ryde](#) Town Centres.

2. Responsibilities

The Eastwood [and West Ryde](#) Events and Promotions Advisory Committee is responsible for:

- organising entertainment and events in the Eastwood [and West Ryde](#) Town Centre;
- fund or co-funding any capital and maintenance improvements, within agreed budgets and delegations of staff in the Eastwood Town Centre which may be seen to be over and above the levels of service expected of Council;
- managing and monitoring the presentation of merchandise on display within Eastwood Plaza;
- Considering and making recommendations on any matter which Council may refer to it.

3. Membership, Chairperson and Voting

Membership of the Eastwood [and West Ryde](#) Events and Promotions Advisory Committee comprises of:

- No less than one (1) Councillor appointed annually
(Resolution of Council, 7 October 2008)
- ~~Four~~ Two (4~~2~~) members of Eastwood Chamber of Commerce
- Two (2) members of West Ryde Chamber of Commerce
- ~~Two~~ (2) One (1) members of Korean Chamber of Commerce
- ~~Two~~ One (1~~2~~) members of Eastwood Community Association
- One (1) member Meadowbank West Ryde Progress Association
- Two (2) community representatives

Note: the Mayor is not automatically represented on certain Committees
(Resolution of Council, 7 October 2008)

Local residents shall be appointed by resolution of Council following advertisement for nominations in at least one local newspaper, on Council's website and in the Mayoral Column. Nominations are to be in writing and are to be circulated in full to the Councillors



ITEM 6 (continued)**ATTACHMENT 3**

for evaluation. The Committee will not be involved in the evaluation or selection process of any local resident representatives.

The following City of Ryde staff ordinarily attend the Committee meetings but are not members of the Committee:

- Manager – Community Capacity and Events
- Team Manger – Event Development

Council officers will provide professional advice and administrative support. It should be noted that employees of the Council are not subject to the direction of the Advisory Committee or any members thereof.

Term of Membership to Committee

Members appointed to the Committee shall be appointed for the 4-year (or remainder thereof) term of the current Council, although membership can be altered at any time by resolution of Council. Each September, the current membership of the Committee will be submitted to Council for confirmation.

Membership of the Committee can be withdrawn by resolution of Council only. Council staff will be appointed and removed by the General Manager.

If a member of a Committee misses three consecutive meetings without apology, their membership will be withdrawn and the position will be deemed vacant. *(Resolution of Council, 16 October 2012).*

Casual Vacancy

(Resolution of Council, 7 October 2008)

A casual vacancy caused by the resignation or death of a Member, or the withdrawal of membership, will be filled by undertaking the following process:

- (i) Where a casual vacancy occurs, the Committee Facilitator will report this matter to the next Advisory Committee meeting and record it appropriately in the Minutes, and highlight it in the report to the next available Council Meeting.
- (ii) The Committee Facilitator will provide a report to the next available Council Meeting regarding the proposed replacement that will give consideration to the following options:
 - (a) If the Member was nominated as the representative of an organisation it will be recommended that the organisation be invited to nominate a replacement representative (if no alternate member has previously been nominated).
 - (b) If the Member was nominated as an individual, the Committee Facilitator will review the original expressions of interest received and will confirm if any of those individuals who were previously nominated, are still prepared to be considered as a member of the respective committee for the Committee.
 - (c) Where, due to either no other previous nominations, or those nominations not being current, an expression of interest will be called for in replacing member/s, for appointment by Council.



ITEM 6 (continued)**ATTACHMENT 3**

- (d) Where a vacancy occurs within 9 months of the end of the term of the current Council, the vacancy will not be filled.
- (iii) Once endorsed by Council, a Member filling a casual vacancy will hold office for the remainder of the term of the Member he/she has replaced.

The Chairperson of the Committee is:

- A Councillor or Staff Member as elected by Council.

The Chairperson is to have precedence at the meeting and shall determine the order of proceedings, generally as set by the agenda.

All remarks by members of the Committee and others present shall be made through the Chairperson. In the absence of the Chairperson, another Councillor Member of the Committee or the Committee Facilitator shall chair the meeting.

A staff member appointed as Chairperson of the Committee, does not become a formal member of the Committee by virtue of this position. All staff are representatives of Council only and not members of the Committee. It is not necessary that the Chairperson be a member of the Committee.

Council's Code of Meeting Practice shall be used as the reference guide for any matters pertaining to the Committee meetings that are not otherwise outlined in these Terms of Reference.

The Chairperson is to be a staff member or Councillor. Where the Mayor is appointed to be a delegate, it is not necessary that the Mayor be the Chairperson of this Committee.
(Resolution of Council, 7 October 2008)

Committee Facilitator

A Committee Facilitator shall be appointed by the General Manager. The Facilitator shall be a staff member of Council and is responsible for coordinating the preparation of agendas, invitations and minutes of the Committee. The Facilitator shall also be responsible for coordinating any presentations from guest speakers and for considering requests from members of the public to address the Committee. The Facilitator has the right to refuse a request from a member of the public to address the Committee if it is deemed more appropriate for that person to address a formal Council or Committee meeting.

Voting

No formal voting rules apply. As the Committee has an advisory role, its recommendations are made by consensus and no recommendation is deemed to be a decision of Council unless the matter is referred to Council for determination. If consensus is not achieved, and if required, the matter shall be referred to Council for determination.



ITEM 6 (continued)**ATTACHMENT 3****Proxy**

No voting by proxy is permitted. Only members in attendance at the meeting shall be entitled to participate in the decision making process of the Committee. If a member is unable to attend the meeting but wishes to be in attendance for discussion of a particular matter, he/she can notify the Chairperson prior to the meeting to request deferral of the item to a subsequent meeting or to request that the Chairperson formally indicate the member's view to the Committee during the discussion on the matter. The Committee shall decide if a matter is to be deferred to a subsequent meeting based on the representations made to the Chairperson by the absent member.

Quorum

As the Committee is advisory only no quorum is required, however, the Chairperson shall use his/her discretion to determine if any item on the agenda should be deferred to a future meeting if it is considered there are insufficient people at the meeting to consider the item.

4. Meetings**Meeting Schedule and Procedures**

Meetings are to be held on the 4th Monday of February, May, August and November from 6.00 to 7.15pm at the Eastwood Women's Rest Centre, Hillview Road, Eastwood (rear of Eastwood Library). The Chairperson has the authority to call meetings.

The Agenda & meeting papers shall be circulated to members at least 3 days prior to meeting.

Each meeting shall be properly recorded by the taking of minutes.

Public Participation

All meetings of the Committee are public meetings. Members of the public and media can attend meetings as observers; however, they cannot speak at a meeting unless prior arrangements are made through the Committee Facilitator. Presentations shall be limited to a maximum of 5 minutes.

5. Communications and Reporting

The agendas and minutes of the Committee shall be stored as a permanent record of Council, as determined by the General Manager.

The minutes of each meeting shall be circulated to all members as soon as practicable. Any questions by members regarding the minutes are to be referred immediately to the Committee Facilitator and if any error in the minutes is confirmed, the Committee Facilitator shall arrange to make the appropriate changes.

The Minutes of all Advisory Committees will be reported in the Councillor Information Bulletin within two (2) weeks of the Committee meeting. However, if a resolution of Council is required, e.g. allocation of funds, resources or an amendment to any Council Policy, then the Minutes shall be reported to the next available Council meeting. *(Resolution of Council, 14 September 2010)*

All agendas shall be published on Council's website within 5 days of completion.



ITEM 6 (continued)

ATTACHMENT 3

All Advisory Committee minutes shall be published on Council's website within 5 days of completion or adoption by Council. (*Resolution of Council, 14 September 2010*)

A report may be prepared for Council's consideration where the Committee suggests an action (or actions) which staff cannot carry out within existing delegations.

Members of the Committee are not permitted to speak to the media as representatives of the Committee unless approved by Council.

6. Code of Conduct and Other Council Policies

Each Committee member who is not otherwise a Councillor or staff member shall be provided with a copy of Council's Code of Conduct and other related policies that may be applicable to the operation of the Committee.

The conduct of each Committee member is expected to be consistent with the principles outlined in these Council publications.

7. Sub Committees

Sub-Committees may be established for the planning and conduct of events within the Eastwood Town Centre area, these events may be an annual event or one off activities. Sub-Committees will be established at the discretion of the Chairperson.

- Granny Smith Festival
- Ryde Lunar New Year Festival
- [West Ryde Easter Parade and Fair](#)

Committee members of the Granny Smith Festival and the Ryde Lunar New Year Festival shall comprise of a minimum of:

- One (1) Councillor
- Two (2) members of Eastwood [and West Ryde](#) Events and Promotions Advisory Committee
- One (1) member of Eastwood Chamber of Commerce
- One (1) member of Korean Chamber of Commerce
- Two (2) community representatives
- One (1) City of Ryde staff

[Committee members of the West Ryde Easter Parade and Fair shall comprise of:](#)

- [One \(1\) Councillor](#)
- [One \(1\) member of Eastwood and West Ryde Events and Promotions Advisory Committee](#)
- [Two \(2\) members of West Ryde Chamber of Commerce](#)
- [Two \(2\) community representatives](#)
- [One \(1\) City of Ryde staff](#)

The Chairperson of the Sub Committees is the nominated Councillor/Community Representative.

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ATTACHMENT 3



Minutes of the meetings of Sub Committees are to be reported back to the Eastwood [and West Ryde](#) Events and Promotions Advisory Committee at the meeting following Sub Committee Meetings.

All members of Sub Committees are to abide by the Terms of Reference of the Eastwood [and West Ryde](#) Events and Promotions Advisory Committee.

The frequency, location and time of meetings are to be determined by the Chairperson of the Sub Committees.



7 COUNCIL PARKING INFRINGEMENT POLICY

Report prepared by: Team Leader - Business Administration; Business Support Co-ordinator

File No.: GRP/09/6/5 - BP14/796

REPORT SUMMARY

On 11 February 2014 Council considered a Notice of Motion regarding Council Infringement Policies and Implementation (NOM 1) and subsequently, at its meeting of 13 May 2014, Council considered the findings of a review of the NSW Law Reform Commission's report on Penalty Notices (Report 132). Council resolved:

That Council review its Enforcement Parking Policy considering the NSW Law Reform Commission's (LRC) Report, particularly those parts:

- (a) referring to vulnerable persons; and*
- (b) the issuing of cautions.*

The majority of the recommendations contained in *NSW LRC Report 132* are directed to State agencies and are not directly relevant to Council operations. However, the report states that there is room for improvement in cautioning practices in NSW and consequently makes a number of recommendations to address this; the report also makes recommendations relating to the amount of information to be provided to recipients of notices and the matters relevant when reviewing officers assess an appeal of a notice.

In each of the areas identified by the LRC's recommendations the City of Ryde complies with the current legislative requirements. However, a review of Council's Enforcement of Parking Policy and the cautioning practices in operation has identified two key areas where further improvements can be implemented in accordance with the intent of the LRC's report:

- Clearer definition of Council's cautioning practice;
- and clarification of the Adjudication Officer's discretion to issue cautions.

In addition a number of other housekeeping changes have been identified.

This report details Council's current cautioning practices and the legislative framework in which they operate, and recommends that Council's Enforcement of Parking Policy be updated to better recognise the need for flexibility, particularly in the treatment of vulnerable people.

RECOMMENDATION:

That Council endorse the amendments to the *Enforcement of Parking Policy* and procedures as outlined in this report.

ITEM 7 (continued)

ATTACHMENTS

1 Draft Parking Enforcement Policy

Report Prepared By:

Anita Leighton
Team Leader - Business Administration

Dyalan Govender
Business Support Co-ordinator

Report Approved By:

Leon Marskell
Manager - Regulatory Services

Meryl Bishop
Acting Group Manager - Environment and Planning

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Context

The *NSW Law Reform Commission (LRC) Report 132 Penalty Notices* was released in April 2012 and was a discussion paper about State legislation in force for the issuing of penalty notices; it was primarily related to the provisions of the *Fines Act 1996* (NSW) as they relate to the setting of fine amounts and penalties. The NSW State Government is the statutory body for the implementation, review, amendment and notification of any amendments to the *Fines Act 1996*. The State Debt Recovery Office (SDRO) being the State Government Department for the administration of penalty notices for all Agencies is the authority responsible for the introduction of any changes stemming from the LRC relating to the administration of penalty notices including fine amounts and the review process.

Since the LRC published its report, the City of Ryde has reviewed and endorsed the State Debt Recovery Office (SDRO) service level agreement (SLA) which addressed a number of the 72 Recommendations within the LRC's report. The City of Ryde signed a five (5) year SLA with the SDRO on the 13 December 2013 as a result of a Council resolution at its meeting of 10 December 2013.

To date, Council is not aware of any changes to the statutory requirements implemented in response to the LRC's Report. However, should changes be made, Council will review its policies and procedures to ensure on-going legislative compliance.

Discussion

The Manager of Rangers and Parking Services has undertaken a comprehensive review of the *NSW Law Reform Commission (LRC) Report 132* with particular reference to the issuing of cautions and vulnerable people as per Council's resolution of 13 May 2014. In addition, Council's cautioning and warning practices were also reviewed, as was Council's Parking Enforcement Policy.

Evaluation of current issuing of cautions

Under section 19A of *Fine's Act 1996* an official caution may be issued instead of a penalty notice if the officer deems it appropriate in the circumstances. The Act specifies that applicable guidelines must be considered in making this decision. Legislation pertinent to the issuing of cautions indicates:

The authorised officer is the sole person delegated and authorised to use their discretionary powers to issue a verbal or formal caution at the time of offence. Any other direction either verbally or in writing from a member of staff or Council would be deemed as fettering the legislated discretionary powers of the issuing officer.

"Authorised Officer" refers to Council's Parking Enforcement Rangers, who are delegated and authorised to undertake regulatory activities under the relevant legislation.

ITEM 7 (continued)

Under the City of Ryde's policy and procedure the following warnings and cautions are issued:

- verbal warnings issued on the spot
- formal cautions (penalty notices with a \$0.00 amount issued either in person or through post)
- formal cautions which are issued by letter after a period of time

Over a two (2) month period from June to July 2014 a detailed record of the number of warnings and cautions issued by City of Ryde was kept by Council staff. The key findings are outlined below:

- 544 verbal warnings were issued on the spot to motorists. A large proportion of these offences were of a minor nature.
- 148 formal cautions were issued (those penalty notices issued with a \$0.00 amount).
- 4391 Penalty Notices were issued.

According to the data collected, in June and July 2014 a total of 692 warnings and cautions and 4391 Penalty Notices were issued, representing a total of 5083 interactions between staff and individuals undertaking activities that may result in the issuing of a penalty notice; 13.6% of these interactions resulted in a warning or caution.

This period reflects the usual policy and practice of City of Ryde enforcement officers. The volume of notices issued is broadly consistent with the volume seen in previous years. Staff are not aware of any Council that currently reports on the number of cautions (verbal warnings) and subsequently there is no comparative data available from other Local Government Areas.

While Council's current Council's Enforcement of Parking Policy requires officers to "display sound judgement in exercising any discretion to issue a PIN" and to "ensure that the Road Rules (2008) are pursued in a fair and equitable manner" there are no detailed provisions identifying circumstances in which a caution may be issued. To provide more clarity in this area and to ensure compassionate and considered enforcement practices are adopted in accordance with the intent of the LRC's report is recommended that the following be added to Council's policy:

The authorised officer is the sole person delegated and authorised to use their discretionary powers to issue a verbal warning or formal caution at the time of offence. Without limiting the discretion to give a caution, the matter that should be taken into account when deciding whether it is appropriate to give a person a caution instead of a penalty notice include instances when the officer has reasonable grounds to believe:

- *that the person has a mental illness or intellectual disability,*

ITEM 7 (continued)

- *is homeless,*
- *is under 18,*
- *has a special infirmity or is in very poor health,*
- *is a visitor from interstate or overseas and was not aware that their conduct constituted an offence,*
- *was responding to a medical or other serious emergency*
- *any other matters identified for consideration in the Fines Act 1996 and any relevant Guidelines issued by the Attorney General under section 19A(3) of the Fines Act 1996.*

The fact that one or more of these factors is present does not mean that the officer is obliged to issue a caution. All the circumstances of the case should be taken into account to determine whether a caution is an appropriate and reasonable response to the offence.

The proposed provision would ensure Council's policy explicitly provides for the consideration of vulnerable people and other mitigating circumstances in Council's parking enforcement activities. It is also consistent with the current applicable legislation and guidelines under the *Fines Act 1996* and Attorney General's guidelines.

Feedback from Council's Parking Enforcement Officers indicates that in practice it is very difficult to determine whether a driver of a motor vehicle could be deemed a vulnerable person when they are observed creating a minor parking offence and the verbal interaction between both parties can last less than ten (10) seconds. In the vast majority of instances, cautions are issued where the offending behaviour does not involve a risk to public safety, damage to property, or significant impact on other members of the public, and where in all the circumstances of the case it appears appropriate to issue a caution.

Given the operational difficulties involved in identifying vulnerable people at the time of an offence and then the subsequent issuing of a fine, the SDRO and Council's Adjudication Panel also have a role to play in ensuring Council's Parking Policy is enforced with appropriate compassion and consideration.

Evaluation of current review process

Under Council's current agreement with the SDRO, they are responsible for the administration of all representations received in relation to Infringement Notices issued by Council. This includes representations in relation to traffic, animal and pollution offences. However, Council has also negotiated the capacity to maintain an Adjudication Officer, to provide a further avenue of review. Accordingly, the following procedure has been adopted by Council:

- (a) In the first instance, all representations must be forwarded to SDRO and must contain the following particulars: the name, address, date of offence, registration number of vehicle, make of vehicle, location of offence, and infringement notice number.

ITEM 7 (continued)

- (b) Upon receipt of the appellant's representations, SDRO will consider the representations and make a decision. When the review is completed the appellant will receive written advice of the outcome, including one of the following;
- (i) **Penalty to stand** - the offence was proven and the circumstances or issues raised did not warrant granting a caution. You must pay the fine or elect to have the matter decided in court.
 - (ii) **Caution** - the penalty notice was issued correctly and the offence occurred but due to the circumstances and evidence provided you have now been issued a caution. Payment is not required and demerit points do not apply. However, for demerit point offences the caution will be recorded on your driving history.
 - (iii) **Cancellation** - the penalty notice does not sufficiently disclose the offence or has been issued in error. You do not have to pay the fine and demerit points (if applicable) will not be recorded
- (c) If the appellant is unsatisfied with the decision of SDRO, the appellant is entitled to request for internal review by Council's Adjudication Officer ("Officer") of the issue of the Notice, pursuant to s.24A of the Act. The appellant must provide the Officer with the particulars as outlined in the above paragraph (a).
- (d) The Officer will consider the appellants representations in accordance Council's Enforcement Parking Policy, the Attorney General's Internal Review Guidelines and Attorney General's Caution Guidelines.
- (e) When the review is completed the appellant will receive written advice of the outcome as outlined in the above paragraph (b)(i)-(iii). The Officer will also undertake to advise SDRO of his or her decision.

In addition to the SDRO and the Adjudication Officer, the appellant may request at any time during the internal review to have the matter determined by a Court. In such circumstances the internal review procedure is terminated and the matter is referred to Court, pursuant to s.23A (2B) and s.211 of the Act. Such requests must be forwarded in writing to SDRO by the Appellant.

The SDRO, Adjudication Officer, and the Court are all required to apply the provisions of the *Fines Act 1996* and any relevant guidelines issued by the Attorney General. Should an individual have concerns that their status as a vulnerable person or the circumstances of their case were not considered by the officer at the time of the offence, these three avenues of appeal are available and can be used to reduce an infringement notice to a caution where appropriate.

Council's Adjudication Officer considered 149 appeals in 13/14. Of those appealed notices, 18 were reduced to a caution, 1 was withdrawn entirely, and 130 notices were upheld. These notices were predominately in relation to parking and traffic offences, and also included issues relating to companion animals, illegal dumping and other regulatory matters relating to public safety and amenity.

ITEM 7 (continued)

The review procedure above is currently detailed in Council's Enforcement of Parking Policy, however, there is currently no specific reference to the Adjudication Officer's discretion to issue a caution. It is recommended that the following be added to Council's policy to ensure a compassionate and considered review process is in place:

Section 24E of the Act provides the Officer with a discretion to waive a Notice and/or issue a caution in the circumstances where a person is deemed to have an intellectual disability, a mental illness, a cognitive impairment or is homeless ("Vulnerable Persons"). The Officer will assess the circumstances surrounding the commission of the offence in accordance with the criteria as outlined in the Attorney General's Internal Review Guidelines.

Housekeeping to Enforcement of Parking Policy

In addition to the changes to improve Council's policy with respect to cautioning and vulnerable people, a number of housekeeping changes to the policy are proposed:

- Remove the reference to a processing fee for copies of photographs. This fee has been removed for Council's Fees and Charges and a copy of photographs can be provided by Customer Service free of charge; this will be reflected in the updated policy.
- Update reference to "the Australian Road Rules" to the current legislation – *Road Rules (2008)*
- Update references to "Regulatory Services" to *Ranger and Parking Services*.
- Update the reference to "relevant equipment" to ensure it is consistent with current practices.
- Update the Procedures for Appealing Penalty Infringement Notices to clarify the roles of Council and the SDRO under the terms of the current Premium Service Agreement, under which *the SDRO is responsible for processing penalty infringement notices ("Infringement Notices"), the collection of data and the collection of revenue from Infringement Notices issued by Council's officers.*
- On advice from Council's Adjudication Officer, the policy should specify the process by which the Adjudication Officer can request additional information from an appellant for the purposes of an internal review. To ensure reviews are dealt with in a timely manner it is proposed that the policy be updated as follows: *The Officer may request in writing for additional information from the appellant in relation to the representations. Such information must be forthcoming from the appellant within seven (7) days from the date of the request. If the requested information is not provided within this timeframe the internal review will be conducted in the absence of the requested information, pursuant to 24D(1)-(3) of the Act.*

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Given the proposed changes clarify and update the existing policy they do not require that the policy be re-exhibited.

Financial implications

There will be no financial implications as a result of the recommendations contained within this report.

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ATTACHMENT 1

Enforcement of Parking Policy

Policy Statement

The purpose of this policy is to provide objectives, standards and procedures to assist in the fair, transparent and equitable enforcement of parking within the City of Ryde. The policy provides guidance for enforcement officers in the performance of their duties as well as detailing appeals procedures for the benefit of the community and councillors.

Objectives

The following objectives are designed to assist and define the actions to be undertaken by each enforcement officer within the **Ranger and Parking Services** Unit. Each officer should seek to:

- Standardise procedures to be adopted in the undertaking of routine enforcement duties.
- Clearly identify his or her responsibilities and accountabilities.
- Adhere to the standard uniform requirements of the **Ranger and Parking Services** Unit.
- Adhere to Safe Working Procedures when encountering high-risk operational situations.
- Observe the statutory provisions and powers of Enforcement Officers.
- Engage in on-going training to ensure a high level of service provision.
- Pursue corporate and business unit service agreements.
- Pursue excellence in customer service.
- Contribute to an efficient, effective and professional **Ranger and Parking Services** Unit within the City of Ryde LGA.
- Establish uniformity and consistency in Regulatory Services Enforcement.
- Establish and adopt a high standard litigation procedure.
- Monitor and enforce the appropriate use of parking permits and Mobility Parking Scheme (MPS) permits in the City of Ryde.

Code of Ethics

Ethics is the code of moral and legal conduct required of all Regulatory Services staff.

Officers are required to be professional in their approach to their duties, and must always conduct themselves in an ethical and professional manner.

Officers must have a code of ethics to self-regulate their behaviour in the pursuit of their duties.

Enforcement of Parking Policy		
Owner: Rangers & Parking Services	Accountability: Traffic & Parking Regulatory	Policy Number: #ERP001 <i>Provided by Governance</i>
Trim Reference: RSU/10/4/9/2	Review date: 25 October 2016	Endorsed: 28 October 2014

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This code of ethics is regulated by legal obligations under various regulations and statutes including Council's Code of Conduct.

Enforcement Officers will not engage in any activity that will bring discredit upon himself or herself or the City of Ryde.

Officers shall:

- Not permit personal views, or prejudices to influence their attitude towards any person or duty required to be undertaken as part of the **Ranger and Parking Services Unit**.
- Respond to any reasonable request or lawful direction of any supervisor or manager of the Council.
- Not commit any act which constitutes dereliction of duties.
- Not commit any act that brings the City of Ryde or the **Ranger and Parking Services Unit** into disrepute.
- Not publicly criticise Council in any way that is demeaning, defamatory or brings disrespect, or embarrassment to the City of Ryde.
- Not publicly criticise any Council employee in any way, which is demeaning, defamatory or brings disrespect to Council or the **Ranger and Parking Services Unit**.
- Not obey any order or direction which is contrary to any law.
- Report any such unlawful order to the attention of an immediate supervisor, manager or if required the General Manager.
- Not solicit or receive any gift, gratuity, reward, fee, compensation or payment, which may compromise the officer or the City of Ryde in the execution of their duty.
- Abide by the City of Ryde's Code of Conduct

Dress Code

All Officers must be mindful that they are **public officers with a** high profile, highly visible ambassadors of the City of Ryde, before clients, staff and the public. Officers' individual appearance reflects the image portrayed by the City of Ryde.

Officers are issued with uniforms, and must be properly attired in full uniform, including name badge, at the commencement of duty. All Officers are required to wear a High Visibility Vest whilst carrying out any duties on any road or road related area irrespective of the duties undertaken.

Officers must maintain their uniforms in a clean and presentable manner and report any loss or damage to such immediately to the **Manager - Ranger and Parking Services (or delegate)**. Uniforms are issued or replaced as part of a set program. However, footwear will be replaced on a needs basis based on wear and tear.

All uniforms must be worn in accordance with any policy or procedure adopted by the **Ranger and Parking Services Unit** or any policy adopted by the City of Ryde and/or

Enforcement of Parking Policy		
Owner: Rangers & Parking Services	Accountability: Traffic & Parking Regulatory	Policy Number: #ERP001 Provided by Governance
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its OHS Management Unit. This includes the wearing of all issued PPE, long sleeve shirts, hats, vests and steel cap boots.

Conduct

All Officers shall:

- Be courteous and conduct themselves in a professional manner at all times.
- Reply to internal or external customer inquiries in a prompt and polite manner.
- Perform their duties impartially and in the best interest of the community, uninfluenced by fear or favour.
- Act in good faith in the interest of the City of Ryde and the community.
- Always act in accordance with their obligations of fidelity to their Council.

The Public is entitled to expect that:

- The business of the **Ranger and Parking Services** Unit and Council is conducted with efficiency, impartiality and with integrity.
- All members of staff obey the law, particularly, the provisions of all relevant Acts, Regulations and instruments.
- Duty to the public is always given absolute priority over the private interests of individuals or staff.

Formal Complaints

Formal complaints about the conduct of enforcement officers of council must be addressed in writing to the General Manager.

Parking Definitions

On-Street Parking

This relates to all public streets, roads, or car parks within the City of Ryde.

Off-Street Parking

Off-Street parking relates to all areas under Council jurisdiction regardless of area, and includes Council's Council Free Car Parks, allocated areas, parks, reserves and privately owned car parks that have Council approved Enforcement Agreements.

Delegated Authority to Enforce Parking

The Commissioner of Police, on the 19th July 2002, gave the authority for all Councils to enforce the provisions of the **Road Rules (2008)**, effective the 22nd July 2002.

Enforcement of Parking Policy		
Owner: Rangers & Parking Services	Accountability: Traffic & Parking Regulatory	Policy Number: #ERP001 <i>Provided by Governance</i>
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Presently, Council's Rangers are engaged in the core parking enforcement role generally between the hours of 7.50am – 5.40pm Monday – Sunday, including Public Holidays.

The **Manager – Ranger and Parking Services (or delegate)** will determine and designate an appropriate area/s that requires enforcement coverage. Rangers are required to carry out these duties and to follow instruction at all times.

Procedures for Parking Patrol Enforcement

Efficient and effective parking regulation relies heavily on systematic presence of officers. Consistency in enforcement is the key component in avoiding undue criticism to both the individual and the Unit as a whole. Officers will not act in a covert way in enforcing parking rules and restrictions.

Parking offences are strict liability offences, which mean that a breach of the law is sufficient to justify the issuing of a **penalty infringement notice (PIN)**. However, officers should:

- display sound judgment in exercising any discretion to issue a PIN,
- ensure that the Road Rules (2008) are pursued in a fair and equitable manner in keeping with this policy,
- put public safety first,
- exercise discretion in keeping with industry best practice.

It is acceptable to obtain photographic evidence of any vehicle that is committing an offence within the City of Ryde area.

The photographic evidence once obtained must be secured in Council's record system to restrict accessibility by the public and unauthorised members of staff.

It is expected Council Rangers will always enforce the provisions of the regulations in a pro-active manner and it is acceptable that there are times officers may act without warning to motorists, where specific safety issues are concerned.

Enforcement Officers shall adopt the following procedures and work practices in all but approved extenuating circumstances.

- Officers shall discharge and comply with the designated program of enforcement, as designated by the Manager – Rangers and Parking Services.
- All officers must be outfitted with the **required** equipment to carry out parking enforcement at all times whilst on patrol. It is acceptable for infringement notices to be issued by post to offending vehicles after the relevant details are checked with the NSW Police or through the RTA Drives24 system.

Where an officer issues a caution, it shall be issued electronically where possible and all enforcement staff are to follow the set protocol and issue an official caution through the PDA with a \$0.00 amount.

Enforcement of Parking Policy		
Owner: Rangers & Parking Services	Accountability: Traffic & Parking Regulatory	Policy Number: #ERP001 Provided by Governance
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ATTACHMENT 1



- Empty envelopes will not be left without a **penalty infringement notice** being issued. This may be construed as giving a caution to a vehicle and draw untold criticism upon the individual or unit.
- School Zone enforcement shall be conducted in an ethical and consistent manner. All Officers shall ensure at all times during their enforcement that they are visible to all users of the area (students, staff and parents).
- Notwithstanding the policy all officers shall further comply with and discharge every requirement of the State Debt Recovery Office (SDRO), in regards to the issuing of **penalty infringement notice**.
- Any Officer that does not comply with this Policy may be in breach of Council's Code of Conduct Policy.

The authorised officer is the sole person delegated and authorised to use their discretionary powers to issue a verbal warning or formal caution at the time of offence. Without limiting the discretion to give a caution, the matter that should be taken into account when deciding whether it is appropriate to give a person a caution instead of a penalty notice include instances when the officer has reasonable grounds to believe:

- that the person has a mental illness or intellectual disability,
- is homeless,
- is under 18,
- has a special infirmity or is in very poor health,
- is a visitor from interstate or overseas and was not aware that their conduct constituted an offence,
- was responding to a medical or other serious emergency
- any other matters identified for consideration in the Fines Act 1996 and any relevant Guidelines issued by the Attorney General under section 19A(3) of the Fines Act 1996.

The fact that one or more of these factors is present does not mean that the officer is obliged to issue a caution. All the circumstances of the case should be taken into account to determine whether a caution is an appropriate and reasonable response to the offence.

Procedures for Appealing Infringement Notices

The City of Ryde has a current premium service agreement with the SDRO; this agreement is for the provision of infringement processing, data collection and revenue collection from the infringement notices issued by council officers. The current fee for this service is \$17.45 per infringement notice, plus GST.

Another service provided by the SDRO is the administration of all representations in relation to all Infringement Notices issued by Council; this includes parking fines, companion animal offences and pollution matters.

Enforcement of Parking Policy		
Owner: Rangers & Parking Services	Accountability: Traffic & Parking Regulatory	Policy Number: #ERP001 <i>Provided by Governance</i>
Trim Reference: RSU/10/4/9/2	Review date: 25 October 2016	Endorsed: 28 October 2014

ITEM 7 (continued)

ATTACHMENT 1

The following procedure will be followed if a member of the public wishes to raise representations with the Council or the SDRO in relation to an infringement notice:

1. The representation must be in writing, containing the full name, address, date of offence, registration number of vehicle, make of vehicle, location of offence, and infringement notice number. This information should be forwarded directly to the SDRO, in the first instance, as the appropriate authority to action infringements.
2. In the event that the appellant is not happy with the decision of the SDRO, they may request a formal review of this decision by the City of Ryde's Adjudication Officer. All requests must be made in writing to the General Manager.

The decision for the Infringement Notice to be actioned as

- 1) Cautioned
- 2) Cancelled
- 3) Penalty to Stand

will be referred to the SDRO for action.

The determination of the Adjudication Officer (General Counsel) is final and no further correspondence will be entered into by the City of Ryde. The final option for appellants will be to have the matter determined through the Local Court. Requests for matters to be forwarded to the Court are to be made in writing to the SDRO.

Section 24E of the Act provides the Officer with a discretion to waive a Notice and/or issue a caution in the circumstances where a person is deemed to have an intellectual disability, a mental illness, a cognitive impairment or is homeless ("Vulnerable Persons"). The Officer will assess the circumstances surrounding the commission of the offence in accordance with the criteria as outlined in the Attorney General's Internal Review Guidelines.

Parking Offence photographs are available to be viewed at Council's Customer Service Centre during Council's business hours of 8.30am - 4.30pm Monday to Friday. There is no fee for viewing an offence photograph or obtaining a photograph which best displays the offence in line with Council's Management Plan. If a copy of the photograph is required, photographs are only provided in hard copy, and are to be requested through Council's Customer Service Centre.

Procedures for Councillors

Councillors are encouraged to advise constituents to forward their representations in writing to the SDRO in the first instance. Where Councillors make representations on behalf of constituents, any such representation must be made consistent with Council's Code of Conduct. Some particular requirements of the Code are:

Part 3 – General Conduct Obligations

Part 6 Relationship between Council Officials

Enforcement of Parking Policy		
Owner: Rangers & Parking Services	Accountability: Traffic & Parking Regulatory	Policy Number: #ERP001 Provided by Governance
Trim Reference: RSU/10/4/9/2	Review date: 25 October 2016	Endorsed: 28 October 2014

ITEM 7 (continued)

ATTACHMENT 1

Part 7 Access to Information and Council Resources

Part 8 – Maintaining the Integrity of this Code

Enforcement of Parking Policy		
Owner: Rangers & Parking Services	Accountability: Traffic & Parking Regulatory	Policy Number: #ERP001 <i>Provided by Governance</i>
Trim Reference: RSU/10/4/9/2	Review date: 25 October 2016	Endorsed: 28 October 2014

8 NSROC REGIONAL WASTE STRATEGY

Report prepared by: Waste Coordinator
File No.: GRP/09/3/11 - BP14/1197

REPORT SUMMARY

This report seeks adoption of the Northern Sydney Regional Waste Strategy 2014-2021. The Strategy has been developed on behalf of the seven Northern Sydney Regional Councils by NSROC, working closely with Waste Managers at the seven councils. The NSROC General Managers Advisory Committee has endorsed the draft Strategy for adoption by member Councils.

The Strategy creates an ongoing platform of agreed goals in waste management for the seven NSROC Councils to work on together for the mutual benefit of their communities. Adopting the Strategy should improve funding opportunities for Council through the NSW Environment Protection Authority's *Waste Less, Recycle More* initiative and also offer economies of scale by implementing projects over multiple Council areas.

The Strategy covers a seven year period and includes Annual Action Plans, which are revised by NSROC in consultation with its member Councils. By adopting the NSROC Regional Waste Strategy, the City of Ryde will have the opportunity to work in conjunction with neighbouring councils to deliver on Council's adopted *Waste Management Strategy 2014* (**ATTACHMENT 1 – CIRCULATED UNDER SEPARATE COVER**) Council staff have contributed towards the development of the Regional Waste Strategy, including the priority of projects under the five focus areas. The draft Strategy is consistent with Council's Waste Management Strategy and with the Waste Avoidance and Resource Recovery Strategy of the NSW Government, a document established under legislation.

RECOMMENDATION:

That Council adopts the Northern Sydney Regional Waste Strategy 2014-2021.

ATTACHMENTS

- 1 Waste Management Strategy 2014 – CIRCULATED UNDER SEPARATE COVER
- 2 Northern Sydney Regional Waste Strategy 2014 - 2021 - Action Plan – CIRCULATED UNDER SEPARATE COVER
- 3 Northern Sydney Regional Waste Strategy 2014 - 2021 - Directions Report – CIRCULATED UNDER SEPARATE COVER
- 4 Northern Sydney Regional Waste Strategy 2014 - 2021 - Regional Profile Report – CIRCULATED UNDER SEPARATE COVER
- 5 Northern Sydney Regional Waste Strategy 2014 - 2021 - Project Options – CIRCULATED UNDER SEPARATE COVER Assessment Report

ITEM 8 (continued)

Report Prepared By:

Denise Torres
Waste Coordinator

Report Approved By:

Jude Colechin
Section Manager - Waste

Joe So
Service Unit Manager - Business Infrastructure

George Dedes
Group Manager - Public Works

ITEM 8 (continued)

Background

The NSW Government's Northern Sydney Regional Action Plan includes a commitment for the NSW Environment Protection Authority (EPA) to deliver a Regional Waste Strategy for Northern Sydney. In 2012 the EPA sought expressions of interest from regional groups of councils to apply for four-year funding for regional waste coordination. The funding is available under the five-year \$465.7 million *Waste Less, Recycle More* initiative which is the funding mechanism supporting the Draft NSW Waste Avoidance and Resource Recovery Strategy 2013-21 and the means by which a share of funds collected under the Waste Levy (section 88 of the *Protection of the Environment Operations Act*) is returned to local government.

Following consultation with General Managers and waste specialists in member Councils, the NSROC submission for funding under this program was successful. In December 2013 the EPA confirmed a grant over the four years of \$600,000 for regional waste coordination, including the preparation of the Regional Waste Strategy (the Strategy) by June 2014.

In order to obtain greater consistency and allow comparison across regions, the EPA required all strategies to follow their *Regional waste avoidance and resource recovery strategy guidance* document.

In addition to the NSW policy settings expressed in the draft Waste Avoidance and Resource Recovery Strategy, the approach to the Strategy in Northern Sydney has been guided by the shared objectives for waste management developed in 2013 for the NSROC regional waste tender project and formally endorsed by applicant Councils, which are:

- **Better waste outcomes:** reducing the total volume of waste and the percentage of material disposed of to landfill.
- **Public benefits by working together:** combining resources to tackle market, behavioural, infrastructure and policy challenges.
- **Improved value for money:** containing costs escalation by combining demand over a sustained time period to stimulate market competition.
- **Secure waste disposal, processing and recycling infrastructure:** working together to ensure long-term provision of economically and environmentally sustainable waste solutions.

Strategy Development

In late January 2014 NSROC appointed a Regional Waste Management Coordinator to project manage the development and implementation of the Strategy. The Regional Coordinator will also seek additional funding through the Waste Less, Recycle More programs for regional action on waste avoidance and resource recovery. In developing

ITEM 8 (continued)

the Strategy NSROC has worked closely with the Waste Advisory Group, and the Executive Director has facilitated reporting to and endorsement by the General Managers Advisory Committee for key steps in the process.

In March 2014, SLR Consulting Australia Pty Ltd was engaged to prepare the draft Strategy. Given the very short timeframe available and the fact that all councils had undertaken extensive community consultation in preparing their Community Strategic Plans, it was decided to rely on council staff to provide input on behalf of their communities. The consultant interviewed staff at each of the councils and facilitated three workshops to ensure that both local and regional issues were considered and that key staff members were able to contribute to developing the Strategy.

Waste management is influenced by a complex web of legislative, policy, market, demographic and behavioural factors. In developing the Strategy, these factors were condensed into the following key drivers:

- Changes in waste composition;
- Changes to population and housing mix;
- Key legislative and policy drivers;
- Waste Hierarchy; and
- Lack of waste infrastructure in the Northern Sydney region.

The draft strategy reflects the influence of these drivers.

The basis of regional waste management planning was the current services provided by the seven councils and the experiences of councils in developing and implementing policies to minimise waste and increase reuse and recycling.

More than 50% of all household waste produced in the NSROC region is recycled from waste separated by residents at the kerbside. An additional 5% of waste is recovered for recycling at an Alternative Waste Treatment (AWT) facility, which means that approximately 56% of waste generated within the NSROC region is currently diverted from landfill. This leaves 44% of total household waste disposed of at a landfill facility, a position that has been stable for the last 3-4 years. While this achievement is better than both the NSW and Sydney metropolitan average, it is still well below the State target for 2021 of 70% recycling of municipal solid waste.

The challenge for Northern Sydney is the lack of available capacity of waste infrastructure to increase reuse and recovery rates. Increasing capacity requires both levels of government to work together to create incentive for industry to invest in new facilities.

ITEM 8 (continued)

In identifying the overarching direction for the Strategy, Council waste staff agreed on the following vision and objectives, which were endorsed by the General Managers Advisory Committee.

Vision: A community actively engaged in waste reduction, recycling and resource recovery, to protect the environment and enhance community well-being.

Concept	Regional Objective
Service Quality	To continuously improve waste management services for the community.
Responsibility	To better integrate waste management into council policies, plans and processes. To contribute to an improved policy framework with appropriate allocation of roles and responsibilities consistent with statutory powers.
Amenity and Public Health	To improve public amenity and maintain public health and safety through effective waste management.
Community Engagement	To increase the regional community's understanding of and participation in waste reduction, recycling and resource recovery.
Innovation and Sustainability	To increase access to improved waste management services and facilities for the region.
Value for money	To increase the cost effectiveness of waste management services.

Once the direction was identified, five regional targets were proposed. These targets will contribute towards State objectives while at the same time recognise the particular circumstances and challenges of the region. The targets and the basis for them are as follows:

1. 70% landfill diversion by 2021-22 (based on regional 2010-11 data)

- NSROC Councils are currently achieving just over 50% landfill diversion. Of the remaining waste currently going to landfill, compositional data suggests that 22% can be recycled through better segregation of dry recyclables under existing collection services.
- The waste which cannot be recycled through existing services (up to 40% of the red bin) can be managed through mechanical biological treatment (MBT) process similar to composting to produce a soil improver for land application and rehabilitation. The regional waste tender for disposal and recovery will set this goal.
- A further 16,000 tonnes of clean-up waste is currently managed in the region. Much of this waste stream can be re-used or recycled.

ITEM 8 (continued)**2. One per cent per capita reduction in waste generation by 2021-22 (based on regional 2013-14 data)**

- Achieving a per capita waste reduction target relies predominantly on external factors such as:
 - changes in individual behaviour in respect of waste management ;
 - economic conditions (e.g. reduction in consumer spending will reduce waste generation); and
 - changes in technology and manufacturing (e.g. changes to packaging and increased use of electronic equipment can change the overall composition and quantity of waste generated).
- Based on the future waste growth forecasts the waste generation per person in 2021-22 will be 509 kilograms.
- To achieve the 1% reduction in waste generation per person would require a reduction of 5.09 kilograms per year or 100 grams per week.

3. Access to waste drop-off centre for all NSROC LGA residents on the basis of 1 per 50,000 households by 2021-22 OR within 11 km^{} of home**

- Annual Household Chemical Clean-out events are becoming overly subscribed.
- Collection volumes for those events are increasing by 10% per year.
- Approximately 85% of the waste collected is low toxicity, with over 50% being paint.

*** Data from Victoria was used in benchmarking the population requirement and travel distances in this target*

4. 20% reduction in reported illegal dumping incidents by 2021-22 (based on regional 2012-13 data)

- Baseline data for regional illegal dumping incidents is not readily available. At a Strategy workshop one of the councils reported a reduction in illegal dumping incidents of more than 20% in one year following a targeted illegal dumping campaign.

5. Increased promotion of active community participation in litter control through targeted programs

- Baseline data for litter is not available at the regional level. NSROC Councils manage litter collection and collaborate on litter management issues which can be built upon under the Strategy.

ITEM 8 (continued)

Achievement of the targets will be heavily influenced by external economic and social impacts. In addition, any changes to legislation and State waste management policies and objectives will have an impact on local council waste management services and policies. Accordingly the implementation plan for the Strategy allows for flexibility to adapt to changing circumstances and opportunities through the Annual Action Plan revision process.

Based on the targets, NSROC Councils identified a list of possible projects/programs and agreed on the assessment criteria used to rank them. These were:

- Maximising regional access to new services or programs;
- Alignment with regional targets and objectives;
- Alignment with State targets and objectives;
- Prioritising improved management of harmful and problem waste streams;
- Maximising landfill diversion; and
- Maximising value for money.

After assessing the projects/programs against the criteria, the five highest ranked options became the five key Focus Areas in the NSROC Strategy:

- Managing Problem Wastes;
- Illegal Dumping Program;
- Improved Waste Management in MUDs;
- Community Education Programs; and
- Joint Waste Management Contracts.

Each of these Focus Areas includes a priority project which forms the basis of the Strategy and the Action Plan (**ATTACHMENT 2 – CIRCULATED UNDER SEPARATE COVER**). These are shown at pages 29-33 of the Directions document, (**ATTACHMENT 3 – CIRCULATED UNDER SEPARATE COVER**). The Action Plan is reviewed and updated each year until 2017 when the funding initiative ends. Following endorsement by the General Managers Advisory Committee, the 2014-15 Action Plan was submitted to the EPA as part of the draft Strategy.

The EPA does not formally endorse regional strategies, but has accepted that the draft NSROC Strategy meets the contractual milestone under the funding agreement.

Council Position

By adopting the NSROC Regional Waste Strategy, the City of Ryde will have the opportunity to work in conjunction with neighbouring Councils to deliver on Council's adopted *Waste Management Strategy 2014*. Council staff have contributed towards the development of the Regional Waste Strategy and the priority of projects under the five focus areas.

ITEM 8 (continued)

The information in the Regional Profile (**ATTACHMENT 4 – CIRCULATED UNDER SEPARATE COVER**) has been checked for accuracy and the Strategy reflects the discussion and input from the member councils. The draft Strategy is consistent with Council's *Waste Management Strategy* and with the Waste Avoidance and Resource Recovery Strategy of the NSW Government, a document established under legislation.

The suite of documents which make up the Regional Waste Strategy consists of:

- the *Directions* (**ATTACHMENT 3 – CIRCULATED UNDER SEPARATE COVER**) report setting out the regional vision for sustainable waste management and the objectives, targets and projects which will help achieve the vision;
- the *Regional Profile* (**ATTACHMENT 4 – CIRCULATED UNDER SEPARATE COVER**) report sets out regional waste data, the policy context and the current services offered by councils;
- the *Project Options Assessment* (**ATTACHMENT 5 – CIRCULATED UNDER SEPARATE COVER**) report explains the process used to appraise and prioritise projects; and
- the *Action Plan* (**ATTACHMENT 2 – CIRCULATED UNDER SEPARATE COVER**) lists the actions and timetable necessary to implement the priority projects.

Annual reviews of that Plan by NSROC in conjunction with the councils will ensure the Strategy remains relevant and reflects any changes in regional priorities.

The positioning of the Regional Waste Strategy within the planning framework for Councils is intended to be that it will both influence and be influenced by Council's Waste Management Strategy, as they evolve over the life of the Strategy.

Not all the actions proposed in the Strategy will be high priorities in each LGA, but the Strategy creates a valuable opportunity for the seven NSROC Councils to work collaboratively for the mutual benefit of their communities in waste management. Greater regional collaboration and shared services is one of the acknowledged future pathways under the NSW local government reform agenda. The Final Report of the Independent Panel on Local Government Reform Revitalising Local Government, recommends that increasing the scale of all or some council operations and policy roles is one of the pathways for increased efficiencies in council operations. Joint action and shared projects in waste management will demonstrate the capacity of the seven Northern Sydney Councils to work co-operatively to improve economic and environmental outcomes in a fundamental area of council operations.

ITEM 8 (continued)**Options**Option 1 – adopt the NSROC Waste Strategy 2014-2021

This option is recommended as it helps to create a more consistent approach to waste management across the region and the associated benefits of cooperation with other NSROC Councils for the mutual benefit of the community in waste management.

Option 2 – not to adopt the NSROC Waste Strategy 2014-2021

This option is not recommended as it would be a lost opportunity to work co-operatively with NSROC Councils to improve economic and environmental outcomes for the community in a fundamental area of Council's operations.

Financial Implications

The funding model for the Regional Waste Strategy has three components:

- Funds granted to NSROC to help implement the Strategy. NSROC will receive \$160,000 per annum for the next three years, which will generally be used to establish business cases for regional projects. This funding is from a non-contestable grant under the EPA's Better Waste and Recycling Fund.
- Council contributions. Where Councils participate in a regional project, they will contribute a share of its cost. These funds may be sourced from EPA allocations.
- EPA special purpose program funds. In most cases, regional projects will seek additional funding through the Waste Less Recycle More initiative.

Adopting the Strategy should improve Council's own chances of obtaining individual Council project funding where projects are consistent with the Northern Sydney Regional Waste Strategy.

Conclusion

Council has contributed towards the development of the Northern Sydney Regional Waste Strategy and the Strategy's objectives support Council's waste management plan. Adoption of the Strategy is recommended to help create a more consistent approach to waste management across the region and obtain the benefits of cooperation, where appropriate.

9 POLICY ON EXPENSES AND FACILITIES FOR THE MAYOR AND OTHER COUNCILLORS

Report prepared by: Governance Support Coordinator
File No.: CLR/07/8/9/6 - BP14/102

REPORT SUMMARY

The 'Policy on Expenses and Facilities for the Mayor and other Councillors' ensures that City of Ryde Councillors have access to reasonable facilities and support so they can fulfil their civic duties, while also ensuring accountability, transparency and equity.

This policy, as endorsed by Council on 26 August 2014, was placed on public exhibition between 1 September 2014 and 3 October 2014. During this period, no public submissions were received, and the Office of Local Government (OLG) advised that they were not in a position to provide any feedback on this occasion, due to the current Local Government Reform.

This report recommends that Council adopt the 'Policy on Expenses and Facilities for the Mayor and other Councillors', as **ATTACHED**.

RECOMMENDATION:

- (a) That Council adopt the **ATTACHED** 'Policy on Expenses and Facilities for the Mayor and other Councillors'.
- (b) That, in accordance with Section 253 of the Local Government Act 1993, a copy of the adopted policy be provided to the Office of Local Government.

ATTACHMENTS

- 1 Draft Councillor Expenses and Facilities Policy - October 2014

Report Prepared By:

Lorie Parkinson
Governance Support Coordinator

Report Approved By:

John Schanz
Manager - Governance, Risk and Audit

Roy Newsome
Group Manager - Corporate Services

ITEM 9 (continued)**Discussion**

The 'Policy on Expenses and Facilities for the Mayor and Other Councillors' must comply with the *Local Government Act 1993* (the Act). This policy ensures that there is accountability and transparency in the facilities provided to Councillors and the reimbursement of expenses incurred by Councillors in carrying out their civic duties. Council is required to review and adopt this policy annually, with Section 252 of the Act requiring that adoption occurs "within five months of the end of the year", that is by the end of November 2014.

This policy was last adopted by Council on 12 November 2013, following a significant review. There were changes to both the structure and content, including adding more extracts from relevant legislation, OLG circulars and guidelines, and the Code of Conduct.

The 2014 annual review of this policy resulted in minor changes and updates being proposed, to improve readability and provide clarity around requirements, consistency and reasoning. In the **ATTACHED** Policy, additions are shown in ***bold italic***, and deletions in ~~strike through~~. These changes were presented to Council on 26 August 2014, at which time Council resolved that the draft policy should go on public exhibition without further change.

Summary of proposed changes to the Policy

- (1) The Policy name was changed from 'Policy on the Payment of Expenses and Provision of Facilities for the Mayor and other Councillors' to ***Policy on Expenses and Facilities for the Mayor and Other Councillors***.
- (2) Policy Objective 1 was changed to: ***The objective of this Policy is to describe the facilities and expenses that Council will provide, fund or reimburse, to the Councillors of the City of Ryde.***
- (3) Further information was included in the Policy regarding direct payment and reimbursement to ensure that it was clear that the stated limits applied whether there was a direct payment to the supplier by Council, through reimbursement to the Councillor, or through a cash advance to the Councillor.
- (4) Further detail and extracts from the Office of Local Government (OLG) were included to provide clarity regarding the payment and reimbursement of partner expenses.
- (5) The need for tax invoices to be submitted when claiming reimbursement, in all but exceptional circumstances, was explained and emphasised.
- (6) Minor additions were made to ensure consistency in communication and reporting requirements following attendance at conferences or other events.

ITEM 9 (continued)

- (7) Minor amendments were made to reflect the current practice of allowing Councillors to choose air travel when travelling to country NSW.
- (8) The policy was updated to reflect the change in peak agency title to the **Office of Local Government (OLG)**.

Public Exhibition and Call for Submissions

As required by Section 253 of the Local Government Act, the draft policy, including the amendments adopted by Council, was placed on public exhibition for a minimum of 28 days, closing on 3 October 2014.

The draft policy was exhibited as follows:

- City of Ryde website: displayed from Monday, 1 September to Friday, 3 October 2014.
- Northern District Times: advertised on Wednesday, 4 September 2014.

It was advertised that the draft Policy was available to view on the City of Ryde website, at the Customer Service in the Civic Centre and at the Libraries. Submissions could be made directly on the City of Ryde website, by mail or by email.

No public submissions were received.

Additionally, as resolved by Council on 26 August 2014, the Office of Local Government (OLG) was provided with the draft Policy and invited to provide feedback by 4 October 2014. On 17 September 2014, the OLG advised that due to Local Government Reforms they were not in a position to review this policy.

As no public submissions were received, and the OLG declined to provide feedback, it is recommended that this draft policy, as **ATTACHED**, be adopted by Council.

Following adoption, Council is required to submit the policy to the OLG.

Critical Dates

Section 252 of the Local Government Act, 1993, requires that adoption occurs “within five months of the end of the year”, that is by the end of November 2014.

Council should be aware that further amendments can be made to the policy. However, if the amendments are considered to be significant, Council would be required to place the policy on public exhibition again for a period of 28 days, before it can be adopted.

Financial Impact

Adoption of these recommendations will have no financial impact.

ITEM 9 (continued)

ATTACHMENT 1

Policy on Expenses and Facilities for the Mayor and other Councillors



Scope

- (1) This Policy, and associated procedures and guidelines, may be cited as the Policy on the ~~Payment of Expenses and Provision of Facilities~~ for the Mayor and other Councillors, and is effective from ~~12 November 2013~~ xx month xxxx.
- (2) In this Policy, and associated procedures and guidelines, unless otherwise stated, the expression "Councillor" refers to all Councillors of the City of Ryde, including the Mayor and Deputy Mayor.

Purpose

This Policy ensures that Councillors have adequate access to the facilities and support required to fulfil their civic duties as elected representatives. It also aims to ensure that the facilities provided to Councillors to carry out their civic functions are equitable and in keeping with legislative requirements.

In addition, the purpose of this Policy, and associated procedures and guidelines, is to ensure that there is accountability and transparency in the **payment and** reimbursement of expenses incurred or to be incurred by the Councillors.

Council may disburse money only if the disbursement is authorised by the Local Government Act, either expressly or because it is supplemental, incidental to or consequential upon the exercise of its functions.

Objectives

- ~~(1) The objective of this Policy is to describe those expenses incurred or to be incurred by, and the facilities provided to the Councillors of the City of Ryde, the cost of which shall be met by the Council.~~
- (1) **The objective of this Policy is to describe the facilities and expenses that Council will provide, fund or reimburse, to the Councillors of the City of Ryde.**
- (2) This Policy also aims to uphold and demonstrate the following key principles:
 - (a) Conduct: Councillors must act lawfully, honestly and exercise a reasonable degree of care and diligence in carrying out their functions under the *Local Government Act 1993* or any other Act.
 - (b) Participation, equity and access: The provisions of the Policy are to be non-discriminatory and used in an equitable manner to enable the full participation by Councillors from different walks of life. The provisions of the Policy shall also be at an appropriate level to encourage members of the community, particularly under-represented groups such as those in primary caregiver roles, to seek election to Council by ensuring that they would not be financially or otherwise disadvantaged by undertaking the civic functions of a Councillor.

Draft Policy on Expenses and Facilities for the Mayor and other Councillors		
Owner: Governance, Risk & Audit	Accountability: Mayoral and Councillor support service	Policy: CSG005
Trim Reference: D14/64644	Adopted for Public Exhibition: 26 August 2014	Page: 1

ITEM 9 (continued)

ATTACHMENT 1

Policy on the Payment of the Expenses and Provision of Facilities for the Mayor and other Councillors

The Policy shall also take into account and make reasonable provision for the special needs of Councillors to allow access to the appropriate parts of Council premises, and facilities, and maximise participation in the civic duties and business of Council.

- (c) Accountability and transparency: The details and range of benefits provided to the Councillors are to be clearly stated and be fully transparent and acceptable to the local community.
 - (d) Reasonable expenses: Councillors shall only be reimbursed for expenses reasonably incurred in their performance of their role as a Councillor.
 - (e) Private benefit: Councillors shall not obtain private benefit from the provision of equipment and facilities. Occasional incidental private use is acknowledged, and is not subject to a compensatory payback. Should substantial private use occur, payback or reimbursement will be required.
- (3) Only those entitlements specifically described in this Policy shall be provided by the Council.

References - Legislation

This Policy is made pursuant to Sections 252 - 254 of the Local Government Act 1993, Clause 403 of the Local Government (General) Regulation 2005, and the Office of Local Government's *Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW* (2009).

Review Process and Endorsement

Council is required, under Section 252 of the *Local Government Act* (the Act), to adopt a policy on the payment of expenses and the provision of facilities to the Mayor and other Councillors each year. This is to occur within 5 months of the end of the financial year.

Section 253 of the Act requires that Council give public notice of at least 28 days of its intention to adopt or amend this policy, even if there is no proposed change to the policy. Council is also required to provide the **Division Office** of Local Government with the adopted policy, the public notice and any submissions received.

Council may amend and adopt the policy at other times of the year without public notice, if the amendments are "not substantial" (**Division Office** of Local Government Guidelines).

Draft Policy on the Expenses and Facilities for the Mayor and other Councillors		
Owner: Governance, Risk and Audit	Accountability: Mayoral and Councillor Support Service	Policy: CSG005
Trim Reference: D14/64644	Review date: Annual	Adopted for Public Exhibition: 26 August 2014

ITEM 9 (continued)

ATTACHMENT 1

**Policy on the Payment of the Expenses
and Provision of Facilities for the
Mayor and other Councillors**

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1. Definitions, References and Legend

Throughout this procedure, where specific information is drawn from one of the following documents or organisations it will be referenced and displayed in a coloured box as given below.

Definitions of commonly used terms are also given in the relevant box below.

The Act: refers to the *Local Government Act 1993*

The Regulation: refers to the Local Government (General) Regulation 2005.

The OLG Division: refers to the Division *Office* of Local Government, NSW. *In some parts it may be appropriate for the policy to refer to 'the Division' – the former title of the Office of Local Government.*

Guidelines: refers to the *OLG's Division Guidelines* for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW (October 2009). Extracts or summaries from this document are shown in yellow.

NSW Government Agency circulars or advice on specific issues are shown in pink

Code of Conduct: refers to the City of Ryde Code of Conduct, as in effect at the time. Extracts or summaries from this document are shown in blue.

The following definitions are from the *OLG's Division's Guidelines* for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW (2009, page 3).

Councillor expenses and facilities policy: The Policy prepared under the Guidelines on the payment of expenses and the provision of facilities to Mayors and Councillors.

Expenses: Payments made by Council to reimburse Councillors for reasonable costs or charges incurred or to be incurred for discharging their civic functions. Expenses must be outlined in the Council's Policy and may be either reimbursed to a Councillor or paid directly by Council for something that is deemed to be a necessary expense to enable them to perform their civic functions. Expenses are separate and additional to annual fees.

Facilities: Equipment or services that are provided by Council to Councillors to enable them to perform their civic functions with relative ease and at a standard appropriate to their professional role as Councillors.

Functions of civic office/civic functions: Functions that Councillors are required to undertake to fulfil their legislated role and responsibilities for the Council that should result in a direct benefit for Council and/or for the local government area.

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2. Conduct

2.1 Key Principles

Guidelines

Councillors must act lawfully, honestly and exercise a reasonable degree of care and diligence in carrying out their functions under the *Local Government Act* or any other Act. This is required under section 439 of the *Local Government Act* and reinforced in the Model Code of Conduct made under section 440.

2.2 Use of resources by Councillors

Code of Conduct

You must use council resources ethically, effectively, efficiently and carefully in the course of your official duties, and must not use them for private purposes (except when supplied as part of a contract of employment) unless this use is lawfully authorised and proper payment is made where appropriate.

You must be scrupulous in your use of council property, including intellectual property, official services and facilities, and must not permit their misuse by any other person or body.

You must avoid any action or situation that could create the appearance that council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.

You must not use council resources, property or facilities for the purpose of assisting your election campaign or the election campaign of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.

You must not use council letterhead, council crests and other information that could give the appearance it is official council material for: the purpose of assisting your election campaign or the election campaign of others, or for other non-official purposes.

You must not convert any property of the council to your own use unless properly authorised.

You must not use council's computer resources to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature.

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2.3 Accountability and transparency

Guidelines

Councillors can only receive reimbursement for expenses and the use of facilities when these are clearly identified in the Policy.

3. Provisions

3.1 General expense allowance

Regulation – Clause 403

A policy under section 252 of the Act must not include any provision enabling a council to pay any councillor an allowance in the nature of a general expense allowance.

Guidelines

In accordance with clause 403 of the Regulation, there is no provision under this policy for a general expense allowance. A general expense allowance is a sum of money paid by a Council to a Councillor to expend on an item or a service that is not required to be receipted and/or otherwise reconciled according to a set procedure and within a specific timeframe.

Advice from the *Office Division* of Local Government

On 25 August 2011 the *OLG Division* advised that the provisions of the Local Government Act 1993 and the Local Government (General) Regulation 2005 do not allow for Council to provide Councillors with a monthly base rate. Furthermore, the *OLG Division* stated that the Act and Regulation do not allow for Council to reimburse Councillors without the receipt of appropriate supporting documentation showing the expense incurred.

The *OLG Division* noted that any payment made to Councillors by Council without the presentation of appropriate documents showing expenses constitutes a "disbursement". The *OLG Division* advised that this practice is to be discouraged by Councils. Correspondingly, the *OLG Division* clarified that a "reimbursement" is an entitlement provided to Councillors after they have incurred an expense. Reimbursements are to be provided to Councillors only upon receipt of appropriate supporting documentation showing the expense incurred.

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3.2 Monetary Limits

Monetary limits are stated in this Policy against each expense category as required. These monetary limits set out the maximum amount payable in respect of any facility or expense. Any additional cost incurred by a Councillor in excess of any limit set shall be considered a personal expense that is the responsibility of the Councillor. All monetary amounts stated are exclusive of GST.

Where expense limits are specified in this Policy, these given limits and requirements apply whether the item is purchased via direct payment by Council or reimbursement to the Councillor.

For the purposes of transparency and accountability, monetary limits are highlighted throughout this document where appropriate.

3.3 Time Limits

Reimbursement of costs and expenses to Councillors must be made within 3 months of the cost or expense being incurred.

3.4 No private benefit without payment

Guidelines

Councillors should not obtain private benefit from the provision of equipment and facilities, including from travel bonus programs such as 'frequent flyer' schemes or any other such loyalty programs while on Council business. However it is acknowledged that incidental use of council equipment and facilities may occur from time to time. Such incidental private use is not subject to a compensatory payment back to council.

Where more substantial private use does occur, the Act provides that a payment may be made to cover the level of that private use (refer s252(2)). Councillors should not obtain more than incidental private use of facilities.

- (1) Should a Councillor obtain substantial private benefit, the Councillor is required to advise the General Manager in writing detailing the extent of the private benefit.
- (2) Council will determine the value of the benefit that is to be invoiced to the Councillor in a non-confidential session of a Council Meeting. The Councillor shall then repay Council the value within four weeks of the determination.

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3.5 Use of Council resources for political purposes.

Guidelines

The Code of Conduct provides that council resources must be used ethically, effectively, efficiently and carefully. Council property including intellectual property, official services and facilities must not be misused by any person or body for private benefit or gain. Councillors must also avoid any action or situation that could create the appearance that council resources are being used inappropriately.

A person's re-election is considered to be a personal interest. Official council material such as letterhead, publications, websites as well as council services and forums must not be used for such personal interests. Situations in which the appearance may be given that these are being used for such purposes are also to be avoided.

The fundraising activities of political parties, including political fundraising events, are considered to be personal interests. Councils will not pay expenses or provide facilities to Councillors in relation to supporting and/or attending such activities and events.

3.6 Gifts and Benefits

The process with regard to Gifts and Benefits is set out in Council's adopted Gifts and Benefits Policy.

3.7 Approval and dispute resolution process


- (1) All expenses and costs incurred must be in accordance with the requirements of this Policy.
- (2) Reimbursement of costs and expenses to Councillors will only be made upon the production of appropriate receipts and tax invoices, and the completion of the "Request for Councillor Reimbursement" form.
- (3) If receipts and tax invoices are not able to be submitted, a Councillor shall be required to sign a Statutory Declaration to confirm that the expense was incurred. If a Statutory Declaration is provided in lieu of receipts and tax invoices, Councillors are required to personally retain any supporting documentation for audit purposes and shall be required to produce this documentation to Council upon request. **Councillors are advised that Council is unable to claim the GST on the purchase if a tax invoice is not submitted, thus increasing the real cost of the item.**
- (4) Claims for reimbursement of "Communication costs" will only be made upon the production of appropriate receipts, tax invoices, credit card statements or receipt numbers, in the name of the Councillor – a statutory declaration is not appropriate.

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- (5) Payments made to Councillors by way of reimbursement in accordance with this Policy will only be made to personal accounts on which the Councillor is a named account holder and not to third parties.
 - (6) The General Manager or a delegated employee shall assess all such claims and if considered to be reasonable and to be legitimately payable under this Policy, shall approve the claim for payment and payment shall be made within seven (7) days.
 - (7) Should the General Manager or delegated employee decide that the claim should not be paid, the General Manager shall explain such decision to the Councillor and should the Councillor still consider that the claim should be paid, it shall be considered that a dispute exists and the provisions of the following clause shall apply.
 - (8) Should any Councillor consider that a dispute exists at any time regarding this policy, the parties to the dispute shall provide a written report on the nature of the dispute and the General Manager shall submit such reports to the next meeting of the Council to have the dispute determined by a resolution of the Council having regard to this policy, the Act and any other relevant law. The decision of the Council shall be binding on all of the parties.

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3.8 Payment of Councillor Fees

Local Government Act – Section 248A

Under Section 248A of the Act, Council must not, unless otherwise permitted, pay an annual fee to a Councillor for any period during which the Councillor is suspended from office or the right to be paid any fee is suspended.

Local Government Act – Section 254A

Under Section 254A of the Act, Council may resolve that an annual fee not be paid to a Councillor or the amount reduced if the Councillor is absent, with or without leave, from meetings of the Council for a period not more than 3 months or in any circumstances prescribed by regulation. A fee must not be paid if the period of absence exceeds 3 months.

Regulation – Clause 404

Under clause 404 of the Regulation, a prescribed circumstance for non-payment or reduction of a Councillor’s annual fee is where payment would adversely affect the Councillor’s entitlement to a pension, benefit or allowance and the Councillor is agreeable to the non-payment or reduction.

A Councillor may elect not to accept any entitlement under this Policy, except that the Mayor and every Councillor must be paid the appropriate minimum fees determined by the Local Government Remuneration Tribunal (unless the provisions of Section 254A of the Act apply). Payment of the appropriate minimum fees determined by the Remuneration Tribunal is a requirement of Sections 248 (4) and 249 (4) of the Act.

Advice from the OLG Division – Surrendering Fees

On 25 August 2011 the **OLG Division** advised that as the payment of expenses incurred by Councillors is an entitlement and is distinct to the provision of Councillor fees set out by the Local Government Remuneration Tribunal of NSW, Council does not have the capacity to “surrender” Councillor entitlements, and therefore does not have the ability to donate the entitlements to a charity.

However, the **OLG Division** confirmed that Section 404 of the Local Government (General) Regulation 2005 provides that Councillors can agree to a “non-payment or reduction” in their Councillor fees. The **OLG Division** stated that Councillors have an option to donate all or part of their Councillor fees to a charity organisation.

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3.8 Payment of Councillor Fees (continued)

- (1) An annual fee is paid to each Councillor by the Council. The fee is the amount fixed by the Council under Division 5 of Part 2 of Chapter 9 of the Act in accordance with the appropriate determination of the Local Government Remuneration Tribunal.
- (2) Unless otherwise provided for in this policy, the annual fee paid to each Councillor is intended to offset the costs involved in discharging the functions of civic office including, but not limited to, all incidental and out-of-pocket expenses relating to transport, clothing, home office, home telephone and postage costs.
- (3) All fees payable under this policy shall be paid monthly in arrears for each month (or part of a month) for which the Councillor holds office.
- (4) Unless otherwise stated, no entitlement under this Policy shall be treated as being a private benefit that requires a reduction in a Councillor's Fee.

3.9 Payments in advance

- (1) Councillors may request an advance payment for the cost of any service or facility covered by the Policy.
- (2) Councillors may request payment in advance in anticipation of expenses to be incurred in attending conferences, seminars and training away from home.
- (3) Councillors must fully reconcile all expenses against the cost of the advance within one (1) week of their return, with receipts, and submit these details to the General Manager or his/her delegated employee for verification. Any unspent money is required to be returned at this time.
- (4) The maximum value of a cash advance is \$500.

Timeframe	Maximum amount
Reconcile within 1 week	\$500.00

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4. Specific Expenses

4.1 Training and education expenses

- (1) An induction program shall be conducted by the General Manager for Councillors upon election to Council and every subsequent re-election. This program may include the provision of resources and the attendance at training courses.
- (2) Provision for other training and education for Councillors will be made separately in Council's budget via the adopted Delivery Plan. All Councillors will be offered the same access to the same training in accordance with the budget allocated.

4.2 Attendance at seminars and conferences

- (1) Prior Council approval is required for Councillors to attend seminars or conferences on behalf of the Council. A report must be included in the Council business papers and should give the purpose of the seminar, conference and training course, expected total costs, expected benefits for Councillors to attend and the names of Councillors who have indicated an interest to attend.
- (2) When determining attendance at conferences and seminars, consideration will be given to the Councillor Attendance at Conference guidelines.
- (3) Where a Councillor is no longer able to attend a conference or seminar for which endorsement has been given, they must advise the General Manager as soon as practicable, to facilitate the attendance of an alternate Councillor.
- (4) Where a Councillor provides less than 24 hours notice with regard to clause (3) above, and where no sufficiently substantial reason is provided, the Councillor may be liable, by way of Council resolution, for any related costs Council is unable to recover.
- (5) After returning from the seminar, conference or training course, the Councillor/s, or accompanying member of Council staff, shall provide a written report to Council on the aspects of the event relevant to Council business and/or the local community **within two (2) months of the event. This report will be included in the Councillors' Information Bulletin.**

No written report is required for the Annual Local Government NSW Conference, the Australian Local Government Association Conference or for compulsory training courses or seminars required by any Government agency.

- (6) Council will pay the seminar, conference or training course registration fees charged by the organisers including the costs of related official meals and associated tours where they are relevant to the business and interests of Council. Any time and costs incurred in undertaking activities not related to attendance at the event shall not be included in the expenses paid by Council.

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- (7) Council will also meet the cost of meals (and reasonable cost of drinks) when they are not otherwise included in the training, conference or seminar fees. Each Councillor is entitled to seek reimbursement for up to three meals per day to a maximum of \$100 a day. Official receipts will be required for reimbursement under this clause.

Quantity	Maximum amount
Up to 3 meals per day	\$100 per day

- (8) No payment shall be reimbursed for any component of a ticket that is additional to the cost of the function, such as a donation to a political party, candidate's electoral fund or some other private benefit.
- (9) Council will meet the reasonable cost of transportation and accommodation associated with attendance at the seminar, conference or training course
- (10) Any accommodation required by Councillors will be provided by Council subject to availability, access to venue and cost. A reasonable standard of accommodation is considered to be 4 – 4.5 star although 5 star accommodation will be provided where no suitable alternative accommodation is available. The cost of any upgrade shall be the responsibility of the Councillor. Where possible, Council will make payment of the accommodation booking prior to the date of arrival.
- (11) Council shall provide Councillors with taxi vouchers for travel to a seminar, conference or training course. Councillors must ensure that unused vouchers and the receipts of used vouchers are provided to Council within seven (7) days of the event.
- (12) Alternatively, Council will meet the actual costs for public transport, taxis or hire-cars for travel on Council related business outside of the Ryde Local Government area (LGA). Reimbursement will not be made for travel expenses incurred within the Ryde LGA.
- (13) Council shall reimburse transport expenses incurred by a Councillor while using their own private vehicle for Council related business outside of the Ryde Local Government area (LGA). Reimbursement will not be made for travel expenses incurred within the Ryde LGA.

This will be by way of a reimbursement for each kilometre travelled for the specific journey, plus any road tolls and parking fees necessarily incurred. The rate of reimbursement for kilometres travelled shall be equivalent to the rates prescribed in the relevant legislation or policies applicable to employees of the Council.

- (14) Council is not liable for any traffic, parking or transport fines, or costs of petrol, oil, depreciation, repair, maintenance, insurance or registration incurred by Councillors while using their private vehicles on Council related business.

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4.3 Travel

Guidelines

All travel by Councillors should be undertaken by utilising the most direct route and the most practicable and economical mode of transport subject to any personal medical considerations.

4.3.1 Local travel arrangements and expenses

- (1) Under normal circumstances, Councillors are expected to provide their own transport to and from the Civic Centre and the Councillor's home and place of work for the purpose of undertaking Council business.
- (2) Transport to and from the Civic Centre and a Councillor's home and/or place of work may be provided by Council at the discretion of the General Manager having regard to the circumstances, if it is not practicable for a Councillor to use his or her normal method of transport.
- (3) Council shall reimburse travel expenses incurred by Councillors for travel on Council related business outside the Ryde Local Government area (LGA). Reimbursement will not be made for travel expenses incurred within the Ryde LGA.
- (4) Travel expenses include use of private vehicle, use of public transport, taxis, hire cars, travel using a Council vehicle and associated costs such as parking and road tolls. Private vehicle expenses will be reimbursed using the kilometre rate prescribed in the relevant legislation or policies applicable to employees of the Council. Actual costs will be reimbursed for other travel expenses.
- (5) Council is not liable for any traffic, parking or transport fines, or costs of petrol, oil, depreciation, repair, maintenance, insurance or registration incurred by Councillors while travelling on Council related business.
- (6) A Council vehicle (with or without a driver), a hire car, or a taxi voucher may be provided to a Councillor for the purpose of attending any Council related event at the discretion of the General Manager having regard to the circumstances.
- (7) Nothing in this Policy prevents a Councillor from travelling in a Council vehicle with a staff member who is also attending any Council related event.

4.3.2 Intrastate travel

- (1) Council shall reimburse Council business related travel expenses by a Councillor while using their own private vehicle, by way of a reimbursement for each kilometre travelled for the specific journey, plus any road tolls and parking fees necessarily incurred. The rate of reimbursement for kilometres travelled shall be equivalent to the rates prescribed in the relevant legislation or policies applicable to employees of the Council.

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- (2) Council is not liable for any traffic, parking or transport fines, or costs of petrol, oil, depreciation, repair, maintenance, insurance or registration incurred by Councillors while using their private vehicles on Council related business.
- (3) ***“Councillors travelling into country NSW may choose the mode of transport that is most suitable, considering economy and convenience.” Air travel will require prior approval.***
- (4) If any intrastate travel requires payment or reimbursement of accommodation expenses, please refer to Section 4.3.5 – Accommodation costs, ***as prior approval is required.***

4.3.3 Interstate travel (including ACT)

- (1) Prior Council approval is required for interstate travel for which reimbursement ***or payment*** is sought by Councillors. Any proposal for Councillors to travel interstate is to be included in the non-confidential business papers of Council, for which due public notice has been given. Such a proposal cannot be considered in a late report or Mayoral Minute.
- (2) Applications for interstate travel must be made in writing, giving full details of the travel including: itinerary, expected total costs, reasons for the travel and expected benefits. Council does not allow the retrospective approval of reimbursement of such travel expenses, therefore all expenses must be approved in advance.
- (3) Upon return from interstate travel, the Councillor, or an accompanying member of Council staff, shall provide a written report to Council on the aspects of the trip relevant to Council business and/or the local community, ***within two (2) months of the trip. This report will be included in the Councillors’ Information Bulletin.***
- (5) Economy class air travel will be provided as standard for travel within Australia. The cost of any upgrade shall be the responsibility of the Councillor. Councillors are not entitled to receive private benefits relating to travel bonuses such as frequent flyer schemes and other loyalty programs.
- (6) Where trains are used, first class train travel will be provided, including sleeping berths where available.
- (6) Council shall meet the cost of any transfers between a Councillor’s residence and a transport interchange (ie: airport) and between the transport interchange and hotel or venue. These costs are not to exceed the cost of taxi fares.

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4.3.4 Overseas travel

Guidelines

It is strongly recommended that Council scrutinise the value and need for Councillors to undertake overseas travel. Councillors should avoid international visits unless direct and tangible benefits can be established for Council and the community.

- (1) Council approval is required for overseas travel for which reimbursement is sought by Councillors. Any travel proposals for Councillors to travel overseas are to be included in the non-confidential business papers of Council for which due public notice has been given. Such proposals cannot be considered in a late report or Mayoral Minute.
- (2) Applications for overseas travel must be made in writing, giving full details of the travel including itinerary, expected total costs, reasons for the travel and expected benefits. Council does not allow the retrospective reimbursement of such travel expenses therefore expenses must be approved in advance.
- (3) Upon return from overseas travel, the Councillor, or an accompanying member of Council staff, shall provide a written report to Council on the aspects of the trip relevant to Council business and/or the local community, **within two (2) months of the trip. This report will be included in the Councillors' Information Bulletin.**
- (4) Economy air class will be provided for approved overseas travel. Councillors are not entitled to receive private benefits relating to travel bonuses such as frequent flyer schemes and other loyalty programs.
- (7) Council shall meet the cost of any transfers between a Councillor's residence and the airport and between the airport and hotel or venue. These costs are not to exceed the cost of taxi fares.

4.3.5 Accommodation costs

- (1) Council shall meet the costs of accommodation for Councillors travelling on Council business, when prior approval has been granted by Council.
- (2) Where possible, Council will make payment of the accommodation booking prior to the date of arrival.
- (3) Any accommodation required by Councillors will be provided by Council subject to availability, access to venue and cost. A reasonable standard of accommodation is considered to be 4 – 4.5 star although 5 star accommodation will be provided where no suitable alternative accommodation is available. The cost of any upgrade shall be the responsibility of the Councillor.

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4.3.6 Incidental Expenses

Guidelines

Reasonable out of pocket or incidental expenses associated with Councillors attending conferences, seminars or training courses may be reimbursed, provided that it can be demonstrated that the expenses were actually incurred and that established reconciliation procedures are followed; for example, the completion of a claim form. The claim form must include an itemised account of expenditure and should not be general in nature.

Incidental expenses could reasonably include telephone calls, refreshments, internet charges, laundry and dry cleaning newspapers, taxi fares and parking fees.

- (1) Council shall reimburse reasonable out of pocket or incidental expenses associated with attending conferences, seminars or training courses, and other prior approved travel, incurred by Councillors.
- (2) Incidental expenses include, but are not limited to, in-house hotel television, telephone calls, internet charges, refreshments, laundry and dry cleaning, and newspapers.
- (3) Each Councillor is entitled to seek reimbursement up to \$20 per day for the purposes of Clause 4.3.6.

Timeframe	Maximum amount
Per day	\$20

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4.3.7 Legal assistance provisions and expenses

Guidelines

Legal costs must only be provided where the investigative or review body makes a finding that is not substantially unfavourable to a Councillor. This may include circumstances in which a matter does not proceed to a finding.

Council must not meet the legal costs of legal proceedings initiated by a Councillor under any circumstances

Council must not meet the legal costs of a Councillors seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.

Legal costs must not be met for legal proceedings that do not involve a Councillor performing their role as a Councillor.

- (1) Council may, if requested, indemnify or reimburse the reasonable legal expenses of:
 - (a) a Councillor defending an action arising from the performance in good faith of a function under the Local Government Act; or
 - (b) a Councillor defending an action in defamation, provided the statements complained of were made in good faith in the course of exercising a function under the Act;
 - (c) a Councillor for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the investigative or review body makes a finding substantially favourable to the Councillor.

Clause (c) applies only when the subject of the inquiry, investigation or hearing arises from the performance in good faith of a Councillor's functions under the Act and the matter before the investigative or review body has proceeded past any initial assessment phase to a formal investigation or review.
- (2) In the case of a conduct complaint made against a Councillor, legal costs will only be made available where the matter has been referred by the General Manager to a conduct reviewer or conduct review panel to make formal enquiries into that matter in accordance with Council's Code of Conduct.
- (3) In the case of a pecuniary interest or misbehaviour matter, legal costs will only be made available where a formal investigation has been commenced by the **Office** ~~Division~~ of Local Government.

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- (4) Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the Act are distinguished from expenses incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term in office. For example, expenses arising from an investigation as to whether a Councillor acted corruptly would not be covered by this section.
- (5) Council will not meet the costs of an action in defamation taken by a Councillor as plaintiff in any circumstances and will not meet the costs of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.
- (6) Council will not meet the legal costs of legal proceedings initiated by a councillor under any circumstance.
- (7) Reimbursement of expenses for reasonable legal expenses must have Council approval by way of a resolution of Council at a Council Meeting prior to costs being incurred.

4.3.8 Insurance

Guidelines

Section 382 of the Act requires Council to make arrangements for its adequate insurance against public liability and professional liability.

All insurances are to be subject to any limitations or conditions set out in Council's policy of insurance.

- (1) In accordance with Section 382 of the Local Government Act, Council is insured against public liability and professional indemnity claims. Councillors are included as a named insured on this Policy.
- (2) Councillors are provided additional liability protection by way of the Councillors and Officers Liability Policy, and personal injury protection by way of the Personal Accident Policy.
- (3) Insurance protection is only provided if a claim arises out of or in connection with the Councillor's performance of his or her civic duties, or exercise of his or her functions as a Councillor. All insurances are subject to any limitations or conditions set out in the policies of insurance.
- (4) Council shall pay the insurance policy excess in respect of any claim accepted by Council's insurers, whether defended or not.

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4.3.9 Communication expenses

Guidelines

The **OLG Division** advises against Council including a provision in their Policy for expenses for individual Councillors or groups of Councillors to produce and disseminate personalised pamphlets, newsletters and the like.

Regardless of the intention, such activities may be perceived as using Council resources for private political benefit and would therefore be contrary to the spirit of the Local Government Act and Code of Conduct.

Councils should establish a monthly monetary limit for the cost of official mobile landline and facsimile calls made by Councillors. A system should also be established to reconcile all telephone call costs claimed with account statements. Councils should also consider limiting expenses for internet use.

- (1) Councillors are entitled to seek reimbursement for communications costs and expenses covering the areas of email, internet, telephone (both fixed and mobile), website and postage.
- (2) Each Councillor is entitled to seek reimbursement up to \$300 per month (\$3,600 per annum) for the purposes of this clause.
- (3) Where the communication costs include the provision of a communication device through a communication plan, Council shall reimburse the costs associated with the plan, including email, internet and telephone access and usage. Communication costs also include expenses incurred by a Councillor for the proportion of leasing, renting or repayment costs associated with any communication device used by a Councillor in undertaking their role as a Councillor.
- (4) Council may provide Councillors with a mobile phone and call plan in lieu of the individual Councillor seeking reimbursement for mobile telephone costs. It is noted that there may be a small proportion of incidental private/personal use.
- (5) Reimbursement of costs and expenses to Councillors under 'Communication costs' will only be made upon the production of appropriate receipts, tax invoices, credit card statements or receipt numbers in the name of the Councillor, and the completion of the "Request for Councillor Reimbursement" form.
- (6) Councillors are not entitled to claim any communication costs associated with the production or dissemination of personalised pamphlets, newsletters and the like.

Timeframe	Maximum amount
Per annum	\$3,600
example average (per month)	\$300

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4.3.10 Attendance at dinners and other non-Council functions

Guidelines

Consideration may be given to meeting the cost of Councillor's attendance at dinners and other non-Council functions that provide briefings to Councillors from key members of the community, politicians and business. Approval to meet expenses should only be given when the function is relevant to the Council's interest. Only the cost of the service provided should be met.

No payment should be made by a Council for attendance by a Councillor at any political fundraising event, for any donation to a political party or candidate's electoral fund, or some other private benefit. Council should ascertain whether any expenses to be incurred would be directed towards such events and activities prior to approving expenditure.

- (1) Councillors are entitled to seek reimbursement for attendance at dinners and other non-Council functions that provide briefings to Councillors from key members of the community, politicians and business.
- (2) Approval for reimbursement in accordance with the above should be sought prior to the event and be done in writing to the General Manager.
- (3) Each Councillor is entitled to seek reimbursement up to \$300 per annum for the purpose of this section. Official receipts are required **to claim** for reimbursement under this clause.
- (4) No payment shall be reimbursed for any component of a ticket that is additional to the cost of the function, such as a donation to a political party, candidate's electoral fund or some other private benefit.

Timeframe	Maximum amount
Per annum	\$300

- (5) Councillors who are Executive Members of an organisation of interest to Council as indicated in a Council resolution, shall be entitled to seek reimbursement and support for their attendance at the Executive Meetings held by the organisation.

Council will meet the cost of the Councillor's transportation and accommodation expenses, including the cost of meals. The support provided to Councillors in their capacity as an Executive Member of an organisation shall only be valid for the period they hold such a position.

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4.3.11 Care and other related expenses

Guidelines

Council makes provision for the reimbursement of the reasonable cost of care arrangements, including childcare expenses and the care of elderly, disabled and/or sick family members of Councillors, to allow Councillors to undertake their Council business obligations.

- (1) Where a Councillor has responsibilities for the care and support of any relative, the Council may reimburse the actual cost incurred by the Councillor to engage professional care for the relative whenever considered necessary by the Councillor in order for the Councillor to discharge the functions of civic office.
- (2) In this clause, *relative* shall have the same meaning as set out in the Dictionary in the Local Government Act.

Relative, in relation to a person, means any of the following:

- (a) *the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the person or of the person's spouse;*
- (b) *the spouse or de facto partner of the person or of a person referred to in para (a)*

- (3) The total amount paid to a Councillor in a financial year under sub-clause (1) shall not exceed an amount equivalent to 25% of the Councillors fee set for that year.

Timeframe	Maximum amount
Per annum	25% of annual Councillor fee

- (6) Where a Councillor has a special requirement, such as disability and access needs, Council shall meet reasonable costs and expenses required in order for that Councillor to discharge the functions of civic office.
- (7) The total amount paid to a Councillor in a financial year under sub-clause (4) shall not exceed an amount equivalent to 25% of the Councillors fee set for that year, however, Council can approve additional expenditure in extenuating circumstances.

Timeframe	Maximum amount
Per annum	25% of annual Councillor fee

- (6) Each application for care and support of a relative or for meeting the special requirements of a Councillor is to be made in writing to the General Manager or his/her delegated officer and will be assessed on its merits. The General Manager may use his/her discretion to refer the matter to Council for determination.

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4.3.12 Expenses for spouses, partners and accompanying persons

Guidelines

There may be limited instances where certain costs incurred by the Councillor on behalf of their spouse, partner or accompanying person are properly those of the Councillor in the performance of his or her functions. An accompanying person is a person who has a close personal relationship with the Councillor and/or provides carer support to the Councillor.

Meeting the reasonable costs of spouses and partners or an accompanying person for attendance at official Council functions that are of a formal and ceremonial nature, is considered appropriate when accompanying Councillors within the local government area. **Such functions would be those that a councillor's spouse, partner or accompanying person could be reasonably expected to attend.**

Consideration should also be given to the payment of expenses for the spouse, partner or accompanying person of a mayor, or a councillor when they are representing the mayor, when they are called on to attend an official function of council or carry out an official ceremonial duty while accompanying the mayor outside the council's area, but within the State.

The payment of expenses for spouses, partners or accompanying persons for attending appropriate functions as permitted above should be confined specifically to the ticket, meal and/or the direct cost of attending the function. Peripheral expenses incurred by spouses, partners or accompanying persons such as grooming, special clothing and transport are not considered reimbursable expenses.

Limited expenses of spouses, partners or accompanying persons associated with attendance at the Local Government and Shires Associations' annual conferences (**now known as Local Government NSW**) could be met by Council. These expenses should be limited to the cost of registration and official conference dinners. Travel expenses, any additional accommodation expenses and the cost of partner/accompanying person tours etc would be the personal responsibility of individual Councillors.

The above circumstances should be distinguished from spouses, partners or accompanying persons who accompany a Councillor at any event or function outside the local government area, including interstate and overseas, where the costs and expenses of the spouse or partner or accompanying person should not be paid by Council (**with the exception of Local Government NSW Annual Conference as noted above**).

The above examples should also be distinguished from circumstances where spouses, partners or accompanying persons accompany Councillors at seminars and conferences and the like. In these situations all costs, including any additional accommodation costs, must be met by the Councillor or the spouse/partner/accompanying person.

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Advice from the OLG – Expenses for spouses, partners and accompanying persons

On 8 August 2014, the OLG advised that:

- (1) The Local Government and Shires Associations' annual conference, as given in paragraph 3 of the Guidelines, refers to the newly named Local Government NSW only. It does not include the Australian Local Government Association (ALGA) conference(s).
- (2) At the LG NSW Annual Conference, payment for "partner programs" is the personal responsibility of Councillors. Only registration and official conference dinner tickets for spouses, partners or accompanying persons are to be paid or reimbursed by Council.
- (3) Additional travel expenses (ie beyond travelling in a car with a Councillor) for a spouse, partner or accompanying person while attending any conference (including the LG NSW annual conference), function or event etc, are not to be funded by Council.

- (1) In limited circumstances, Council shall meet certain costs incurred by a Councillor on behalf of their spouse, partner or accompanying person that are properly and directly related to the role of the Councillor in the performance of his or her duties, **in the Ryde local government area**. For example attendance at official Council functions that are of a formal and ceremonial nature when accompanying Councillors. ~~within the Ryde local government area.~~
- (2) Costs and expenses incurred by the Councillor on behalf of their spouse, partner or accompanying person will be **met reimbursed** if the cost or expense relates specifically to the ticket, meal and/or direct cost of attending the function **referred to in clause (1) above**, including carer costs. Peripheral expenses such as grooming, special clothing and transport are not considered reimbursable expenses.
- (3) In recognition of the importance of a good work and family balance, spouses, partners or accompanying persons are welcome to join Councillors while attending events away from home. In such circumstances, Council will not require reimbursement of costs if no additional travel and accommodation expenses are incurred over and above what would have been expended by the individual Councillor. For example, if the person travels as a passenger in the Councillor's vehicle and are able to be accommodated in the same room already provided as standard to the Councillor, it will be considered that no additional cost has been incurred by Council.
- ~~(4) Where a spouse, partner or accompanying persons do attend an event away from home with the Councillor, additional costs of the person/s will not be met by Council except for attendance at official dinners or ceremonies associated with the Local Government NSW Conference and for which partners are invited to attend. This provision does not extend to social outings and tours which may be provided as part of a "partners program".~~
- (4) **Where a spouse, partner or accompanying person attends an event away from home with the Councillor, additional costs of the person/s will not be met by Council, with the exception of those associated with the Local Government NSW annual conference as addressed in clause (5) below.**

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- (5) *Limited expenses of spouses, partners or accompanying persons associated with attendance at the Local Government NSW Annual Conference will be met by Council. These expenses will be limited to the cost of registration and official conference dinners. Travel expenses, any additional accommodation expenses, and the cost of partner/accompanying person tours etc would be the personal responsibility of individual councillors.*
- (6) *Eligible events (ie Local Government NSW Annual Conference, civic events in the Ryde LGA, and civic events throughout NSW for the Mayor or their representative) should be distinguished from circumstances where spouses, partners or accompanying persons accompany councillors at seminars and conferences and the like. In these situations all costs, including any additional accommodation costs, must be met by the councillor or the spouse/partner/accompanying person.*
- (6) Each Councillor is entitled to seek reimbursement of up to \$300 per annum total **under this clause** for the purposes of sub-clauses (2) and (5). Official receipts are required to **claim** for reimbursement under this clause.

Timeframe	Maximum amount
Per annum	\$300

4.3.13 Meals and refreshments

- (1) Morning and afternoon tea may be provided to each Councillor when in attendance at the Civic Centre during normal office hours. A meal including drinks may be provided to each Councillor at the Civic Centre whenever the Councillor is required to attend at the Civic Centre, or leave from or return to the Civic Centre, for a Council related event.
- (2) Meals and refreshments may also be provided to Councillors when attending a local community event or festival. The General Manager shall determine when such meals and refreshments are to be provided.
- (3) Meals and refreshments may also be provided to Councillors when attending a seminar, conference or training course, in accordance with Section 4.2 – Seminars and conferences.

5. Additional Expenses for the Mayor

5.1 Mayoral Fee

- (1) An annual fee is paid to the Mayor by the Council. The fee is the amount fixed by the Council under Division 5 of the Local Government Act in accordance with the appropriate determination of the Local Government Remuneration Tribunal.

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- (2) Unless otherwise provided for in this Policy, the annual fee paid to the Mayor is intended to offset the additional costs involved in discharging the functions of the Mayoral Office over and above the costs incurred by other Councillors.
- (3) In the event that the Council resolves to pay a fee to the Deputy Mayor to undertake the roles and responsibilities of the office of the Mayor, the amount of such fee shall be deducted from the amount determined to be paid to the Mayor on a pro rata basis for the relevant period.
- (4) All fees payable under this policy shall be paid monthly in arrears for each month (or part of a month) for which the Mayor holds office.
- (5) Unless otherwise stated, no entitlement under this Policy shall be treated as being a private benefit that requires a reduction in the Mayoral Fee.

5.2 Civic Expenses

- (1) Council shall meet the cost of providing refreshments and associated expenses for civic functions, civic receptions and any other formal event hosted by the Mayor, subject to adequate funds being allocated and available in the Council's adopted Delivery Plan.

5.3 Communication costs and expenses

- (3) Council shall reimburse up to an additional \$250 per month (\$3,000 per annum) for communication costs and expenses for the Mayor, over and above the monthly expenditure limit prescribed in clause 4.3.9 – Communication Expenses.

Timeframe	Maximum amount
Per annum	\$3,000
(Per month)	(\$250)

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6. Provision of facilities, equipment and services

6.1 General

6.1.1 Provision of facilities generally

- (1) Facilities, equipment and services shall be provided to Councillors to support them in undertaking their role as elected members of the Council.
- (2) The equipment supplied under sub-clause (1) shall be of adequate capacity and functionality to generally undertake the role of Councillor.
- (3) Unless otherwise resolved by the Council, the equipment shall be provided to a Councillor only once during the term of each Council. Council remains in ownership of the equipment and will be responsible for maintenance, replacement, insurance, technology upgrades and supply of consumables. The equipment is required to be returned at the end of the term of each Councillor. At the conclusion of their term, Councillors shall be offered the option to purchase the equipment that they have been in possession of, at current market value. Unless stated otherwise, the Councillor shall be responsible for all other costs of operating this equipment.

6.1.2 Private use of equipment and facilities

- (1) Council facilities, equipment and services are not to be used for private purposes unless the use is incidental, unavoidable and of a minor nature.
- (2) Should a Councillor obtain substantial private benefit, the Councillor is required to advise the General Manager in writing detailing the extent of the private benefit. Council will determine the value of the benefit that is to be invoiced to the Councillor in a non-confidential session of a Council Meeting. The Councillor shall then repay Council the value within four weeks of the determination.
- (3) Council facilities, equipment and services are not to be used to produce election material or for any other political purposes.
- (4) Unless otherwise stated, no entitlement under this Policy shall be treated as being a private benefit that requires a reduction in the Mayoral or Councillor fees.

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6.2 Specific provision of equipment and facilities for Councillors

6.2.1 Stationery and other items

(1) Each Councillor may receive:

- (a) 2500 sheets of plain white A4 paper per year;
- (b) 500 plain white DLE envelopes per year;
- (c) 500 business cards per year in a format agreed by each Councillor;

the year commencing from the date of election to Council and each subsequent anniversary.

Additional supplies of the above stationery items may be provided by the General Manager if considered warranted having regard to the particular needs of any Councillor.

- (2) Each Councillor may be issued from time to time with name badges, a security access card, ties/scarves and other corporate apparel or accessories for personal use. Security access cards are required to be returned when the Councillor ceases to hold office.
- (3) Stationery is not to be used to produce election material or for any other political purpose.

Timeframe	Maximum amount
Per annum	2,500 sheets of plain A4
Per annum	500 plain white DLE envelopes
Per annum	500 business cards

6.2.2 Home Office and Equipment

(1) The following equipment and facilities may be provided by the Council at a location nominated by the Councillor:

- (a) a personal computer with office and related software (up to a total value of \$3,000)
- (b) a printer which may include or have attached facilities for facsimile, scanning, photocopying and telephone answering (up to a total value of \$1,000)
- (c) an iPad or other tablet device (up to a total value of \$1,000)

All amounts stated are inclusive **exclusive** of GST.

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Timeframe	Maximum amount
Per term	PC up to \$3,000
Per term	Printer up to \$1,000
Per term	iPad equivalent up to \$1,000

- (2) Alternatively to (1) above, Councillors may choose to be provided with, or receive reimbursement for, information technology equipment and/or software to a total of \$4,000 per term. This clause is to commence following the conduct of the 2016 Local Government election.

6.2.3 Parking

- (1) Councillors shall be provided with allocated parking at the Civic Centre for attendance at meetings and functions in the performance of their role as a Councillor and be provided with a parking permit sticker for use when parking in the Civic Centre Car Park. Council will not indemnify Councillors for any damage to their vehicles while utilising this facility.
- (2) No other parking concessions within the City of Ryde will be granted.

6.2.4 Secretarial Support

- (1) Secretarial support may be provided at the discretion of the General Manager for each Councillor at the Civic Centre. This may include typing, photocopying or use of a telephone. All expenses incurred, including the cost of staff, shall be met by the Council.

6.2.5 Delivery of Material

- (1) At least once each week, each Councillor may receive a delivery of material from Council including business papers, correspondence, newspapers etc delivered to one property address nominated by the Councillor.

6.2.6 Council Meeting Chamber and Library Meeting Rooms

- (1) Councillors may use the Council Meeting Chamber or access the meeting rooms at the library as available and in accordance with the relevant booking process, for the purposes of meeting with the public during operating hours and free of charge. The nature of the meeting must relate to Council business.
- (2) Council facilities are not to be used for any political purpose.

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7. Additional provisions for the Mayor

7.1 Mayoral Office

A furnished Mayoral Office shall be provided by the Council at the Civic Centre, including a computer with office and related software (including access to email and internet).

7.2 Secretarial Support

Secretarial support shall be provided by the Council. All necessary staff, office equipment, furnishings, printing, stationery, postage and other general office expenses shall be met by the Council, subject to adequate funds being available in the Council's adopted Delivery Plan.

7.3 Motor Vehicle

Regulation – Clause 403 – Section 252

A policy, under section 252 of the Act, must not include any provision enabling a council to make a motor vehicle owned or leased by the council available for the exclusive or primary use or disposition of a particular Councillor, other than a Mayor.

Guidelines

Generally, a fully serviced and maintained vehicle, including a fuel card, should be provided for the sole use of the Mayor.

Councillors, including the Mayor, should only obtain incidental private benefit from the provision of a motor vehicle for official use unless the Policy specifically provides for private use and has a mechanism in place for a payment to be made for that private use.

- (1) A Toyota Camry Hybrid Level 2 (or general equivalent) shall be provided by the Council and shall be fully maintained for use by the Mayor for Council related business. The vehicle may be used for incidental private purposes by the Mayor.
- (2) Should substantial private use occur the Mayor is to reimburse to Council the cost of this private use, which will be calculated using the mileage rates prescribed in the relevant legislation or policies applicable to employees of Council.
- (3) A car parking space shall be allocated at the Civic Centre for the Mayoral vehicle.

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- (4) Should the Mayor elect not to make use of the vehicle for the length of their term, it will be disposed of appropriately. The Mayor will be entitled to reimbursement for all Council related travel expenses in accordance with the mileage rates prescribed in the relevant legislation or policies applicable to employees of Council.
- (5) Reimbursements will be made upon the production of an appropriate vehicle mileage log and the completion of a "Request for Councillor Reimbursement" form.

7.4 Ceremonial Clothing

The Mayor shall be supplied with a suitable robe and chains of office.

7.5 Other equipment and facilities

- (1) In addition to equipment and facilities already provided to the Mayor as a Councillor, the Mayor shall be entitled to the following equipment and facilities:
 - (a) an additional 500 business cards per year of term in a format agreed by the Mayor,
 - (b) 200 Christmas Cards per year of term,
 - (c) corporate attire and presentation gifts for use in connection with civic and ceremonial functions for example: tie, scarfs, mementos
- (2) The General Manager shall have discretion to provide the Mayor with further equipment and facilities, not otherwise specified in this Policy, subject to funding being made available in the adopted Delivery Plan, and that the provision of such equipment or facilities is reasonable for the efficient and effective performance of the Office of the Mayor. Should the General Manager exercise his/her discretion to provide the Mayor with further equipment and facilities, not otherwise specified in this Policy, a report detailing the provision shall be presented to Council.

Timeframe	Maximum amount
Per annum	200 Christmas cards
Per annum	Additional 500 business cards

Draft Policy on Expenses and Facilities for Councillors		
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ITEM 9 (continued)

ATTACHMENT 1

Policy on the Payment of the Expenses and Provision of Facilities for the Mayor and other Councillors

8. Acquisition and return of equipment and facilities by Councillors

Guidelines

Council should provide details of arrangements for Councillors to return equipment and other facilities to Council after the completion of their term of office, extended leave of absence or at the cessation of their civic duties.

The policy should provide the option for Councillors to purchase Council equipment previously allocated to them at the cessation of their duties. If the item is for sale it should be purchased at an agreed fair market price or written down value.

- (1) Prior to the conclusion of a Council term, all Councillors will be invited to indicate if they wish to purchase the following:
 - Laptop or computer provided by Council
 - Printer provided by Council
 - iPad or equivalent provided by Council and/or
 - any phone provided by Council
- (2) Councillors will be advised of the written down value of each item prior to seeking the above indication.
- (3) Where possible, payment for any items a Councillor wishes to purchase will be deducted from the Councillor's fee. Where this is not possible, an invoice will be prepared for the Councillor to make the appropriate payment.
- (4) Councillors no longer holding a position as Councillor will be required to return all equipment not purchased within one week of the declaration of the polls to the Group Manager, Corporate Services at Council's Civic Centre.

Draft Policy on Expenses and Facilities for Councillors		
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ITEM 9 (continued)

ATTACHMENT 1

Policy on the Payment of the Expenses and Provision of Facilities for the Mayor and other Councillors

9. Management, review and reporting of this Policy

9.1 Adoption and amendment of Policy

Act – Section 252

- (1) Within 5 months after the end of each year, a council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, the deputy mayor (if there is one) and the other councillors in relation to discharging the functions of civic office.
- (2) The policy may provide for fees payable under this Division to be reduced by an amount representing the private benefit to the mayor or a councillor of a facility provided by the council to the mayor or councillor.
- (3) A council must not pay any expenses incurred or to be incurred by, or provide any facilities to, the mayor, the deputy mayor (if there is one) or a councillor otherwise than in accordance with a policy under this section.
- (4) A council may from time to time amend a policy under this section.
- (5) A policy under this section must comply with the provisions of this Act, the regulations and any relevant guidelines issued under section 23A.

Act – Section 253

- (1) A council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions.
- (2) Before adopting or amending the policy, the council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment.
- (3) Despite subsections (1) and (2), a council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the council is of the opinion that the proposed amendment is not substantial.
- (4) Within 28 days after adopting a policy or making an amendment to a policy for which public notice is required to be given under this section, a council is to forward to the Director-General:
 - (a) a copy of the policy or amendment together with details of all submissions received in accordance with subsection (1), and
 - (b) a statement setting out, for each submission, the council's response to the submission and the reasons for the council's response, and
 - (c) a copy of the notice given under subsection (1).

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ATTACHMENT 1

Policy on the Payment of the Expenses and Provision of Facilities for the Mayor and other Councillors

(5) A council must comply with this section when proposing to adopt a policy each year in accordance with section 252 (1) even if the council proposes to adopt a policy that is the same as its existing policy.

254 Decision to be made in open meeting

The council or a council committee, all the members of which are councillors, must not close to the public that part of its meeting at which a policy for the payment of expenses or provision of facilities is adopted or amended, or at which any proposal concerning those matters is discussed or considered.

9.2 Annual reporting

Act – Section 428 and Regulation – Clause 217

Section 428 of the Act and clause 217 of the Local Government (General) Regulation ("the Regulation") require Council to include in each Annual Report a copy of the Policy and details of the cost of implementing the Policy.

Act – Section 428 (part)

- (1) Within 5 months after the end of each year, a council must prepare a report as to its achievements with respect to the objectives and performance targets set out in its management plan for that year.
- (2) A report must contain the following:
 - (f) the total amount of money expended during the year on mayoral fees and councillor fees, the council's policy on the provision of facilities for use by councillors and the payment of councillors' expenses, together with a statement of the total amount of money expended during that year on the provision of such facilities and the payment of such expenses.

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ATTACHMENT 1

Policy on the Payment of the Expenses and Provision of Facilities for the Mayor and other Councillors

Regulation – Section 217 (part)

- (1) For the purposes of [section 428](#) (4) (b) of [the Act](#), an annual report of a council is to include the following information:
- (a1) details of the total cost during the year of the payment of the expenses of, and the provision of facilities to, councillors in relation to their civic functions (as paid by the council, reimbursed to the councillor or reconciled with the councillor), including separate details on the total cost of each of the following:
- (i) the provision during the year of dedicated office equipment allocated to councillors on a personal basis, such as laptop computers, mobile telephones and landline telephones and facsimile machines installed in councillors' homes (including equipment and line rental costs and internet access costs but not including call costs),
- (ii) telephone calls made by councillors, including calls made from mobile telephones provided by the council and from landline telephones and facsimile services installed in councillors' homes,
- (iii) the attendance of councillors at conferences and seminars,
- (iv) the training of councillors and the provision of skill development for councillors,
- (v) interstate visits undertaken during the year by councillors while representing the council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses,
- (vi) overseas visits undertaken during the year by councillors while representing the council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses,
- (vii) the expenses of any spouse, partner or other person who accompanied a councillor in the performance of his or her civic functions, being expenses payable in accordance with the Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors for Local Councils in NSW prepared by the Director-General from time to time,
- (viii) expenses involved in the provision of care for a child of, or an immediate family member of, a councillor, to allow the councillor to undertake his or her civic functions.

Draft Policy on Expenses and Facilities for Councillors		
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ITEM 9 (continued)

ATTACHMENT 1

**Policy on the Payment of the Expenses
and Provision of Facilities for the
Mayor and other Councillors**

10. Other Government and Council Policy provisions

This Policy has been prepared with reference to other Government and Council Policy provisions as follows:

- (1) Division of Local Government Circular No. 09-36, 7 October 2009, "Release of Revised Councillor Expenses and Facilities Guidelines"
- (2) Division of Local Government Publication, "Guidelines for the Payment of Expenses and Provision of Facilities to Mayors and Councillors in NSW, October 2009"
- (3) Department of Local Government Circular No. 05-08, 9 March 2005, "Legal Assistance for Councillors and Council Employees"
- (4) ICAC Publication "No excuse for misuse", November 2002
- (5) City of Ryde "Code of Conduct"

Draft Policy on Expenses and Facilities for Councillors		
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ITEM 9 (continued)

ATTACHMENT 1

Policy on the Payment of the Expenses and Provision of Facilities for the Mayor and other Councillors



11. Attendance at Conferences – supplementary City of Ryde provision

Council acknowledges the value of Councillor attendance at conferences to enable them to be both knowledgeable and current on issues affecting the City of Ryde. In order to ensure that attendance at conferences is equitable, transparent and consistent, attendance will be limited as follows:

1. Local Government NSW Annual Conference – the number of voting delegates plus one (to a maximum of eight Councillors). Details of the delegates and attendee are to be determined by resolution of Council.
2. Australian Local Government Association Conference.
3. In addition, to 1 and 2 above, every Councillor is entitled to attend one conference in either NSW, Canberra, metropolitan Brisbane or metropolitan Melbourne. The conference must directly relate to the business of Council. More than one Councillor may attend the same conference if Council resolves that this will be beneficial for both Council and the Councillors concerned.
4. Within two (2) months following the conference the attending Councillor must report to Council on the proceedings of the conference. That report will be included in the Councillors' Information Bulletin. This action is not required for the Local Government NSW Annual Conference or the Australian Local Government Association Conference.
5. No Councillor can attend a conference at Council's expense without the prior approval of Council. Reports to Council are to include details of the conference and an estimate of the associated costs including registration, transport and accommodation.
6. Council may resolve that a Councillor can attend more than one conference per year but this determination will be dependent on budgetary constraints and with an emphasis on ensuring that all Councillors have equal access to conferences.
7. Each year, as part of the review of the Policy on the Payment of Expenses and Provision of Facilities for the Mayor and other Councillors, Council officers will provide a full report of expenditure and conference attendance by Councillors.

Draft Policy on Expenses and Facilities for Councillors		
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10 DISCLOSURE OF INTEREST RETURNS: 2013-2014

Report prepared by: Governance Support Coordinator
File No.: CLR/07/8/8/7/3 - BP14/99

REPORT SUMMARY

This report provides a summary of the status of all Disclosure of Pecuniary Interest Returns that were required to be lodged for the period 1 July 2013 to 30 June 2014, in accordance with the *Local Government Act 1993* (the Act).

Under Section 449 of the Act, Councillors and designated persons are required to lodge an annual Disclosure of Pecuniary Interests Return by 30 September each year. In addition Section 450A of the Act requires the General Manager keep a register of the pecuniary interest returns that are required to be lodged, and of those that have been lodged.

RECOMMENDATION:

That the Register of Disclosure of Pecuniary Interest Returns, as required under Section 450A of the *Local Government Act*, is tabled.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Lorie Parkinson
Governance Support Coordinator

Report Approved By:

John Schanz
Manager - Governance, Risk and Audit

Roy Newsome
Group Manager - Corporate Services

ITEM 10 (continued)

Discussion

Section 449 of the *Local Government Act 1993* (the Act) requires Councillors and designated persons to lodge an annual Disclosure of Pecuniary Interests Return with the General Manager by 30 September each year.

Section 450A of the Act requires the General Manager to keep a register of these Disclosure of Pecuniary Interest Returns and to table these returns at the first Council meeting after the lodgement date.

Council is advised that:

11 Councillors lodged their annual returns by the 30 September 2014 deadline.

- **Councillor Salvestro-Martin** did not provide his return by 30 September 2014, however it was subsequently received on 14 October 2014.

153 designated persons (staff) lodged their annual returns by the 30 September 2014 deadline. One staff member did not provide their return by 30 September 2014, however it was subsequently received on 14 October 2014 following their return from annual leave.

The 2013-2014 Register of Disclosure of Pecuniary Interests Returns is tabled.

Financial Implications

Adoption of the recommendations will have no financial impact.

Critical Dates

The following deadline was required to be met:

- Completed Disclosure of Pecuniary Interests Returns were required to be lodged with the General Manager by 30 September 2014.

11 INVESTMENT REPORT - September 2014

Report prepared by: Chief Financial Officer
File No.: GRP/09/3/11 - BP14/1210

REPORT SUMMARY

This report details Council's performance of its investment portfolio for September 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 3.92%, which is 1.25% above benchmark. Income from interest on investments and proceeds from sale of investments totals \$1.065M, \$250K above budget projections, with an adjustment to be made in the September Quarterly Budget Review, recognising the increased revenue relates mainly to additional Section 94 funds held.

RECOMMENDATION:

That Council endorse the report of the Chief Financial Officer dated 2 October 2014 on Investment Report – September 2014.

ATTACHMENTS

- 1 P03 Investment Report September 2014 Attachment

Report Prepared By:

John Todd
Chief Financial Officer

Report Approved By:

Roy Newsome
Group Manager - Corporate Services

ITEM 11 (continued)

Discussion

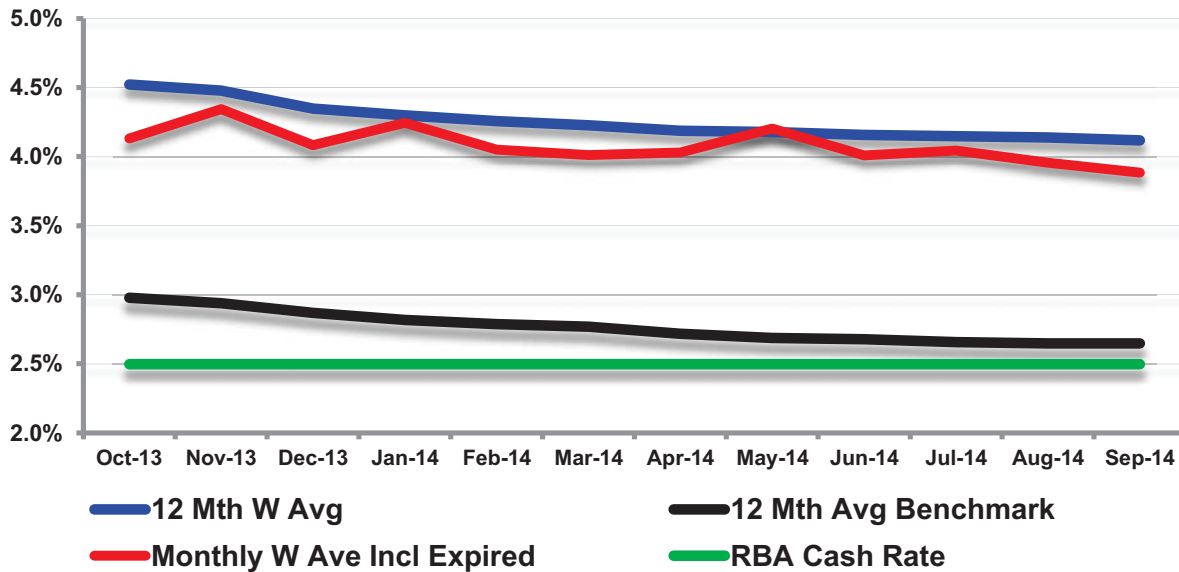
Council’s Responsible Accounting Officer, is required to report monthly on Council’s Investment Portfolio and certify that the Investments are held in accordance with Council’s Investment Policy and Section 625 of the Local Government Act.

Investment Performance Commentary

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

	Sep	12 Mth	FYTD
Council Return	3.88	4.12	3.92
Benchmark	2.55	2.65	2.67
Variance	1.33	1.47	1.25

Performance - All Investments



Council’s investment portfolio as at the end of September was as follows:

Cash/Term Deposits	\$95.1M	82.0%
Floating Rate Notes	\$18.9M	16.3%
Fixed Bonds	\$2.0M	1.7%
Total Cash Investments	\$116.0M	

ITEM 11 (continued)

Council's investment properties are shown in **ATTACHMENT 1**, and this table will be updated once those properties are either revalued (those that are valued) or valued (those that currently are not valued) in accordance with the revaluation process, in compliance with the Australian Accounting Standards.

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.

Whilst Council has moved some of its investment portfolio out to longer terms, locking in some of the returns, there is approximately \$44.4 million of Council's funds 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 projects or maintenance.

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

In August 2013 Council revised its investment policy to include delegated authority for the Chief Financial Officer (CFO) to place \$2M investments and for the Group Manager Corporate Services to place \$4M investments (up from \$1M), and to disallow both foreign owned ADIs and unrated ADIs with less than \$1B in assets.

The effect of these changes has been minimal. The larger permissible investment size is more efficient, but has had no material effect on rates offered to Council. This is because Council is considered an Institutional Investor, and therefore is "sticky" in the market.

The restriction on foreign owned ADIs and smaller institutions has had a minimal impact on rates returned to council. The estimated impact has been a reduction in returns to Council of 4-8 bps (i.e. 0.04% to 0.08%)

With the appointment of Council's Investment Advisor Service, CPG Research & Advisory Pty Ltd (CPG), they have commenced a review of the performance of Council's Investment portfolio, Council's policy and guidelines. CPG have provided feedback on the policy and guidelines, which is to be reviewed by staff, and then communicated to Council, firstly at a future Workshop and included in a report to Council. It is anticipated to have the representatives from CPG present at the Workshop, a date is yet to be set for this.

ITEM 11 (continued)**Financial Security Reserve (FSR)**

The Financial Security Reserve has a balance of \$3.44 million as at 30 September 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

Locally, Quarter 2(Q2) Gross Domestic Product (GDP) came in at 3.1% year-on-year. Business and consumer sentiment weakened, but retail sales were up, by only 0.1%. Iron ore tumbled below \$80/tonne for the first time since 2009, as the Chinese government moved to dampen expectations it would use aggressive fiscal policy to stimulate further growth. This weighed the Australian dollar (AUD) down as it followed the price of iron ore lower to close out the month at 87 cents against the USD. Also pressuring the AUD was the intervention by New Zealand's central bank in selling off its dollar.

The RBA used its Quarterly Financial Stability Review to reiterate that housing demand is unbalanced, and that it was examining measures to curb investor demand. The amount of mortgage debt that Australians held relative to their incomes hit a record high in June 2014 of 137.1%. Interest rates don't look like being raised at any time soon, with the RBA keeping rates on hold. With much of the economy projecting a need for lower rates it is expected the RBA will continue issuing warnings to housing market investors not to become over-committed.

Industrial profits in China dropped 0.6% being another sign of weakening in the world's second largest economy. Economic numbers from China were softer than anticipated, the main indicator being industrial production increasing by 6.9% against expectations of 8.7%.

In the US, the economy was generally strong, with new housing activity coming in at +18.8% and the final revised Q2 GDP at a particularly strong 4.6% annualised. With the imminent cessation of the Federal Government's quantitative easing (QE) program, this increases the likelihood of interest rates being raised from their current near-zero level in the near future.

European data generally pointed towards a weakening economy, with the European Central Bank (ECB) responded by pushing interest rates further into negative territory.

Legal Issues

The following update is provided in respect of Council's legal action in these matters, which are still to be resolved.

ITEM 11 (continued)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.

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 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. Council has received a counter offer from Lehman Brothers Australia Limited (in Liquidation), which was \$27k less than the amount claimed. This offer has been accepted by the Acting General Manager under delegated authority. The finalisation of the matter is pending.

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.

LGFS – Rembrandt

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

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

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

The appeal has been heard in relation to this matter, and judgement handed down on Friday 6 June 2014, where the appeal was dismissed, and all the findings of the primary judge, Justice Jagot, were upheld.

ITEM 11 (continued)

Accordingly the Full Court held that each of LGFS, ABN Amro and S&P are individually liable for 100% of Council's losses. The primary orders held them liable for 1/3 each. Council has already received payment from each of the respondents, as indicated above. Costs of the appeal will be sought, and once known Council will be advised.

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 the outcome will not be known until later in 2014. These confidential discussions have been continuing and are close to being finalised, Councillors will be advised of the outcome.

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, and was written down. This matter is now the subject of confidential discussions also.

Loan Liability

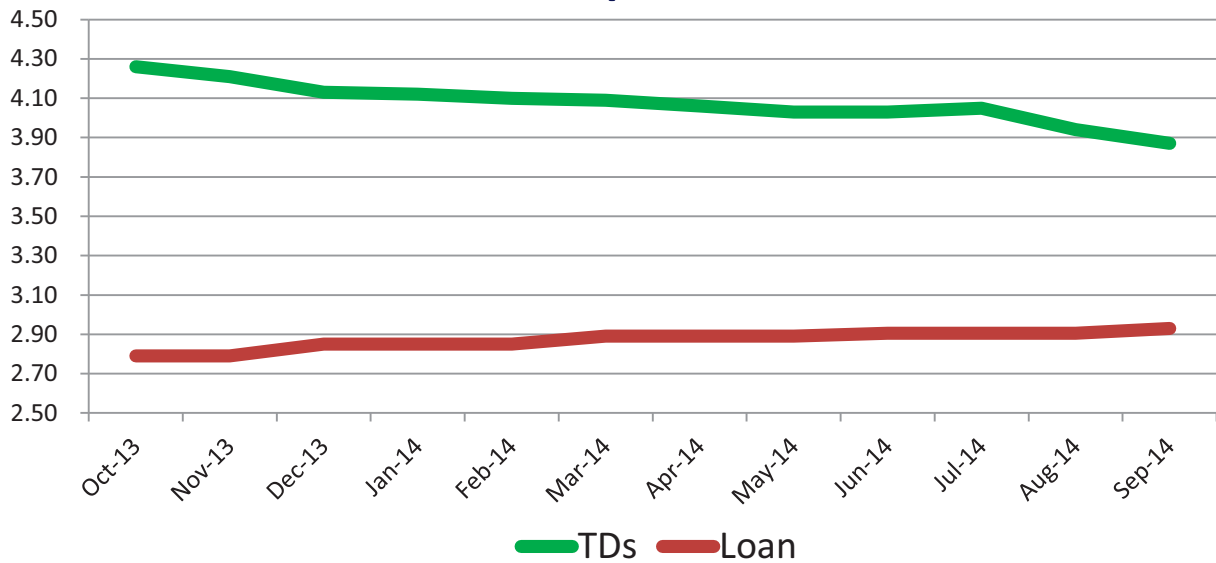
Council's loan liability as at 31 September 2014 was \$6.85 million which represents the balance of:

1. \$6.8M 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
3. \$1.2M 7 year loan drawn down 31 January 2014 at 5.24% for construction of the Surf Attraction at the RALC
4. \$1.5M 10 year loan drawn down 1 September 2014 at 4.95% for Phase 2 of the Children's Play Implementation Plan, which is also subject of an application under LIRS – Round 3.

ITEM 11 (continued)

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).

Term Deposits/Loan Interest Rate Comparison



NB: This graph only compares the 2004 NAB loan.

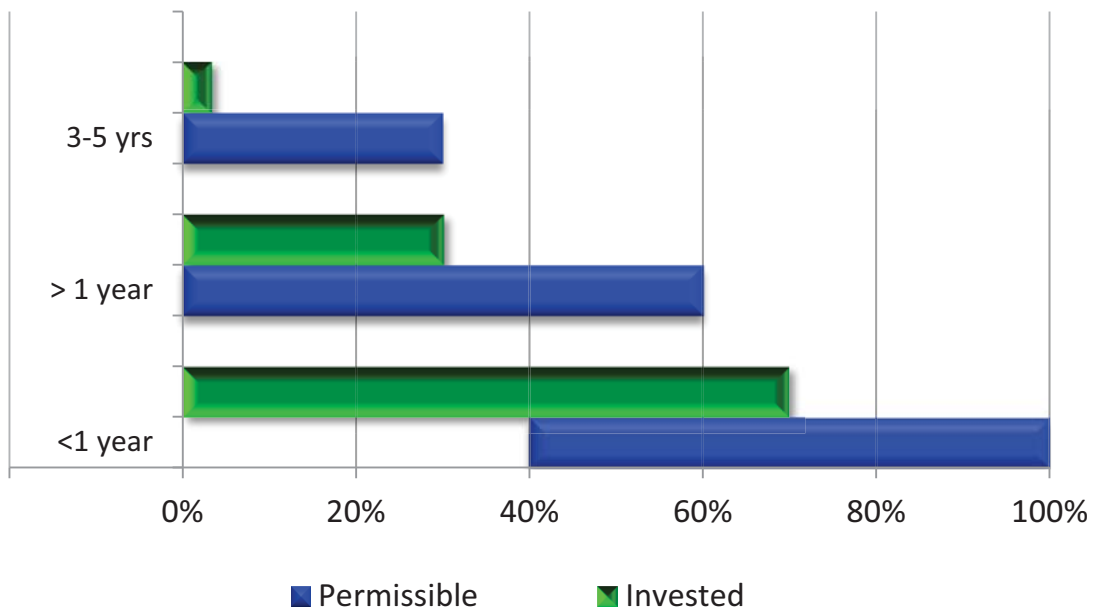
ITEM 11 (continued)

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 11 (continued)
INVESTMENT SUMMARY AS AT 30 SEPTEMBER 2014

Issuer	Investment Name	Investment Rating	Invested at 30-Sep-14 \$000's	Annualised Period Return (%)	12 Month Average Return on Current Investments	Return since 01 July 2014	% of Total Invested	Indicative Market Value ** \$000's	% Market Value
Westpac	1. Westpac At Call	AA-	4,403	2.60	2.44	2.38	3.79	4,403	100.00%
Bank of Queensland	2. Bank of Queensland TD	A-	2,000	3.50	3.71	3.53	1.72	2,000	100.00%
CBA	3. Bankwest Term Deposit	AA-	2,000	3.60	3.53	3.60	1.72	2,000	100.00%
NAB	4. NAB Term Deposit	AA-	1,000	3.80	3.80	3.80	0.86	1,000	100.00%
Westpac	5. Westpac Term Deposit	AA-	1,000	4.35	4.35	4.35	0.86	1,000	100.00%
Westpac	6. Westpac Term Deposit	AA-	500	4.95	4.95	4.95	0.43	500	100.00%
NAB	7. NAB Term Deposit	AA-	1,000	4.08	5.34	4.08	0.86	1,000	100.00%
AMP	8. AMP TD	A	1,000	3.53	3.92	3.69	0.86	1,000	100.00%
MyState CU	9. MyState CU TD	BBB	1,000	3.43	3.73	3.57	0.86	1,000	100.00%
NAB	10. NAB Term Deposit	AA-	2,000	4.10	4.03	4.10	1.72	2,000	100.00%
P&N Bank	11. P&N Bank	BBB	500	3.14	3.73	3.29	0.43	500	100.00%
CBA	12. Bankwest Term Deposit	AA-	2,000	3.53	3.52	3.53	1.72	2,000	100.00%
CBA	13. Bankwest TD	AA-	2,000	3.60	3.55	3.60	1.72	2,000	100.00%
CBA	14. Bankwest TD	AA-	2,000	3.49	3.50	3.49	1.72	2,000	100.00%
CBA	15. Bankwest Term Deposit	AA-	1,500	3.39	3.49	3.39	1.29	1,500	100.00%
NAB	16. NAB Term Deposit	AA-	2,000	3.97	3.97	3.97	1.72	2,000	100.00%
Defence Bank	17. Defence Bank TD	BBB+	1,000	2.99	3.28	3.22	0.86	1,000	100.00%
New England Credit Union	18. Community Mutual Group TD	Unrated	1,000	3.23	3.23	3.23	0.86	1,000	100.00%
Beyond Bank	19. Beyond Bank TD	BBB+	500	3.81	3.81	3.81	0.43	500	100.00%
Bendigo and Adelaide Bank	20. Bendigo Bank TD	A-	1,000	3.29	3.87	3.39	0.86	1,000	100.00%
CUA	21. Credit Union Australia TD	BBB+	500	3.85	4.14	3.85	0.43	500	100.00%
Peoples Choice CU	22. Peoples Choice CU	BBB+	500	3.65	3.70	3.65	0.43	500	100.00%
Rural Bank	23. Rural Bank	A-	1,000	6.48	6.48	6.48	0.86	1,000	100.00%
Banana Coast CU	24. Bananacoast CU TD	Unrated	500	3.83	4.15	3.83	0.43	500	100.00%
CBA	25. CBA TD	AA-	2,000	5.76	5.76	5.76	1.72	2,000	100.00%
Me Bank	26. ME Bank TD	BBB+	1,000	3.78	4.01	3.78	0.86	1,000	100.00%
Macquarie Bank	27. Macquarie Bank Term Deposit	A	521	3.58	4.05	3.76	0.45	521	100.00%
CBA	28. Bankwest Term Deposit	AA-	1,000	7.00	7.00	7.00	0.86	1,000	100.00%
IMB	29. IMB TD	BBB	1,000	3.35	3.53	3.45	0.86	1,000	100.00%
Summerland CU	30. Summerland CU TD	Unrated	250	5.05	5.05	5.05	0.22	250	100.00%
Wide Bay CU	31. Wide Bay CU TD	BBB	500	3.48	3.83	3.58	0.43	500	100.00%
Heritage Bank	32. Heritage Bank	A-	1,000	3.80	3.83	3.80	0.86	1,000	100.00%
AMP	33. AMP Business Saver	A	1,007	3.20	3.37	3.28	0.87	1,007	100.00%
CBA	34. CBA Term Deposit	AA-	1,000	4.55	4.55	4.55	0.86	1,000	100.00%
Greater Bldg Soc	35. Greater Bldg Soc TD	BBB	1,000	3.34	3.84	3.45	0.86	1,000	100.00%
The Rock Bldg Soc	36. The Rock Bldg Soc TD	BBB	1,000	3.43	3.73	3.57	0.86	1,000	100.00%
AMP	37. AMP TD	A	1,000	7.14	7.14	7.14	0.86	1,000	100.00%
CBA	38. CBA TD	AA-	2,000	3.56	3.39	3.56	1.72	2,000	100.00%
Rabobank	39. Rabodirect At-call	AA	5	3.05	3.04	3.04	0.00	5	100.00%
Me Bank	40. ME Bank At Call Account	BBB	1,689	3.05	3.12	3.04	1.46	1,689	100.00%
NAB	41. NAB FRN	AA-	999	4.00	3.95	4.01	0.86	1,013	101.31%
CBA	42. CBA FRN	AA-	1,000	3.89	3.87	3.90	0.86	1,014	101.41%
Westpac	43. Westpac FRN	AA-	999	3.91	3.92	3.94	0.86	1,012	101.22%
CBA	44. CBA FRN	AA-	999	3.94	3.92	3.95	0.86	1,014	101.41%
NAB	45. NAB FRN	AA-	996	4.19	4.13	4.20	0.86	1,013	101.31%
NAB	46. NAB FRN	AA-	997	4.16	4.11	4.17	0.86	1,013	101.31%
CBA	47. CBA FRN	AA-	996	4.10	4.09	4.12	0.86	1,014	101.41%
ANZ	48. ANZ FRN	AA-	996	4.11	4.12	4.14	0.86	1,012	101.22%
Territory Insurance Office	49. TIO Term Deposit	AA+	1,500	2.96	2.96	2.96	1.29	1,500	100.00%
NAB	50. NAB Fixed MTN	AA-	996	6.30	6.23	6.27	0.86	1,060	106.05%
Westpac	51. Westpac Fixed MTN	AA-	998	6.21	6.20	6.24	0.86	1,061	106.08%
Macquarie Bank	52. Macquarie Bank TD	A	500	6.50	6.50	6.50	0.43	500	100.00%
CBA	53. CBA Retail Bond	AA-	964	4.39	4.37	4.41	0.83	969	99.94%
Bendigo and Adelaide Bank	54. Delphi Bank TD	Unrated	250	6.05	6.05	6.05	0.22	250	100.00%
Rural Bank	55. Rural Bank TD	A-	1,000	3.43	3.73	3.43	0.86	1,000	100.00%

ITEM 11 (continued)

Issuer	Investment Name	Investment Rating	Invested at 30-Sep-14 \$000's	Annualised Period Return (%)	12 Month Average Return on Current Investments	Return since 01 July 2014	% of Total Invested	Indicative Market Value ** \$000's	% Market Value
Me Bank	56. ME Bank TD	BBB+	1,000	3.83	3.83	3.83	0.86	1,000	100.00%
CBA	57. CBA Retail Bonds	AA-	496	4.59	4.58	4.62	0.43	500	99.94%
CBA	58. CBA Retail Bonds	AA-	496	4.62	4.61	4.64	0.43	500	99.94%
Bank of Queensland	59. Bank of Queensland TD	A-	1,000	5.15	5.15	5.15	0.86	1,000	100.00%
Bank of Queensland	60. Bank of Queensland TD	A-	2,000	4.10	4.01	4.10	1.72	2,000	100.00%
BoQ Specialist	61. BoQ Specialist	BBB+	250	6.15	6.15	6.15	0.22	250	100.00%
IMB	62. IMB TD	BBB	1,000	3.50	3.54	3.51	0.86	1,000	100.00%
CBA	63. CBA Retail Bond	AA-	496	4.54	4.53	4.56	0.43	500	99.94%
Westpac	64. St George TD	AA-	1,000	4.05	4.05	4.05	0.86	1,000	100.00%
CBA	65. CBA Retail Bond	AA-	496	4.53	4.52	4.55	0.43	500	99.94%
Rural Bank	66. Rural Bank TD	A-	1,000	3.60	3.62	3.59	0.86	1,000	100.00%
ING	67. ING Floating Rate TD	A-	1,000	5.03	5.02	5.07	0.86	1,000	100.00%
Westpac	68. St George TD	AA+	1,000	4.05	4.05	4.05	0.86	1,000	100.00%
Bank of Queensland	69. Bank of Queensland TD	A-	1,000	3.75	3.82	3.75	0.86	1,000	100.00%
NAB	70. NAB TD	AA-	1,000	4.80	4.80	4.80	0.86	1,000	100.00%
Me Bank	71. ME Bank TD	BBB+	1,000	3.75	3.95	3.75	0.86	1,000	100.00%
Bank of Queensland	72. Bank of Queensland FRN	A-	2,000	4.31	4.30	4.33	1.72	2,024	101.21%
Bendigo and Adelaide Bank	73. Bendigo Bank TD	A-	1,000	3.70	3.70	3.70	0.86	1,000	100.00%
Bendigo and Adelaide Bank	74. Bendigo & Adelaide Bank FRN	A-	1,000	3.89	3.88	3.91	0.86	1,011	101.13%
CBA	75. CBA TD	AA-	1,000	3.58	3.57	3.58	0.86	1,000	100.00%
NAB	76. NAB TD	AA-	1,000	3.80	3.82	3.80	0.86	1,000	100.00%
NAB	77. NAB Term Deposit	AA-	1,000	4.15	4.15	4.15	0.86	1,000	100.00%
NAB	78. NAB Term Deposit	AA-	1,000	4.27	4.27	4.27	0.86	1,000	100.00%
Macquarie Bank	79. Macquarie Bank TD	A	750	3.90	3.88	3.90	0.65	750	100.00%
AMP	80. AMP Term Deposit	A+	2,000	3.43	3.87	3.76	1.72	2,000	100.00%
Bank of Queensland	81. Bank of Queensland TD	A-	2,000	3.75	3.78	3.75	1.72	2,000	100.00%
NAB	82. NAB TD	AA-	2,000	3.83	3.83	3.83	1.72	2,000	100.00%
Bendigo and Adelaide Bank	83. Bendigo and Adelaide Bank FRN	A-	2,000	3.98	3.97	4.01	1.72	2,037	101.84%
Rural Bank	84. Rural Bank TD	A-	2,000	3.48	3.68	3.61	1.72	2,000	100.00%
Wide Bay CU	85. Wide Bay CU TD	BBB	1,000	3.43	3.68	3.60	0.86	1,000	100.00%
Newcastle Perm Bldg Soc	86. Newcastle Perm Bldg Soc	BBB+	1,000	3.39	3.56	3.50	0.86	1,000	100.00%
Westpac	87. WBC Floating TD	AA-	1,000	3.63	3.65	3.65	0.86	1,000	100.00%
CUA	88. CUA FRN	BBB+	1,000	4.05	4.04	4.06	0.86	1,001	100.12%
Beyond Bank	89. Beyond Bank TD	BBB+	1,000	3.48	3.58	3.59	0.86	1,000	100.00%
CUA	90. CUA TD	BBB+	1,000	3.75	3.75	3.75	0.86	1,000	100.00%
NAB	91. NAB Flexi TD 2	AA-	1,000	3.69	3.73	3.72	0.86	1,000	100.00%
Banana Coast CU	92. Bananacoast CU TD	Unrated	1,000	3.90	3.90	3.90	0.86	1,000	100.00%
Bank of Queensland	93. Bankwest TD	AA-	2,000	3.45	3.45	3.45	1.72	2,000	100.00%
Bank of Queensland	94. Bank of Queensland FRN	A-	1,000	3.71	3.74	3.74	0.86	1,009	100.90%
AMP	95. AMP Notice Account	A+	1,009	3.45	3.52	3.52	0.87	1,009	100.00%
NAB	96. NAB TD	AA-	2,000	3.63	3.63	3.63	1.72	2,000	100.00%
Police Bank	97. Police Bank FRN	BBB+	1,000	3.78	3.78	3.78	0.86	1,000	100.00%
Newcastle Perm Bldg Soc	98. Newcastle Perm Bldg Soc TD	BBB+	1,000	3.24	3.24	3.24	0.86	1,000	100.00%
Bendigo and Adelaide Bank	99. Bendigo Bank TD	A-	2,000	3.34	3.34	3.34	1.72	2,000	100.00%
CUA	100. CUA TD	BBB+	1,000	3.58	3.58	3.58	0.86	1,000	100.00%
Newcastle Perm Bldg Soc	101. Newcastle Perm Bldg Soc	BBB+	1,000	3.39	3.39	3.39	0.86	1,000	100.00%
P&N Bank	102. P&N Bank	BBB	1,000	3.06	3.06	3.06	0.86	1,000	100.00%
			116,058	3.89	3.97	3.94	100	116,412	

*Monthly returns when annualised can appear to exaggerate performance

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

Return including Matured/Traded Investments

Weighted Average Return

Benchmark Return: UBSA 1 Year Bank Bill Index (%)

Variance From Benchmark (%)

	Sep	12 Mth	FYTD
Weighted Average Return	3.88	4.12	3.92
Benchmark Return: UBSA 1 Year Bank Bill Index (%)	2.55	2.65	2.67
Variance From Benchmark (%)	1.33	1.47	1.25

ITEM 11 (continued)

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.



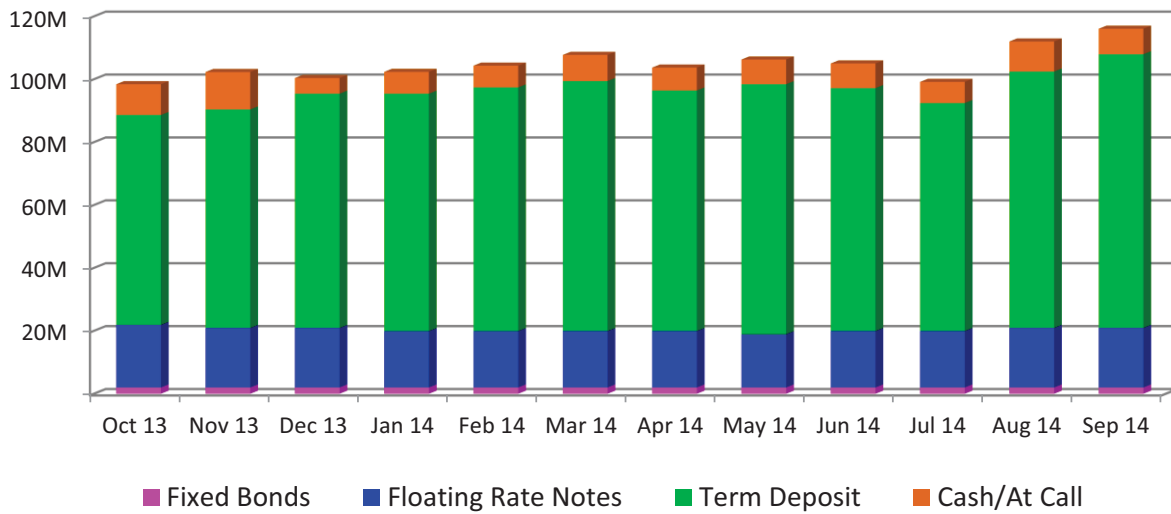
John Todd Date: 3/10/2014

Analysis of investments

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

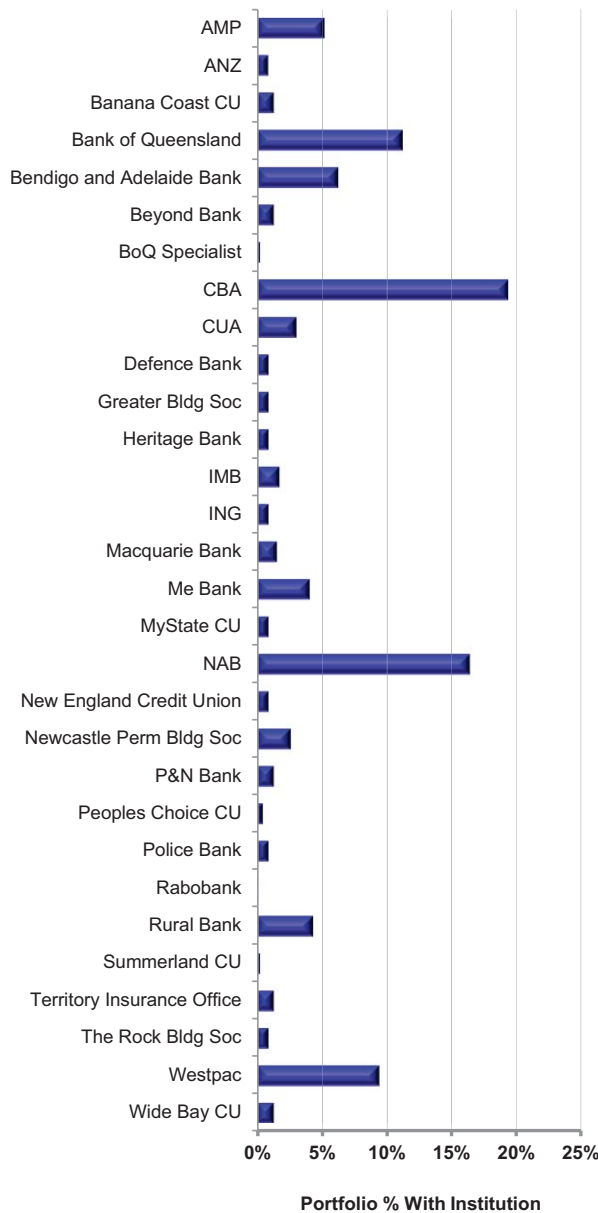
- Type of investment
- Institution
- Duration
- Rating

Total Funds Invested

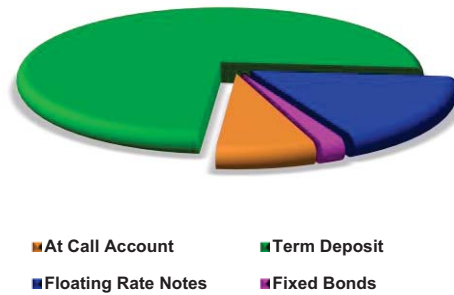


ITEM 11 (continued)

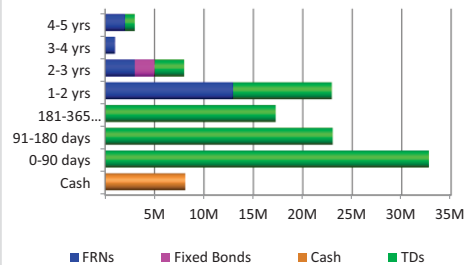
Active Investment by Institution



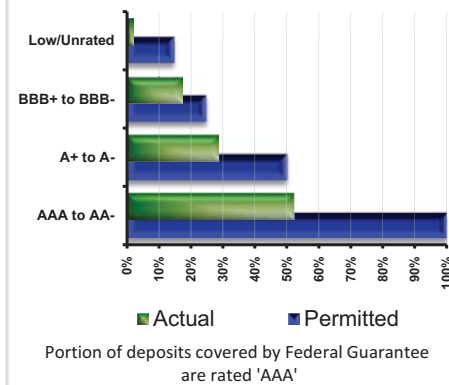
Summary by Investment Type



Summary by Duration



Investment Summary by Rating



	>365 days	<365 days
Cash/TDs	\$14.0M	\$81.1M
FRNs	\$18.9M	\$0.0M
Fixed Bonds	\$2.0M	\$0.0M
	\$34.9M	\$81.1M

ITEM 11 (continued)**Context**

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

Financial Implications

Income from interest on investments and proceeds from sales of investments totals \$1.065M, being \$250K above revised budget projections, with an adjustment to be made in the September Quarterly Budget Review. The increase in interest is due mainly to the Section 94 funds held.

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

ITEM 11 (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 11 (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 11 (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 11 (continued)**ATTACHMENT 1****Overview of Investments**

An overview of all investments held by the City of Ryde as at 31 July 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 Term Deposit (A-):** This investment is a 99 day term deposit paying 3.45% (3.50% annualised), and matures 22 April 2015.
3. **Bankwest Term Deposit (AA-):** This investment is a one year term deposit paying 3.60% (3.60% annualised), and matures 22 April 2015.
4. **NAB Term Deposit (AA-):** This investment is a one year term deposit, paying 3.80% p.a. (3.80% annualised), and matures 3 October 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 two year term deposit, paying 4.05% p.a., and matures 4 April 2016.
8. **AMP Term Deposit (A+):** This investment is a 181 day term deposit, paying 3.50% p.a. (3.50% annualised), and matures 29 January 2015.
9. **MyState Credit Union Term Deposit (BBB):** This investment is a 189 day term deposit, paying 3.40% (3.43% annualised), and matures 26 February 2015.
10. **NAB Term Deposit (AA-):** This investment is a two year term deposit, paying 4.10% p.a., and matures 11 March 2016.
11. **P&N Bank (Unrated):** This investment is a 70 day term deposit, paying 3.10% (3.14% annualised) and matures on 4 November 2014.
12. **Bankwest Term Deposit (AA-):** This investment is a 182 day term deposit, paying 3.50% p.a. (3.53% annualised), and matures 23 October 2014.
13. **Bankwest Term Deposit (AA-):** This investment is a one year term deposit, paying 3.60% p.a. (3.60% annualised), and matures 8 May 2015.
14. **Bankwest Term Deposit (AA-):** This investment is a 119 day term deposit, paying 3.45% p.a. (3.49% annualised), and matures 30 October 2014.
15. **Bankwest Term Deposit (AA-):** This investment is a 112 day term deposit, paying 3.35% p.a. (3.39% annualised), and matures 13 November 2014.

ITEM 11 (continued)**ATTACHMENT 1**

- 16. NAB Term Deposit (AA-):** This investment is a two year term deposit, paying 4.05% p.a., and matures 25 February 2016.
- 17. Defence Bank Term Deposit (BBB+):** This investment is a 34 day term deposit paying 2.95% (2.99% annualised) and matures on 2 October 2014.
- 18. Community Mutual Group Term Deposit (Unrated):** This investment is a 92 day term deposit paying 3.19% (3.23% annualised) and matures on 18 November 2014.
- 19. Beyond Bank Term Deposit (BBB+):** This investment is a 370 day term deposit paying 3.81% (3.81% annualised) and matures on 16 October 2014.
- 20. Bendigo Bank TD (A-):** This investment is a 89 day term deposit paying 3.25% (3.29% annualised) and matures on 9 December 2014.
- 21. Credit Union Australia Term Deposit (BBB+):** This investment is a one year term deposit, paying 3.85% (3.85% annualised), and matures on 7 May 2015.
- 22. Peoples Choice CU Term Deposit (Unrated):** This investment is a one 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 191 day term deposit paying 3.80% (3.83% annualised) and matures on 8 January 2015.
- 25. CBA Term Deposit (AA-):** This investment is a three year term deposit paying 5.76% p.a. and matures on 8 December 2014.
- 26. 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.
- 27. Macquarie Bank Term Deposit (A):** This investment is a 185 day term deposit paying 3.55% (3.58% annualised) and matures on 2 February 2014.
- 28. Bankwest TD (AA-):** This investment is a four year term deposit paying 7.00% (7.00% annualised) and matures on 13 February 2015.
- 29. IMB Term Deposit (BBB):** This investment is a 63 day term deposit paying 3.30% (3.35% annualised) and matures on 16 October 2014.
- 30. Summerland CU Term Deposit (Unrated):** This investment is a three year term deposit paying 5.05% pa and matures on 21 September 2015.

ITEM 11 (continued)**ATTACHMENT 1**

- 31. Wide Bay CU Term Deposit (BBB):** This investment is a 181 day term deposit paying 3.45% (3.48% annualised) and matures on 9 February 2015.
- 32. Heritage Bank (A-):** This investment is a 364 day term deposit paying 3.80% (3.80% annualised) and matures on 12 March 2015.
- 33. 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.
- 34. CBA Term Deposit (AA-):** This investment is a three year term deposit paying 4.55% annually and matures on 16 May 2016.
- 35. Greater Building Society Term Deposit (BBB):** This investment is a 90 day term deposit, paying 3.30% (3.34% annualised), and matures on 5 November 2014.
- 36. The Rock Building Society Term Deposit (BBB):** This investment is a 189 day term deposit paying 3.40% p.a. (3.43% annualised), and matures 26 February 2015.
- 37. AMP Term Deposit (A+):** This investment is a four year term deposit paying 7.14% which matures on 16 February 2015.
- 38. CBA Term Deposit (AA-):** This investment is a 184 day term deposit paying 3.53% (3.56% annualised), and matures on 27 February 2015.
- 39. 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.
- 40. 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.
- 41. 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.
- 42. 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.
- 43. 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.
- 44. 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.

ITEM 11 (continued)**ATTACHMENT 1**

- 45. 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.
- 46. 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.
- 47. 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.
- 48. 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.
- 49. NAB Fixed MTN (AA-):** This is a fixed rate bond paying 6.18% (6.30% annualised) and matures 15 February 2017.
- 50. TiO Term Deposit (AA+):** This is a 30 day term deposit paying 2.92% (2.96% annualised) and matures 7 October 2014.
- 51. Westpac Fixed MTN (AA-):** This is a fixed rate bond paying 6.00% (6.14% annualised) and matures 20 February 2017.
- 52. Macquarie Bank Term Deposit (A):** This is a five year term deposit paying 6.50% (6.50% annualised) and matures 3 April 2017.
- 53. 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.
- 54. Delphi Bank Term Deposit (Unrated):** This investment is a five year term deposit paying 6.05% p.a. and matures on 15 May 2017.
- 55. Rural Bank Term Deposit (Unrated):** This investment is a 146 day term deposit paying 3.40% (3.43% annualised) and matures on 22 January 2015.
- 56. 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.
- 57. 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.
- 58. 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.
- 59. Bank of Queensland Term Deposit (A-):** This investment is a five year term deposit paying 5.15% (5.15% annualised) and matures 20 November 2018.

ITEM 11 (continued)**ATTACHMENT 1**

- 60. Bank of Queensland Term Deposit (A-):** This investment is a two year term deposit paying 4.10% (4.10% annualised) and matures 3 March 2016.
- 61. BoQ Specialist Bank (formerly Investec) Term Deposit (BBB+):** This investment is a one year term deposit paying 3.50% p.a. and matures 14 August 2015.
- 62. IMB Term Deposit (BBB):** This investment is a five year term deposit paying 6.95% on maturity (6.15% annualised) and matures 15 August 2017.
- 63. 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.
- 64. St George Term Deposit (AA-):** This investment is a two year term deposit paying 4.05% (4.05% annualised) and matures on 27 August 2015.
- 65. 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.
- 66. Rural Bank Term Deposit (A-):** This investment is a one year term deposit, paying 3.60 p.a. and matures on 7 August 2015.
- 67. 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.
- 68. St George Term Deposit (AA-):** This is a two year term deposit paying 4.05% (4.05% annualised), and matures 13 August 2015.
- 69. Bank of Queensland Term Deposit (BBB+):** This is a one year term deposit paying 3.75% (3.75% annualised) and matures 14 May 2015.
- 70. NAB Term Deposit (AA-):** This is a 2.25 year term deposit paying 4.80% pa and matures 18 December 2014.
- 71. Members Equity Bank Term Deposit (BBB):** This is a one year term deposit paying 3.75% (3.75% annualised) and matures 19 February 2015.
- 72. 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.
- 73. Bendigo Bank Term Deposit (A-):** This investment is a one year term deposit paying 3.70% annually and matures 22 May 2015.
- 74. 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.

ITEM 11 (continued)**ATTACHMENT 1**

- 75. CBA Term Deposit (AA-):** This investment is a 183 day term deposit paying 3.55% (3.58% annualised) and matures 20 November 2014.
- 76. NAB Term Deposit (AA-):** This investment is a one year term deposit paying 3.80% (3.80% annualised) and matures 6 November 2014.
- 77. NAB Term Deposit (AA-):** This investment is a two year term deposit paying 4.15% (4.15% annualised) and matures 13 August 2015.
- 78. NAB Term Deposit (AA-):** This investment is a two year term deposit paying 4.27% (4.27% annualised) and matures 25 August 2015.
- 79. Macquarie Bank Term Deposit (A):** This investment is a one year term deposit paying 3.90% (3.90% annualised) and matures 17 December 2014.
- 80. AMP Term Deposit (A+):** This investment is a 189 day term deposit paying 3.40 (3.43% annualised), and matures 19 March 2015.
- 81. Bank of Queensland TD (A-):** This is a one year term deposit paying 3.75 p.a., and matures 12 February 2015.
- 82. NAB Term Deposit (AA-):** This investment is a one year term deposit paying 3.83% and matures 9 October 2014.
- 83. 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.
- 84. Rural Bank Term Deposit (A-):** This investment is a 181 day term deposit, paying 3.45% (3.48% annualised), and matures on 24 March 2014.
- 85. Wide Bay CU Term Deposit (BBB):** This investment is a 182 day term deposit paying 3.40% (3.43% annualised) and matures on 10 March 2014.
- 86. Newcastle Permanent Building Society (BBB+):** This investment is a 91 day term deposit, paying 3.35% (3.39% annualised), and matures on 4 December 2014.
- 87. 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.
- 88. 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.
- 89. Beyond Bank Term Deposit (BBB+):** This investment is a 90 day term deposit paying 3.44% (3.48% annualised) and matures on 23 December 2014.

ITEM 11 (continued)**ATTACHMENT 1**

- 90. 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.
- 91. NAB Floating Rate Term Deposit (AA-):** This investment is a two year floating rate term deposit paying 90d BBSW + 100 and matures 16 May 2016.
- 92. Bananacoast Credit Union Term Deposit (Unrated):** This investment is a one year term deposit paying 3.90%, and matures 22 May 2015.
- 93. Bankwest Term Deposit (A-):** This investment is a 62 day term deposit paying 3.40% (3.43% annualised), and matures 7 October 2014.
- 94. Bank of Queensland FRN (AA-):** This investment is a four year floating rate term deposit paying 90d BBSW + 100 and matures 12 June 2018.
- 95. AMP 31 Day Notice Account (A+):** This investment is an account which pays +100 over the cash rate.
- 96. NAB Term Deposit (AA-):** This investment is a one year term deposit paying 3.63% and matures 14 August 2015.
- 97. Police Bank Floating Rate Note (BBB+):** This is a senior, unsecured floating rate note purchased at a yield of 110 above BBSW. This investment matures 21 August 2017.
- 98. Newcastle Permanent Building Society (BBB+):** This investment is a 69 day term deposit, paying 3.20% (3.24% annualised), and matures on 6 November 2014.
- 99. Bendigo Bank Term Deposit (A-):** This investment is a 104 day term deposit paying 3.30% (3.34% annualised) and matures 16 December 2014.
- 100. Credit Union Australia Term Deposit (BBB+):** This investment is a 181 day term deposit paying 3.55% (3.58% annualised) and matures on 3 March 2015.
- 101. Newcastle Permanent Building Society (BBB+):** This investment is a 91 day term deposit, paying 3.35% (3.39% annualised), and matures on 11 December 2014.
- 102. P&N Bank Term Deposit (Unrated):** This investment is a 63 day term deposit paying 3.02% (3.06% annualised) and matures 13 November 2014.

12 2014/2015 CHRISTMAS / NEW YEAR ARRANGEMENTS - Business Operations

Report prepared by: Manager - Human Resources
File No.: HRS/07/5/28 - BP14/1190

REPORT SUMMARY

This report seeks Council's endorsement of the proposed business operations during the 2014/2015 Christmas / New Year Period, with Council's operations proposed to close from noon on Wednesday, 24 December 2014 and recommence on Friday, 2 January 2015.

Due to the timing of Christmas this year, Council's Operations Centre will be closing on Friday, 19 December 2014 with skeleton crews being in place from this date for all essential service areas and throughout the Christmas / New Year period, in addition to staff being available on call. Skeleton staff will also be available for all other areas of Council's operations up until noon on Wednesday 24 December 2014. Staff will be on call for all key areas throughout the Christmas / New Year period to ensure essential services are undertaken.

Also, during this period Council's Ryde Aquatic Leisure Centre (RALC) will be operating on revised business hours as detailed in the report.

For the above reasons, Council has organised for its staff to meet from 12 noon on Friday, 19 December 2014 for an end of year update on current issues from the Acting General Manager, present the staff recognition awards and to also provide staff with a Christmas lunch. Council's business operations will be therefore closed from 12 noon on 19 December 2014, with normal business operations resuming on Saturday, 20 December 2014.

RECOMMENDATION:

- (a) That the changes to normal City of Ryde business operations over the 2014/2015 Christmas/New Year period, as outlined in the report be endorsed.
- (b) That the changes to normal business operations referred to in (a) above, be advertised in the Mayor's Column, on Council's website, through Social Media and by way of notice at the front of the Civic Centre, Council's branch libraries and the Ryde Aquatic Leisure Centre.
- (c) That Council endorse the staff function, including staff update / Christmas lunch, being held at the Civic Hall from 12 noon on Friday, 19 December 2014.

ATTACHMENTS

There are no attachments for this report.

ITEM 12 (continued)

Report Prepared By:

Melissa Attia
Manager - Human Resources

Report Approved By:

Roy Newsome
Group Manager - Corporate Services

ITEM 12 (continued)

Background

In recent years, normal City of Ryde business operations, except Ryde Aquatic Leisure Centre (RALC) have ceased over the Christmas / New Year period. Throughout this period, skeleton staff have remained on duty, supported by staff on-call to continue essential services and to respond to urgent customer requests. This report seeks Council's endorsement for the proposed arrangements for Council's operations to close from 12 noon on Wednesday, 24 December 2014 and recommence on Friday, 2 January 2015.

The Library service and the RALC will have modified hours during this period.

Report

For the upcoming Christmas /New Year period, it is proposed that business operations will cease from 12 noon on Wednesday, 24 December 2014.

Due to the timing of Christmas this year, Council's Operations Centre will be closing from Friday, 19 December, 2014, with skeleton crews being in place from this date for all essential service areas and throughout the Christmas / New Year period. Additional staff for key areas will also be on call.

Similar arrangements will apply to all other areas of Council's operations (excluding the RALC) with staff on call for all key areas throughout the Christmas / New Year period. In respect of the RALC, it will be operating on revised business hours as detailed later in this report.

In balancing Council's operational requirements, service delivery obligations to the community together with Council's current financial pressures, all areas of Council's operations will be operating on a skeleton staff basis from Friday, 19 December 2014, up until noon on Wednesday, 24 December 2014, when Council's offices will be closed until 2 January 2015. All essential areas will have appropriate operational arrangements put in place throughout the Christmas / New Year period.

For the above reasons, it is proposed for Council staff to have its annual gathering from 12 noon on Friday, 19 December 2014, to ensure staff attendance is maximised. This function will incorporate an update on all current issues from the Acting General Manager, the presentation of staff recognition awards, in addition to a Christmas lunch for staff. The cost of this function is incorporated into Council's operating budget. It should be noted that by organising staff to take their leave through this period, it ensures that Council's leave liability is reduced.

Council's business operations will therefore close from 12 noon Friday, 19 December 2014, to allow for the staff update / function to take place, with normal business operations being recommenced from Saturday, 20 December 2014.

ITEM 12 (continued)

All Council's business operations excluding the RALC, will then close from noon on Wednesday, 24 December 2014 and recommence on Friday, 2 January 2015.

During the shutdown period, the following service functions will remain operational with on-duty staff;

- Cleansing operations:
 - Shopping Centres – streets, footpaths and bin collections.
 - Parks – bin collections.
 - Public Toilets.
- Urgent infrastructure repairs (public safety).
- General Parks Maintenance and mowing of Regional Parks.
- Rangers – normal patrols.
- Hall Hire – pre bookings.
- Details of the hours of operation and services in respect of the Top Ryder bus service over this period will be outlined in a further report to Council prior to the effected period.

Ryde Aquatic Leisure Centre

The proposed RALC operation hours for this period are as follows:

Wednesday	Dec 24	Closed to allow some remediation work to expansion joints on pool deck
Thursday	Dec 25	CLOSED (Christmas Day) Remediation work will be continuing
Friday	Dec 26	Closed to allow some remediation work to expansion joints on pool deck
Saturday	Dec 27	10.00am – 5.45pm
Sunday	Dec 28	10.00am – 5.45pm
Monday	Dec 29	10.00am – 5.45pm
Tuesday	Dec 30	10.00am – 5.45pm
Wednesday	Dec 31	10.00am – 5.45pm
Thursday	Jan 01	10.00am – 5.45pm (New Year's Day)
Friday	Jan 02	5.30am – 8.45pm (Resume Normal Operations)

The RALC returns to normal hours of operation on Friday, 2 January 2015.

ITEM 12 (continued)

City of Ryde Libraries

The proposed Library operations are as follows:

Friday, 19 December 2014 – from 12 noon	All libraries closed
Saturday, 20 December 2014 – Tuesday, 23 December 2014	All libraries open normal hours (skeleton staff)
Wednesday, 24 December 2014	All libraries open with skeleton staff only and closing at 5.00 pm
From 5.00 pm Wednesday, 24 December 2014 – 10.00 am Friday, 2 January 2015	All libraries closed
Friday, 2 January 2015	All libraries resume normal operations at 10.00 am on this day

On-Call Arrangements

The Operations Centre will be closed from 12 noon on Friday, 19 December 2014 through to Friday, 2 January 2015, returning to regular hours of operation on Monday, 5 January 2015.

A roster of on-call staff will be prepared for all other service units and these staff will be available to respond to urgent matters if required. This will include other functions such as information systems (IT) support and Development Application (DA) notifications. All details of on-call staff will be provided to Councillors prior to the Christmas/New Year shutdown.

The normal after-hours call centre arrangements will apply during this period, whereby any customers calling Council's main phone number will speak to an operator who will then allocate the enquiry to the relevant officer for action.

The proposed changes to normal business operations for the Christmas/New Year period are proposed to be advertised in the Mayor's Column, on Council's website and by way of notice at the front of the Civic Centre, Council's branch libraries and the Ryde Aquatic Leisure Centre. It is also proposed to utilise social media avenues for notification.

It is proposed that the update / Christmas function will be held from 12 noon on Friday, 19 December 2014 in Council's Civic Hall. Councillors will be advised of the details once confirmed, with all Councillors welcome to attend.

Financial Impact

Adoption of the recommendation outlined in this report will have no financial impact as the funding of staff resources over the Christmas/New Year shutdown is already included into existing operational budgets. It is noted that the proposed arrangements will result in a reduction in Council's leave liability.

ITEM 12 (continued)**Policy Implications**

There are no policy implications through adoption of the recommendation.

Other Options

Levels of services could be increased or decreased during this period. The arrangements proposed, however, will ensure the community is provided with appropriate levels of service throughout this period.

Critical Dates

To allow adequate notice in accordance with Award requirements, staff must be notified on the proposed shut-down no less than four weeks prior to the date of shut-down. However, it is appropriate to provide as much notice as possible to both the community and staff.

Conclusion

This report seeks Council's endorsement for the proposed arrangements for Council's operations to close from noon on Wednesday, 24 December 2014 and recommence on Friday, 2 January 2015, noting Council's business operations will be closed for the afternoon (from 12 noon) on Friday, 19 December 2014, for a staff update / Christmas function. Appropriate arrangements for essential services throughout the Christmas / New Year period will be in place, comprising skeleton staffing and staff on call, to ensure any disruptions to services are minimised.

13 REPORTS DUE TO COUNCIL

Report prepared by: Meeting Support Coordinator
File No.: CLM/14/1/4/2 - BP14/181

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 14 October 2014 (listing **ATTACHED**).

There are currently 23 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 Reports to Council - as at 14 October 2014

Report Prepared By:

Carol Mikaelian
Meeting Support Coordinator

Report Approved By:

Amanda Janvrin
Section Manager - Governance

John Schanz
Manager - Governance, Risk and Audit

Roy Newsome
Group Manager - Corporate Services

ITEM 13 (continued)

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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	(b) That the General Manager bring back a report to Council of existing sister city relationships.	Anticipated date	
13/11/2012		9/12/2014	
Group		Officer	
Corporate Services		John Schanz	<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> <p><i>Workshop with Dong Guan Business Chambers held on 27 May 2014.</i></p>

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*Further Councillor workshop
scheduled for 11 November 2014
to discuss opportunities and
options. Report to be presented
for Council's consideration on 9
December 2014.*

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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	Anticipated date	<i>Follow-up letter to applicant sent seeking amended plans 3 April 2013 - applicant has requested more time to provide amendments.</i>
Group	be deferred pending receipt of the information required by the deferred commencement	Officer	<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	conditions including amended plans etc and exhibition of this information with a further report to Council for consideration in 2013.	Liz Coad	<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 13 (continued)

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*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/dirveaway
proposal requires significant
assessment work. Report
proposed for July 2014.*

*Further amendmets required as a
result of issues including those
raised by RMS.*

Amended Plans not yet received.

*Amended Plans received October
2014. Report to Planning and
Environment Committee expected
in December 2014.*

ITEM 13 (continued)

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Meeting Type	Resolution	Due Date of Report	Comments/Update
Works and Community	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>
	(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 4/11/2014	<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>
Group Community Life		Officer Tatjana Domazet	<i>Workshop deferred to February 2014.</i>
			<i>Workshop further delayed to 18 March due to another workshop needing to take priority.</i>
			<i>Workshop was held in March, and a further workshop to be scheduled as soon as practicable.</i>
			<i>A report will be provided to the Works and Community Committee on 4 November 2014.</i>

ITEM 13 (continued)

ATTACHMENT 1

Meeting Type Works and Community	Resolution NOTICE OF MOTION - ADVERTISING ON PUBLIC LAND AND AROUND DOG OFF LEASH PARKS	Due Date of Report 10/12/2013	Comments/Update <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 28/05/2013	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 4/11/2014	<i>A report will be presented to the Works and Community Committee on 4 November 2014.</i>
Group Community Life	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.	Officer Tatjana Domazet	

ITEM 13 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	ESTABLISHING AN INTEGRATED YOUTH SERVICE HUB	14/07/2015	<i>This report will be provided to Council in July 2015, after a duration of 24 months as per the resolution.</i>
Meeting Date		Anticipated 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.	14/07/2015	
Group		Officer	
Community Life		Gunjan Tripathi	
<hr/>			
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		Anticipated date	
24/09/2013	(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 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.	24/03/2015	<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>
Group		Officer	
Environment and Planning		Meryl Bishop	
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Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	PLANNING PROPOSAL - AMENDMENTS TO LEP 2013	25/11/2014	<i>Update 11 August 2014: Land Owner advised of deferral; Public Works preparing report to Council 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>
		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.	9/12/2014	
Group		Officer	
Public Works		Anthony Ogle	<i>Due to complexity of the matter, further investigations are being carried out on the stormwater works capacity and options for Council.</i>
			<i>Update 30 September 2014: Detailed design underway to determine effectiveness of infrastructure in a 1:100 year flood. Once the detailed design is completed, investigation into the best options for Council will be completed. Depending on complexity, staff will aim to report to Council on 9 December. If this is unachievable, it will be in the new year.</i>

ITEM 13 (continued)

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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 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.	Anticipated date 18/11/2014	<i>The Department considered the Planning Proposal on 8 May 2014. The Director-general's recommendation as to whether the Proposal can proceed to exhibition has not yet been received.</i>
Group Environment and Planning		Officer Meryl Bishop	<i>Exhibition period from 31 July 2014 to 28 August 2014.</i>
			<i>Report proposed for November 2014.</i>

ITEM 13 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	MAYORAL MINUTE - COFFEE CART SERVICE - EASTWOOD LIBRARY AREA - COMPLETE	28/10/2014	<i>Update 9 May 2014: Investigations are currently being undertaken. It is anticipated that this matter will be reported to Council in July 2014.</i>
Meeting Date	That Council staff investigate all opportunities for commercial operations such as coffee cart/kiosk services in various locations such as in or around Council libraries, sporting areas, foreshores etc.	Anticipated date 28/10/2014	<i>Update 4 July 2014: A proposal from the Coffee Cart applicant was significantly delayed, after her 12 June meeting with Council Officers. The proposal has only recently been received and requires both assessment, and inclusion, in the Council Report. This report will now be submitted to Council in August.</i>
11/03/2014			<i>Update 8 August 2014: Council resolution to expand feasibility area required further resourcing and due to the departure of key staff, this report has now been delayed until November.</i>
Group		Officer Joe So	<i>Update 13 October 2014: This report has now been completed and will be presented to Council on 28 October 2014.</i>
Public Works			

ITEM 13 (continued)

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Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	MATTER OF URGENCY - NOISE FROM GARBAGE TRUCKS	21/10/2014	<i>COMPLETED (To be removed following the Council Meeting on 28 October 2014).</i>
Meeting Date 13/05/2014	That the Acting General Manager provide a report to Council outlining Council's policy with regard to the process for the collection of rubbish at multi-dwelling sites and adjoining commercial premises.	Anticipated date 4/11/2014	<i>Update 3 June 2014: Council staff have commenced investigations in preparation of this report, including discussions with neighbouring Council's and industry practices. This matter will be reported in August 2014.</i>
Group Public Works		Officer Jude Colechin	<i>Update 30 September 2014: Due to the NSROC Regional Waste Disposal Tender and the City of Ryde Waste Collection Tender, this report has been delayed. It is anticipated that this report will be submitted to the Works and Community in November 2014.</i>

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Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	COUNCIL PARKING INFRINGEMENT POLICY - COMPLETE	12/08/2014	<i>Report presented to Council on 28 October 2014.</i>
Meeting Date		Anticipated date	<i>COMPLETED (To be removed following the Council Meeting on 28 October 2014).</i>
13/05/2014	That Council review its Enforcement Parking Policy considering the NSW Law Reform Commission's Report, particularly those parts:	11/11/2014	
Group	(a) referring to vulnerable persons; and	Officer	
Environment and Planning	(b) the issuing of cautions.	Leon Marskell	
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Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	HERITAGE ADVISORY COMMITTEE - Minutes 16 April 2014	23/09/2014	<i>Proposal provided to Heritage Advisory Committee - further consultation with North Ryde RSL underway.</i>
Meeting Date		Anticipated date	
27/05/2014	That Council staff prepare a report investigating:	10/03/2015	
Group	(a) the possible future locations for the insignia, small plaque and laurel wreath; and	Officer	
Environment and Planning	(b) the heritage listing the insignia, small plaque and laurel wreath that was removed from the decommissioned Ryde memorial cenotaph in Ryde Local Environment Plan.	Meryl Bishop	
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ITEM 13 (continued)

ATTACHMENT 1

Meeting Type Works and Community	Resolution FLOODPLAIN RISK MANAGEMENT STUDIES - PARRAMATTA RIVER	Due Date of Report 25/11/2014	Comments/Update <i>Update 5 June 2014: A report will be submitted to Council in October 2014 on the outcome of the public exhibition.</i>
Meeting Date 3/06/2014	(c)That a further report be submitted to Council following the completion of the public exhibition period.	Anticipated date 9/12/2014	<i>Update 30 September 2014: It is expected that the FloodPlain Risk Management Plan for Buffalo and Kittys Creek will be submitted to Council in December 2014</i>
Group Public Works		Officer Charles Mahfoud	<i>The FloodPlain Risk Management Plan for Parramatta River will be submitted to Council early in 2015.</i>

ITEM 13 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution CROWN LANDS WHITE PAPER	Due Date of Report 7/03/2015	Comments/Update <i>Update 1 July 2014: Council delivered its submission by the 20 June 2014 deadline. The matter is now in the hands of the Crown. The Strategic Assessment could possibly take many months.</i>
Meeting Date 10/06/2014	(d) That this matter be further reported to Council once Council has evaluated the Strategic Assessment of the City of Ryde's Crown Land.	Anticipated date 24/03/2015	
Group Public Works		Officer Joe So	<i>Update 30 September 2014: This report will not be presented to Council until the update has been received from the Crown and at this stage, the timeframe is</i>
Meeting Type Council	Resolution PUBLIC EXHIBITION OF DRAFT EASTWOOD MASTER PLAN - SUBMISSIONS	Due Date of Report 11/11/2014	Comments/Update <i>Update 11 August 2014: Due to current heavy workload Council's Traffic section, this report will be prepared as soon as resources allow, currently expected to be reported to Council in December 2014.</i>
Meeting Date 22/07/2014	(e) That a further report be presented to Council regarding progressing the outstanding works recommended in the Eastwood Transport Management and Access Plan 2008 (TMAP) and all associated costs as quickly as practicable;	Anticipated date 9/12/2014	
Group Public Works		Officer Anthony Ogle	

ITEM 13 (continued)

ATTACHMENT 1

Meeting Type Works and Community	Resolution INVESTIGATION INTO NIGHT MARKETS AT EASTWOOD AND OTHER TOWN CENTRES	Due Date of Report 24/02/2015	Comments/Update
Meeting Date 5/08/2014	(b) That Council invite Expressions of Interest for the establishment of a regular Sunday Farmers Market at Eastwood and that the findings of the EOI and the result of consultation with local businesses be reported back to Council for approval.	Anticipated date 24/02/2015	
Group Community Life		Officer Derek McCarthy	
Meeting Type Council	Resolution MAYORAL MINUTE - CHRISTMAS LIGHT COMPETITION - COMPLETE	Due Date of Report 14/10/2014	Comments/Update <i>Report presented to Council on 14 October 2014.</i>
Meeting Date 12/08/2014	(a) That a further report be prepared by Council staff regarding the options available to Council in conducting a Christmas Light Competition.	Anticipated date 14/10/2014	<i>COMPLETED (To be removed following Council Meeting on 28 October 2014).</i>
Group Community Life	(b) That the above report be provided to Council by mid October 2014.	Officer Derek McCarthy	

ITEM 13 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution MAYORAL MINUTE - NAMING OF LOWER EASTWOOD OVAL	Due Date of Report 23/02/2015	Comments/Update
Meeting Date 12/08/2014	(a) That the Acting Group Manager – Community Life, prepare a report in relation to the possible renaming of the Lower Eastwood Oval.	Anticipated date 24/02/2015	
Group Community Life		Officer Tatjana Domazet	
Meeting Type Council	Resolution POLICY ON EXPENSES AND FACILITIES FOR THE MAYOR AND OTHER COUNCILLORS - COMPLETE	Due Date of Report 28/10/2014	Comments/Update <i>Further report presented to Council on 28 October 2014 following public exhibition of Draft Policy.</i>
Meeting Date 26/08/2014	(c) That after the exhibition period a further report be provided to Council detailing any submissions received, and seeking the adoption of the draft 'Policy on Expenses and Facilities for the Mayor and other Councillors'.	Anticipated date 28/10/2014	<i>COMPLETED (To be removed following the Council Meeting on 28 October 2014).</i>
Group Corporate Services		Officer John Schanz	

ITEM 13 (continued)

ATTACHMENT 1

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	CODE OF MEETING PRACTICE	25/11/2014	<i>Further report to be presented to Council on 25 November 2014 following public exhibition of Draft Code.</i>
Meeting Date		Anticipated date	
26/08/2014	(d) That a further report be provided to Council on 25 November 2014 to consider adoption of the draft Code of Meeting Practice.	25/11/2014	
Group		Officer	
Corporate Services		John Schanz	
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Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	LICENCE AGREEMENT - PUTNEY AND TENNYSON BOWLING CLUB	23/02/2015	
Meeting Date		Anticipated date	
26/08/2014	(c) That a further report be brought back to Council on the outcomes of any negotiations with the Club, including opportunities for access by additional community groups	24/02/2015	
Group		Officer	
Community Life		Tatjana Domazet	
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14-Oct-14		Page 17 of 18	

ITEM 13 (continued)

ATTACHMENT 1

Meeting Type Council	Resolution CIVIC CENTRE - MAINTENANCE SCHEDULE - UPDATE AND REVISED ESTIMATE OF WORKS	Due Date of Report 28/10/2014	Comments/Update <i>Discussions have been undertaken with the Office of Local Government.</i>
Meeting Date 26/08/2014	(c) That a further report be provided back to Council, no later than November 2014, that would provide a detailed action plan for Council's consideration in respect of all options that are detailed in this report.	Anticipated date 11/11/2014	<i>Report to be presented to Council on 11 November 2014.</i>
Group Corporate Services		Officer Roy Newsome	

Meeting Type	Resolution EASTWOOD RAILWAY STATION - COMPLETE	Due Date of Report 7/10/2014	Comments/Update <i>Matter considered by the Works and Community Committee at its meeting on 7 October 2014.</i>
Meeting Date 23/09/2014	That this matter be deferred for consideration at the next Works and Community Committee Meeting to be held on 7 October 2014.	Anticipated date 7/10/2014	<i>COMPLETED (To be removed following Council Meeting on 28 October 2014).</i>
Group Environment and Planning		Officer Leon Marskell	

PRECIS OF CORRESPONDENCE

1 RACIAL DISCRIMINATION ACT

Report prepared by: Executive Assistant to the Mayor
File No.: MYR/07/10/7 - BP14/1260

CORRESPONDENCE:

Submitting correspondence from the Department of the Prime Minister and Cabinet, dated 2 October 2014, regarding Section 18C of the Racial Discrimination Act 1975.

RECOMMENDATION:

That the correspondence be received and noted.

ATTACHMENTS

- 1 Letter from Federal Government – Section 18C of the Racial Discrimination Act 1975

Report Prepared By:

Linda Smith
Executive Assistant to the Mayor

Report Approved By:

Dominic Johnson
Acting General Manager

PRECIS OF CORRESPONDENCE 1 (continued)

ATTACHMENT 1



Australian Government

Department of the Prime Minister and Cabinet

ANDREW FISHER BUILDING
ONE NATIONAL CIRCUIT
BARTON

2 October 2014

Reference: C14/73727

Councillor Roy Maggio
Mayor of the City of Ryde
Locked Bag 2069
NORTH RYDE NSW 1670

Dear Mayor

Thank you for your letter of 26 August 2014 to the Prime Minister regarding the Government's decision not to proceed with proposals to amend section 18C of the *Racial Discrimination Act 1975*. I have been asked to reply on the Prime Minister's behalf.

The fundamental priority of government is to keep our country safe and that is the Prime Minister's absolute priority. The Government is working with the communities of our country to counter terrorism, ensure our communities are secure, and build our nation. Following consultation on the Government's proposed changes to the Racial Discrimination Act, the Government decided that these goals should take priority over all other considerations.

The Government believes in an Australia where everyone is free to speak their mind, in which rights are accompanied by responsibilities, in which there is absolutely no place for racism, and all of our citizens live in a harmonious and mutually respectful society.

Yours sincerely



Peter Arnaudo
Assistant Secretary
Legal Policy Branch

CONFIDENTIAL ITEMS

14 OPPORTUNITIES FOR COMMERCIAL OPERATIONS WITHIN AND AROUND COUNCIL LIBRARIES, SPORTING AREAS AND FORESHORES

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Report prepared by: Acting Section Manager - Properties
File No.: BPU/08/5/3/13 - BP14/613
Page No.: 237

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.

Report prepared by: Solicitor
File No.: GRP/09/5/7 - BP14/1191
Page No.: 245