

Meeting Date: Tuesday 28 May 2019
Location: Council Chambers, Level 1A, 1 Pope Street, Ryde
Time: 7.00pm

*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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MAYORAL MINUTES**MM10/19 FEDERAL ELECTION – SEAT OF BENNELONG – Mayor, Councillor
Jerome Laxale****File No.:** MYR/07/10/20 – BP19/577

REPORT SUMMARY

On Saturday, 18 May 2019 a Federal election was held.

At that election, the Government was returned to office.

The local government area of Ryde is part of the Federal Seat of Bennelong and Mr John Alexander OAM retained the seat.

I have written letters to both Prime Minister Scott Morrison and Mr John Alexander OAM congratulating them on their recent re-election to parliament.

RECOMMENDATION:

That Council endorse the messages of congratulations written by Mayor Laxale to Prime Minister Morrison and the Member for Bennelong - Mr Alexander OAM on their re-election to Parliament.

MAYORAL MINUTES (CONTINUED)

MM11/19 INSTALLATION OF SAFETY MIRROR ON SHARED PATH IN SYMONS RESERVE – Mayor, Councillor Jerome Laxale

File No.: MYR/07/10/20 – BP19/586

REPORT SUMMARY

Cyclists within the City of Ryde have contacted me with their concerns regarding safety on the shared user path in Symons Reserve.

The shared user path has a blind corner where there have been numerous near-misses between cyclists and pedestrians.

There is a painted delineation line marking the two lanes of the shared path, but path users have reported that this measure alone is insufficient to prevent people crossing over to the wrong side of the path when approaching the blind corner.

The installation of a convex mirror at the site of the blind corner would alert both cyclists and pedestrians to any oncoming traffic.

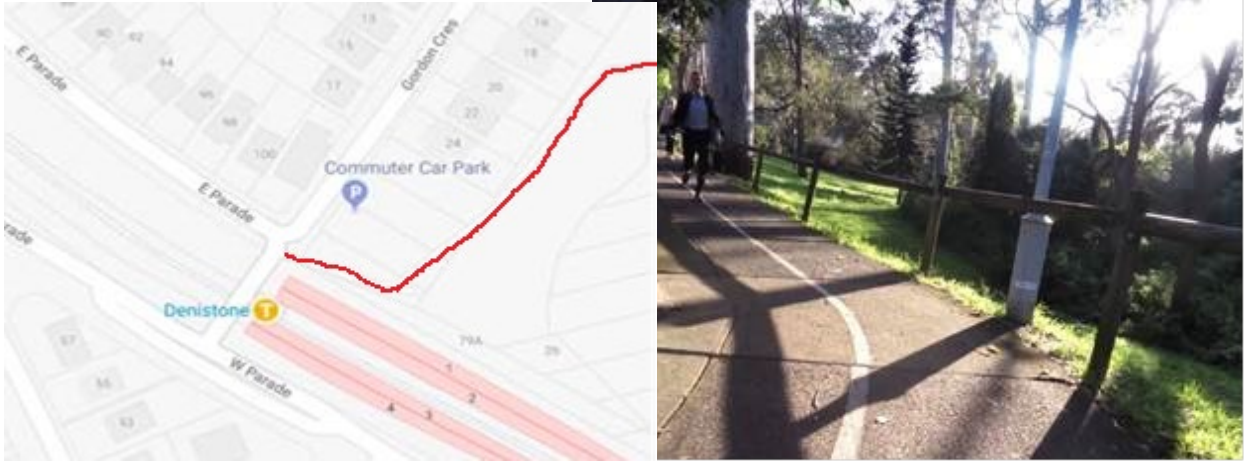
Background

Members of the Bike North group have advised that there was a similar mirror at this site until approximately five years ago when it was removed due to vandalism.

The Bike North group has raised its request that the mirror be replaced via the Ryde Bike Advisory Committee. Both Bike North and Bicycle NSW support the use of a convex mirror to increase the safety of the path.



MM 11/19 (continued)



RECOMMENDATION:

- (a) That Council install a convex mirror at the site of the blind corner on the Symons Reserve shared path.
- (b) That the General Manager fund this project through General Revenue, or any other appropriate funding source.

1 CONFIRMATION OF MINUTES - Council Meeting held on 30 April 2019

Report prepared by: Civic Services Manager**File No.:** CLM/19/1/1/2 - BP19/498

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 4/19, held on 30 April 2019 be confirmed.

ATTACHMENTS

- 1 MINUTES - Ordinary Council Meeting - 30 April 2019

ITEM 1 (continued)

ATTACHMENT 1

**Council Meeting
MINUTES OF MEETING NO. 4/19**

Meeting Date: Tuesday 30 April 2019
Location: Council Chambers, Level 1A, 1 Pope Street, Ryde
Time: 7.11pm

Councillors Present: The Mayor, Councillor Laxale and Councillors Brown, Clifton, Gordon, Kim, Lane, Maggio, Moujalli, Pedersen, Purcell, Yedelian OAM and Zhou.

Note: Councillor Yedelian OAM left the meeting at 11.18pm and did not return. He was not present for consideration or voting on Notice of Motion 13.

Apologies: Nil.

Staff Present: General Manager, Director – Customer and Community Services, Director – Corporate Services, Director – City Planning and Environment, Director – City Works, Executive Manager – Strategy and Innovation, General Counsel, Chief Financial Officer, Manager – Communications and Engagement, Manager – Urban Strategy, Manager – Community and Ranger Services, Manager – Library Services, Manager – Business Infrastructure, Acting Manager – Corporate Governance, Senior Coordinator – Community Engagement, Senior Coordinator – Communications, Communications Coordinator, Development Contributions Coordinator, Civic Services Manager and Civic Support Officer.

PRAYER

Reverend Bruce Stanley of St Philip's Anglican Church, Eastwood was present and offered prayer prior to the commencement of the meeting.

NATIONAL ANTHEM

The National Anthem was sung prior to the commencement of the meeting.

DISCLOSURES OF INTEREST

The Mayor, Councillor Laxale disclosed a Less than Significant Non-Pecuniary Interest in Item 3(4) – Community Grants Program – Allocation of Funding Round 1, 2019, for the reason that his daughters play for a club associated with the Eastwood Ryde Netball Association.

ITEM 1 (continued)

ATTACHMENT 1

Councillor Pedersen disclosed a Less than Significant Non-Pecuniary Interest in Item 3(4) – Community Grants Program – Allocation of Funding Round 1, 2019, for the reason that she knows members and organisers of the East Ryde Scouts.

Councillor Pedersen disclosed a Less than Significant Non-Pecuniary Interest in Item 3(4) – Community Grants Program – Allocation of Funding Round 1, 2019, for the reason that she knows several organisers of the organisations applying for Community Grants through the City of Ryde Advisory Committees.

TABLING OF PETITIONS

Councillor Kim tabled a Statutory Declaration from Misun Kim regarding a petition containing 4818 signatures concerning Notice of Motion 15 – Rowe Street East Car Park Community Centre Proposal and a copy is ON FILE.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:-

Name	Topic
Father Martin Maunsell (representing St Kevins Church, Eastwood)	MM8/19 – 100th Anniversary – St Kevins Church Eastwood
Akhila Nagarajan	Notice of Motion 2 – Childcare – Status of Women Advisory Committee
Jessica Matthews (representing Ryde District Mums)	Notice of Motion 2 – Childcare – Status of Women Advisory Committee
Sally Langford	Notice of Motion 2 – Childcare – Status of Women Advisory Committee
Lisa Smajlov	Notice of Motion 2 – Childcare – Status of Women Advisory Committee
John Beaumont (representing Ryde Secondary College P&C)	Notice of Motion 8 – Ryde Secondary College – School 40km zone
Doug Malcolm (representing Paint4Freedom)	Notice of Motion 11 – Paint4Freedom – Local Community Art Competition
Tony D’Addona (representing Stockland)	Confidential Item 9 – Letter of Offer to Enter into a Voluntary Planning Agreement in relation to LDA2017/0547 at 11-17 Khartoum Road and 33-39 Talavera Road, Macquarie Park
Stephen White (representing Urbis)	Confidential Item 9 – Letter of Offer to Enter into a Voluntary Planning Agreement in relation to LDA2017/0547 at 11-17 Khartoum Road and 33-39 Talavera Road, Macquarie Park

ITEM 1 (continued)

ATTACHMENT 1

Note: Maryam Litkouhi (representing Stockland) was called to address Council, however was not present in the Chamber.

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

The following persons addressed the Council:-

Name	Topic
Phil Lester	Safety and Amenity of Ryde/Putney area
Bruce Reid (representing Irene and tenants)	Tree Issues
Lyndal Evatt	Consultation procedure for Proposed relocation playground in Anzac Park opposite this residential building for seniors/aged and disabled. The community needs to be informed on: <ol style="list-style-type: none"> 1. Possible upgrading and relocation of the amenities block 2. The intrusion to our existing use and enjoyment of that section of the park if it proceeds

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

RESOLUTION: (Moved by Councillors Maggio and Brown)

That the speakers who submitted Requests to Address Council on Items Listed on the Agenda after the midday deadline be allowed to address the meeting, the time being 7.51pm.

Record of Voting:

For the Motion: Unanimous

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:-

Name	Topic
Dr Sebastianus Kwon (representing the Korean Australian Medical Society)	Notice of Motion 15 – Rowe Street East Car Park Community Centre Proposal
James Jeong (representing Bendigo Community Bank, Eastwood)	Notice of Motion 15 – Rowe Street East Car Park Community Centre Proposal

ITEM 1 (continued)

ATTACHMENT 1

Name	Topic
William Seung OAM (representing Korean Australian Community Support Inc.)	Notice of Motion 15 – Rowe Street East Car Park Community Centre Proposal
Kwang Hong Yoon (representing Korean Community of Sydney)	Notice of Motion 15 – Rowe Street East Car Park Community Centre Proposal
Misun Kim (representing Eastwood Community Centre Building Committee)	Notice of Motion 15 – Rowe Street East Car Park Community Centre Proposal
Kum Nyum Won	Notice of Motion 15 – Rowe Street East Car Park Community Centre Proposal
John Zappala (representing Ryde Saints United FC)	Notice of Motion 5 – Plaque on new Pidding Park Amenities Building on behalf of Don Fonti, Ryde Saints United FC
Joe Leonardi (representing Ryde Saints United FC)	Notice of Motion 5 – Plaque on new Pidding Park Amenities Building on behalf of Don Fonti, Ryde Saints United FC

Note: Taz Hwa-Yi was called to address Council, however was not present in the Chamber.

ORDER OF BUSINESS

RESOLUTION: (Moved by Councillors Yedelian OAM and Gordon)

That Council now consider the following Items, the time being 8.13pm:-

- **MM8/19** – 100th Anniversary – St Kevins Church, Eastwood
- **Notice of Motion 2** – Childcare – Status of Women Advisory Committee
- **Notice of Motion 8** – Ryde Secondary College, School 40km Zones
- **Notice of Motion 11** – Paint4Freedom – Local Community Art Competition
- **Notice of Motion 15** – Rowe Street East Car Park Community Centre Proposal
- **Notice of Motion 5** – Plaque on New Pidding Park Amenities Building on behalf of Don Fonti, Ryde Saints United FC

Record of the Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

MAYORAL MINUTE

MM8/19 100TH ANNIVERSARY - ST KEVINS CHURCH EASTWOOD - Mayor, Councillor Jerome Laxale

Note: Father Martin Maunsell (representing St Kevins Church, Eastwood) addressed the meeting in relation to this Item.

RESOLUTION: (Moved by the Mayor, Councillor Laxale and Councillor Moujalli)

That a suitable plaque be prepared and presented to St Kevins Church Eastwood, to mark the 100th anniversary of Catholic worship at Eastwood.

Record of the Voting:

For the Motion: Unanimous

NOTICES OF MOTION

2 CHILDCARE - STATUS OF WOMEN ADVISORY COMMITTEE - Councillor Penny Pedersen

Note: Akhila Nagarajan, Jessica Matthews (representing Ryde District Mums), Sally Langford and Lisa Smajlov addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Pedersen and Yedelian OAM)

- (a) That Council introduce the provision of childcare for members of Advisory Committees to support their attendance at meetings and to encourage parents with children to join the Committees to broaden community representation.
- (b) That staff from Community and Ranger Services identify a suitable community childcare provider(s) to engage child-minding staff that are suitably qualified and experienced and meet child-related employment pre-screening requirements.
- (c) That staff from Community and Ranger Services identify a space that is within the immediate vicinity of all Advisory Committee meeting venues that is safe and secure for the children and child-minding staff.
- (d) That funding for this be made available from appropriate sources as advised by the General Manager on the basis that the meetings are held quarterly and that participants notify the Committee Chairs at least one (1) week prior to the meeting that the service would be required.

ITEM 1 (continued)

ATTACHMENT 1

- (e) That after 12 months a report be brought back to Council reviewing the use of the service.
- (f) That the General Manager be delegated authority to undertake an Expression of Interest process and appoint preferred community childcare provider(s).

Record of the Voting:

For the Motion: The Mayor, Councillor Laxale and Councillors Brown, Clifton, Gordon, Kim, Lane, Maggio, Pedersen, Purcell, Yedelian OAM and Zhou

Against the Motion: Councillor Moujalli

8 RYDE SECONDARY COLLEGE, SCHOOL 40KM ZONES - Councillor Roy Maggio

Note: John Beaumont (representing Ryde Secondary College P&C) addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Maggio and Brown)

- (a) That staff in consultation with the RMS/Transport for NSW investigate the option of installing a 40km school zone in Buffalo Road adjacent to the Ryde Secondary College noting that there are a number of school zones already in place in nearby streets and report findings back to Council at the August meeting.
- (b) That a Road Sign be erected on Buffalo Road clearly pointing to the location to Ryde Secondary College.
- (c) That the Ryde Secondary College P&C President, Teresa Russell and Ryde Secondary College Road Safety Chair, John Beaumont be consulted throughout the process with RMS and Transport for NSW.

Record of the Voting:

For the Motion: Unanimous

11 PAINT4FREEDOM LOCAL COMMUNITY ART COMPETITION - Councillor Jordan Lane

Note: Doug Malcolm (representing Paint4Freedom) addressed the meeting in relation to this Item.

ITEM 1 (continued)

ATTACHMENT 1

RESOLUTION: (Moved by Councillors Lane and Gordon)

- (a) That Council recognise the abhorrent practices of modern-day slavery; human trafficking; forced labour; child soldiers and forced prostitution here in Australia and globally.
- (b) That Council delegate the General Manager to work with Paint4Freedom and local clubs like Rotary and others where possible to organise a Local Community art competition between 1 July and 31 December 2019.
- (c) That Council Staff prepare a report with possible timeframes and expected financial implications.

Record of the Voting:

For the Motion: Unanimous

**15 ROWE STREET EAST CAR PARK COMMUNITY CENTRE PROPOSAL -
Councillor Dr Peter Kim**

Note: Dr Sebastianus Kwon (representing the Korean Australian Medical Society), James Jeong (representing Bendigo Community Bank, Eastwood), William Seung OAM (representing Korean Australian Community Support Inc.), Kwang Hong Yoon (representing Korean Community of Sydney), Misun Kim (representing Eastwood Community Centre Building Committee) and Kum Nyum Won addressed the meeting in relation to this Item.

Note: Councillor Kim tabled a Statutory Declaration from Misun Kim regarding a petition containing 4818 signatures in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Kim and Brown)

- (a) That the General Manager prepare a report into the financial viability of constructing a community centre in conjunction with the proposed Rowe Street East car park development.
- (b) The report is to include details about relevant planning controls and approval pathways required and timing options for construction.

Record of the Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

5 PLAQUE ON NEW PIDDING PARK AMENITIES BUILDING ON BEHALF OF DON FONTI, RYDE SAINTS UNITED FC - Councillor Roy Maggio

Note: John Zappala (representing Ryde Saints United FC) and Joe Leonardi (representing Ryde Saints United FC) addressed the meeting in relation to this Item.

Note: Councillor Kim left the meeting at 9.14pm and was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Maggio and Gordon)

- (a) That Council install a plaque on the Pidding Park new Amenities Block for Don Fonti.
- (b) That Council source the required funding from the current 2018/19 base budget.
- (c) That Council facilitate a meeting with Ryde Saints United Football Club to ensure the appropriate wording is installed on the plaque before the June Council meeting.
- (d) That the plaque be presented to Don Fonti at the June Council meeting before it is installed on the Pidding Park Amenities Block.

Record of the Voting:

For the Motion: Unanimous

MAYORAL MINUTES

MM8/19 100TH ANNIVERSARY - ST KEVINS CHURCH EASTWOOD - Mayor, Councillor Jerome Laxale

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

MM9/19 SAVE OUR RECYCLING CAMPAIGN - Mayor, Councillor Jerome Laxale

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

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

- (a) That Council endorse Local Government NSW's campaign, *Save Our Recycling*, to realise the reinvestment of a 100% of the Waste Levy collected each year by the NSW Government in waste minimisation, recycling and resource recovery.

ITEM 1 (continued)

ATTACHMENT 1

- (b) That Council make representation to the local State Member(s), in support of this campaign objective - for the NSW Government to commit to reinvest 100% of the Waste Levy in waste minimisation, recycling and resource recovery.
- (c) That Council write to the Premier, the Hon Gladys Berejiklian MP and the interim Opposition Leader, the Hon Penny Sharpe MLC, seeking bipartisan support for the 100% reinvestment of the Waste Levy collected each year into waste minimisation, recycling and resource recovery.
- (d) That Council take a lead role in activating the Local Government NSW *Save Our Recycling* campaign locally.
- (e) That Council endorse the distribution and display of the Local Government NSW *Save Our Recycling* information on Council premises, as well as involvement in any actions arising from the initiative.
- (f) That Council formally advise Local Government NSW that Council has endorsed the *Save Our Recycling* advocacy initiative.

Record of the Voting:

For the Motion: The Mayor, Councillor Laxale and Councillors Brown, Clifton, Gordon, Lane, Maggio, Pedersen, Purcell, Yedelian OAM and Zhou

Against the Motion: Councillor Moujalli

COUNCIL REPORTS

1 CONFIRMATION OF MINUTES - Council Meeting held on 26 March 2019

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

RESOLUTION: (Moved by Councillors Yedelian OAM and Purcell)

That the Minutes of the Council Meeting 3/19, held on 26 March 2019 be confirmed.

Record of the Voting:

For the Motion: The Mayor, Councillor Laxale and Councillors Brown, Clifton, Gordon, Maggio, Moujalli, Pedersen, Purcell, Yedelian OAM and Zhou

Against the Motion: Councillor Lane

ITEM 1 (continued)

ATTACHMENT 1

2 ITEMS PUT WITHOUT DEBATE

Note: Councillor Kim returned to the meeting at 9.24pm.

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

That Council adopt Items 3(4), 3(5), 3(6), 3(7), 3(8), 3(12), 4, 4(1), 4(3), 5, 5(1), 5(3), 6, Precis of Correspondence 1, Notice of Motion 1, Notice of Motion 6, Notice of Motion 9, Notice of Motion 12, Notice of Motion 16 and Item 10 on the Council Agenda as per the recommendations in the reports.

Record of the Voting:

For the Motion: Unanimous

3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 3/19 held on 9 April 2019

4 COMMUNITY GRANTS PROGRAM - ALLOCATION OF FUNDING ROUND 1, 2019

Note: The Mayor, Councillor Laxale disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that his daughters play for a club associated with the Eastwood Ryde Netball Association.

Note: Councillor Pedersen disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that she knows members and organisers of the East Ryde Scouts.

Note: Councillor Pedersen disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that she knows several organisers of the organisations applying for Community Grants through the City of Ryde Advisory Committees.

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

(a) That Council endorse funding to the following organisations in round 1 of the 2019 Community Grants as follows:

Category 1- Community Projects			
Organisation	Project	Amount Requested	Amount Recommended
Live Life Get Active	Live Life Get Active- free community fitness classes.	\$5,000	\$5,000

ITEM 1 (continued)

ATTACHMENT 1

Christian Community Aid	Connecting to Life-creating opportunities for seniors to stay connected, experience the benefits of living longer and enjoy opportunities to participate in their communities.	\$10,000- lesser amount recommended - capital equipment such as computers and wi-fi are ineligible.	\$3,500
North Ryde Community Church	Twilight Community Market- A welcoming and inclusive community event.	\$3,000	\$3,000
Special Children Services Centre Inc.	Fun at School Holidays—Kids yoga and dancing and an excursion to Taronga Zoo for children with special needs.	\$5,000	\$5,000
Australian Association of Cancer Care Inc.	Cancer Care and Nursing Home Entertainment- Assistance and support to patients suffering from cancer and monthly entertainment at nursing homes.	\$5,000	\$5,000
Australian Korean Theatre Company	Musical “Sound of Music”- auditions, weekly rehearsals and final performance in the local theatre.	\$5,000	\$5,000
Relationships Australia (NSW) Ltd	Senior Abuse Drama Project (Cantonese) - addresses family domestic violence in ethnic and seniors’ communities through culturally appropriate performing art.	\$5,000	\$5,000
Sub-Total		\$38,000	\$31,500

ITEM 1 (continued)

ATTACHMENT 1

Category 2- Capacity Building			
Organisation	Project	Amount Requested	Amount Recommended
Riding for the Disabled	Impact Volunteers-implementation of a volunteer management system.	\$5,000	\$5,000
SydneySiders Express Incorporated	SydneySiders Express Harmony Chorus Open Night Membership Drive- outreach event to attract members and a free five week 'learn to sing in harmony' course.	\$4060	\$3760
The Northern Centre	Building Cultural Competency- 6 month online cultural competence program for all staff working at the West Ryde Community Centre. Modules will include Chinese, Korean, Indian, LGBTIQ and Aboriginal and Torres Strait Islanders.	\$4940	\$4940
Sub-Total		\$14,000	\$13,700

Category 3- Events			
Organisation	Project	Amount Requested	Amount Recommended
City of Ryde Art Society	City of Ryde Art Society 59 th Annual Art Exhibition. Requested \$5,000	\$5,000	\$5000
The Happy Hens Social Enterprise Inc.	Bedlam at the Bay- A fete which focuses on destigmatizing mental health including mental	\$7500- lesser amount recommended based on attendance at last year's	\$5,000

ITEM 1 (continued)

ATTACHMENT 1

	health providers, Lifeline and Beyond Blue.	event (under 5000 attendees)	
Riverside Business Chamber	Putney Street Festival showcasing businesses in Putney.	\$7,500	\$7,500
West Ryde Chamber of Commerce	Christmas Carols in West Ryde, ANZAC Park	\$7,500- lesser amount recommended based on previous year's attendance (under 5000 attendees)	\$5,000
Morling College	Saunders Close Spring Fair- family-friendly festival to celebrate diversity and create a safe, accessible and inclusive space.	\$5,000- lesser amount recommended based on attendance of 400 people.	\$2,500
Sub-Total		\$32,500	\$25,000

Category 4- Sports & Recreation			
Organisation	Project	Amount Requested	Amount Recommended
Eastwood Ryde Netball Association Inc.	Net Set Go Program- National Junior Development Program to introduce netball to primary school aged children.	\$3,500	\$3,500
Usman Khawaja Foundation Ltd.	City of Ryde Chance to Shine Cricket Program - alleviate disadvantage youth through the provision of educational and cricketing opportunities. A free introductory 6 week off-season cricket program for boys and girls aged 6-12.	\$3,500	\$3,500

ITEM 1 (continued)

ATTACHMENT 1

Australian Skateboarding Federation	King of Concrete Ryde Skatepark – state/national level skateboarding competition that will promote City of Ryde’s new state of the art skate park. It will give locals a stage to compete against some of Australia’s best skaters.	\$3,500	\$3,500
Homenetmen Antranig Scouts And Sportsclub	Amateur Football Competition – support for Syrian Armenian refugees interested in playing soccer.	\$2,400	\$2,400
Sub-Total		\$12,900	\$12,900

Category 5- Seniors			
Organisation	Project	Amount Requested	Amount Recommended
Italian Women’s Group Marsfield	Promotes Health Initiatives – support group that meets weekly providing social connections.	\$1,500	\$1,500
Korean Harmony Culture Group	Seniors Activities for Local Korean Seniors- Activities include line dancing, singing, English language classes and social outings.	\$2,000	\$2,000
Italian Leisure Group	Weekly Social and Recreational Activities for Italian Seniors.	\$2,000	\$2,000
Eastwood Chinese Senior Citizens Club	Building Friendship Among CALD Seniors - hosting cross cultural performances with games and food aimed at	\$2,000	\$2,000

ITEM 1 (continued)

ATTACHMENT 1

	connecting Chinese seniors with other CALD seniors.		
Sub-Total		\$7,500	\$7,500

Category 6- Social Support			
Organisation	Project	Amount Requested	Amount Recommended
Mahboba's Promise	Marsfield Mother's Support Network- family centred social and financial support program that assists disadvantaged single mothers from CALD backgrounds.	\$9,828.40	\$9,828.40
Differently Abled People Association Incorporated	Our Ryde Social Harmony Game-development of "Our Ryde" App by people with disability for people with disability. Improving connections with community facilities, providers of services and those who may require additional assistance.	\$10,000	\$10,000
Kick Start Mentoring Program	Streetwork Australia Limited-KickStart provides one-on-one mentoring to 'at risk' young people aged 11-18.	\$10,000	\$10,000
Sydney Korean Women's Association	Helping Hands-face to face and telephone services to assist with accessing mainstream services and education seminars and family events.	\$10,000	\$10,000

ITEM 1 (continued)

ATTACHMENT 1

Learning Links	Reading for Life - supporting disadvantaged children at Truscott Street Public School.	\$7,895	\$7,895
Yourside	Friendship Space Project- accessible place making initiative for isolated elderly. Volunteers will create a disability accessible space in shopping centres to support and initiate social connections.	\$10,000	\$10,000
National Centre for Childhood Grief Counselling	Grief Counselling Education BEST Kids Program- free and unlimited specialist bereavement counselling for children and teenagers aged 3-18 to up-skill those who work in direct contact with bereaved children and their families.	\$9,317	\$9,317
Sub-Total		\$67,040.40	\$67,040.40

Category 7- Social Inclusion			
Organisation	Project	Amount Requested	Amount Recommended
The Shepherd Centre	'In the Shoes of a Child with Hearing Loss' - virtual reality training experience for students and teachers in Ryde.	\$795	\$795
Sub-Total		\$795	\$795

- (b) That funding of \$124,894 is available within the Community and Ranger Services budget to partially fund the recommended applications totaling \$158,435.40. The remaining funding of \$33,541.40 be allocated from the Community Grants Reserve.

ITEM 1 (continued)

ATTACHMENT 1

- (c) That Council does not endorse the following three applications due to ineligibility in line with the Community Grants Policy:

Organisation	Project	
Kevinwood Orchestra	Spread the Bells- extending the range of hand-bells and bell-chimes (\$4,724)	Capital equipment is not eligible and musical instruments have been assessed as capital equipment. Alternate grant opportunities will be discussed with the applicant.
North Ryde Community Aid Inc.	Creation of a New Website (\$5,000)	Day-to-day operational expenses are not eligible and the development of a new website has been assessed as operational. Alternate grant opportunities will be discussed with the applicant.
1 st East Ryde Scout Group	Purchase of BBQ and New Shelving (\$3,978)	Capital equipment is not eligible and shelving and a BBQ have been assessed as capital equipment. Alternate grant opportunities will be discussed with the applicant.

- (d) That the successful and unsuccessful grant applicants be informed in writing of the outcome of their applications.

Record for the Voting:

For the Motion: Unanimous

5 STREET ART IN CITY OF RYDE

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

- (a) That Council deliver a new mural in the Eastwood pedestrian underpass; funded from the 2018/19 and 2019/20 Art Project budget (total of \$40,000).
- (b) That Council implements additional street art projects funded by the 2019/20 Street Art Project budget in order of priority, as listed in this report.
- (c) That Council officers continue to explore additional funding sources such as sponsorship, grant monies, or project funding to fund the delivery of future street art projects in order of priority, as listed in this report.

ITEM 1 (continued)

ATTACHMENT 1

Record for the Voting:

For the Motion: Unanimous

6 SANITARY BINS AND HAND SOAP DISPENSERS

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

- (a) That Council initiates a trial of installing twenty six (26) hand soap dispensers and sanitary bins at selected amenity facilities for a trial period of twelve (12) months.
- (b) That staff report the results back to Council at the conclusion of the trial.
- (c) That Council note the funding for the trial consisting of;
 - I. \$2,500 as a one-off cost for the procurement and installation of twenty six (26) hand soap dispensers;
 - II. \$10,800pa for servicing of sanitary bins and hand soap dispensers during the trial;
 - III. That expenditure be funded from savings only for the trial and note that any extension will require additional funding.

Record for the Voting:

For the Motion: Unanimous

7 AMENDMENTS TO DELIVERY PLAN LISTING 2018 - 2019

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

- (a) That Council endorse the following projects within the Footpath Construction Expansion Program to be deferred:
 - Marsden Road, West Ryde (Lawson Street - Rutledge Street)
 - Donald Street, North Ryde (Blenheim Road - Morshead Street)
- (b) That Council endorse the following projects to be included to the Footpath Construction Expansion Program:

ITEM 1 (continued)

ATTACHMENT 1

- Watt Avenue, Ryde (Smith Street - Pratten Avenue)
 - 330 Pittwater Road Shared Use Path (SUP), North Ryde
- (c) That Council endorse the following project within the Road Resurfacing Renewal Program to be deferred:
- SRV-College Street, Gladesville from Orient Street to Frank Street
- (d) The Council endorse the following project to be included to the Road Resurfacing Renewal Program:
- Bank Street, Meadowbank from Constitution Road to 14 Bank Street

Record for the Voting:

For the Motion: Unanimous

8 GRANT FUNDING APPLICATION APPROVALS - ROADS AND MARITIME SERVICES - 2019-20

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

That Council accept the funding received from the RMS Safer Roads Program (2019-2020) - \$145,000 being for the projects:

- i. Badajoz Road and Twin Road, North Ryde – Traffic Calming and Pedestrian fencing at existing roundabout (\$70,000)
- ii. Bay Drive, Meadowbank – Proposed Raised Pedestrian Crossing (\$75,000)

Record for the Voting:

For the Motion: Unanimous

12 LIBRARY SERVICES STRATEGIC PLAN

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

- (a) That the Library Services strategic plan *Great Libraries Great Communities 2019-2024* be approved by Council and placed on public exhibition for 28 days subject to the following additions:-

ITEM 1 (continued)

ATTACHMENT 1

**UNDER THE HEADING 'OUR GUIDING PRINCIPLES' (Page 17)
Fostering Multiculturalism:**

We strive to provide culturally and linguistically appropriate library services to our multicultural community

UNDER THE HEADING 'CATALYTS FOR CHANGE'

Scenario 1 (Page 44)

Relocation and/or expansion of Eastwood Library as a Town Centre Library.

(b) That Councillors are informed of the results of the public exhibition.

Record of Voting:

For the Motion: Unanimous

**4 REPORT OF THE FINANCE AND GOVERNANCE COMMITTEE
MEETING 3/19 held on 9 April 2019**

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

That Council determine Items 1 and 3 of the Finance and Governance Committee report 3/19, held on 9 April 2019.

Record for the Voting:

For the Motion: Unanimous

**1 CONFIRMATION OF MINUTES - Finance and Governance
Committee Meeting held on 12 March 2019**

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

That the Minutes of the Finance and Governance Committee 2/19, held on 12 March 2019, be confirmed.

Record for the Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

3 REQUEST FOR TENDER - COR-RFT 08/18 - SUPPLY OF SWIMWEAR AND ACCESSORIES FOR SALE AT THE RYDE AQUATIC LEISURE CENTRE

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

- (a) That Council accept the tender from Zoggs Australia Pty Ltd for COR-RFT-22/18 as recommended in the Tender Evaluation Report.
- (b) That Council delegate to the General Manager the authority to enter into a contract with Zoggs Australia Pty Ltd on the terms contained within the tender and for minor amendments to be made to the contract documents that are not of a material nature.
- (c) That Council advise all the respondents of Council's decision.

Record for the Voting:

For the Motion: Unanimous

5 REPORT OF THE RYDE CENTRAL COMMITTEE MEETING 3/19 held on 9 April 2019

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

That Council determine Items 1 and 3 of the Ryde Central Committee Meeting 3/19, held on 9 April 2019.

Record for the Voting:

For the Motion: Unanimous

1 CONFIRMATION OF MINUTES - Ryde Central Committee Meeting held on 12 March 2019

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

That the Minutes of the Ryde Central Committee Meeting 2/19, held on 12 March 2019, be confirmed.

Record for the Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

3 RYDE CENTRAL PROJECT UPDATE

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

That Council receives and notes this report.

Record for the Voting:

For the Motion: Unanimous

6 INVESTMENT REPORT AS AT 31 MARCH 2019

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

That Council endorse the Investment Report as at 31 March 2019.

Record of the Voting:

For the Motion: Unanimous

PRECIS OF CORRESPONDENCE FOR CONSIDERATION

1 UPDATE ON LOCAL ENVIRONMENTAL PLAN REVIEW - ASSURANCE PHASE 1

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

That the correspondence be received and noted.

Record of the Voting:

For the Motion: Unanimous

NOTICES OF MOTION

1 WHITE RIBBON MARCH - Councillor Penny Pedersen

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

- (a) That Council formally write to Superintendent David Wardell, Ryde Local Area Police Command, to formally establish a partnership to hold an annual White Ribbon Walk on 22 November to coincide with White Ribbon Day commencing in 2019.

ITEM 1 (continued)

ATTACHMENT 1

- (b) That following the White Ribbon Walk that speeches and oath ceremony will be held.
- (c) That staff from Community and Ranger Services liaise with the Police and the Ryde, Hunters Hill Domestic Violence Committee to identify a suitable route for the Walk.

Record of the Voting:

For the Motion: Unanimous

6 PEEL PARK WATER AMENITIES - Councillor Roy Maggio

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

- (a) That an appropriate water bubbler be installed in Peel Park for use by all users including pets.
- (b) That the required funding be sourced from the current 2018/19 base budget.

Record of the Voting:

For the Motion: Unanimous

9 PUTNEY VILLAGE PUBLIC DOMAIN - Councillor Roy Maggio

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

- (a) That an upgrade to Putney Village be included as part of the Neighbourhood Centres Upgrade project with the design to commence in 2024 and any further works in following years, funded from the Section 7.11 reserve.
- (b) That a new directional sign be installed at Victoria Road and Charles Street intersection directing residents to the Putney Shopping Village this financial year from the current 2018/19 base budget.

Record of the Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

12 SAFE FOOD HANDLING AT COUNCIL EVENTS AND COUNCIL SPONSORED EVENTS - Councillor Dr Peter Kim

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

That the General Manager:

- (a) Promote the NSW Food Authority education resources on *Temporary Food Handling, Storage and Hygiene* for food stall holders participating in Council events and Council supported events including resources in community languages.
- (b) That Council's Environment Health Officers provide a one-on-one meeting (with interpreters if required) to any food stallholder requesting clarification on the NSW Food Authority guidelines.
- (c) To continue improving the hygiene quality of food stall holders, repeat offenders will face prompt compliance and enforcement action (including revoking permits) to protect public safety.

Record of the Voting:

For the Motion: Unanimous

16 EAST PARADE, EASTWOOD - TRAFFIC CONGESTION - Councillor Dr Peter Kim

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

- (a) The General Manager arrange the appropriate consultation with residents, shop owners, Eastwood Chamber of Commerce, Eastwood Korean Chamber of Commerce with regards to removing two car spaces near First Avenue on East Parade, Eastwood to improve traffic congestion.
- (b) That the outcome of the consultation be notified to all who participated.
- (c) That a media release of the outcome is distributed to local newspapers including community language newspapers.

Record of the Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

COUNCIL REPORT

10 REQUEST FOR TENDER - DISPOSAL OF WASTE SOIL MATERIAL

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

(a) That Council declines to accept any tenders and that negotiations be entered into with the following companies who, based on the comprehensive tender assessment process undertaken, are considered to provide best value for money to City of Ryde:

- Enviropacific Services – for Soil Types 1, 2, 3 & 4.
- GPP Excavation – for Soil Types 1, 2, 3 & 4.
- Benedict Sand & Gravel – for Soil Types 1, 2 & 3.

(b) That Council advise all tenderers of Council's decision.

Record of the Voting:

For the Motion: Unanimous

3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 3/19 held on 9 April 2019

RESOLUTION: (Moved by Councillors Pedersen and Purcell)

That Council determine Item 3, of the Works and Community Committee report 3/19, held on 9 April 2019 noting that Items 1, 2, 9, 10 and 11 were dealt with by the Committee within its delegated powers and Items 4, 5, 6, 7, 8 and 12 were dealt with earlier in the meeting as detailed in these minutes.

Record for the Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

3 SINGLE USE PLASTICS REDUCTION FROM COUNCIL OPERATIONS AND SPONSORED EVENTS - PHASE OUT IMPLEMENTATION PLAN

RESOLUTION: (Moved by Councillors Pedersen and Purcell)

(a) That Council endorse the “Reduce Single-Use Plastic” Policy with an amendment to point (3) under the heading of ‘Purpose’ which should be amended to read as follows:-

(3) Phasing out the use of plastic bottles, single use plastic serving containers and utensils, and single use plastic bags, at all council operations and council sponsored events with a final ban date of 29 February 2020.

(b) That Council note that \$50,000 from the Better Waste and Recycling Fund has been provided to engage a consultant to work with community and local businesses to reduce/eliminate the amount of single use plastics where possible.

(c) That under the heading of ‘Review Process and Endorsement’, the wording be amended to read as follows:-

This Policy should be reported annually.

On being put to the Meeting, Councillors Brown and Maggio abstained from voting and accordingly their votes were recorded Against the Motion.

Record for the Voting:

For the Motion: The Mayor, Councillor Laxale and Councillors Clifton, Gordon, Kim, Pedersen, Purcell, Yedelian OAM and Zhou

Against the Motion: Councillors Brown, Lane, Maggio and Moujalli

Note: Councillor Brown attempted to move an Amendment in relation to this Item.

4 COMMUNITY GRANTS PROGRAM - ALLOCATION OF FUNDING ROUND 1, 2019

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

ITEM 1 (continued)

ATTACHMENT 1

5 STREET ART IN CITY OF RYDE

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

6 SANITARY BINS AND HAND SOAP DISPENSERS

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

7 AMENDMENTS TO DELIVERY PLAN LISTING 2018 - 2019

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

8 GRANT FUNDING APPLICATION APPROVALS - ROADS AND MARITIME SERVICES - 2019-20

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

12 LIBRARY SERVICES STRATEGIC PLAN

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

4 REPORT OF THE FINANCE AND GOVERNANCE COMMITTEE MEETING 3/19 held on 9 April 2019

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

1 CONFIRMATION OF MINUTES - Finance and Governance Committee Meeting held on 12 March 2019

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

ITEM 1 (continued)

ATTACHMENT 1

3 REQUEST FOR TENDER - COR-RFT 08/18 - SUPPLY OF SWIMWEAR AND ACCESSORIES FOR SALE AT THE RYDE AQUATIC LEISURE CENTRE

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

4 ADVICE ON COURT ACTIONS

RESOLUTION: (Moved by Councillors Pedersen and Kim)

That this Item be deferred to Closed Confidential Session for consideration.

Record for the Voting:

For the Motion: The Mayor, Councillor Laxale and Councillors Brown, Clifton, Gordon, Kim, Maggio, Pedersen, Purcell and Zhou

Against the Motion: Councillors Lane, Moujalli and Yedelian OAM

5 REPORT OF THE RYDE CENTRAL COMMITTEE MEETING 3/19 held on 9 April 2019

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

1 CONFIRMATION OF MINUTES - Ryde Central Committee Meeting held on 12 March 2019

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

3 RYDE CENTRAL PROJECT UPDATE

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

6 INVESTMENT REPORT AS AT 31 MARCH 2019

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

ITEM 1 (continued)

ATTACHMENT 1

7 DRAFT 2019/2023 FOUR YEAR DELIVERY PROGRAM INCLUDING DRAFT 2019/2020 ONE YEAR OPERATIONAL PLAN

RESOLUTION: (Moved by Councillors Maggio and Kim)

- (a) That Council in accordance with legislative requirements, resolve to place the draft 2019-2023 Four Year Delivery Program (including One Year Operational Plan 2019/20) and the draft 2019/20 Fees and Charges schedule on public exhibition for a period 3 May 2019 to 31 May 2019 (inclusive).
- (b) That Council transfer the budgeted surplus of working capital funds of \$4.13 million to the Ryde Central Reserve as a part the 2019/20 base budget.

Record of the Voting:

For the Motion: The Mayor, Councillor Laxale and Councillors Brown, Clifton, Gordon, Kim, Maggio, Pedersen, Purcell, Yedelian OAM and Zhou

Against the Motion: Councillors Lane and Moujalli

8 REVIEW OF CODE OF CONDUCT POLICY AND ASSOCIATED DOCUMENTS

MOTION: (Moved by The Mayor, Councillor Laxale and Councillor Brown)

- (a) That Council, in accordance with Section 440 (3) of the Local Government Act, 1993, adopts the following Code of Conduct documents:-
 - 1. DRAFT Code of Conduct - Complaints Procedure
 - 2. DRAFT City of Ryde Code of Conduct – Policy
- (b) That Council, in accordance with Section 440 (3) of the Local Government Act, 1993, adopts the DRAFT City of Ryde Code of Conduct – Standards of Conduct, subject to the following:-
 - i. The removal of Clause 3.30; and
 - ii. Clause 8.31 be amended to read as follows:-

Councillors should not attend any legal proceedings where Council is party to those proceedings without first consulting with the General Manager.

ITEM 1 (continued)

ATTACHMENT 1

AMENDMENT: (Moved by Councillors Lane and Maggio)

- (a) That Council, in accordance with Section 440 (3) of the Local Government Act, 1993, adopts the following Code of Conduct documents:-
1. DRAFT Code of Conduct - Complaints Procedure
 2. DRAFT City of Ryde Code of Conduct – Policy
- (b) That Council, in accordance with Section 440 (3) of the Local Government Act, 1993, adopts the DRAFT City of Ryde Code of Conduct – Standards of Conduct, subject to the following:-
- i. The removal of Clause 3.30; and
 - ii. The removal of Clause 8.31.

On being put to the Meeting, the voting on the Amendment was six (6) all. The Mayor used his casting vote against the Amendment. The Amendment was **LOST**. The Motion was then put and **CARRIED**.

Record of the Voting:

For the Amendment: Councillors Brown, Lane, Maggio, Moujalli, Yedelian OAM and Zhou

Against the Amendment: The Mayor, Councillor Laxale and Councillors Clifton, Gordon, Kim, Pedersen and Purcell

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

- (a) That Council, in accordance with Section 440 (3) of the Local Government Act, 1993, adopts the following Code of Conduct documents:-
1. DRAFT Code of Conduct - Complaints Procedure
 2. DRAFT City of Ryde Code of Conduct – Policy
- (b) That Council, in accordance with Section 440 (3) of the Local Government Act, 1993, adopts the DRAFT City of Ryde Code of Conduct – Standards of Conduct, subject to the following:-
- i. The removal of Clause 3.30; and
 - ii. Clause 8.31 be amended to read as follows:-

Councillors should not attend any legal proceedings where Council is party to those proceedings without first consulting with the General Manager.

ITEM 1 (continued)

ATTACHMENT 1

Record of the Voting:

For the Motion: The Mayor, Councillor Laxale and Councillors Brown, Clifton, Gordon, Kim, Lane, Moujalli, Pedersen, Purcell, Yedelian OAM and Zhou

Against the Motion: Councillor Maggio

PRECIS OF CORRESPONDENCE FOR CONSIDERATION

1 UPDATE ON LOCAL ENVIRONMENTAL PLAN REVIEW - ASSURANCE PHASE 1

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

NOTICES OF MOTION

1 WHITE RIBBON MARCH - Councillor Penny Pedersen

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

2 CHILDCARE - STATUS OF WOMEN ADVISORY COMMITTEE - Councillor Penny Pedersen

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

3 BIKE AND KAYAK HIRE - PARRAMATTA RIVER - Councillor Penny Pedersen

Note: Councillor Zhou left the meeting at 10.18pm and was not present for voting on this Item.

RESOLUTION: (Moved by Councillors Pedersen and Maggio)

- (a) That Council identify the safest and most accessible site along Parramatta River in Ryde for a bicycle hire kiosk.
- (b) That Council investigate the feasibility of using a site at Kissing Point Beach, east of the ferry wharf that is accessible for a weekend kayak hire kiosk.

ITEM 1 (continued)

ATTACHMENT 1

- (c) That if the above site is not feasible, identify any other suitable locations along the Parramatta River for a kayak hire kiosk.
- (d) That a report be brought back to Council outlining the identified sites, costs and process required to secure these services.

Record of the Voting:

For the Motion: Unanimous

4 PEDESTRIAN SAFETY PITTWATER ROAD, BORONIA PARK - Councillor Penny Pedersen

Note: Councillor Zhou returned to the meeting at 10.22pm.

RESOLUTION: (Moved by Councillors Pedersen and Purcell)

- (a) That Council acknowledges the risk to pedestrian safety that exists on Pittwater Road at Boronia Park shopping precinct.
- (b) That Council commission a road safety audit to investigate the risk to pedestrians in crossing Pittwater Road between Gannet Street and Thompson Street in Boronia Park. The audit is to include the assessment of erecting pedestrian fencing or a pedestrian barrier along the median strip or other pedestrian traffic devices and/or signage in Pittwater Road through the Boronia Park shops to limit where pedestrians are able to cross.
- (c) That Council consult with Hunters Hill Council, the Gladesville Main Street Committee, local residents and local business on both sides of Pittwater Road, including Harris Farm Market and Woolworths and encourage them to make submissions about the pedestrian issues.
- (d) That Council be provided a report with the outcomes of the road safety audit and consultation as soon as practicable.

Record of the Voting:

For the Motion: Unanimous

5 PLAQUE ON NEW PIDDING PARK AMENITIES BUILDING ON BEHALF OF DON FONTI, RYDE SAINTS UNITED FC - Councillor Roy Maggio

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

ITEM 1 (continued)

ATTACHMENT 1

6 PEEL PARK WATER AMENITIES - Councillor Roy Maggio

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

CLOSED SESSION

ITEM 4(4) - 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.

ITEM 9 - LETTER OF OFFER TO ENTER INTO A VOLUNTARY PLANNING AGREEMENT IN RELEATION TO LDA2017/0547 AT 11-17 KHARTOUM ROAD AND 33-39 TALAVERA ROAD, MACQUARIE PARK

Confidential

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

RESOLUTION: (Moved by Councillors Brown and Maggio)

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

Record of the Voting:

For the Motion: The Mayor, Councillor Laxale and Councillors Brown, Clifton, Gordon, Kim, Maggio, Moujalli, Pedersen, Purcell, Yedelian OAM and Zhou

Against the Motion: Councillor Lane

Note: The Council closed the meeting at 10.30pm. The public and media left the chamber.

ITEM 1 (continued)

ATTACHMENT 1

**4 REPORT OF THE FINANCE AND GOVERNANCE COMMITTEE MEETING
3/19 held on 9 April 2019**

4 ADVICE ON COURT ACTIONS

Note: Councillor Kim left the meeting at 10.37pm and was not present for voting on this Item.

RECOMMENDATION: (Moved by Councillors Purcell and Gordon)

That the report of the General Counsel be received.

Record for the Voting:

For the Motion: The Mayor, Councillor Laxale and Councillors Clifton, Gordon, Lane, Moujalli, Pedersen, Purcell, Yedelian OAM and Zhou

Against the Motion: Councillors Brown and Maggio

**9 LETTER OF OFFER TO ENTER INTO A VOLUNTARY PLANNING
AGREEMENT IN RELEATION TO LDA2017/0547 AT 11-17 KHARTOUM
ROAD AND 33-39 TALAVERA ROAD, MACQUARIE PARK**

Note: Tony A'ddona (representing Stockland) and Stephen White (representing Urbis) addressed the meeting in relation to this Item.

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

RECOMMENDATION: (Moved by Councillors Purcell and Pedersen)

(a) That Council accept the letter of offer as detailed in **ATTACHMENTS 1 to 8** dated 19 February 2019 from The Trust Company Limited as custodian for Stockland Trust Management Limited as Trustee for Advanced Property Fund to enter into a Voluntary Planning Agreement in relation to Development Application LDA2017/0547 for development at 11-17 Khartoum Road and 33-39 Talavera Road, Macquarie Park. The Voluntary Planning Agreement will require the Applicant to provide public benefits as summarised below:

- i. Dedication of Road Land (agreed value of \$1.65M)
- ii. Construction of Road (cost \$2.8M)
- iii. Construction of Pedestrian Path as public easement (cost \$1.74M)
- iv. Construction of Public Domain Works on Council land (cost \$1.21M)
- v. Incentive Monetary Contribution and s7.11 Monetary Contribution to combined value of \$6.69M

ITEM 1 (continued)

ATTACHMENT 1

- (b) That Council delegate authority to the General Manager to negotiate the specific terms of the Voluntary Planning Agreement as outlined in **ATTACHMENT 1 to 8** by The Trust Company Limited as custodian for Stockland Trust Management Limited as trustee for Advanced Property Fund, and to subsequently exhibit a draft of the Voluntary Planning Agreement in accordance with the relevant provisions of the Environmental Planning and Assessment Act 1979;
- (c) That Council delegate authority to the General Manager to:
 - (i) Authorise any minor changes to the draft Voluntary Planning Agreement, following its public exhibition, provided that those changes do not diminish the value or nature of the public benefits to be delivered as identified in (a) above;
 - (ii) Subsequently enter into the Voluntary Planning Agreement on behalf of Council.
- (d) That The Trust Company Limited as custodian for Stockland Trust Management Limited as trustee for Advanced Property Fund be informed of Council's decision.

On being put to the Meeting, Councillor Maggio abstained from voting and accordingly his vote was recorded Against the Motion.

Record of the Voting:

For the Motion: The Mayor, Councillor Laxale and Councillors Clifton, Gordon, Moujalli, Pedersen, Purcell and Zhou

Against the Motion: Councillors Brown, Lane, Maggio and Yedelian OAM

10 REQUEST FOR TENDER - DISPOSAL OF WASTE SOIL MATERIAL

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

Note: Councillor Kim returned to the meeting at 10.47pm.

ITEM 1 (continued)

ATTACHMENT 1

OPEN SESSION

RESOLUTION: (Moved by Councillors Purcell and Pedersen)

That Council resolve itself into open Council.

Record of the Voting:

For the Motion: Unanimous

Note: Open Council resumed at 10.48pm.

RESOLUTION: (Moved by Councillors Brown and Gordon)

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

Record of the Voting:

For the Motion: Unanimous

NOTICES OF MOTION

7 ORCHESTRA IN THE PARK EVENT - BRUSH FARM HOUSE - Councillor Roy Maggio

RESOLUTION: (Moved by Councillors Maggio and Brown)

- (a) That Council expanding the program to include another event held annually at this venue.
- (b) That Council investigate opportunities to showcase different musical themes.
- (c) That Council refer this motion to the Events and Festivals Advisory Committee and community groups for input and advice and that a report be brought back to Council with the report to include themes and budget.
- (d) That Council incorporate the Try Park Series in celebrations of the Bicentennial Year of the construction of Brush Farm House.

Record of the Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

8 RYDE SECONDARY COLLEGE, SCHOOL 40KM ZONES - Councillor Roy Maggio

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

9 PUTNEY VILLAGE PUBLIC DOMAIN - Councillor Roy Maggio

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

10 INSTALLATION OF LOCKABLE CHARGING STATIONS IN LOCAL LIBRARIES - Councillor Jordan Lane

Note: Councillor Brown left the meeting at 11.04pm and was not present for voting on this Item.

RESOLUTION: (Moved by Councillors Lane and Moujalli)

- (a) That Council note that in house loans of battery charge units (power banks) and cables are already available at all City of Ryde Libraries since June 2018.
- (b) That Council Staff prepare a report to investigate the feasibility of replacing the current service with lockable mobile device charging stations at all City of Ryde operated libraries.
- (c) That the report to also include funding options from an appropriate funding source as determined by the General Manager.

Record of the Voting:

For the Motion: Councillors Clifton, Gordon, Lane, Maggio, Moujalli, Pedersen, Purcell, Yedelian OAM and Zhou

Against the Motion: The Mayor, Councillor Laxale and Councillor Kim

Note: Councillor Brown returned to the meeting at 11.07pm.

ITEM 1 (continued)

ATTACHMENT 1

EXTENSION OF TIME

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

That the Meeting time be extended to allow consideration of the remaining two Notices of Motion listed on the Agenda, time being 11.10pm.

Record of the Voting:

For the Motion: The Mayor, Councillor Laxale and Councillors Brown, Clifton, Gordon, Kim, Maggio, Pedersen, Purcell, Yedelian OAM and Zhou

Against the Motion: Councillors Lane and Moujalli

PROCEDURAL MOTION

MOTION: (Moved by Councillors Moujalli and Lane)

That the remaining two Notices of Motion listed on the Agenda be deferred to the Council Meeting on 28 May 2019 for consideration, time being 11.11pm.

Record of the Voting:

For the Motion: Councillors Brown, Lane, Maggio, Moujalli and Yedelian OAM

Against the Motion: The Mayor, Councillor Laxale and Councillors Clifton, Gordon, Kim, Pedersen, Purcell and Zhou

NOTICES OF MOTION

11 PAINT4FREEDOM LOCAL COMMUNITY ART COMPETITION - Councillor Jordan Lane

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

12 SAFE FOOD HANDLING AT COUNCIL EVENTS AND COUNCIL SPONSORED EVENTS - Councillor Dr Peter Kim

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

ITEM 1 (continued)

ATTACHMENT 1

**13 PIANO/KEYBOARDS IN THE RYDE COUNCIL COMMUNITY HALLS -
Councillor Dr Peter Kim**

Note: This Item was dealt with later in the meeting as set out in these Minutes.

14 MULTILINGUAL INTERPRETER SERVICE - Councillor Dr Peter Kim

RESOLUTION: (Moved by Councillors Kim and Brown)

- (a) That a twelve(12) month trial be implemented providing multilingual interpreter services for speakers that have provided the Council with sufficient notice to be listed for public participation at Council meetings and committees.
- (b) That a report be brought back to Council following the 12 month trial.
- (c) That an appropriate budget for the trial is allocated from general revenue.

Record of the Voting:

For the Motion: Unanimous

**13 PIANO/KEYBOARDS IN THE RYDE COUNCIL COMMUNITY HALLS -
Councillor Dr Peter Kim**

Note: Councillor Yedelian OAM left the meeting at 11.18pm and did not return. He was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Kim and Maggio)

- (a) That Council staff investigate the costs and options to provide pianos in all community halls, in the Ryde local government area.
- (b) That staff also consider second hand and/or donated pianos.
- (c) That a report is presented to Council with options once the investigation is complete, including a replacement program and associated costs.

Record of the Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

14 MULTILINGUAL INTERPRETER SERVICE - Councillor Dr Peter Kim

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

15 ROWE STREET EAST CAR PARK COMMUNITY CENTRE PROPOSAL - Councillor Dr Peter Kim

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

16 EAST PARADE, EASTWOOD - TRAFFIC CONGESTION - Councillor Dr Peter Kim

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

The meeting closed at 11.25pm.

CONFIRMED THIS 28TH DAY OF MAY 2019

Chairperson

2 ITEMS PUT WITHOUT DEBATE

Report prepared by: Civic Services Manager**File No.:** CLM/19/1/1/2 - BP19/499

REPORT SUMMARY

In accordance with Council's Code of Meeting Practice, Council can determine those matters on the Agenda that can be adopted without the need for any discussion.

RECOMMENDATION:

That Council determine the Items on Council's Agenda that will be adopted without debate.

OR

That Council determine all Items on the Agenda.

**3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 4/19
held on 14 May 2019**

Report prepared by: Civic Services Manager
File No.: CLM/19/1/1/2 - BP19/500

REPORT SUMMARY

Attached are the Minutes of the Works and Community Committee Meeting 4/19 held on 14 May 2019. The Minutes will be listed for confirmation at the next Works and Community Committee Meeting.

Items 1, 2, 3, 4, 5, 7, 8, 9, 10, 11 and 12 were dealt with by the Committee within its delegated powers.

The following Committee recommendation for Item 6 is submitted to Council for determination in accordance with the delegations set out in Council's Code of Meeting Practice relating to Charters, functions and powers of Committees:

**6 ELS HALL PARK, GREENWOOD PARK AND BOOTH RESERVE
MASTERPLAN**

Note: Darren Deigan (representing North Ryde Dockers Junior AFL) and Buckley Findlay (representing GHFA) addressed the meeting in relation to this Item.

RECOMMENDATION: (Moved by Councillors Gordon and Clifton)

- (a) That Council endorses the ELS Hall Park, Greenwood Park and Booth Reserve Masterplan and associated Masterplan Report.
- (b) That Council amends the draft Four Year Delivery plan (2019 – 2023) to add \$170,000 for the detailed design of the upper amenities building at ELS Hall Park in 2019/20.
- (c) That Council writes to all members of the public that made a submission on the project notifying them of this resolution and thanking them for their participation in the project.
- (d) That Council staff write to the relevant agencies of the NSW Government to determine the feasibility of incorporating the land immediately adjacent to ELS Hall Park and Booth Reserve into the park for community use.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **28 MAY 2019** as it is outside the Committee's delegations

ATTACHMENTS

- 1 MINUTES - Works and Community Committee Meeting - 14 May 2019**

ITEM 3 (continued)

ATTACHMENT 1
Works and Community Committee
MINUTES OF MEETING NO. 4/19

Meeting Date: Tuesday 14 May 2019
Location: Council Chambers, Level 1A, 1 Pope Street, Ryde
Time: 6.04pm

Councillors Present: Councillors Pedersen, (Chairperson), Clifton, Gordon, Kim and Purcell.

Apologies: Nil.

Absent: Councillors Moujalli and Zhou.

Staff Present: General Manager, Director – Customer and Community Services, Director – Corporate Services, Director – City Planning and Environment, Director – City Works, Manager – Communications and Engagement, Manager – Community and Rangers Services, Manager – Parks, Manager – Environment, Health and Building, Senior Coordinator – Strategic Planning, Senior Coordinator – Environment, Senior Coordinator – Parks Planning, Natural Areas Project Officer, Open Space Planner, Civic Services Manager, Civic Support Officer and Executive Assistant to Mayor and Councillors.

DISCLOSURES OF INTEREST

Councillor Gordon disclosed a Less than Significant Non-Pecuniary Interest in Item 4 – Proposed Wildlife Protection Areas for the reason that he lives on the edge of the Field of Mars and has a pet.

ORDER OF BUSINESS

RESOLUTION: (Moved by Councillors Purcell and Clifton)

That the Committee now consider the following Item, the time being 6.05pm:-

- **Item 13** – Naming of New Skate Facility in Meadowbank Park

Record of Voting:

For the Motion: Unanimous

ITEM 3 (continued)

ATTACHMENT 1

LATE ITEM

13 NAMING OF NEW SKATE FACILITY IN MEADOWBANK PARK

RESOLUTION: (Moved by Councillors Purcell and Clifton)

- (a) That Council name the new recreation facility within Meadowbank Park “Meadowbank Skate Park” in line with the Draft Naming of Parks and Park Facilities Policy attached to this report.
- (b) That Council place the draft Naming of Parks and Park Facilities Policy on public exhibition for a period of 28 days.
- (c) That should no objections be received during the public exhibition period Council adopt the policy.
- (d) That should any submissions be made objecting to the policy during the public exhibition period, a further report be prepared for Council’s consideration.

Record of Voting:

For the Motion: Unanimous

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

1 CONFIRMATION OF MINUTES - Meeting held on 9 April 2019

RESOLUTION: (Moved by Councillors Pedersen and Purcell)

That the Minutes of the Works and Community Committee Meeting 3/19, held on 9 April 2019, be confirmed.

Record of Voting:

For the Motion: Unanimous

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

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:-

Name	Topic
Darren Deigan (representing North Ryde Dockers Junior AFL)	Item 6 – ELS Hall Park, Greenwood Park and Booth Reserve Masterplan

ITEM 3 (continued)

ATTACHMENT 1

Name	Topic
Buckley Findlay (representing GHFA)	Item 6 – ELS Hall Park, Greenwood Park and Booth Reserve Masterplan
Leigh Smart	Item 12 – Traffic and Parking matters tabled at the Ryde Traffic Committee Meeting held on 11 April 2019 – Advisory Item 1 – Adelaide Street, West Ryde

2 ITEMS PUT WITHOUT DEBATE

RESOLUTION: (Moved by Councillors Purcell and Gordon)

That the Committee determine Items 3, 4, 5, 7, 8, 9 and 10 on the Agenda.

Record of Voting:

For the Motion: Unanimous

3 PIANO FOR WEST RYDE COMMUNITY HALL

RESOLUTION: (Moved by Councillors Purcell and Gordon)

- (a) That Council purchase a suitable, lockable upright piano for the West Ryde Community Hall with funding allocated from the Community and Ranger Services 2018/19 base budget.
- (b) That a suitable system for providing access to the piano for user groups is implemented.

Record of Voting:

For the Motion: Unanimous

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

4 PROPOSED WILDLIFE PROTECTION AREAS

Note: Councillor Gordon disclosed a Less than Significant Non-Pecuniary Interest in this for the reason that he lives on the edge of the Field of Mars and has a pet.

RESOLUTION: (Moved by Councillors Purcell and Gordon)

- (a) That Council endorses the proposal to declare the Field of Mars Reserve and the parks and reserves listed within the Kittys Creek and Terrys Creek Corridors as 'Wildlife Protection Areas' and this is to be placed on public exhibition for 28 days.

ITEM 3 (continued)

ATTACHMENT 1

- (b) That on completion of the public exhibition period, a further report is to be submitted to Council to make the final determination.

Record of Voting:

For the Motion: Unanimous

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

5 YOUTH AMBASSADOR PROGRAM - 6 MONTH TRIAL REVIEW

RESOLUTION: (Moved by Councillors Purcell and Gordon)

That the Youth Ambassador Program continues in 2019/2020 with the costs allocated from the Community and Ranger Services base budget.

Record of Voting:

For the Motion: Unanimous

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

7 TRAFFIC AND PARKING INVESTIGATIONS - WEST RYDE PUBLIC SCHOOL

RESOLUTION: (Moved by Councillors Purcell and Gordon)

- (a) That Council place the West Ryde Public School Traffic and Parking Study on public exhibition for a period of 28 days.
- (b) That following the community consultation, a report be provided back to Council, via the Ryde Traffic Committee.

Record of Voting:

For the Motion: Unanimous

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

ITEM 3 (continued)

ATTACHMENT 1

8 TRAFFIC AND PARKING INVESTIGATIONS - TRUSCOTT STREET PUBLIC SCHOOL

RESOLUTION: (Moved by Councillors Purcell and Gordon)

- (a) That Council places the Truscott Street Public School Traffic and Parking Study on public exhibition for a period of 28 days.
- (b) That following the community consultation, a report be provided back to Council, via the Ryde Traffic Committee.

Record of Voting:

For the Motion: Unanimous

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

9 TRAFFIC AND PARKING INVESTIGATIONS - DENISTONE EAST PUBLIC SCHOOL

RESOLUTION: (Moved by Councillors Purcell and Gordon)

- (a) That Council place the Denistone East Public School Traffic and Parking Study on public exhibition for a period of 28 days.
- (b) That following the community consultation, a report be provided back to Council, via the Ryde Traffic Committee.

Record of Voting:

For the Motion: Unanimous

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

10 TRAFFIC AND PARKING INVESTIGATIONS - HOLY SPIRIT PRIMARY SCHOOL

RESOLUTION: (Moved by Councillors Purcell and Gordon)

- (a) That Council place the Holy Spirit Catholic Primary School Traffic and Parking Study on public exhibition for a period of 28 days.
- (b) That following the community consultation, a report be provided back to Council, via the Ryde Traffic Committee.

ITEM 3 (continued)

ATTACHMENT 1

Record of Voting:

For the Motion: Unanimous

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

3 PIANO FOR WEST RYDE COMMUNITY HALL

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

4 PROPOSED WILDLIFE PROTECTION AREAS

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

5 YOUTH AMBASSADOR PROGRAM - 6 MONTH TRIAL REVIEW

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

**6 ELS HALL PARK, GREENWOOD PARK AND BOOTH RESERVE
MASTERPLAN**

Note: Darren Deigan (representing North Ryde Dockers Junior AFL) and Buckley Findlay (representing GHFA) addressed the meeting in relation to this Item.

RECOMMENDATION: (Moved by Councillors Gordon and Clifton)

- (a) That Council endorses the ELS Hall Park, Greenwood Park and Booth Reserve Masterplan and associated Masterplan Report.
- (b) That Council amends the draft Four Year Delivery plan (2019 – 2023) to add \$170,000 for the detailed design of the upper amenities building at ELS Hall Park in 2019/20.
- (c) That Council writes to all members of the public that made a submission on the project notifying them of this resolution and thanking them for their participation in the project.
- (d) That Council staff write to the relevant agencies of the NSW Government to determine the feasibility of incorporating the land immediately adjacent to ELS Hall Park and Booth Reserve into the park for community use.

ITEM 3 (continued)

ATTACHMENT 1

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **28 MAY 2019** as it is outside the Committee's delegations

7 TRAFFIC AND PARKING INVESTIGATIONS - WEST RYDE PUBLIC SCHOOL

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

8 TRAFFIC AND PARKING INVESTIGATIONS - TRUSCOTT STREET PUBLIC SCHOOL

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

9 TRAFFIC AND PARKING INVESTIGATIONS - DENISTONE EAST PUBLIC SCHOOL

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

10 TRAFFIC AND PARKING INVESTIGATIONS - HOLY SPIRIT PRIMARY SCHOOL

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

11 TRAFFIC AND PARKING INVESTIGATIONS - RYDE SECONDARY COLLEGE

RESOLUTION: (Moved by Councillors Kim and Purcell)

- (a) That Council place the Ryde Secondary College Traffic and Parking Study on public exhibition for a period of 28 days.
- (b) That following the community consultation, a report be provided back to Council, via the Ryde Traffic Committee.

Record of Voting:

For the Motion: Unanimous

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

ITEM 3 (continued)

ATTACHMENT 1

12 TRAFFIC AND PARKING MATTERS TABLED AT THE RYDE TRAFFIC COMMITTEE MEETING HELD ON 11 APRIL 2019

Note: Leigh Smart addressed the meeting in relation to Advisory Item 1 – Adelaide Street, West Ryde.

RESOLUTION: (Moved by Councillors Purcell and Clifton)

- (a) That Council installs No Stopping restrictions on both sides of Wattle Lane, West Ryde, between 61A Falconer Street and the intersection of Hermitage Road as per the attached *Figure A2*.
- (b) That Council:
 - 1. Converts 13 metres of unrestricted parking to 'No Parking – 8:00AM to 9:30AM & 2:30PM to 4:00PM – Monday to Friday' outside 45 Maxim Street; and
 - 2. Converts 14 metres of existing 'No Stopping' to 'No Parking – Wedding and Funeral Vehicles Excepted' outside 45 Maxim Street.
- (c) That Council installs the following:
 - 1. as per the attached *Figure C2*, give way signage, linemarking and BB centre line marking on Sturdee Street, at its intersection with Morshead Street; and
 - 2. a 15 metre section of 2P 8am-6pm Mon-Fri – Permit Holders Excepted adjacent to the property frontage of 45 Morshead Street, and
 - 3. a 17 metre section of No Stopping adjacent to the property frontage of 43 Morshead Street, North Ryde.
- (d) That Council installs of a 'No Stopping, 7am-6pm Mon-Fri' restriction on the western side of Winbourne Street, between the driveways of 47 Winbourne Street, West Ryde as per the attached *Figure D2*.
- (e) That Council in accordance with the attached *Figure E5*:
 - 1. installs "No Stopping" restrictions on the northern side of Yarwood Street, Marsfield, between Karalee Close and Coral Street; and
 - 2. replaces existing "No Parking" restrictions on the northern side of Yarwood Street, Marsfield, between Karalee Close and Culloden Road, with "No Stopping" restrictions.
- (f) That Council installs, as per the attached *Figure F2*, No Stopping restrictions on both sides of Anderson Lane, Ryde.
- (g) That Council installs, as per *Figure G3*, a 36 metre 'No Parking' zone on the eastern side of Linsley Street, outside 12 to 16 Linsley Street, Gladesville.

ITEM 3 (continued)

ATTACHMENT 1

- (h) That Council extends, as per the attached *Figure H2*, the existing 'No Stopping' zones on both sides of Monash Road, north of Higginbotham Road, by 10 metres northwards, incorporating the driveway of 78 Monash Road, Gladesville.
- (i) That Council installs, as per the attached Figure I2, "No Stopping" restrictions on the southern side of the cul-de-sac north of Constitution Road, from Bowden Street to the access point to Ann Thorn Park.
- (j) That Council installs, in accordance with RMS technical direction TDT2011/01A "Pedestrian Refuges", a pedestrian refuge and improved kerb ramps in Adelaide Street, north of the intersection with Deakin Street, West Ryde as shown on the attached *Figure J2*.
- (l) It is recommended that Council approves the following proposals (work to be completed by Sydney Metro):
 1. Remove the bus stop on Waterloo Road on the approach to Herring Road (westbound) and replace BUS ZONE signs with NO STOPPING signs as outlined in Section 4 (Discussion, Location 1).
 2. Convert 5min parking to 'No Parking' (peak times) for Kiss and ride operation in Coolinga Street as outlined in Section 4 (Discussion, Location 2).

Record of Voting:

For the Motion: Unanimous

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

LATE ITEM

13 NAMING OF NEW SKATE FACILITY IN MEADOWBANK PARK

Note: This Item was dealt with earlier in the meeting as set out in these Minutes.

The meeting closed at 6.27pm

CONFIRMED THIS 11TH DAY OF JUNE 2019.

Chairperson

4 REPORT OF THE FINANCE AND GOVERNANCE COMMITTEE MEETING 4/19 held on 14 May 2019

Report prepared by: Civic Services Manager
File No.: CLM/19/1/1/2 - BP19/501

REPORT SUMMARY

Attached are the Minutes of the Finance and Governance Committee Meeting 4/19 held on 14 May 2019. The Minutes will be listed for confirmation at the next Finance and Governance Committee Meeting.

The following Committee recommendations for Items 1, 3, 4, 5 and 6 are submitted to Council for determination in accordance with the delegations set out in the Code of Meeting Practice relating to Charters, functions and powers of Committees:

1 CONFIRMATION OF MINUTES - Finance and Governance Committee Meeting held on 9 April 2019

RECOMMENDATION: (Moved by Councillors Pedersen and Purcell)

That the Minutes of the Finance and Governance Committee 3/19, held on 9 April 2019, be confirmed.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **28 MAY 2019** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

3 DEBT RECOVERY POLICY AND PAYMENT OPTIONS

RECOMMENDATION: (Moved by Councillors Purcell and Pedersen)

That Council endorses the Rates Debt Recovery Policy and Non Rates Debtors Debt Recovery Policy.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **28 MAY 2019** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

ITEM 4 (continued)**4 LOCAL GOVERNMENT REMUNERATION TRIBUNAL DETERMINATION –
Councillors and Mayoral Fees for 2019/2020****RECOMMENDATION:** (Moved by Councillors Pedersen and Purcell)

That Council adopt the following increases to Councillor and Mayoral fees effective from 1 July 2019:

- (a) 2.5% increase to Councillor fees from \$25,160 to \$25,790 per annum.
- (b) 2.5% increase to Mayoral fees from \$66,860 to \$68,530 per annum; in addition to the Councillor fees.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **28 MAY 2019** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

**5 REQUEST FOR TENDER - COR-RFP-01/19 - HERITAGE SERVICES TO
CITY OF RYDE****RECOMMENDATION:** (Moved by Councillors Pedersen and Purcell)

- (a) That Council accept the tender from Edwards Planning to provide heritage services to City of Ryde for \$90/hour for a minimum of 15 hours per week capped at 22.5 hours per week for a 2 year appointment with 2 options to extend the contract for 1 year each (a total of four years) as recommended in the Tender Evaluation Report.
- (b) That Council advise all the respondents of the outcome of the tender.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **28 MAY 2019** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

ITEM 4 (continued)**6 ADVICE ON COURT ACTIONS****RECOMMENDATION:** (Moved by Councillors Gordon and Pedersen)

That the report of the General Counsel be received.

Record of Voting:For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **28 MAY 2019** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

ATTACHMENTS**1 MINUTES - Finance and Governance Committee Meeting - 14 May 2019**

ITEM 4 (continued)

ATTACHMENT 1

**Finance and Governance Committee
MINUTES OF MEETING NO. 4/19**

Meeting Date: Tuesday 14 May 2019
Location: Council Chambers, Level 1A, 1 Pope Street, Ryde
Time: 6.45pm

Councillors Present: Councillors Clifton (Chairperson), Gordon, Kim, Pedersen, Purcell and Zhou.

Apologies: Nil.

Absent: Councillor Moujalli.

Staff Present: General Manager, Director – Customer and Community Services, Director – Corporate Services, Director – City Planning and Environment, Director – City Works, General Counsel, Chief Financial Officer, Manager – Communications and Engagement, Manager – Urban Strategy, Senior Coordinator – Strategic Planning, Civic Services Manager, Civic Support Officer and Executive Assistant to Mayor and Councillors.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

**1 CONFIRMATION OF MINUTES - Finance and Governance Committee
Meeting held on 9 April 2019**

RECOMMENDATION: (Moved by Councillors Pedersen and Purcell)

That the Minutes of the Finance and Governance Committee 3/19, held on 9 April 2019, be confirmed.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **28 MAY 2019** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

ITEM 4 (continued)

ATTACHMENT 1

2 ITEMS PUT WITHOUT DEBATE

RESOLUTION: (Moved by Councillors Pedersen and Purcell)

That the Committee adopt Items 4 and 5 on the Agenda as per the recommendations in the reports.

Record of Voting:

For the Motion: Unanimous

**4 LOCAL GOVERNMENT REMUNERATION TRIBUNAL DETERMINATION
– Councillors and Mayoral Fees for 2019/2020**

RECOMMENDATION: (Moved by Councillors Pedersen and Purcell)

That Council adopt the following increases to Councillor and Mayoral fees effective from 1 July 2019:

- (a) 2.5% increase to Councillor fees from \$25,160 to \$25,790 per annum.
- (b) 2.5% increase to Mayoral fees from \$66,860 to \$68,530 per annum; in addition to the Councillor fees.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **28 MAY 2019** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

5 REQUEST FOR TENDER - COR-RFP-01/19 - HERITAGE SERVICES TO CITY OF RYDE

RECOMMENDATION: (Moved by Councillors Pedersen and Purcell)

- (a) That Council accept the tender from Edwards Planning to provide heritage services to City of Ryde for \$90/hour for a minimum of 15 hours per week capped at 22.5 hours per week for a 2 year appointment with 2 options to extend the contract for 1 year each (a total of four years) as recommended in the Tender Evaluation Report.
- (b) That Council advise all the respondents of the outcome of the tender.

ITEM 4 (continued)

ATTACHMENT 1

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **28 MAY 2019** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

3 DEBT RECOVERY POLICY AND PAYMENT OPTIONS

RECOMMENDATION: (Moved by Councillors Purcell and Pedersen)

That Council endorses the Rates Debt Recovery Policy and Non Rates Debtors Debt Recovery Policy.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **28 MAY 2019** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

**4 LOCAL GOVERNMENT REMUNERATION TRIBUNAL DETERMINATION –
Councillors and Mayoral Fees for 2019/2020**

Note: This Item was considered earlier in the meeting as detailed in these Minutes.

CLOSED SESSION

ITEM 6 - 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.

ITEM 4 (continued)

ATTACHMENT 1

RESOLUTION: (Moved by Councillors Pedersen and Gordon)

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

Record of Voting:

For the Motion: Unanimous

Note: The Committee closed the meeting at 6.57pm. The public and media left the Chamber.

5 REQUEST FOR TENDER - COR-RFP-01/19 - HERITAGE SERVICES TO CITY OF RYDE

Note: This Item was considered earlier in the meeting as detailed in these Minutes.

6 ADVICE ON COURT ACTIONS

RECOMMENDATION: (Moved by Councillors Gordon and Pedersen)

That the report of the General Counsel be received.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **28 MAY 2019** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

OPEN SESSION

RESOLUTION: (Moved by Councillors Purcell and Kim)

That the Committee resolve itself into open Council.

Record of Voting:

For the Motion: Unanimous

Note: Open Council resumed at 7.15pm.

ITEM 4 (continued)

ATTACHMENT 1

The meeting closed at 7.15pm.

CONFIRMED THIS 11TH DAY OF JUNE 2019.

Chairperson

5 REPORT OF THE RYDE CENTRAL COMMITTEE MEETING 4/19 held on 14 May 2019

Report prepared by: Civic Services Manager
File No.: CLM/19/1/1/2 - BP19/502

REPORT SUMMARY

Attached are the Minutes of the Ryde Central Committee Meeting 4/19 held on 14 May 2019. The Minutes will be listed for confirmation at the next Ryde Central Committee Meeting.

The following Committee recommendations for Items 1 and 3 are submitted to Council for determination in accordance with the delegations set out in the Code of Meeting Practice relating to Charters, functions and powers of Committees:

1 CONFIRMATION OF MINUTES - Ryde Central Committee Meeting held on 9 April 2019

RECOMMENDATION: (Moved by Councillors Pedersen and Clifton)

That the Minutes of the Ryde Central Committee Meeting 3/19, held on 9 April 2019, be confirmed.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **28 MAY 2019** in accordance with the Ryde Central Committee Terms of Reference in Council's Code of Meeting Practice.

3 RYDE CENTRAL PROJECT UPDATE

RECOMMENDATION: (Moved by Councillors Purcell and Clifton)

That Council receives and notes this report.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **28 MAY 2019** in accordance with the Ryde Central Committee Terms of Reference in Council's Code of Meeting Practice.

ATTACHMENTS

- 1 MINUTES - Ryde Central Committee Meeting - 14 May 2019

ITEM 5 (continued)

ATTACHMENT 1

**Ryde Central Committee Meeting
MINUTES OF MEETING NO. 4/19**

Meeting Date: Tuesday 14 May 2019
Location: Council Chambers, Level 1A, 1 Pope Street, Ryde
Time: 7.15pm

Councillors Present: Councillors Gordon (Chairperson), Clifton, Pedersen, Purcell, and Zhou.

Apologies: Councillor Yedelian OAM.

Absent: Councillor Moujalli.

Staff Present: General Manager, Director – Customer and Community Services, Director – Corporate Services, Director – City Planning and Environment, Director – City Works, Manager – Communications and Engagement, Executive Officer – Ryde Central, Civic Support Officer and Executive Assistant to Mayor and Councillors.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

1 CONFIRMATION OF MINUTES - Ryde Central Committee Meeting held on 9 April 2019

RECOMMENDATION: (Moved by Councillors Pedersen and Clifton)

That the Minutes of the Ryde Central Committee Meeting 3/19, held on 9 April 2019, be confirmed.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **28 MAY 2019** in accordance with the Ryde Central Committee Terms of Reference in Council's Code of Meeting Practice.

2 ITEMS PUT WITHOUT DEBATE

RESOLUTION: (Moved by Councillors Clifton and Pedersen)

That the Committee determine all Items on the Agenda.

Record of Voting:

For the Motion: Unanimous

ITEM 5 (continued)

ATTACHMENT 1

3 RYDE CENTRAL PROJECT UPDATE

RECOMMENDATION: (Moved by Councillors Purcell and Clifton)

That Council receives and notes this report.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **28 MAY 2019** in accordance with the Ryde Central Committee Terms of Reference in Council's Code of Meeting Practice.

The meeting closed at 7.24pm.

CONFIRMED THIS 11TH DAY OF JUNE 2019.

Chairperson

6 INVESTMENT REPORT AS AT 30 APRIL 2019

Report prepared by: Chief Financial Officer**File No.:** COR2019/82 - BP19/493

REPORT SUMMARY

This report details Council's performance of its investment portfolio as at 30 April 2019 and compares it against key benchmarks. The report includes the estimated market valuation of Council's investment portfolio and loan liabilities.

Council's return for the reporting period is 2.97%, which is 0.96% above the benchmark figure of 2.01%.

Income from interest on investments and proceeds from sale of investments totals \$5.8M for the financial year to date, which is \$1.5M above the 2018/19 year-to-date revised Budget. Appropriate adjustments have been proposed in the 2018/19 March Quarterly Budget Review.

RECOMMENDATION:

That Council endorse the Investment Report as at 30 April 2019.

ATTACHMENTS

1 Investment Report Attachment P10 April 2019

Report Prepared By:

Pav Kuzmanovski
Chief Financial Officer

Report Approved By:

Steven Kludass
Director - Corporate Services

ITEM 6 (continued)

Discussion

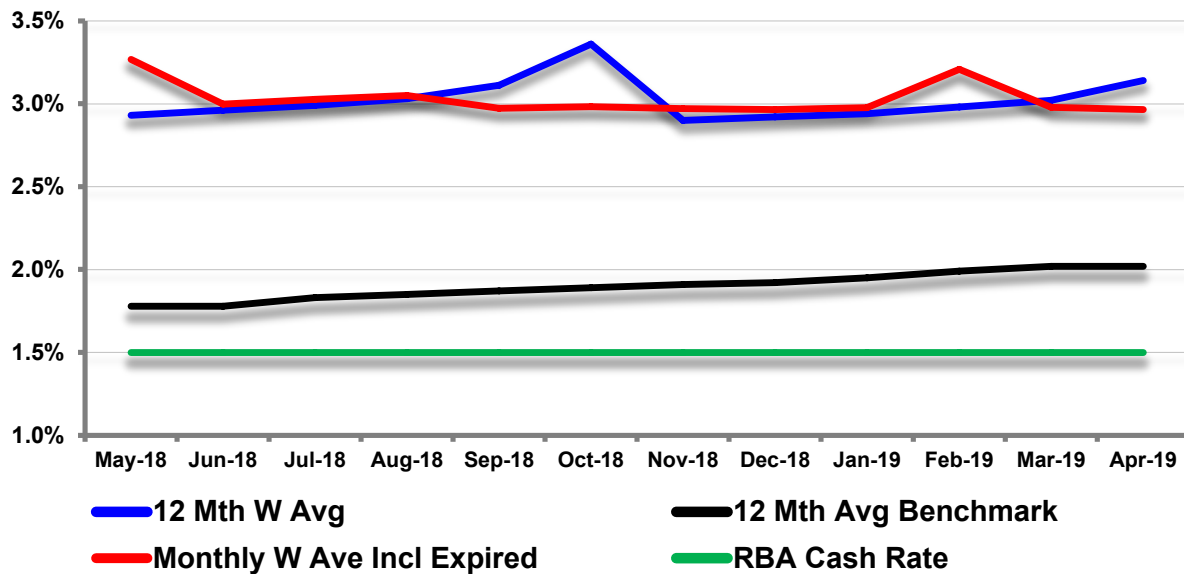
Council’s Responsible Accounting Officer, is required to report monthly on Council’s Investment Portfolio and certify that the Investments are held in accordance with Council’s Investment Policy and Section 625 of the Local Government Act.

Investment Performance Commentary

Council’s performance against the benchmark for returns of its investment portfolio for April 2019 and the past 12 months are as follows:

	Apr	12 Mth	FYTD
Council Return	2.97	3.14	2.98
Benchmark	2.01	2.02	2.02
Variance	0.96	1.12	0.96

Performance - All Investments



ITEM 6 (continued)

Council's investment portfolio as at 30 April 2019 was as follows:

Cash/Term Deposits	\$149.6M	64.4%
Floating Rate Notes	\$47.1M	20.3%
Fixed Bonds	\$35.6M	15.3%
Total Cash Investments	\$232.3M	100.0%
Investment Properties	\$155.8M	
Total Investments	\$388.1M	

Council's Investment Properties, valued as at 30 June 2018, are shown in **ATTACHMENT 1**.

The valuations listed have been undertaken in accordance with the revaluation process to 'best use' by an independent valuer, 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 180 days maturity) where more competitive rates are available.

Whilst Council has moved some of its investment portfolio out to longer terms, to lock in future returns, it should be noted that there is approximately \$95 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 continues to exceed budgeted expectations, due primarily to Council receiving significant Developer Contributions. Interest on investments relating to available General Revenue funds also continues to rise.

Loan Liability

Council's loan liability as at 30 April 2019 was \$1.9 million which represents the balance of:

1. A \$6.8M 15 year loan drawn down in 2004 at 90 Day BBSW + 20 basis points for redevelopment works at Council's Civic Centre and refinancing the West Ryde Tunnel. The interest rate for this loan is reset every quarter;

There is no advantage to Council in changing the arrangements or repaying the loan earlier than planned. Council is receiving a better rate of return on its investments than it is paying in interest on this loan.

ITEM 6 (continued)

The following two loans were established under the Local Infrastructure Renewal Scheme (LIRS). Council receives a 3% interest subsidy payment from the OLG twice a year.

2. A \$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. A \$1.5M 10 year loan drawn down 1 September 2014 at 4.95% for Phase 2 of the Children's Play Implementation Plan, which was approved for an LIRS subsidy in Round 3.

ITEM 6 (continued)

INVESTMENT SUMMARY AS AT 30 APRIL 2019

Issuer	Investment Name	Investment Rating	Fossil Fuel	Invested at 30-Apr-19 \$000's	Annualised Period Return (%)	12 Month Average Return on Current Investments	Return since 01 July 2018	% of Total Invested	Maturity	Tenor
NAB	1. NAB Covered Bond	AAA	Y	3,741	3.10	3.08	3.08	1.61	16/03/2023	1826
Suncorp-Metway	2. Suncorp FRN (Covered)	AAA	N	4,000	2.94	3.14	3.14	1.72	22/06/2021	1826
ANZ	3. ANZ Fixed Bond	AA-	Y	1,498	3.15	3.16	3.16	0.64	18/01/2023	1826
ANZ	4. ANZ FRN	AA-	Y	4,000	3.01	3.22	3.21	1.72	7/04/2021	1826
ANZ	5. ANZ FRN	AA-	Y	1,500	2.69	2.80	2.79	0.65	18/01/2023	1826
ANZ	6. ANZ FRN	AA-	Y	2,000	2.93	2.90	2.90	0.86	9/05/2023	1826
ANZ	7. ANZ Fixed Bond	AA-	Y	2,998	3.14	3.14	3.14	1.29	8/02/2024	1826
ANZ	8. ANZ Floating TD	AA-	Y	4,000	3.54	3.50	3.50	1.72	10/11/2022	2557
ANZ	9. ANZ Flexi TD	AA-	Y	4,000	3.34	3.47	3.47	1.72	15/12/2022	2557
CBA	10. Bankwest 11am Account	AA-	Y	3,566	1.77	1.77	1.75	1.54		
CBA	11. CBA At Call Deposit	AA-	Y	2,029	1.46	1.49	1.49	0.87		
CBA	12. CBA Fixed Bond	AA-	Y	3,982	3.36	3.41	3.41	1.71	25/04/2023	1916
CBA	13. CBA MTN	AA-	Y	3,493	3.27	3.26	3.26	1.50	16/08/2023	1826
CBA	14. CBA Fixed Bond	AA-	Y	3,472	3.23	3.23	3.23	1.49	11/01/2024	1826
CBA	15. CBA FRN	AA-	Y	2,000	2.99	2.95	2.94	0.86	17/07/2020	1827
CBA	16. CBA FRN	AA-	Y	1,994	3.08	3.21	3.19	0.86	17/07/2020	1613
CBA	17. Bankwest Term Deposit	AA-	Y	2,000	2.71	2.71	2.71	0.86	3/10/2019	314
CBA	18. Bankwest TD	AA-	Y	4,000	2.66	2.66	2.66	1.72	10/10/2019	276
CBA	19. Bankwest TD	AA-	Y	2,000	2.71	2.71	2.71	0.86	11/07/2019	289
CBA	20. Bankwest TD	AA-	Y	4,000	2.81	2.81	2.81	1.72	14/05/2019	267
NAB	21. NAB Fixed Bond	AA-	Y	2,993	3.15	3.16	3.16	1.29	12/05/2021	1826
NAB	22. NAB Fixed Bond	AA-	Y	3,993	3.08	3.09	3.09	1.72	10/02/2023	1918
NAB	23. NAB Fixed Bond	AA-	Y	2,996	2.95	2.95	2.95	1.29	26/02/2024	1826
NAB	24. NAB FRN	AA-	Y	2,000	3.14	3.09	3.09	0.86	5/11/2020	1827
NAB	25. NAB FRN	AA-	Y	4,000	2.88	2.87	2.87	1.72	16/05/2023	1826
NAB	26. NAB Term Deposit	AA-	Y	4,000	2.73	2.73	2.73	1.72	31/10/2019	358
NAB	27. NAB Term Deposit	AA-	Y	2,000	2.71	2.71	2.71	0.86	25/06/2019	285
NAB	28. NAB TD	AA-	Y	4,000	2.72	2.76	2.75	1.72	31/10/2019	364
NAB	29. NAB Term Deposit	AA-	Y	4,000	2.70	2.70	2.70	1.72	17/09/2019	376
NAB	30. NAB TD	AA-	Y	2,000	2.59	2.59	2.59	0.86	20/06/2019	119
NAB	31. NAB TD	AA-	Y	4,000	3.35	3.35	3.35	1.72	18/09/2023	1827
NAB	32. NAB TD	AA-	Y	2,000	2.76	2.76	2.76	0.86	27/06/2019	280
Westpac	33. Westpac At Call	AA-	Y	13	0.43	0.49	0.49	0.01		
Westpac	34. Westpac FRN	AA-	Y	1,000	2.98	2.93	2.92	0.43	28/07/2020	1827
Westpac	35. Westpac Fixed Bond	AA-	Y	2,476	3.27	3.25	3.25	1.07	24/04/2024	1917
Westpac	36. Westpac Term Deposit	AA-	Y	4,000	3.55	3.55	3.55	1.72	22/02/2022	1825
Westpac	37. Westpac Term Deposit	AA-	Y	4,000	3.32	3.32	3.32	1.72	9/08/2022	1813
Westpac	38. Westpac Term Deposit	AA-	Y	2,000	3.38	3.38	3.38	0.86	18/08/2022	1815
Westpac	39. WBC Floating TD	AA-	Y	4,000	3.19	3.17	3.18	1.72	17/02/2022	1826
Westpac	40. Westpac TD	AA-	Y	4,000	3.15	3.14	3.14	1.72	2/11/2021	1461
Westpac	41. Westpac TD	AA-	Y	4,000	2.65	2.65	2.65	1.72	7/01/2020	365
Suncorp-Metway	42. Suncorp FRN	A+	N	800	3.26	3.30	3.29	0.34	20/10/2020	1827
Suncorp-Metway	43. Suncorp FRN	A+	N	1,000	2.95	2.93	2.94	0.43	16/08/2022	1826
Macquarie Bank	44. Macquarie Bank FRN	A	Y	750	3.01	3.07	3.08	0.32	3/03/2020	1827
AMP	45. AMP Business Saver	A-	Y	389	0.00	1.65	1.62	0.17		
AMP	46. AMP FRN	A-	Y	1,600	2.99	3.10	3.10	0.69	11/06/2019	1278
AMP	47. AMP TD	A-	Y	1,000	3.05	3.01	3.05	0.43	30/07/2019	365
AMP	48. AMP Term Deposit	A-	Y	2,000	3.02	2.90	2.92	0.86	1/10/2019	224
Bank of Queensland	49. Bank of Queensland Fixed Bond	BBB+	Y	1,983	3.40	3.39	3.39	0.85	16/11/2021	1267
Bank of Queensland	50. Bank of Queensland TD	BBB+	Y	2,000	2.78	2.71	2.73	0.86	4/07/2019	273
Bank of Queensland	51. Bank of Queensland TD	BBB+	Y	2,000	2.32	4.68	4.52	0.86	13/06/2019	63
Bank of Queensland	52. Bank of Queensland TD	BBB+	Y	4,000	3.10	3.10	3.10	1.72	17/12/2020	1071
Bank of Queensland	53. Bank of Queensland TD	BBB+	Y	2,000	3.55	3.55	3.55	0.86	12/11/2020	1827
Bank of Queensland	54. Bank of Queensland TD	BBB+	Y	2,000	3.75	3.75	3.75	0.86	9/12/2021	1823
Bank of Queensland	55. BoQ Term Deposit	BBB+	Y	4,000	3.50	3.50	3.50	1.72	15/11/2022	1804
BankVic	56. BankVic	BBB+	N	2,000	2.70	2.70	2.70	0.86	23/07/2019	152
Bendigo and Adelaide Bank	57. Bendigo Fixed MTN	BBB+	N	1,999	3.53	3.54	3.54	0.86	25/01/2023	1826
Bendigo and Adelaide Bank	58. Bendigo Bank FRN	BBB+	N	1,000	3.09	3.07	3.08	0.43	18/08/2020	1827
Bendigo and Adelaide Bank	59. Bendigo and Adelaide Bank FRN	BBB+	N	1,996	3.13	3.14	3.14	0.86	25/01/2023	1532
Bendigo and Adelaide Bank	60. Rural Bank TD	BBB+	N	2,000	2.75	2.75	2.75	0.86	24/10/2019	335
Bendigo and Adelaide Bank	61. Bendigo Bank TD	BBB+	N	2,000	2.76	2.75	2.76	0.86	9/05/2019	262
Bendigo and Adelaide Bank	62. Bendigo Bank TD	BBB+	N	2,000	2.80	2.80	2.80	0.86	5/12/2019	728

ITEM 6 (continued)

INVESTMENT SUMMARY AS AT 30 APRIL 2019

Issuer	Investment Name	Investment Rating	Fossil Fuel	Invested at 30-Apr-19 \$000's	Annualised Period Return (%)	12 Month Average Return on Current Investments	Return since 01 July 2018	% of Total Invested	Maturity	Tenor
Heritage Bank	63. Heritage Bank FRN	BBB+	N	1,300	3.39	3.33	3.32	0.56	4/05/2020	1096
Heritage Bank	64. Heritage Bank FRN	BBB+	N	1,400	3.04	3.29	3.29	0.60	29/03/2021	1096
Heritage Bank	65. Heritage Bank	BBB+	N	2,000	2.22	2.22	2.22	0.86	11/06/2019	61
Members Banking Group	66. RACQ FRN	BBB+	?	1,500	3.14	3.09	3.10	0.65	11/05/2020	731
MyState Bank	67. MyState Bank TD	BBB+	N	2,000	2.86	2.85	2.85	0.86	17/10/2019	254
MyState Bank	68. MyState TD	BBB+	N	2,000	2.71	2.76	2.75	0.86	25/07/2019	268
Newcastle Perm Bldg Soc	69. Newcastle Perm Bldg Soc FRN	BBB+	N	1,000	3.19	3.40	3.39	0.43	7/04/2020	1827
Newcastle Perm Bldg Soc	70. Newcastle Perm Bldg Soc FRN	BBB+	N	998	3.44	3.64	3.64	0.43	7/04/2020	1352
Newcastle Perm Bldg Soc	71. Newcastle Perm Bldg Soc	BBB+	N	2,000	3.05	3.05	3.05	0.86	27/01/2022	1092
Newcastle Perm Bldg Soc	72. Newcastle Perm Bldg Soc TD	BBB+	N	2,000	3.05	3.05	3.05	0.86	10/02/2022	1095
Aus Unity	73. Aus Unity Bank TD	BBB	?	2,000	2.80	2.80	2.80	0.86	30/10/2019	364
Bank Australia	74. Bank Australia	BBB	N	1,000	3.20	3.27	3.27	0.43	30/08/2021	1096
CUA	75. CUA FRN	BBB	N	2,000	3.15	3.33	3.33	0.86	20/03/2020	1096
CUA	76. Credit Union Australia TD	BBB	N	2,000	2.71	2.71	2.71	0.86	9/07/2019	280
CUA	77. CUA TD	BBB	N	2,000	3.00	3.00	3.00	0.86	3/12/2020	728
Defence Bank	78. Defence Bank TD	BBB	N	1,000	2.80	2.72	2.72	0.43	3/03/2020	364
Greater Bank	79. Greater Bank FRN	BBB	N	1,000	3.39	3.42	3.43	0.43	24/02/2020	1095
Me Bank	80. ME Bank At Call Account	BBB	N	3,097	1.77	1.76	1.77	1.33		
Me Bank	81. ME Bank FRN	BBB	N	1,000	3.34	3.44	3.43	0.43	18/07/2019	962
Me Bank	82. ME Bank FRN	BBB	N	1,500	3.29	3.25	3.25	0.65	9/11/2020	1096
Me Bank	83. ME Bank FRN	BBB	N	1,600	3.21	3.32	3.31	0.69	16/04/2021	1095
Me Bank	84. ME Bank TD	BBB	N	1,000	2.75	2.75	2.75	0.43	6/08/2019	340
Me Bank	85. Members Equity TD	BBB	N	2,000	2.68	2.68	2.68	0.86	21/01/2020	327
P&N Bank	86. P&N Bank	BBB	N	1,000	3.50	3.50	3.50	0.43	2/11/2023	1821
Teachers Mutual Bank	87. Teachers Mutual Bank FRN	BBB	N	1,400	3.19	3.43	3.43	0.60	2/07/2021	1096
Auswide Bank	88. Auswide Bank TD	BBB-	N	2,500	2.73	2.71	2.72	1.08	27/06/2019	280
G&C Mutual Bank	89. G&C Mutual Bank TD	BBB-	N	1,000	2.85	2.85	2.85	0.43	12/09/2019	379
QBank	90. QBank FRN	BBB-	N	1,000	3.25	3.46	3.46	0.43	22/03/2021	1098
QBank	91. QBank FRN	BBB-	N	750	3.39	3.51	3.51	0.32	14/12/2021	1096
QBank	92. Qbank Term Deposit	BBB-	N	1,000	2.81	2.94	2.93	0.43	12/12/2019	294
QBank	93. QBank TD	BBB-	N	1,000	2.85	2.85	2.85	0.43	14/05/2019	364
QBank	94. QBank TD	BBB-	N	1,000	2.80	2.80	2.80	0.43	7/11/2019	349
Australian Military Bank	95. Australian Military Bank TD	Unrated	N	2,000	2.90	2.85	2.90	0.86	26/09/2019	386
Bananacoast CU	96. Bananacoast CU TD	Unrated	N	2,000	2.95	2.95	2.95	0.86	13/02/2020	364
Bank of Sydney	97. Bank of Sydney TD	Unrated	?	1,000	2.77	2.71	2.71	0.43	10/09/2019	180
Bank of Sydney	98. Bank of Sydney TD	Unrated	?	1,000	2.77	2.81	2.81	0.43	15/10/2019	187
Bank of us	99. Bank of us TD	Unrated	?	1,000	2.80	2.82	2.81	0.43	11/04/2019	238
Coastline CU	100. Coastline Credit Union TD	Unrated	?	1,000	2.95	2.95	2.95	0.43	19/12/2019	386
Goldfields Money Ltd	101. Goldfields Money Ltd TD	Unrated	?	2,000	2.80	2.74	2.74	0.86	17/03/2020	369
Hunter United Credit Union	102. Hunter United Credit Union TD	Unrated	?	1,000	2.80	2.69	2.69	0.43	12/03/2020	366
Maitland Mutual	103. Maitland Mutual Bldg Soc TD	Unrated	N	1,000	2.75	2.71	2.71	0.43	10/03/2020	364
Police CU (SA)	104. Police CU - SA Term Deposit	Unrated	?	1,000	2.90	2.86	2.87	0.43	12/11/2019	362
Police CU (SA)	105. Police CU - SA	Unrated	?	1,000	2.90	2.90	2.90	0.43	7/11/2019	365
Queensland Country CU	106. QCCU TD	Unrated	?	1,000	2.75	2.73	2.73	0.43	10/03/2020	364
Regional Australia Bank	107. Regional Australia Bank TD	Unrated	N	2,000	3.10	3.10	3.10	0.86	13/08/2020	1093
South West CU	108. South West CU TD	Unrated	?	1,000	2.82	2.82	2.82	0.43	16/05/2019	182
Summerland CU	109. Summerland CU TD	Unrated	N	1,000	2.98	2.77	2.80	0.43	10/12/2019	364
Summerland CU	110. Summerland CU TD	Unrated	N	1,000	2.90	2.90	2.90	0.43	12/09/2019	372
Warwick CU	111. Warwick CU TD	Unrated	?	1,000	3.01	3.01	3.01	0.43	19/12/2019	386
Warwick CU	112. Warwick CU TD	Unrated	?	500	2.80	2.80	2.80	0.22	15/01/2020	321
Warwick CU	113. Warwick CU TD	Unrated	?	500	2.80	2.80	2.80	0.22	17/01/2020	323
				232,306	2.97	3.00	2.99	100		

ITEM 6 (continued)

*Monthly returns when annualised can appear to exaggerate performance

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

Return including Matured/Traded Investments

Weighted Average Return

Benchmark Return: AusBond Bank Bill Index (%)

Variance From Benchmark (%)

	Apr	12 Mth	FYTD
Return including Matured/Traded Investments	2.97	3.14	2.98
Benchmark Return: AusBond Bank Bill Index (%)	2.01	2.02	2.02
Variance From Benchmark (%)	0.96	1.12	0.96

Investment Income

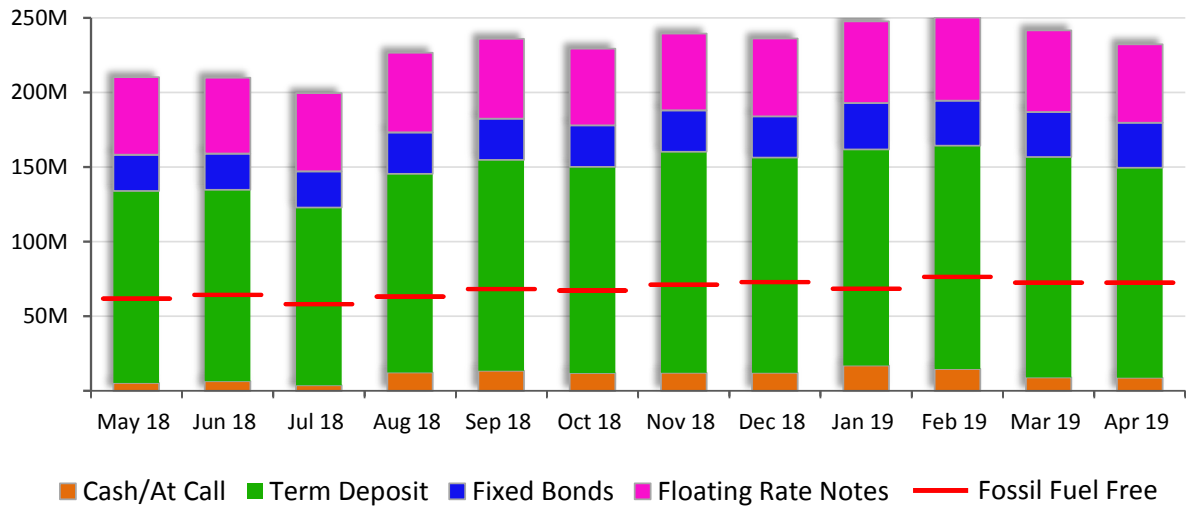
	\$000's
This Period	574
Financial Year To Date	5,809
Budget Profile	4,286
Variance from Budget - \$	<u>1,523</u>

Fossil Fuel Free (000's)

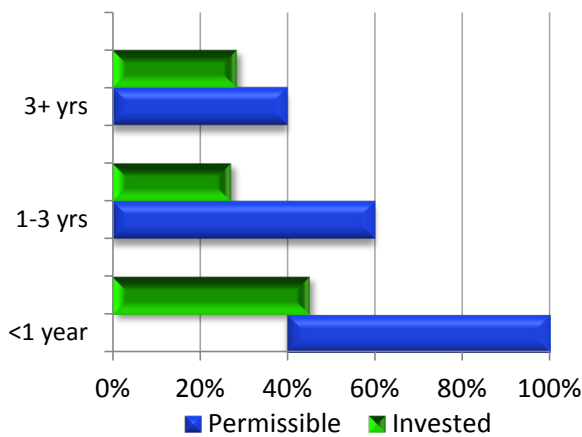
Yes	72,340
No	143,466
Unknown	16,500

Analysis of investments

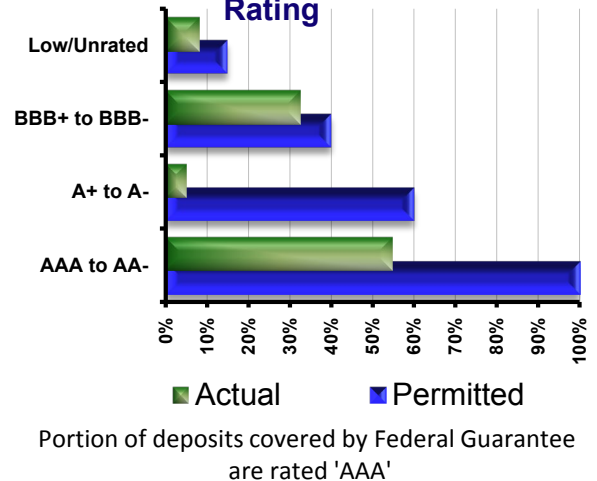
Total Funds Invested



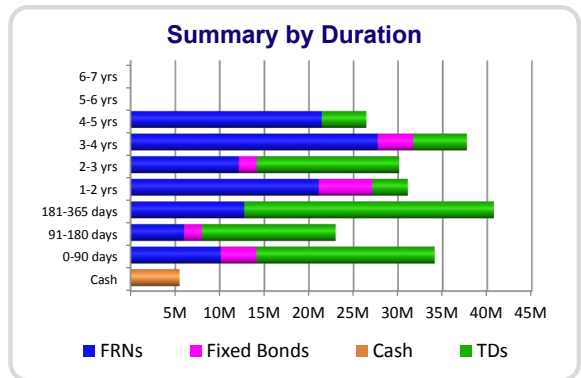
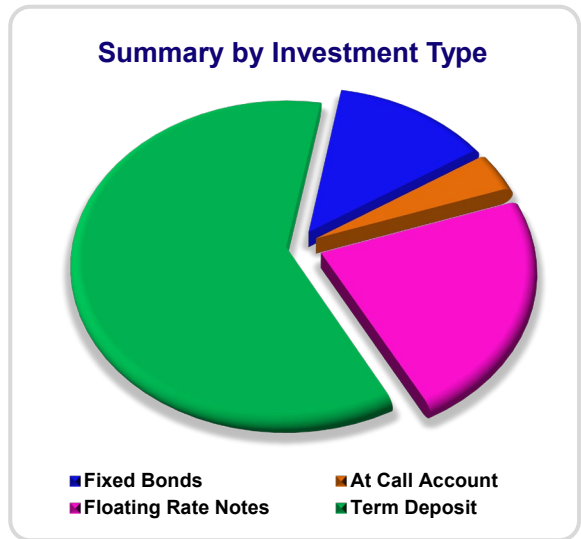
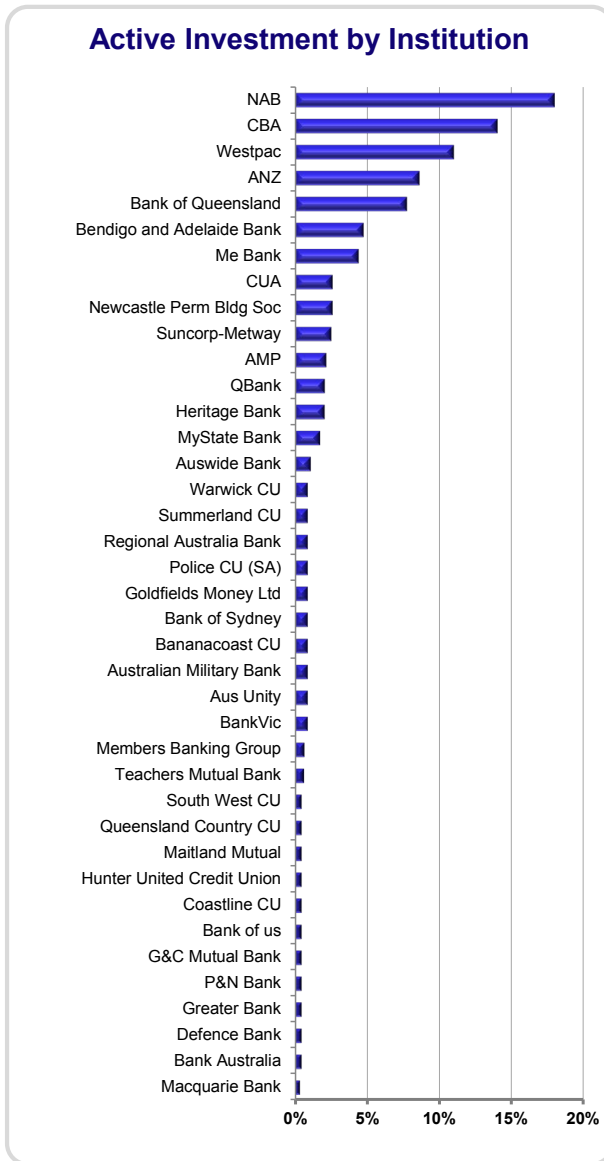
Policy Limits on Maturities



Investment Summary by Rating



ITEM 6 (continued)



	<365 days	>365 days
Cash/TDs	\$98.6M	\$51.0M
FRNs	\$8.3M	\$38.7M
Fixed Bonds	\$0.0M	\$35.6M
	\$106.9M	\$125.4M

Divestment of Fossil Fuel Aligned Financial Institutions

As at 30 April 2019, Council had a total amount of \$72.3 million (31.1% of Council’s total investment portfolio) invested in non-fossil fuel aligned financial institutions. A further \$16.5 million was invested in unrated financial institutions where their ‘alignment status’ is unclear/undetermined. It is almost certain all of these unrated financial institutions are non-fossil fuel aligned institutions as their lending profiles are almost identical to other unrated institutions. If it assumed those institutions are non-fossil fuel aligned financial institutions, then the total amount is \$88.8 million (38.2% of Council’s total investment portfolio).

By way of comparison, Council had \$50.5 million (24.5% of its total investment portfolio) invested in non-fossil fuel aligned financial institutions, as at 31 January 2018.

ITEM 6 (continued)**Financial Implications**

Income from interest on investments and proceeds from sales of investments totals \$5.8M for the period ended 30 April 2019, \$1.5M above the 2018/19 year-to-date revised Budget.

Summary

Council's return for the reporting period is 2.97%, which is 0.96% above the benchmark figure of 1.97%. Income from interest on investments and proceeds from sale of investments totals \$5.8M for the financial year to date, which is \$1.5M above the 2018/19 year-to-date Budget. Appropriate adjustments have been proposed in the 2018/19 March Quarterly Budget Review.

Council's investment portfolio continues to perform well with returns well above benchmark.

The recommendation in this report is consistent with Section 625 of the Local Government Act, which deals with the investment of surplus funds by Councils.

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.

Pav Kuzmanovski
Chief Financial Officer

ITEM 6 (continued)

ATTACHMENT 1

Council's Property Investment Portfolio

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

Property	\$' M
1A Station St, West Ryde	0.960
2 Dickson Ave, West Ryde	1.300
8 Chatham Rd, West Ryde	1.420
202 Rowe Street, Eastwood	3.235
226 Victoria Rd, Gladesville	0.390
7 Anthony Road, West Ryde	5.230
7 Coulter Street, Coulter St Car Park, Gladesville	22.175
6-12 Glen Street, Glen Street Car Park, Eastwood	36.820
2 Pittwater Road, John Wilson Car Park, Gladesville	8.820
150 Coxs Road, Cox Rd Car Park, North Ryde	1.655
33-35 Blaxland Road, Argyle Centre, Ryde	5.630
19-21 Church Street and 16 Devlin Street, Ryde	10.990
6 Reserve Street, West Ryde	3.700
Herring Road Air Space Rights	0.535
741-747 Victoria Road, Ryde (Battery World)	7.130
53-71 Rowe Street, Eastwood	7.175
Total Investment Properties as per the Financial Statements	117.165
1 Constitution Road, Operations Centre, Ryde ⁽¹⁾	38.620
PROPERTIES HELD AS INVESTMENT PROPERTIES	155.785

(1) The value for this is currently held in Non-Current Assets in Note 9, and once vacated by Council; it will be transferred to Investment Properties within the Financial Statements.

(2) The above figures refer to the land only as valued at "best use", and do not include the value of any structures.

Benchmark

The Bloomberg Ausbond 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.

ITEM 6 (continued)

ATTACHMENT 1

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.

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.

ITEM 6 (continued)

ATTACHMENT 1

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

**7 MARCH QUARTERLY REVIEW REPORT - FOUR YEAR DELIVERY PLAN
2018-2022 AND 2018/2019 OPERATIONAL PLAN**

Report prepared by: Team Leader - Management Accounting
File No.: FIM/07/6/2/18/1 - BP19/461

REPORT SUMMARY

Council's Four Year Delivery Plan 2018-2022 and One Year 2018/19 Operational Plan sets out the strategic and financial objectives for the year. These plans also detail the goals and performance measures for Council's seven key outcome areas, the services and projects that Council plans to deliver in 2018/2019.

The attached report includes details for each of the seven outcome areas and the twenty one program areas, detailing the targets adopted by Council and the performance to date in achieving those targets by 30 June 2019. Also shown is a financial performance summary for each key outcome area and a progress status report on all capital and non-capital projects by program area for the 2018/2019 financial year.

The proposed March 2019 quarter adjustments will have no net impact on Council's current working capital balance of \$5.01 million. This level of working capital is considered adequate given it exceeds Council's minimum uncommitted working capital balance of \$4.50 million.

This review brings to account additional developer contributions income, additional interest on investment income, additional DA fees and domestic waste income, all of which are offset by expenditure and/or transfers to reserves.

RECOMMENDATION:

- (a) That the report of the March 2019 Quarterly Review Statement - Four Year Delivery Plan 2018 - 2022 and One Year 2018/19 Operational Plan, *Quarter Three, January – March 2019* be received and endorsed by Council.
- (b) That the proposed budget adjustments (including reserve movements) resulting in no net impact on Council's projected Working Capital position of \$5.01 million (as at 30 June 2019) be endorsed by Council.
- (c) That Council endorse the Projects recommended for cancellation, deferral, being placed on hold, or proposed to be carried over as outlined in this report.

ITEM 7 (continued)**ATTACHMENTS**

- 1 Quarterly Review Report, Four Year Delivery Plan 2018-2022 including One Year 2018/19 Operational Plan, Quarter Three, January – March 2019 - CIRCULATED UNDER SEPARATE COVER
- 2 Contractor Lists for March Quarter
- 3 Carryover Lists

Report Prepared By:

Jifeng Huang
Team Leader - Management Accounting

Report Approved By:

Pav Kuzmanovski
Chief Financial Officer

Steven Kludass
Director - Corporate Services

ITEM 7 (continued)

Discussion

The Local Government (General) Regulations 2005 (Clause 203) requires a quarterly budget review to be considered by Council, which shows revised estimates for income and expenditure for the financial year indicating whether Council's financial position is satisfactory and makes recommendations for remedial action where needed.

The Quarterly Budget Review Statement (QBRS) is prepared in accordance with the requirements of the Code of Accounting Practice and Financial Reporting. This report provides a comprehensive high level overview of Council's financial position as at 31 March 2019. All forecast results are projections as at 30 June 2019.

In addition to the above requirements, a number of other documents are included in the report to ensure Council is informed of Council activities and the tracking of these activities. This includes the *Quarterly Review Report, Four Year Delivery Plan 2018-2022 including One Year 2018/19 Operational Plan, Quarter Three, January – March 2019* which is provided for in **ATTACHMENT 1 – CIRCULATED UNDER SEPARATE COVER** and includes:

- General Manager's Introduction – including financial management and corporate performance overview, providing a 'snapshot' of Council's performance during the quarter.
- Outcome Summaries – including overview, operational indicators, financial summaries, performance measures and a summarised status of all of Council's capital and non-capital projects.
- Reserves Listing Report – outlines the opening balance, approved budgeted transfers to/from reserves and proposed additional transfers to/from reserves, with a projected balance as at 30 June 2019.
- Quarterly Changes Report – provides comments and details of those budget items that are proposed to be increased or decreased in the 2018/2019 budget.
- Consolidated income and expenditure estimates 2018/2019, summary of the budget in two pages, showing the original budget and quarterly review adjustments.

Also attached to this report are the following:

- The Contract Listing for the March quarter is provided in **ATTACHMENT 2** and outlines the details of contracts Council entered into during the period 1 January to 31 March 2019 and total Consultancy and Legal Expenses from 1 July 2018 to 31 March 2019.

ITEM 7 (continued)

- The Proposed Carryover Project list is provided in **ATTACHMENT 3** and outlines Projects that are likely to be carried forward from the 2018/19 Budget to the 2019/20 Budget.

Budget Adjustments

The 2019 March Quarter budget adjustments are listed in detail below with a summary of key movements as follows:

Operating Income

- \$3.42 million in developer contributions received that will be transferred to the appropriate Section 7.11 Reserves for future works;
- \$0.80 million additional interest received from investment income, with \$0.59 million relating to Section 7.11 (restricted) and \$0.21 million to general revenue;
- \$0.32 million additional domestic waste income received, all of which will be transferred to the Domestic Waste Management Reserve; and
- \$0.30 million additional Development Application fees received.

Capital Expenses

- \$5.02 million additional funding for the acquisition for the purchase of land to be consolidated into Blenheim Park which is funded by Section 7.11 Reserves; and
- \$0.30 million additional funding for purchasing computer equipment, funded by the Assets Replacement reserve. A decision to purchase rather than lease this equipment has been made with future base budget savings to be identified to offset the initial capital cost.

Operating Expenses

- \$0.27 million in organisational labour resource savings will be transferred to the Ryde Central Reserve; and
- \$0.30 million in additional funding to meet legal costs;
- \$0.20 million in additional funding for the Construction Recycling Program, partially offset by additional disposal income received.

Working Capital Summary

Following the completion of the 2017/18 Financial Statements, Council had an opening working capital balance of \$5.01 million, as at 1 July 2018. As a result of the proposed budget adjustments included in the March 2019 Quarterly Review, the forecast working capital balance as at 30 June 2019 is forecast to remain at \$5.01 million (above benchmark of \$4.50 million) as tabled below:

ITEM 7 (continued)

Opening Working Capital	\$5.01m
2018/2019 Operational Plan	\$0
Revised Working Capital	\$5.01m
September Adjustments	\$0
December Adjustments	\$0
March Adjustments	\$0
Closing Working Capital	\$5.01m

The following are the major changes proposed, with a complete listing provided in the circulated document, and more detailed explanations in each outcome area of that document.

Operating Budget

Operating Income is projected to increase by \$5.04 million (3.06%), with the primary contributors outlined below;

Income Increases

- \$3.42 million in Developer Contributions received, all of which will be transferred to appropriate Section 7.11 Reserves for future works.
- \$0.80 million in additional interest received from investment income, with \$0.59 million relating to Section 7.11 (restricted) and \$0.21 million to General Revenue (unrestricted),
- \$0.32 million in additional domestic waste income received, all of which will be transferred to the Domestic Waste Management Reserve;
- \$0.30 million in additional income from development application fees;
- \$0.18 million in additional disposal income relating to Council's Construction Recycling Program;
- \$0.09 million in additional income from a storm damage insurance claim;
- \$0.08 million in additional rating income received;
- \$0.06 million in additional enforcement income received;
- \$0.06 million in additional flood modelling income received;
- \$0.05 million in additional income received for development application pre-lodgements;
- \$0.05 million in additional fees received in relation to the Urban Design Review Panel Program;
- \$0.05 million in additional subdivisions application fees and certificate lodgement fees received;
- \$0.03 million in additional income received from private works relating to restorations;

ITEM 7 (continued)

- \$0.03 million in additional contributions received from participating Councils in relation to the '1000 Books Before School' – Join Council Project;
- \$0.02 million in additional RMS grant funding - Cambridge Street, Gladesville – Traffic Management Devise Project; and
- \$0.01 million in additional income from Swimming Pool Inspection fees.

Income Reduction

- \$0.10 million reduction in environmental compliance income;
- \$0.09 million reduction in inspections fees across various programs
- \$0.08 million reduction in construction certificate, occupation certificate and PCA income;
- \$0.08 million reduction in road restorations income;
- \$0.06 million reduction in Traffic Route Lighting Subsidy income;
- \$0.06 million reduction in income from Operating Grants for the Home Modification and Maintenance Program, offset by an equivalent reduction in expenditure;
- \$0.05 million reduction in income from Operating Grants for the Eastwood Litter Prevention Campaign Project, offset by an equivalent reduction in expenditure;
- \$0.05 million reduction in income from RMS Capital grant funding for the Traffic Calming Devices project, offset by an equivalent reduction in expenditure;
- \$0.04 million reduction in School Zone Infringement income as the project only commenced in November 2018; and
- \$0.02 million reduction in income from the Recycling Processing Rebate.

Operating expenses are projected to increase over budgeted expectations by \$0.39 million (0.37%) with the main areas being as follows:

Expenditure Increase

- \$0.30 million in additional funding to meet legal costs;
- \$0.20 million in additional funding for the Construction Recycling program, partially offset by additional disposal income received;
- \$0.10 million in additional funding for insurance excess costs, funded by the Insurance Fluctuation Reserve;
- \$0.10 million in additional resources required to address traffic/transport requests;
- \$0.09 million in additional funding for repair works to synthetic field cork underlay. Costs to be recovered from insurance claim;
- \$0.08 million in additional funding for the Open Space Master Plans Project, offset by savings from the development of the Parks Plans of Management Project;

ITEM 7 (continued)

- \$0.07 million in additional funding for the ICT telephony upgrade, offset by other project savings within the ICT capital renewal program;
- \$0.05 million in additional funding for NSROC annual membership fees;
- \$0.05 million in additional funding for a continuous improvement initiative (Best Value Review) offset by a reduction in funding from the Fit For The Future Action Plan Implementation Project;
- \$0.03 million in additional funding for Community Grants, Contributions and Donations funded by the Community Grants Reserve;
- \$0.03 million in additional funding for the City of Ryde Halls and Facilities Strategy project funded by the VPA Reserve;
- \$0.03 million additional funding for ICT application license fees offset by reduction of funding from the ICT capital renewal program;
- \$0.03 million in additional funding for the '1000 Books Before School' - Joint Council project funded by contributions from participating Councils;
- \$0.02 million in additional funding for the Kissing Point Boat Ramp Project; and
- \$0.02 million in additional funding for the Ryde Central Project funded by the Ryde Central Reserve.

Expenditure Reduction

- \$0.27 million in organisational labour resource savings transferred to Ryde Central Reserve;
- \$0.14 million reduction in FBT for Motor Vehicles with savings to be transferred to the Plant Replacement Reserve;
- \$0.13 million reduction in the Home Modification and Maintenance program, partially offset by a reduction in grant income and partially offset by transferring funds back to the Unspent Grant Reserve;
- \$0.08 million reduction in the development of Parks Plans of Management Project offset by additional funding required for the Open Space Master Plans Project;
- \$0.06 million reduction in the Eastwood Traffic & Parking Study Project offset by a reduction in funding required from Section 7.11 Reserves;
- \$0.05 million reduction in the Fit For The Future Action Plan Implementation project, offset by an equivalent amount of funding required for a continuous improvement initiative (Best Value Review);
- \$0.05 million reduction in contractor expenses relating to Community Buildings;
- \$0.04 million reduction in expenses relating to the School Zone Parking Officers Project as the project commenced in November 2018;
- \$0.04 million reduction in expenses relating to the Eastwood Litter Prevention Campaign project offset by a reduction of grant income received;
- \$0.04 million reduction for the Community Perception Study project as the project is recommended to be cancelled; and

ITEM 7 (continued)

- \$0.02 million reduction in expenses relating to the Domestic Waste Management Disposal Program.

In total, the Operating Surplus is projected to increase by \$4.65 million, most of which is restricted (i.e. being utilised for capital projects or being transferred to reserve).

Capital Budget

The capital budget is projected to increase by \$5.19 million (8.06%). The primary contributors include:

Increase

- \$5.02 million additional funding for the acquisition for the purchase of land to be consolidated into Blenheim Park which is funded by Section 7.11 Reserve;
- \$0.30 million additional funding for purchasing computer equipment funded by the Assets Replacement Reserve. A decision to purchase rather than lease this equipment has been made with future base budget savings to be identified to offset the initial capital cost.
- \$0.13 million in additional funding for the West Ryde Plaza Project with funding to be transferred from the Public Art for Town Centre Upgrade Capital Program;
- \$0.03 million in additional funding for the Asset Management Software project funded by the Infrastructure Special Rate Reserve;
- \$0.03 million in additional funding for the Field of Mars Visitor Centre Road and Stormwater Disposal Work Project funded by appropriate Section 7.11 Reserves;
- \$0.02 million in additional funding for the Cambridge Street Gladesville – Traffic Management Devices Project, funded by additional grant funding received; and
- \$0.02 million in additional funding for the West Ryde Community Centre Safety Project (Roof Anchors) funded by the Assets Replacement Reserve.

Reduction

- \$0.13 million expenditure savings in the Town Centre Upgrade Implementation Capital Program, offset by increased funding required for the West Ryde Plaza Project;
- \$0.10 million expenditure savings from the Plant & Fleet Purchases Program will be transferred back to the Plant Replacement Reserve;
- \$0.08 million expenditure savings in ICT capital renewal program. These savings will be transferred back to the Assets Replacement reserve;
- \$0.05 million expenditure savings in the Traffic Calming Devices Project offset by an equivalent reduction in RMS grant funding; and
- \$0.03 million expenditure savings relating to the See Street Traffic Facilities Expansion project due to project being deferred until the completion of the Meadowbank Education Precinct Study project.

ITEM 7 (continued)

Projects recommended to be cancelled, deferred or carried forward to the 2019/20 Budget are provided in **ATTACHMENT 2** with commentary. The total amount of projects being carried forward to 2019/20 is \$12.85 million.

Financial Implications

As a result of the March Quarterly Review, Council's available Working Capital is projected to be maintained at \$5.01million as at 30 June 2019.

Overall, Council's financial position and performance continues to be sound.

ITEM 7 (continued)**Certificate**

In accordance with the Clause 203 of the Local Government (General) Regulations 2005, I report that the financial position of the Council was satisfactory as at 31 March 2019, having regard to the original estimates of income and expenditure.

Variations in total income, operating and capital expenditure as at 31 March 2019 are of a quantum and nature that overall end of year financial targets will be achieved.

Pav Kuzmanovski

Chief Financial Officer
Responsible Accounting Officer

01 May 2019

ITEM 7 (continued)

ATTACHMENT 2

Contract Listing

Contractor Name	Purpose of Contract	Sponsor	Contract Value (EXC GST)	Commencement Date	Duration of the Contract	Included in Budget?
Australian Turf Projects Pty Ltd	COR- RFT 24-18 Irrigation Distribution Project Meadow bank Park.	Rozana Sabrin	\$ 139,727	28/02/2019	3 - 6 Mths	Y
Elton Consulting	COR-RFP-SP/02 Local Strategic Planning Strategy Graphics	Glenn Bently	\$ 50,936	15/03/2019	6 - 12 Mths	Y
Elton Consulting	COR-RFP-SP/01 Community and Stakeholder Engagement Local Strategic Planning Strategy	Glenn Bently	\$ 100,703	15/03/2019	6 - 12 Mths	Y
Air Change Australia Pty Ltd	Supply, Install and Commission Air Handling Unit for Program Pool and Spa Pool Area	Glenn Bently	\$ 72,464	29/03/2019	3 - 6 Mths	Y
Cleary Bros (Bombo) Pty Ltd	COR-RFT-14/18 Crushing and Screening Services	Rozana Sabrin	\$ 545,455	25/03/2019	< 3 Mths	Y
Davis Earthmoving & Quarrying Pty Ltd	COR-RFT-14/18 Crushing and Screening Services-	Rozana Sabrin	\$ 545,455	25/03/2019	2 x 1 x 1	Y
Celtic Civil Pty Ltd	COR-RFT-21-18 Epping Road Cycleway Stage 2 and Stage 3.	Rozana Sabrin	\$ 723,070	29/03/2019	3 - 6 Mths	Y
Hill PDA Pty Limited	COR-RFP-10/18 Proposal for City of Ryde Housing Strategy.	Rozana Sabrin	\$ 116,664	06/03/2019	3 - 6 Mths	Y

ITEM 7 (continued)

ATTACHMENT 2

Consultancy & Legal Expenses

Expenses	Expenditure YTD	Budgeted (Y/N)
Legal Fees	814,339	Y
Consultancy Fees	3,072,683	Y

ITEM 7 (continued)

ATTACHMENT 3

Projects	Proposed 2018/19 Carryovers	Council Comment Carryovers Review
Procurement Improvement	\$25,000	The start of the project was delayed by approximately 6 months with a view of completing this project in the 2019/20 financial year
Additional Safehold Modules	\$50,000	The vendor has encountered delays in the development of the modules and delivery should be in the 2019/20 financial year
Mobile Field Worker App - Health and Building Compliance	\$90,000	Carry over \$90k to 2019/20 financial year due to timing issues relating to MERIT and Tech 1 upgrades.
Information Technology Renewal	\$252,000	Several initiatives have been reforecast to complexities around scoping of business requirements.
Information Technology - Expansion	\$20,000	Communications Business Team will be scoped during the final quarter of 2018/19 with a view of expending funds in the 2019/20 financial year
Macquarie Library and Creativity Hub Design	\$112,359	Macquarie Library and Creativity Hub is required to be partially deferred into the 2019/20 year due to the timing of the project.
Shrimptons Creek Corridor Embellishment	\$50,000	Funds required to allow for completion of the project in 2019/20 financial year.
Pittwater Road Upgrade (High St - Field of Mars)	\$230,000	Project scope for this financial year includes design, power pole relocation and Ausgrid approval. Main project to be constructed in 19/20 (Multi year project).
Road Kerb Renewal	\$850,000	\$250k Denistone Rd (Fourth Ave-Florence Ave) works commencing late April with a view of carrying over fund due to consultation for tree replacement works. \$600k relating to East Parade (Fourth Ave- Gordon Crescent) due to State Rail approval delays and waiting for rail corridor closure for schedule maintenance.

ITEM 7 (continued)

ATTACHMENT 3

Projects	Proposed 2018/19 Carryovers	Council Comment Carryovers Review
Bridge Upgrade / Renewal	\$20,000	Lucinda Road Footbridge - It is expected this project will be completed by July. However, a small carryover as requested here will allow for completion of any ancillary works.
Car Park Renewal	\$200,000	Third Ave - Scope changes following community concerns over tree removals that will be completed in the 2019/20 financial year.
Cycleways Construction Expansion	\$200,000	Project delayed due to RMS late approval.
Seawalls/Retaining Walls Refurbishment Renewal	\$170,000	Banjo Patterson Seawall - 2 year project & carryover proposed with construction to likely commence late this financial year with a view of completing in the 2019/20 financial year.
ITS Implementation	\$170,000	Funds required to be carried forward to allow for completion in the 2019/20 financial year.
Multi-deck Car Park Construction - Rowe St Eastwood	\$200,000	The proposed carryover is to align expenditure with the current development application process on the car park. Expenditures are expected early next financial year.
Eastwood TC Flood Study	\$40,000	During the preliminary data review, the consultant identified several data gaps pertaining to the existing model including missing coding files and links as well as compatibility issues due to the age of the catchment model. It is anticipated that the project will be completed in the 2019/20 financial year.
146 Bowden St Trunk Drainage	\$750,000	Project is required to carry funds into the 2019/20 financial year to align with revised project timeframes.
Small Rd and Lavarack St Drainage Expansion	\$127,500	Currently awaiting outcomes of easement negotiations with the Department of Education.
Stormwater Asset Replacement Renewal	\$140,000	\$100k Bridge Rd - Construction has commenced for the upstream section. Currently awaiting Sydney Water approval for the downstream section. \$40k Parkland Rd - scheduled for construction in Jul 2019.

ITEM 7 (continued)

ATTACHMENT 3

Projects	Proposed 2018/19 Carryovers	Council Comment Carryovers Review
Stormwater Improvement Works - Renewal	\$165,000	Structural assessment of the canal has been undertaken by consultants. Recommended high/urgent priority remediation works estimated to be over \$1 million and cannot be undertaken this year. Detailed design of the remediation works has been commissioned including a contamination including a contamination report and a Review of Environmental Factors report (REF).
Macquarie Park, Waterloo Rd	\$5,800,000	Master Plan commenced. Detailed design and construction will commence in 19/20.
RALC Asset Renewal	\$1,000,000	Air handling units of the competition pool will need to be carried forward to the 2019/2020 financial year due to align with the revised timeframes of the project.
Porters Creek Feasibility Study for CRC	\$15,000	Further work on feasibility study is required and will be commence in the 2019/20 financial year.
Eastwood Litter Prevention Campaign	\$25,000	This project is interdependent on the education campaign which has yet to be rolled out.
Recycle Right and Reduce Waste	\$15,000	This project requires rephasing of funds as the project spans across two years. Implementation to the community in 19/20 through various mediums.
Single Use Plastic Reduction	\$35,000	This project requires rephasing of funds as the project spans across two years. Implementation to the community in 19/20 through various mediums.
Intranet Upgrade	\$30,000	Project is required to carry funds into the 2019/20 financial year to align with revised project timeframes.
City of Ryde Halls and Facilities Strategy	\$50,000	Project is required to carry funds into the 2019/20 financial year to align with the project which is being forecast to be complete in quarter 2 of the 19/20 financial year.
Art Project	\$50,000	Report to be presented to Council on 30 April and EOI of artist can begin. This project will be completed in the 2019/20 financial year.
Cultural Plan	\$5,000	Project slightly delayed and final delivery scheduled for Q1 19/20.
Community and Social Wellbeing Plan	\$5,000	Project slightly delayed and final delivery scheduled for Q1 19/20.

ITEM 7 (continued)

ATTACHMENT 3

Projects	Proposed 2018/19 Carryovers	Council Comment Carryovers Review
Library Strategic Plan	\$10,000	The Library Strategic Plan will require the cost of printing the final version of plan for the 19/20 financial year.
1000 Books Before School	\$26,500	It is anticipated that this project will continue into the 2019/20 financial year funded by grants.
Terrys Creek Walking Trail	\$160,000	Carry Over \$160k to 2019/20 as the final year of this 4 year project. Stage 2 works scheduled this year, with Stage 3 surveying and design moved to next year. No impact on final delivery times.
Open Space Master Plans	\$10,000	Meadowbank Master Plan is now forecast to be completed in 19/20.
Sportsfield Upgrade & Renewal	\$100,000	Completion of ELS Hall Baseball project is now anticipated to be complete in the 2019/20 financial year.
Playground Renewal & Upgrade	\$250,000	Council resolution requires additional consultation for ANZAC Park which sees the project carried forward into the 2019/20 financial year.
Passive Parks Expansion and Improvement	\$750,000	To complete works at Morrison Bay, Kings Park and ELS Hall Park which includes partial grant funding of \$450k.
Shepherds Bay Outlet	\$650,000	Project is required to carry funds into the 2019/20 financial year to align with revised project timeframes.
Total Proposed Carryovers	\$12,848,359	

8 REVIEW OF COUNCIL'S CODE OF MEETING PRACTICE - OUTCOMES OF PUBLIC EXHIBITION

Report prepared by: Civic Services Manager
File No.: CLR/07/8/9/3 - BP19/378

REPORT SUMMARY

A new *Model Code of Meeting Practice for Local Councils in New South Wales* (Model Meeting Code) was prescribed under the *Local Government (General) Regulation 2005* (the Regulation) on 14 December 2018, and the existing meetings provisions of the Regulation have been repealed. As a result, Council considered a new Code of Meeting Practice at its meeting on 26 March 2019.

This report discusses the outcomes of the public exhibition of the draft *Code of Meeting Practice (March 2019)*. Changes to the Code were required to satisfy mandatory and non-mandatory provisions provided for in a new Model Meeting Code.

The draft Code was placed on public exhibition, with submissions being accepted from Wednesday, 27 March 2019 until Tuesday, 7 May 2019. No submissions have been received, and therefore this report recommends the formal adoption of the Code of Meeting Practice.

RECOMMENDATION:

That Council adopt the Code of Meeting Practice (March 2019).

ATTACHMENTS

- 1 Draft Code of Meeting Practice (March 2019) - CIRCULATED UNDER SEPARATE COVER

Report Prepared By:

Amanda Janvrin
Civic Services Manager

Report Approved By:

Joe So
Executive Manager - Strategy and Innovation

ITEM 8 (continued)

Report

A new *Model Code of Meeting Practice for Local Councils in New South Wales* (Model Meeting Code) was prescribed under the *Local Government (General) Regulation 2005* (the Regulation) on 14 December 2018, and the existing meetings provisions of the Regulation have been repealed. As a result, Council considered a new Code of Meeting Practice at its meeting held on 26 March 2019.

The new Model Meeting Code contains mandatory and non-mandatory provisions and Council is required to adopt a Code of Meeting Practice that incorporates the mandatory provisions of the Model Meeting Code prescribed by the Regulation.

Discussion

At its meeting held on 26 March 2019, Council considered the draft *Code of Meeting Practice (March 2019)* and resolved as follows:-

- (a) *That Council endorse the draft Code of Meeting Practice (March 2019), to be placed on public exhibition from 27 March 2019 to 7 May 2019, in accordance with Section 361 of the Local Government Act 1993, subject to the following amendment:-*

- *That Clause 5.23 be amended to read as follows:-*

All Committee of Council meetings held in the Council Chambers shall be audio visually recorded. A copy of the audio visual recording (where possible) will be uploaded to Council's website within five (5) business days after the meeting.

- (b) *That a further report be provided to Council at its meeting on 28 May 2019 setting out any submissions received and to consider adoption of the new draft Code of Meeting Practice.*

Exhibition of the draft Code of Meeting Practice

As prescribed by Section 361 of the *Local Government Act, 1993*, before adopting a new Code of Meeting Practice, Council is required to exhibit a draft of the Code for at least 28 days and provide members of the community at least 42 days to provide any feedback or comments on the draft Code of Meeting Practice.

Accordingly, the draft Code was placed on public exhibition, with submissions being accepted between 27 March 2019 and 7 May 2019.

No submissions have been received, and therefore this report recommends adoption of the Code of Meeting Practice.

ITEM 8 (continued)

Should Council resolve to make further amendments to the draft Code it will be required to publicly exhibit the amended draft in accordance with the Act.

Alternatively, if the amendments are considered not substantial, the amended draft Code may be adopted without public exhibition (*Section 362, Local Government Act 1993*).

Critical Dates

All New South Wales Councils are required to adopt a Code of Meeting Practice that incorporates the mandatory provisions of the Model Meeting Code prescribed by the Regulation. In order to meet the new requirements, Council is required to adopt the new Code of Meeting Practice within six (6) months from the date the Model Meeting Code was prescribed. Accordingly, Council has until **14 June 2019** to adopt the Model Meeting Code.

Financial Implications

Adoption of these recommendations will have no financial impact.

9 2019/20 EMERGENCY SERVICE LEVY

Report prepared by: Chief Financial Officer**File No.:** GRP/09/5/14 - BP19/542

REPORT SUMMARY

Advice has been received from the Office of Local Government that there will be an above inflation increase (10%) in the Emergency Services Levy for the 2019/20 financial year. This will have a \$180K impact on Council's 2019/20 budget currently on public exhibition.

RECOMMENDATION:

That Council notes the financial implications of the Emergency Services Levy increase and includes the additional \$180K in the 2019/20 Budget when presented to Council in June 2019 for adoption.

ATTACHMENTS

- 1 Office of Local Government Circular No. 19-06 Emergency Services Levy

Report Prepared By:

Pav Kuzmanovski
Chief Financial Officer

Report Approved By:

Steven Kludass
Director - Corporate Services

ITEM 9 (continued)**Discussion**

Council has received advice from the Office of Local Government, provided for in **ATTACHMENT 1**, that there will be an above inflation increase in the Emergency Services Levy.

The Emergency Services Levy is a compulsory levy that all Councils across NSW must pay towards funding part of the NSW Emergency Services (Fire Brigades, Police and Ambulance services). Although the funding model whereby all Councils contribute 11.7% of the total Emergency Services costs has not changed, the increase in total operating costs has increased as a result of the NSW Government making changes to Workers Compensation provisions to provide coverage for volunteer and career fire fighters affected by work-related cancers.

These reforms reflect existing arrangements in other States throughout Australia.

Financial Implications

The net impact of the above changes will impact the 2019/20 Base Budget by an increase in expenditure of \$180K (from \$1.80m to \$1.98m) that represents a 10% increase on the budget currently on public exhibition. To put this increase into context, Council rates were only increased by 2.7%. It is proposed that this additional expenditure be incorporated in the budget tabled for Council's consideration at the 25 June 2019 Council Meeting.

ITEM 9 (continued)

ATTACHMENT 1



Circular to Councils

Circular Details	Circular No 19-06 / 08 May 2019 / A644248
Previous Circular	NA
Who should read this	Mayors/ Councillors / General Managers
Contact	Refer to <i>Where to go for further information</i>
Action required	Information

Changes to emergency services funding arrangements

What's new or changing

- The NSW Government has made changes to workers' compensation to provide better protection for volunteer and career firefighters affected by work-related cancers.
- The reforms reflect existing arrangements in other States and will ensure those who provide vital community services receive adequate medical care and support.
- This will result in an increase in the cost of providing emergency services across the State, which will be shared, as per the usual funding arrangements between insurance providers, the State Government and local councils.
- The local government share will be 11.7% of the cost of the emergency services levy.

What this will mean for your council

- The increase will be included in the annual emergency services levy paid by councils, commencing 1 July 2019.
- Councils will be able to pay the emergency services levy in quarterly instalments which will lessen the impact of the increase. The first quarterly instalment is not due until 30 September 2019 which provides more time for councils to review their budgets.

Key points

- The new emergency services levy amounts will vary between councils, depending on existing funding formulas.
- Councils should have already received a notice of assessment from Revenue NSW.

Strengthening local government

ITEM 9 (continued)

ATTACHMENT 1

Where to go for further information

- Enquiries regarding the new legislative provisions should be directed to the State Insurance Regulatory Authority on 02 9289 1352.
- Enquiries in relation to emergency services levy notices of assessment should be directed to Revenue NSW on 1300 139 817 or ESL@revenue.nsw.gov.au.
- Information on the changes is also available on the [Revenue NSW website](#).



Tim Hurst
Chief Executive

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10 VARIATIONS TO DEVELOPMENT STANDARDS UNDER CLAUSE 4.6 OF RYDE LOCAL ENVIRONMENT PLAN 2014

Report prepared by: Manager - Development Assessment
File No.: GRP/09/6/11 - BP19/439

REPORT SUMMARY

To ensure transparency and integrity within the planning framework, the Department of Planning and Environment requires a report to Council once a quarter in respect to all variations to development standards approved under Council Officers' delegation using Clause 4.6 of RLEP 2014.

This report details Development Applications approved in the period of 1 January to 31 March 2019 with a Clause 4.6 variation.

DA number	Address	Description of Proposal	Extent of variation & standard varied	Justification of variation	Delegation & Date of Determination
LDA2017/0377	65 Phillip Road, Putney	Demolition; new two storey dwelling with basement parking and a swimming pool.	4.2% (11.6m ²) variation to the floor space ratio	The proposal is compatible with its surroundings and the subject site is slightly undersized. Therefore, the variation is considered acceptable due to its moderate nature, the constraints on the site and the minimal environmental impacts on adjoining and adjacent properties.	Council Officers Delegated Authority 6/03/2019
LDA2018/0184	74 Higginbotham Road, Ryde	Alterations and first floor addition to dwelling including a new garage, inground pool and front and return fences.	7% (0.7m) variation to the 9.5m height of building requirement	The topography of the site has a steep fall away from the front to the rear, the breach is limited to a small area of 2m in length and the proposal is in keeping with the character of nearby development, does not overshadow or otherwise adversely impact neighbouring properties. Complying with the height limit would give the roof an odd appearance and negatively affect the streetscape; therefore, the variation is supported.	Council Officers Delegated Authority 2/01/2019

RECOMMENDATION:

That the report on the Clause 4.6 variations 1 January to 31 March 2019 be received and noted.

ITEM 10 (continued)

ATTACHMENTS

1 Circular - Clause 4.6

Report Prepared By:

Sandra Bailey
Manager - Development Assessment

Report Approved By:

Liz Coad
Director - City Planning and Environment

ITEM 10 (continued)

ATTACHMENT 1



Planning circular

PLANNING SYSTEM

Varying Development Standards

Circular	PS 18-003
Issued	21 February 2018
Related	Revokes PS17-006 (December 2017)

Variations to development standards

This circular is to advise consent authorities of arrangements for when the Secretary's concurrence to vary development standards may be assumed (including when council or its Independent Hearing and Assessment Panel are to determine applications when development standards are varied), and clarify requirements around reporting and record keeping where that concurrence has been assumed.

Overview of assumed concurrence

This circular replaces Planning Circular PS 17-006 and issues revised assumed concurrence, governance and reporting requirements for consent authorities.

All consent authorities may assume the Secretary's concurrence under:

- clause 4.6 of a local environmental plan that adopts the *Standard Instrument (Local Environmental Plans) Order 2006* or any other provision of an environmental planning instrument to the same effect, or
- *State Environmental Planning Policy No 1 – Development Standards*.

However the assumed concurrence is subject to conditions (see below).

The assumed concurrence notice takes effect immediately and applies to pending development applications.

Any existing variation agreed to by the Secretary of Planning and Environment to a previous notice will continue to have effect under the attached notice.

Assumed concurrence conditions

Lot size standards for dwellings in rural areas

The Secretary's concurrence may not be assumed for a development standard relating to the minimum lot size required for erection of a dwelling on land in one of the following land use zones, if the lot is less than 90% of the required minimum lot size:

- Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition
- Zone R5 Large Lot Residential
- Zone E2 Environmental Conservation, Zone E3 Environmental Management, Zone E4 Environmental Living

- a land use zone that is equivalent to one of the above land use zones

This condition will only apply to local and regionally significant development.

Numerical and non-numerical development standards

The Secretary's concurrence may not be assumed by a delegate of council if:

- the development contravenes a numerical standard by greater than 10%; or
- the variation is to a non-numerical standard.

This restriction does not apply to decisions made by independent hearing and assessment panels, formally known as local planning panels, who exercise consent authority functions on behalf of councils, but are not legally delegates of the council (see section 231, to be renumbered 4.8 from 1 March 2018).

The purpose of the restriction on assumed concurrence for variations of numerical and non-numerical standards applying to delegates is to ensure that variations of this nature are considered by the council or its independent hearing and assessment panel and that they are subject to greater public scrutiny than decisions made by council staff under delegation.

In all other circumstances, delegates of a consent authority may assume the Secretary's concurrence in accordance with the attached written notice.

Independent hearing and assessment panels

From 1 March 2018, councils in Sydney and Wollongong will be required to have independent hearing and assessment panels that will determine development applications on behalf of councils (see section 231, to be renumbered section 4.8 from 1 March 2018).

ITEM 10 (continued)

ATTACHMENT 1

Department of Planning and Environment – Planning Circular PS18-003

The attached notice allows independent hearing and assessment panels to assume the Secretary's concurrence because they are exercising the council's functions as a consent authority.

Independent hearing and assessment panels established by councils before 1 March 2018 also make decisions on behalf of councils. The attached notice applies to existing panels in the same way as it will apply to panels established after 1 March 2018.

Regionally significant development

Sydney district and regional planning panels may also assume the Secretary's concurrence where development standards will be contravened.

The restriction on delegates determining applications involving numerical or non-numerical standards does not apply to all regionally significant development. This is because all regionally significant development is determined by a panel and is not delegated to council staff.

However, the restriction on assuming concurrence to vary lot size standards for dwellings in rural areas will continue to apply to regionally significant development. The Secretary's concurrence will need to be obtained for these proposals in the same way as it would for local development.

State significant development and development where a Minister is the consent authority

Consent authorities for State significant development (SSD) may also assume the Secretary's concurrence where development standards will be contravened. This arrangement also applies to other development for which a Minister is the consent authority for the same reasons.

Any matters arising from contravening development standards will be dealt with in Departmental assessment reports.

The restriction on assuming concurrence to vary lot size standards for dwellings in rural areas will not apply to SSD or where a Minister is the consent authority for the same reasons.

Notification of assumed concurrence

Under clause 64 of the *Environmental Planning and Assessment Regulation 2000*, consent authorities are notified that they may assume the Secretary's concurrence for exceptions to development standards for applications made under clause 4.6 of the SILEP (or any other provision of an environmental planning instrument to the same effect), or clause 6 of SEPP 1.

The notice takes effect on the day that it is published on the Department of Planning's website (i.e. the date of issue of this circular) and applies to pending development applications.

Procedural and reporting requirements

In order to ensure transparency and integrity in the planning framework the below Departmental monitoring and reporting measures must be followed when development standards are being varied:

- Proposed variations to development standards cannot be considered without a written application objecting to the development standard and dealing with the matters required to be addressed by the relevant instrument.
- A publicly available online register of all variations to development standards approved by the consent authority or its delegates is to be established and maintained. This register must include the development application number and description, the property address, the standard to be varied and the extent of the variation.
- A report of all variations approved (including under delegation) must be submitted to developmentstandards@planning.nsw.gov.au within 4 weeks of the end of each quarter (ie March, June, September and December) in the form provided by the Department.
- A report of all variations approved under delegation from a council must be provided to a meeting of the council meeting at least once each quarter.

Councils are to ensure these procedures and reporting requirements are carried out on behalf of Independent Hearing and Assessment Panels and Sydney district or regional planning panels.

Audit

The Department will continue to carry out random audits to ensure the monitoring and reporting measures are complied with. The Department and the NSW Independent Commission Against Corruption will continue to review and refine the audit strategy.

Should ongoing non-compliance be identified with one or more consent authorities, the Secretary will consider revoking the notice allowing concurrence to be assumed, either generally for a consent authority or for a specific type of development.

Further information

A Guide on Varying Development Standards 2011 is available to assist applicants and councils on the procedures for managing SEPP 1 and clause 4.6 applications to vary standards.

Links to SEPP 1 and the Standard Instrument can be found on the NSW Legislation website at: www.legislation.nsw.gov.au

For further information please contact the Department of Planning and Environment's information centre on 1300 305 695.

Department of Planning and Environment circulars are available at:

ITEM 10 (continued)

ATTACHMENT 1

Department of Planning and Environment – Planning Circular PS18-003

www.planning.nsw.gov.au/circulars

Authorised by:

Carolyn McNally
Secretary

Important note: This circular does not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by this circular.

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ITEM 10 (continued)

ATTACHMENT 1

ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000

Assumed concurrence notice

I, Carolyn McNally, Secretary of the Department of Planning and Environment, give the following notice to all consent authorities under clause 64 of the *Environmental Planning and Assessment Regulation 2000*.

Notice

All consent authorities may assume my concurrence, subject to the conditions set out in the table below, where it is required under:

- clause 4.6 of a local environmental plan that adopts the *Standard Instrument (Local Environmental Plans) Order 2006* or any other provision of an environmental planning instrument to the same effect, or
- *State Environmental Planning Policy No 1 – Development Standards*.

No.	Conditions
1	<p>Concurrence may not be assumed for a development that contravenes a development standard relating to the minimum lot size required for the erection of a dwelling on land in one of the following land use zones, if the variation is greater than 10% of the required minimum lot size:</p> <ul style="list-style-type: none"> - Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition - Zone R5 Large Lot Residential - Zone E2 Environmental Conservation, Zone E3 Environmental Management, Zone E4 Environmental Living - a land use zone that is equivalent to one of the above land use zones <p>This condition does not apply to State significant development or development for which a Minister is the consent authority</p>
2	<p>Concurrence may not be assumed for the following development, if the function of determining the development application is exercised by a delegate of the consent authority:</p> <ul style="list-style-type: none"> - development that contravenes a numerical development standard by more than 10% - development that contravenes a non-numerical development standard <p>Note. Local planning panels constituted under the <i>Environmental Planning and Assessment Act 1979</i> exercise consent authority functions on behalf a council and are not delegates of the council</p> <p>This condition does not apply to State significant development, regionally significant development or development for which a Minister is the consent authority</p>

This notice takes effect on the day that it is published on the Department of Planning's website and applies to development applications made (but not determined) before it takes effect.

The previous notice to assume my concurrence contained in planning system circular PS 17-006 *Variations to development standards*, issued 15 December 2017 is revoked by this notice. However, any variation to a previous notice continues to have effect as if it were a variation to this notice.

Dated: 21 February 2018



Carolyn McNally
Secretary, Department of Planning and Environment

11 ADDITIONAL ITEM FOR INCLUSION IN THE 2019/2020 FEES AND CHARGES - DEVELOPMENT ASSESSMENT

Report prepared by: Senior Coordinator - Building and Development Advisory Service
File No.: GRP/09/5/14 - BP19/568

REPORT SUMMARY

This report proposes an additional category of fee to be included in the 2019/2020 Proposed Fees and Charges.

There is a noticeable increase in the number of “Concept (formerly ‘staged’) Development Applications” involving staged development of larger projects. Currently, Council does not have any formal specified fee arrangement for concept development application in the City of Ryde Fees & Charges Schedule.

In accordance with Clause 256B of the Environmental Planning and Assessment Regulation 2000, the maximum fee payable for a concept development application in relation to a site (and any subsequent development application for any part of the site) is the maximum fee that would be payable as if a single development application only was required for all the development on the site. Since the fee for concept development application can be split over the concept and the subsequent detailed development applications, this results in developers seeking to negotiate the payment arrangement each time a DA is lodged in absence of any formal fee for such developments included in the Fees and Services Schedule.

The City Planning and Environment Directorate has since 2015 adopted the practice of taking a 50/50 split in fee, that is, a 50% fee payable with the Concept Development Application (based on overall value of construction) and the remaining 50% of the fee charged with subsequent detailed Development Applications. A 50/50 split would represent an equitable apportionment as has been the practice.

It is recommended that the fee split for Concept Development Application be included in the Fees and Charges under the Development Assessment Services as follows:

- Stage 1 Concept Development Application: 50% fee applied;
- Stage 2 Detailed Development Applications: 50% fee applied:

RECOMMENDATION:

(a) That the Proposed Schedule of Fees and Charges for 2019/2020 be revised to include the fee split for Concept Development Application and subsequent staged application as follows:

- Stage 1 Concept Development Application: 50% fee applied;
- Stage 2 Detailed Development Applications: 50% fee applied:

ITEM 11 (continued)

- (b) That the above changes be publicly exhibited for a period of not less than 28 days from 29 May 2019 to 25 June 2019.
- (c) That following the public exhibition period detailed in part (b), Council consider all public submissions received up until publication of Council report at its meeting to be held on Tuesday, 25 June 2019 prior to formally adopting the One-Year Operational Plan 2019/2020 including the Proposed Fees and Charges.
- (d) That should any further community feedback on the proposed fee be received after the publication of Council report, it shall be circulated to the Councillors as an amended attachment.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Sanju Reddy
Senior Coordinator - Building and Development Advisory Service

Report Approved By:

Sandra Bailey
Manager - Development Assessment

Liz Coad
Director - City Planning and Environment

ITEM 11 (continued)**Discussion**

A "Concept Development Application" is a development application (DA) that sets out concept proposals for development of a site, and for which detailed proposals for the site or for separate parts of the site are to be the subject of a subsequent development application or applications (in stages).

Experience has shown that any built form proposed as part of a concept development (and in stages) is required to be considered in sufficient detail to ensure it establishes an appropriate scale, massing and layout for the site in accordance with the site planning principles and the Council's planning policies. Most concept developments are proposed on larger sites involving multiple buildings with new roads or significant impact on the traffic network. Significant resources are deployed in assessing a concept proposal that forms the basis to approve an appropriate site masterplan including building envelopes, floor space, parking and circulation network (if relevant), tree retention, storm water management, drainage and provision of other required services as would be required for a detailed development application as well.

Approval of a concept development application allows certainty for the developer that if a concept is approved, any subsequent development that is consistent with the concept will also be permitted. If the concept is approved, developers will then make one or more subsequent detailed applications consistent with the concept. The application for a concept approval can also include a detailed proposal for the first stage.

Council is experiencing an increase in "Concept Development Applications" as evident by a number of DAs lodged and prelodgement reviews of a number of forthcoming DAs.

Since 2015, the City Planning and Environment Directorate has adopted the practice of taking a 50/50 split, that is, based on the entire value of the concept proposal, 50% of the DA fee is taken for the Concept Development Application and the remaining 50% is taken with each of the subsequent stages.

Examples of recent concept development applications where the 50/50 split have been applied include the Macquarie Centre Concept DA and 20 Waterview Street (the old Halverson site).

Comparatively, the City of Sydney has included a similar fee for concept development applications in its fees and charges schedule and has adopted a 60/40 split, that is, 60% of the overall fee is charged for the concept development application and 40% to the remaining stages. This means that the proposed 50/50 split is less stringent and is considered a reasonable approach for the City of Ryde.

On the above basis it is important that the proposed arrangement be formalised by including it in the Fees and Charges.

ITEM 11 (continued)**Financial Implications**

Adoption of the recommendation will have no financial impact.

Consultation with relevant external bodies

N/A

Options**1. Do nothing**

Council could elect not to include the proposed fee split in the Fees and Charges. However, this may create an inconsistency in the future in Council's approach should this split be considered on case by case basis each time a Concept Development Application is received. In addition Council's Building and Development Advisory Services would not be able to provide specific advice to the developers in relation to the applicable fee at any given time. The current practice needs to be formalised, for transparency and consistency.

2. Adopt a different apportionment

Councillors can choose to implement a different split for the fee. However, it should be noted that anything less than 50% for Stage 1 DA, would not archive an equitable share of the fee commensurate with the resources deployed to carry out the assessment of the concept development application.

3. Include the recommended fee split in the Fees and Charges

The City Planning and Environment Directorate has since 2015 adopted the practice of taking a 50/50 split in fee, that is, a 50% fee payable with the Concept Development Application (based on overall value of construction) and the remaining 50% of the fee charged with subsequent detailed Development Applications. A 50/50 split is a balanced apportionment predicated on generally equal resources required for assessment of both the concept and detailed applications. This arrangement has been in practice as mentioned earlier in this report and it would simply be formalising the existing arrangement.

Under this option it is recommended that the fee split for Concept Development Application be included in the Fees and Charges under the Development Assessment Services as follows:

- Stage 1 Concept Development Application: 50% fee applied;
- Stage 2 Detailed Development Applications: 50% fee applied;

12 YUHU VOLUNTARY PLANNING AGREEMENT INCORPORATING EASTWOOD PLAZA UPGRADE, 5 AFFORDABLE HOUSING APARTMENTS AND PUBLIC DOMAIN UPGRADES - POST EXHIBITION REPORT

Report prepared by: Development Contributions Coordinator
File No.: VPA2016/378/6 - BP19/181

Details of this Voluntary Planning Agreement are no longer CONFIDENTIAL as the public exhibition has occurred.

REPORT SUMMARY

At its Ordinary Meeting of 27 February 2018 Council considered an offer by YUHU Property (Australia) Pty Ltd (**Developer**) to enter into a Voluntary Planning Agreement (**VPA**). In regard to the VPA offer by YUHU Council made the following resolution:

- (a) *That Council accept the letter of offer as detailed in Attachments 2, 3 and 4 dated 13 January 2018 from YUHU Property (Australia) Pty Ltd to enter into a Voluntary Planning Agreement in relation to development application LDA2016/378 at 152-186 Rowe Street, Eastwood. The Voluntary Planning Agreement will require the Applicant to provide, at a minimum, the public benefits summarised below:*
 - i. *Rowe Street Mall Upgrade Works to value of no less than \$5,060,587 and to an agreed scope of works generally in accordance with the concept plans provided in Attachment 3 to this report.*
 - ii. *5 x 1 bedroom Affordable Housing Apartments to a value of no less than \$3,900,000 with the location of the apartments to be agreed between the parties.*
 - iii. *Civic and Urban Improvement as Works-in-Kind in surrounding streets (other than Eastwood Mall) to a value of no less than \$4,225,091 as per works detailed in Attachment 4 of this report.*
- (b) *That Council delegate authority to the General Manager to negotiate the specific terms of the Voluntary Planning Agreement as outlined in Attachments 2, 3 and 4 by YUHU Property (Australia) Pty Ltd, including but not limited to:*
 - i. *Scope of works for Rowe Street Mall Upgrade, including design, materials, furniture, landscape elements and plant species.*

ITEM 12 (continued)

- ii. *Sufficient security over Public Benefits offered in case of other party default; and to subsequently exhibit a draft of the Voluntary Planning Agreement in accordance with the relevant provisions of the Environmental Planning and Assessment Act 1979 in:*
- *Have your say – website with ability to provide feedback*
 - *Hand out/mail out flyers/letters to business and residents in Eastwood*
 - *Promotion on Social media*
 - *Information Drop-In Sessions in Eastwood.*
- (c) *That the Voluntary Planning Agreement be publicly exhibited for a minimum period of 28 days and the results of the public exhibition period be reported back to Council before any Voluntary Planning Agreement is entered into.*
- (d) *That YUHU Property (Australia) Pty Ltd via Urbis be informed of Council's decision.*

Following on from the Council Resolution negotiations were held with the Developer in relation to the Draft VPA for public exhibition. The Draft VPA was completed after a protracted period, as the Developer first sought a deferred commencement to their Development Application LDA2016/378 (**DA**) from the Sydney North Planning Panel (**Panel**) on 25 October 2018. The DA consists of the following:

Demolition and construction of a mixed use development comprising 7 buildings accommodating retail, commercial and residential uses. The development will contain:

- *11,449.4m² of retail space;*
 - *3,629.6m² of commercial space (including office, gym and medical centre)*
 - *409 residential apartments consisting of 97 x 1 bedroom, 249 x 2 bedroom & 63 x 3 bedroom apartments.*
 - *4 levels of basement car parking accommodating 1,035 vehicles.*
 - *Building heights ranging from 6 to 13 storeys.*
 - *Two open air through-site pedestrian links between Rowe and Rutledge Streets, and*
 - *Landscaping works within the site.*
- (the Development)**

The deferred commencement sought was conditional on the VPA being entered into and registered on the title of the land for the Development prior to the consent becoming operational.

ITEM 12 (continued)

Nevertheless, the Panel decided to defer their decision until such time that Council had made a final determination on the matter of the VPA. The Panel's decision is reproduced in part below and in full in **ATTACHMENT 1**, whilst **ATTACHMENT 2** contains the 'officer's report' pertaining to the Development:

“REASONS FOR DEFFERAL

The Panel has considered the officers report and representations at the meeting and accepts the assessment of staff that the proposal merits approval.

In relation to Clause 4.6 variation in respect of height, the Panel considers there sufficient environment planning grounds to vary the height standard; noting that the variation allows for a reduced shadow impact relative to a complying envelope. In this respect the variation results in a better planning outcome and would be consistent with the objectives of the standard.

However, the panel notes that the Voluntary Planning Agreement (VPA) has not been finalised and that it has not been exhibited. Further that Council wishes a broad public consultation process and does not intend to finalise this exhibition process until at least February 2019. In the circumstances, the panel considers it inappropriate to approve the application with a deferred commencement condition.

The panel also notes that the conditions of consent regarding the hanging garden should be amended to specify construction details (such as soil depth) and maintenance details to ensure success of the hanging garden.

The Panel therefore resolves to defer the application for the VPA to be resolved in this respect to its terms between parties and advertised. The Panel requests a supplementary report be prepared by staff and submitted to the panel not later than 1 June 2019 when the panel will consider the matter by electronic means unless the Chair determines otherwise. The issue of the hanging gardens should be addressed in the supplementary report.

The decision to defer was unanimous. The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.”

Following the handing down of the Panel's decision the Developer sought to finalise the Draft VPA for public exhibition.

Due to the Christmas/New Year holiday period, it was agreed with the Developer to exhibit the Draft VPA and Eastwood Plaza Concept Design for 28 days from 30 January 2019 to 27 February 2019. In accordance with Council's resolution of 27 February 2018 the public exhibition included:

ITEM 12 (continued)

- The VPA and supporting documents being made available on Council's web page
- Specific Have Your Say Webpage containing the VPA and supporting documents in English, Korean and Chinese Languages; including an interactive map (concept design for Eastwood Plaza)
- Two (2) drop in sessions:
 - Eastwood Plaza on 14 February 2019 from 12noon to 3pm
 - Lunar Festival Eastwood Oval on 16 February 2019 from 4pm to 9pm.

In addition to what was required by the Council resolution, the VPA and supporting material was made available on several community pages in social media. A full breakdown of the extent of the Public Exhibition is included in **ATTACHMENT 10**.

A total of twelve (12) written submissions were received as a result of the public exhibition. In most part the submissions were supportive of the VPA in terms of affordable housing, upgrading of Eastwood Plaza and the Public Domain. The matters raised in the submissions are summarised in the main body of the report, however some of the main themes that came from the exhibition were:

- Keep the harbour
- Provide more trees/shade
- Must have a Water Feature/Fountain
- More open space
- Need traffic signals at the Pedestrian crossings at each end of the Plaza; and
- General comment that the upgrade of the Plaza is supported

These themes are mostly addressed via the VPA, Concept Design and Functional Brief, that requires retention of the harbour, new tree plantings, space for a water feature and an un-inhibited central area for various activities and functions. In terms of the signalised pedestrian crossings, this is beyond the scope of the VPA, as Council is seeking the installation of these separately via the RMS.

The public exhibition has provided mostly positive feedback, which can now be incorporated into the Concept Plan and Functional Brief within the VPA. There, are no matters raised during the public exhibition that would prevent Council from entering into the VPA following some minor additions to the Concept Plan and Functional Brief.

Entering into the VPA will have no negative financial impact on Council's budget, as it will result in a nett gain of at least \$13,185,678 in public benefit value capture (a form of development tax) from the Development.

ITEM 12 (continued)

As such it is recommended that Council accept the VPA offer, as the public benefits are tangible and will benefit the wider Eastwood Community. Further, it is likely the Development will be approved by the Sydney North Planning Panel on its merits in which if Council decided not to accept the offer, would result in the community forgoing some \$13 million in Public Benefit value capture from the Development, providing additional windfall to the Developer.

RECOMMENDATION:

- (a) That Council accept the Voluntary Planning Agreement detailed in **ATTACHMENTS 3 to 9** as agreed with YUHU Property (Australia) Pty Ltd, being made in accordance with their Letter of offer dated 13 January 2018 in relation to Development Application LDA2016/378 at 152-186 Rowe Street and 3-5 Rutledge Street, Eastwood.
- (b) That Council delegate authority to the General Manager to:
 - (i) Negotiate and authorise any changes to the Voluntary Planning Agreement (including the Functional Brief) resulting from its public exhibition, provided that those changes do not diminish the value or nature of the public benefits to be delivered as identified in the Planning Agreement;
 - (ii) Subsequently enter into the Voluntary Planning Agreement on behalf of Council.
- (c) That upon transfer of ownership to Council of the key worker housing apartments at 152-186 Rowe Street and 3-5 Rutledge Street, Eastwood, public notification of the intention to classify the land as operational, in accordance with Section 34 of the Local Government Act 1993 be undertaken.
- (d) That the key worker housing apartments at 152-186 Rowe Street and 3-5 Rutledge Street, Eastwood, be classified as operational land, subject to no objecting submissions during the notification period.
- (e) That YUHU Property (Australia) Pty Ltd be informed of Council's decision.

ATTACHMENTS – CIRCULATED UNDER SEPARATE COVER

- 1 2017SNH013 – Assessment Report
- 2 DRAFT – Yuhu – Voluntary Planning Agreement
- 3 DRAFT – Yuhu – Voluntary Planning Agreement Explanatory Note
- 4 Indicative Functional Brief - Exhibition Copy
- 5 2017SNH013 – Record of Deferral – 25 October 2018
- 6 Part of VPA Schedule 5 – 3010499-1 – Amended Landscape Drawingsv1 – Current – A3
- 7 Part of VPA Schedule 5 – Eastwood Design 600 – A3

ITEM 12 (continued)

- 8** Part of VPA Schedule 5 – Eastwood Structure 600 – A3
- 9** VPA Schedule 12 - Novation Deed - Eastwood FINAL 24 January 2019
- 10** Eastwood Plaza Upgrade - Public Exhibition Feedback

Report Prepared By:

David Matthews
Development Contributions Coordinator

Report Approved By:

Dyalan Govender
Manager - Urban Strategy

Liz Coad
Director - City Planning and Environment

ITEM 12 (continued)
Revisiting the VPA Offer from YUHU

The Public Benefits under the VPA are summarised as follows:

Public Benefit / Work-In-Kind	Estimated Cost
Rowe Street Mall Upgrade Works (Eastwood Plaza)	\$5,060,587.00
5 x 1 bedroom Affordable Housing Apartments	\$3,900,000.00
Works-In-Kind in Surrounding Streets (other than Eastwood Plaza)	\$4,225,091.00
TOTAL	\$13,185,678.00

The Upgrade works for Eastwood Plaza are detailed in Concept Plans and a written Functional Brief, which all form part of the VPA (**ATTACHMENT 3 to 9**) as exhibited.

In terms of the Works-In-Kind (**WIK**), the VPA treats these as an offset on the Civic and Urban Improvements component of the Section 7.11 Contributions. Hence the value of the additional public benefit in the offer is the Eastwood Plaza Upgrade Works and the Affordable (Key Worker) housing. However, there are benefits for Council to include the WIK component proposed in a VPA, rather than dealing with such works as conditions of consent. These benefits include:

- Agreement on extent, nature and value of works upfront to determine the appropriate offset;
- Provision of sufficient security being imposed under the VPA for the works;
- The VPA is un-appealable in the Land and Environment Court;
- Greater certainty with respect to delivery of the works; and
- The value of the works proposed in the public domain beyond Eastwood Plaza are significantly greater than the amount of S7.11 Contribution to be levied for the same purpose from the proposed development (discussed in the body of this report).

Review of S7.11 Offset and Gain in Value of Public Benefit

The current S7.11 liability of the proposed development without any WIK offsets is:

Developer Contribution Type	Contribution Amount
Community and Cultural	\$1,133,411.63
Open Space and Recreation	\$2,857,661.77
Civic and Urban Improvements	\$928,386.48
Roads and Traffic	\$117,548.01
Cycleways	\$79,103.88
Stormwater	\$242,463.08
Plan Administration	\$21,332.99
TOTAL	\$5,379,907.84

ITEM 12 (continued)

As noted earlier, the VPA offsets the WIK public domain works from S7.11 Contributions in regards to Civic and Urban Improvements.

The value of the proposed WIK offsets for Civic and Urban Improvements is currently \$3,296,704.52 more than the Section 7.11 liability. This additional value in Public Domain improvements is at the sole cost of the Developer.

The Civic and Urban Improvements offset and resulting S7.11 liability is demonstrated as follows:

Developer Contribution Type	Contribution Amount
Community and Cultural	\$1,133,411.63
Open Space and Recreation	\$2,857,661.77
Civic and Urban Improvements	\$0.00
Roads and Traffic	\$117,548.01
Cycleways	\$79,103.88
Stormwater	\$242,463.08
Plan Administration	\$21,332.99
TOTAL	\$4,451,521.36

The WIK offset is generally acceptable and there are provisions in Council's Section 7.11 Plan allowing such. The value of the works is \$4,225,091.00 whilst the contribution offset is \$928,386.48. Hence an additional benefit for public works to the value of \$3,296,704.52 is achieved.

In terms of nett value, the VPA total is a 127.8% gain over the standard Section 7.11 liability, which is significant. The calculation for the gain is as follows:

$$\frac{((VPA \text{ Amount} - WIK \text{ S7.11 Offset}) - Original \text{ 7.11 Amount})}{Original \text{ S7.11 Amount}} \times 100 = \% \text{ Increase}$$

Thus:

$$\frac{((\$13,185,678.00 - \$928,386.48) - \$5,379,907.84)}{\$5,379,907.84} \times 100 = 127.8\%$$

Affordable Housing

The Interim Affordable Housing Policy requests the contribution of 2% of the number of apartments in a given development via a development application be transferred to Council free of cost for use as key worker housing. 2% of 409 apartments is approximately 8 apartments (rounded from 8.18 apartments). With the average market value of an apartment being conservatively in the vicinity of \$750,000, the public benefit of the Affordable Housing suggested under Council's Interim Policy is approximately \$6,135,000.

ITEM 12 (continued)

In this case the Developer is offering 5 x 1 bedroom apartments with parking provided in accordance with Council's applicable DCP rates at a value of \$3.9 million, being approximately \$780,000 in value each and 1.22% of the total number of apartments.

Whilst the number of apartments offered is not 2%, the value of the apartments nominated by the Developer is reasonable considering the proposed location in the centre of Eastwood, being above a shopping centre and in close proximity to public transport nodes. Further, the Eastwood Plaza Upgrade and the Pedestrian Pathway Upgrades on the surrounding streets to the Site are inclusive to the value of public benefits offered via the Developer as a package.

As discussed in the body of this report, the value of the offer is a 127.8% gain over the standard S7.11 liability. As the proposed development would likely be approved without the VPA Offer (refer to Panel's reasons for deferral) the VPA must be considered in this context.

The Developer is not seeking any additional development rights in this instance and has made an offer in good faith to help improve the amenity of Eastwood around their proposed development.

Acceptability Test – VPA Policy

Council's VPA Policy contains an acceptability test to be applied to all VPA offers. The components of the Acceptability Test are reproduced in the left hand column of the Table below:

Acceptability Test	Comment
(a) Is the proposed Planning Agreement directed towards a proper and legitimate planning purpose having regard to the statutory planning controls and other adopted planning policies and infrastructure strategies and the circumstances of the case?	Yes – the proposed VPA offer is directed toward the upgrade and improvement of public purposes identified under Section 7.4(2) of the Environmental Planning and Assessment Act, being the provision affordable housing and public amenities and other infrastructure relating to the site in respect of the upgrading of Eastwood Plaza and footpaths around the remaining perimeter of the Site.
(b) Does the proposed Planning Agreement provide for a reasonable means of achieving the relevant planning purpose and securing the relevant public benefit?	Yes – The negotiated VPA contains sufficient security, such as bank guarantees, registration on title and compulsory acquisition for securing the public benefits.

ITEM 12 (continued)

Acceptability Test	Comment
(c) Will the proposed Planning Agreement produce outcomes that protect the public interest?	Yes – the works proposed by the development in the VPA will improve the amenity of Eastwood Plaza, surrounding streets to the Site and provide affordable housing.
(d) Are there any relevant circumstances that may operate to preclude Council from entering into the proposed Planning Agreement?	No – the VPA has been publicly exhibited for a period of no less than 28-days and received in most part positive reaction from the public, especially in relation to the proposed upgrade of Eastwood Plaza.
(e) Will the proposed Planning Agreement provide benefits that bear a relationship to the delivery of services and infrastructures within the LGA?	Yes – the VPA proposes works directly adjacent the Site in the public domain and affordable housing within the Site, which is located in the City of Ryde LGA.
(f) Is the quantum of the Public Benefit commensurate with the value of the Development Contribution?	The public benefits offered, as discussed in the body of this report offer a 127.8% increase over and above the usual \$7.11 liability that would be applied to the proposed development.

Consultation

Section 7.5(1) of the Environmental Planning and Assessment Act 1979 (EPA Act) requires VPAs to be exhibited for a minimum of 28 days before they can be entered into by the relevant parties.

Due to the Christmas/New Year holiday period, it was agreed with the Developer to exhibit the Draft VPA and Eastwood Plaza Concept Design for 28 days from 30 January 2019 to 27 February 2019. In accordance with Council's resolution of 27 February 2018 the public exhibition included:

- The VPA and supporting documents being made available on Council's web page
- Specific have your say web page containing the VPA and supporting documents in English, Korean and Chinese Languages; including an interactive map (concept design for Eastwood Plaza)
- Two (2) drop in sessions:
 - Eastwood Plaza on 14 February 2019 from 12noon to 3pm
 - Lunar Festival Eastwood Oval on 16 February 2019 from 4pm to 9pm.

ITEM 12 (continued)

In addition to what was required by the Council resolution, the VPA and supporting material was made available on several community pages in social media. A full breakdown of the extent of the Public Exhibition is included in **ATTACHMENT 10**.

A total of twelve (12) written submissions were received as a result of the public exhibition. In most part the submissions were supportive of the VPA in terms of affordable housing, upgrading of Eastwood Plaza and the Public Domain. The matters raised in the submissions are summarised in the tables below. The Tables are split into the following categories:

- Positive/Neutral feedback;
- Negative feedback
- Matters raised by State Government bodies
- Matters raised by community service organisations.
- Other issues raised regarding Eastwood not related to the VPA
- Matters raised in regards to DA

Positive/Neutral Feedback on VPA Items		
Item	Issue or Statement raised by Respondents	Comment:
1	<i>Decorations in the upgraded Plaza should be culturally neutral</i>	The concept plan does not include decorations detail. The Artist's Impression images, also made available during the public exhibition, may have included lanterns like those used during the Lunar Festival. The Artist's impressions are only a snapshot of how the Plaza may look at any one point in time and are for general reference only. Council ultimately controls how the Plaza is decorated and furnished throughout the year. This control will remain with the Council.
2	<i>Recognition of Indigenous People as Traditional Custodians should be included, as well as Flag poles for NAIDOC Week</i>	If it is Council's view to support this suggestion, then such items could be added to the Functional Brief for Eastwood Plaza under the VPA or set aside for later consideration by Council in consultation with the Indigenous Community.

ITEM 12 (continued)

Item	Issue or Statement raised by Respondents	Comment:
3	<i>Flag pole should be retained as well as Plaque for Terry Ryan</i>	It is not intended for the upgrade to remove the flag poles and plaques and not replace them. The Functional Brief will be amended to include replacement of flagpoles and reinstatement of existing plaques.
4	<i>Heritage Disks in Pavement beneath the arbour should be replaced or reinstated - Granny Smith, Gregory Blaxland etc. They were put in place after recommendations by the Heritage Committee</i>	As per Item 3.
5	<i>Add plaque for Marie Beuzeville Byles (the first woman to be admitted as a legal practitioner in NSW) *practiced in Eastwood</i>	New plaques are a matter for Council's consideration and a VPA is not necessarily the mechanism for incorporating such into Eastwood Plaza. Notwithstanding, should Council resolve to incorporate new plaques into the Eastwood Plaza upgrade, they could be incorporated into the Functional Brief or set aside for Council's consideration at a later date.
6	<i>Add plaque for Edward Terry – first Mayor of Ryde</i>	As per Item 5.
7	<i>Consideration be given to adding a plaque for Edna Wilde (OAM) in recognition as first female Mayor of Ryde Council</i>	As per Item 5.
8	<i>Pavement Lighting (Solar/LED)</i>	Lighting in Eastwood Plaza is to be in accordance with Council's Public Domain Manual with the incorporation of centenary lighting.
9	<i>How will nearby businesses be impacted during construction</i>	The Developer will be required to lodge a construction management plan with Council that provides the least interruption to existing business to ensure access is maintained during business hours.

ITEM 12 (continued)

Item	Issue or Statement raised by Respondents	Comment:
10	<i>Community Notice Board should be included to promote not-for-profit events and local groups and societies</i>	The existing kiosk is to be removed to enable a more open and flexible space in the centre of the Plaza. The Functional brief could be amended to include the placement of new kiosk/community notice board within the regraded area toward the western end of the Plaza.
11	<i>Clearly defined responsibility for maintenance, i.e. planter boxes</i>	Once the Developer has completed their obligations under the VPA, Council will maintain the Plaza.
12	<i>Smokers Zone should be defined</i>	The Plaza will remain a smoke and alcohol free zone
13	<i>Eastwood Plaza Upgrade is interesting and necessary to do</i>	Noted.
14	<i>A nice fountain like Hornsby shopping centre will increase charm of Eastwood. It should be interactive so that kids can play in a safe manner</i>	The Functional Brief requires the developer to provide detail plans to Council for a new water feature in the Plaza. The water feature will require sign off from Council's Public Domain Team.
15	<i>"arbour to be retained in similar format, minor adjustments to level and provision of periphery seating.? What does this mean???"</i>	The arbour will remain in Eastwood Plaza. All works in proximity to the arbour are to be undertaken in accordance with the recommendations of an arborists report to ensure its protection.
16	<i>Green Spine?? a green connection to arbor with canopy that provides shade cast to central area of mall. What does this mean?</i>	Additional trees will be located within the Plaza to create more shade for the Summer months of the year.
17	<i>The Mall is covered by the canopy of wisteria and does not have to be altered, but could be extended as far as the fountain there by providing shade, seating to accommodate Tai Chi, extra programmes for our community including dance and friendship, more seating could be put along the inside of the Mall for seating and shade for our residents to sit and chat.</i>	It is not intended to extend the arbour. If the arbour was extend it would limit the various activities that could possibly occur in the central area of the Plaza, due to height restrictions and general overall functional space, as the root systems and climbing poles would need to be extended.

ITEM 12 (continued)

Item	Issue or Statement raised by Respondents	Comment:
18	<p><i>Eastwood is a very Chinese suburb and has introduced many positives, shops are busy, night market on Saturday nights making Eastwood the envy of neighbouring suburbs, fresh vegetables, butchers and fish shops all add to the atmosphere of Eastwood. If the council according to the plan shortens the Wisteria then the atmosphere of Eastwood will change to just another shopping area where as the Wisteria makes Eastwood into a special place to be. Extending the Wisteria/arbours to the fountain would in all purposes bring the community together, where older residents can sit and chat, tai chi, dance and other exercise programmes would be experienced.</i></p>	<p>The arbour will not be extended or shortened. The arbour will remain as is, except for upgraded paving below. This will allow for current and new activities to occur central to the Plaza, which has been designed as a flexible space. This flexible space will be available for performances, tai chi, markets and displays and other activities as seen fit by the Council.</p>
19	<p><i>Brail Signs should be at an accessible level</i></p>	<p>Tactile markers will be installed in accordance with the relevant Australian Standards.</p>
20	<p><i>Will the shops in the redeveloped Centre which have shop fronts on the Plaza have outdoor seating? Has this been taken into consideration when planning structures through the centre of the Plaza. Again pedestrian thoroughfare is my concern.</i></p>	<p>Outdoor Seating for Cafes is leased from Council by the various businesses in the Plaza. These leases are to remain or be renewed as usually administered by Council.</p>

ITEM 12 (continued)

Negative Feedback on VPA Items		
Item	Issue or Statement raised by Respondents	Comment:
1	<i>Raised Section of Plaza Concept is a Trip/Safety Hazard</i>	The raised section of the Concept Design for the upgraded Plaza will create a much more usable level space for café and general seating. Appropriate safety features such as railings will be incorporated into the final designs to ensure safety. Ramps at accessible compliant grades are incorporated to reduce the need for steps and eliminate trip hazards.
2	<i>Affordable housing shouldn't be supported. These units only benefit a few persons (occupants) and offer no benefit to the community at large.</i>	Council has adopted an Affordable Housing Policy to ensure private development plays an integral part in the provision of affordable housing to the residents and workers in the Ryde LGA.
3	<i>Making housing more affordable is a State and Federal Government issue.</i>	Through State Environmental Planning Instruments, the State Govt. has been enabling private development to provide affordable housing via incentive development schemes. As such Council has been working to ensure the delivery of such housing in the City of Ryde Local Government Area. Affordable housing is not Social housing.
4	<i>How was the value of \$9,285,678 for the public domain works derived? There is no detail in the submission and clarity is needed to ensure that this value attributed is reasonable and that if the Council were to undertake this, the costs would be similar.</i>	The value of the Eastwood Mall upgrade and Public Domain works was determined by the Developer first submitting cost rate estimates reports to Council. Council staff then reviewed those estimates based on the rates Council has experienced for similar works it has undertaken in the Public Domain. Notwithstanding, the VPA requires that a particular scope of works are undertaken at the Developer's cost and risk. Therefore should the agreed scope of works exceed the nominated values in the VPA, the Developer is still required to deliver those works at their cost and risk.

ITEM 12 (continued)

Item	Issue or Statement raised by Respondents	Comment:
5	<i>It states in the Planning Agreement, Schedule 3, Part 2, "construct the Public Domain Works in accordance with Schedule 4 and generally in the location shown in the Contribution Works Concept Plans." I'm concerned about the phrase generally in the location shown - it seems to give the developer quite a lot of legal wriggle room to change things and that the actual build will differ from the plans.</i>	The word 'generally' is used as the concept plan is just that, a concept which lacks the finer details required for construction approval. Schedule 4 of the VPA set out a process that the Developer must follow to gain final approval from Council before commencing construction works in Eastwood Plaza. This process requires the lodgement of highly detailed construction plans, which will generally follow the concept design, but incorporate finer adjustments and much greater detail. For example, the concept plan shows an area for a water feature, however the detailed plans may provide for a larger area or a slightly different location for the water feature that incorporates its finer design details to meet the Functional Brief.

State Government Feedback on VPA Items
NSW Health – Northern Sydney Local Health District

Item	Issue or Statement	Comment:
1	<i>End of Trip Provision - Provide public bicycle parking facilities equivalent or at numbers greater than those currently available at the shopping village and at the west and east end of the plaza as per Integrated Transport Strategy</i>	Bicycle parking facilities are beyond the scope of the VPA's public domain upgrades. Council needs to make careful consideration as to the location of such facilities in a pedestrian plaza.
2	<i>Specify and provide bicycle parking facilities (both in plaza and those proposed in LDA2016/0387) including clear signage at street level</i>	Conditions of consent have been recommended to ensure the Development contains sufficient bicycle parking facilities.
3	<i>Install bicycle dismount signage within the plaza to facilitate shared use of the plaza by both pedestrian and cyclists</i>	Sharing of the Plaza space for both pedestrians and cyclists is not encouraged. The Plaza is a pedestrian zone and the ingress of bicycles could create unwanted hazards.

ITEM 12 (continued)

Item	Issue or Statement	Comment:
4	<i>Provision of 2 x 1.5m bicycle lanes on West parade and 2 x 1.5m bicycle lanes on Rowe Street. These roads are part of the regional route RR12 Parramatta Macquarie identified in the City of Ryde Bicycle Strategy</i>	This is beyond the scope of the VPA and Development Application.
5	<i>Establish a maximum 40km/hour speed limit surrounding the town centre to ensure pedestrian can access the plaza safely</i>	This is beyond the scope of the VPA and Development Application.
6	<i>Incorporate clear way-finding signage (including distance/time) to the surrounding bike network, public transport hubs and local amenities such as public toilets</i>	Such signage already exists and will be replaced/reinstated with the upgrade of Eastwood Plaza.
7	<i>Include pedestrian links, to allow connections between surrounding streets and the plaza through the main buildings (Not indicated in LDA2016/0387) including ramps to ensure wheelchair accessibility</i>	The Concept Plan for Eastwood Plaza contains and the Functional Brief requires accessibility compliant ramps between the upper and lower levels. In regards to the redevelopment of Eastwood Shopping Centre, such a facility is required to contain accessibility ramps and lifts to the Australian Standards.
8	<i>Consider providing designated pick-up and drop-off zones around the precinct to encourage walking to the plaza</i>	This is beyond the scope of the VPA and Development Application. Careful consideration to location of such places is needed if traffic lights are to be installed at the pedestrian crossings at each end of the Plaza.
9	<i>Inclusion of a play area for children and seating area to encourage social connectedness and active play e.g. interactive art installations which also can be used for children's play</i>	The Concept design contains a water feature and break out areas for active play. Several seating areas are also provided for on the Concept Plan and required in the Functional Brief.
10	<i>Consider designs which facilitate the use of the Plaza as a public art space including live music and community events</i>	An expanded Stage area is to be provided at the eastern end of the Plaza for community events and entertainment. The break out space in the centre of the Plaza will also be flexible enough for such activities.

ITEM 12 (continued)

Item	Issue or Statement	Comment:
11	<i>Provision of wheelchair accessible toilets and parent room facilities and signage (not evident in VPA and DA)</i>	There are no public toilets in Eastwood Plaza and it is not envisaged that it would be appropriate to install such. There are several other facilities around the Plaza, including the train station, Library and within Eastwood Shopping Centre. Such a facility within the Plaza itself would take up significant space compromising its main function as a thoroughfare and community space.
12	<i>Provide seating which is suitable for needs of a diverse range of users such as providing seating with arm rests</i>	This forms part of the Functional Brief.
13	<i>Arbour vegetation – consider alternate vegetation which is less likely to form a slip hazard with fallen leaves and flowers OR implement measures to ensure the plaza is maintained free of slip hazards from the wisteria arbour.</i>	The arbour is well liked by the community and there is no demand or desire to change the foliage from one species to another.
14	<i>Increase tree covering on the West end of the Plaza to provide more shading as the sun sets in the West end to provide additional shading.</i>	This is proposed on the Concept Plan and in the Functional Brief.
15	<i>Ensure that this vegetation is evergreen, non-deciduous and does not have lifting roots which can pose a falls/trip hazard to pedestrians</i>	Vegetation will be in accordance with Council's preferred species and will need to be approved by Council's Parks and Public Domain staff.
16	<i>That a Smoke-Free Policy under the Local Government Act 1993 will continue to be enforced by the council</i>	No change is proposed to this policy.
17	<i>That Alcohol Free Zones will continue to be enforced by the council for the Eastwood Town Centre</i>	No change is proposed to this policy.

ITEM 12 (continued)

Item	Issue or Statement	Comment:
18	<i>Follow Crime Prevention Through Environmental Design (CPTED) guidelines by ensuring adequate lighting, eliminating dark and secluded sections and planting either low-lying shrubs or high canopy trees that maintain sight-lines and maximise passive surveillance</i>	The Concept Plans and Functional brief will ensure Eastwood Plaza upgrade will maintain passive surveillance, sight lines and adequate lighting. The concept plans do not create any secluded zones within Eastwood Plaza.
19	<i>Consider inclusion of more affordable housing units to align closer to the Council's target of 5% (currently 1%) in its Affordable Housing Policy</i>	Whilst more affordable housing apartments would be welcomed by Council, the offer of such is currently voluntary until such time that relevant provisions are incorporated into Ryde LEP to require development to provide affordable housing. As the Developer is not requesting any uplift in development controls for the proposal, additional affordable housing would be at the cost of public domain upgrades. The Public Domain upgrades will have significant benefit for the entire Eastwood Community.
20	<i>Provision of at least three (3) water drinking fountains along the plaza in line with Development Control Plans</i>	Water Drinking Fountains could be incorporated into the Functional Brief.
21	<i>Consider incorporation of edible gardens as a part of the vegetation plan to encourage healthy eating</i>	There is limited space within Eastwood Plaza for gardens of a size that would produce edibles. The addition of such gardens would reduce spaces for other community uses in the Plaza, which are likely to have greater public benefits than edible gardens.
22	<i>Consider designs which allow outdoors Farmers Markets to take place in future e.g. provision of power-points, loading zones etc.</i>	The Central Breakout area of the Plaza will be able to serve this function for several different types of markets.

ITEM 12 (continued)

Community Organisation Feedback on VPA Items St Vincent de Paul Society		
Item	Issue or Statement	Comment:
1	<i>Affordable Housing provision should be at least 25% to align Sydney with common practice in other global cities such as London and New York</i>	It is not the place of a singular VPA to set affordable housing targets similar to those in capital cities elsewhere in the world. Council has an adopted policy for Affordable housing that requires voluntary participation until such time that Ryde LEP is amended to allow it to work in conjunction with SEPP 70.
2	<i>Rowe St Plaza has been well-maintained by Council on behalf of the residents of Eastwood and its redevelopment is not as urgent as the need for affordable housing in Eastwood. As such the funds should be used for more affordable housing instead of upgrading the Plaza</i>	Eastwood Plaza is well overdue for an upgrade. Council has been constantly repairing safety hazards that arise in the Plaza for some time. The Plaza is a significant place for the community and holds many formal and informal functions. An upgraded Plaza will enhance its usability for such functions benefiting the wider community as a whole. This benefit shouldn't be dismissed or overlooked in the singular pursuit of affordable housing.
3	<i>Affordable Housing should be a range of different sized apartments rather than just 5 x 1 bedroom apartments</i>	Noted. Nevertheless, the VPA is a voluntary process and there is no statutory provision in place to require the Developer to provide more than what has been offered in this instance.

Other Feedback on Items in Eastwood not Part of VPA		
Item	Issue or Statement	Comment:
1	<i>Be careful with respects to installation of pedestrian signals at crossing points. This could introduce complacency and reduce safety. People who want traffic signals are car users, not pedestrians.</i>	Council is committed to pursuing traffic signals in these locations. The installation of the signals will be in accordance with relevant safety standards as required by the RMS.
2	<i>It is very expensive to hire halls in the Eastwood area, perhaps the council would think about reducing the rent where, local people could meet, chat, dance and sing and make Eastwood a more friendly suburb.</i>	This is matter for Council and cannot be addressed in the context of this report. This issue will be passed onto the relevant asset manager for their consideration.

ITEM 12 (continued)

Item	Issue or Statement	Comment:
3	<i>Years ago the Council went through this and we, the Tai Chi Group suggested that an all-weather sun protected specific area in the park behind the car park in the lane be built. A lot of money was spent on this upgrade of Eastwood and all that was actioned on the East side was trees and seats which does improve Eastwood on the East Side.</i>	Noted.
4	<i>Our parks lack covered areas for seating, especially behind the Library where grandparents and grandchildren crowd to use the swings....this is not at all suitable and more thought should be put into this area. There is a single Table Tennis Table that is rarely used and could be moved to the other end of the oval.</i>	This is matter for Council and cannot be addressed in the context of this report. This issue will be passed onto the relevant asset manager for their consideration.
5	<i>Does Ryde have an access Committee?</i>	Yes – Council’s Social Inclusion Advisory Committee considers access matters.
6	<i>The council shall consider upgrading Eastwood Library in plaza upgrade proposal.</i>	The upgrade of Eastwood Library is beyond the scope of the VPA. It should be noted though that Council collects s7.11 contributions for the upgrade of library and community facilities.
7	<i>Traffic lights should be installed at both West and East end entry for the pedestrian crossings</i>	As per item 1 in this Table.
8	<i>What can be done to help restore other parts of Eastwood?</i>	Council is proposing significant improvements for Eastwood including a new parking station at the corner of Shaftsbury Road and Hillview Lane and the repurposing of the Glen Street Carpark into a public plaza with adjoining community facilities.
9	<i>Long Day Child Care Learning Centre is missing from Eastwood</i>	Noted.
10	<i>A swimming pool or Aqua Centre would be welcome in Eastwood</i>	Noted.
11	<i>Proposed car park at Shaftsbury Rd is ridiculous Too far from shops Traffic problems already in that precinct Best plan—independently supported car park on top of existing (Glenn St)</i>	Noted.

ITEM 12 (continued)

Matters raised in regards DA		
Item	Issue or Statement	Comment:
1	<i>Stormwater - the new shopping centre's basement levels will fill with water during storm events due to current flooding issues in Eastwood.</i>	All stormwater issues associated with the DA have been addressed by the Developer to Council's satisfaction.
2	<i>The retail area is being significantly reduces from 12,500sqm to 11,449sqm. This is degradation not improvement</i>	The small reduction in retail space is not significant. The proposed development has a greater open air design, through links from Rutledge to Rowe Street and significantly improved street frontages amongst many other improvements over the current development.
3	<i>the developer only cares about huge profits. The site is for retail and commercial and never for residential</i>	The Site is zoned to allow both retail, commercial and residential.
4	<i>No change is required is it will result in damage to its historical style</i>	Eastwood Shopping Centre does not have any heritage significance. The current development has poor street frontages and is in significant need for improvement.
5	<i>The 409 extra apartments will bring more severe traffic congestion, noise pollution, air pollution, poor hygiene, poor sewerage and insufficient electricity supply</i>	These matters were considered in the assessment of the DA and have been satisfactorily addressed. As such the Sydney North Planning Panel is only deferring its approval pending the finalisation of the VPA.
6	<i>13 storey buildings are unacceptable and no development should exceed the current approved heights</i>	The 13 storey buildings are acceptable within the current Planning Controls. Please refer to the Planning Report and Sydney North Planning Panels notice of deferral, which discusses the acceptability of the height and overall design of the development.
7	<i>Our local schools already suffer from insufficient classrooms. How can they cope with extra students brought in by 409 extra apartments?</i>	The Department of Education is cognisant of population growth and allocates resources as required.

ITEM 12 (continued)

Item	Issue or Statement	Comment:
8	<i>How many parking spaces will be available for use for shoppers? The submission only states 4 levels but doesn't specify how many spaces this will mean. The parking situation in Eastwood is already poor, so if the net result is that there is less parking available compared with prior to the upgrade, then that is a poor outcome for the community.</i>	537 spaces are provided for Retail/Commercial use within the development. 498 spaces are provided for residential uses, including 47 visitor spaces. The current Shopping centre only has 289 publicly accessible spaces.

The two (2) drop-in sessions also generated plenty of feedback on the concept design for Eastwood Plaza. Much of the feedback was positive and included suggestions for the functionality of the Concept Design. **ATTACHMENT 10** provides a visual map of the comments and how they relate to the concept design. Much of those comments are reflected in the submissions summarised above.

The public exhibition has provided mostly positive feedback, which can now be incorporated into the Concept Plan and Functional Brief. There, are no matters raised during the public exhibition that would prevent Council from entering into the VPA following some minor additions to the Concept Plan and Functional Brief.

Financial Implications

Adoption of the recommendation will have no negative financial impact on Council's budget.

However, should Council resolve to **not** enter into the VPA it will result in a financial impact of at least **\$13,185,678.00**, which will require additional funding from Council's reserves to upgrade Eastwood Plaza, upgrade the Public Domain and provide 5 x 1 bedroom affordable housing apartments within the Eastwood locality. This is the value of Public Benefit that Council would forgo if it resolved not to enter into the VPA.

Noting also the development application is required to be submitted back to the Panel no later than June 2019.

ITEM 12 (continued)**Options**

Council has two Options available to it as follows:

Option 1 – Preferred

Accept the VPA as exhibited and delegate authority to the General Manager to:

1. Authorise and negotiate minor changes to the VPA, including the Functional Brief to take into account feedback from the Public Exhibition Period, as long as those changes don't diminish the quantum and value of public benefits offered by the Developer; and
2. Subsequently enter into the Voluntary Planning Agreement on behalf of Council.

This option is preferred as it enables Council to take full advantage of the Public Benefits offered by the Developer and make some minor to take into account matters raised from the Public Exhibition.

Option 2 – Not Recommended

Resolve not to enter into the VPA as exhibited.

This option is not recommended as it is likely the Development will be approved by the Sydney North Planning Panel on its merits, which would result in Council forgoing some \$13 million in Public Benefit value capture from the Development.

NOTICES OF MOTION**1 NEW NOMINEE FOR THE BICYCLE ADVISORY COMMITTEE - Councillor Bernard Purcell****File Number: CLM/19/1/1/6 - BP19/570**

BACKGROUND:

The Bicycle Advisory Committee currently consists of nine (9) community members.

Recently one (1) new nomination for a position on the Committee has been received.

MOTION:

That Council endorses the nomination of Ms Sally Langford for a position on the Bicycle Advisory Committee.

2 CLIMATE EMERGENCY DECLARATION - Councillor Christopher Gordon**File Number: CLM/19/1/1/6 - BP19/592**

MOTION:

- (a) That Council publicly acknowledges that we are in a state of climate emergency that requires urgent action by all levels of government; that human induced climate change represents one of the greatest threats to humanity, civilisation and other species; and that it is still possible to prevent the most catastrophic outcomes if societies, including local councils, take emergency action.
- (b) That a report be brought back to Council which examines how Council plans, policies and works programs can address the climate emergency, and ensure this is embedded into future Council strategic plans.

NOTICES OF RESCISSION

**1 NOTICE OF RESCISSION: REQUEST FOR REMOVAL OF TREES -
Councillor Roy Maggio, Councillor Trenton Brown, Councillor Sarkis
Yedelian OAM**

File Number: CLM/19/1/1/7 - BP19/497

That Council rescind the previous resolution in relation to Item 10 – REQUEST FOR REMOVAL OF TREES, passed at the Works and Community Committee Meeting held on 9 April 2019, namely:-

10 REQUEST FOR REMOVAL OF TREES

- (a) *That Council support the retention of the Eucalyptus Saligna (Sydney Blue Gum located on the nature strip verge at the front of 32 Osborne Street, Putney.*
- (b) *That a bi-annual inspection of the tree be undertaken by a Council arborist and all necessary pruning works be undertaken as required and in accordance with the relevant Australian Standards.*

QUESTIONS BY COUNCILLORS AS PER POLICY

1 QUESTIONS WITH NOTICE - Councillor Roy Maggio

File Number: CLM/19/1/1/10 - BP19/569

Question 1:

How many tree applications have been received by this Council in the last 5 years?

Question 2:

How many of the tree applications submitted in the last 5 years have been approved for removal?

Question 3:

How many tree applications have been approved for removal due to being deemed as dangerous?

Question 4:

Does Council have public liability available when amenities of residents are destroyed by dangerous trees?

CONFIDENTIAL ITEMS

13 ASSET MANAGEMENT POLICY

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: (f) details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property. Asset Management Policy that needs to be adopted by Council prior to being made public.

Report prepared by: Senior Coordinator - Integrated Asset Management
File No.: GRP/09/3/17 - BP19/544
Page No.: 140

14 PROPERTY MATTER

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: Director - Corporate Services
File No.: GRP/09/5/14 - BP19/460
Page No.: 145

15 PROPERTY MATTER

Confidential

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

Report prepared by: Manager - Strategic Property
File No.: GRP/09/7/13 - BP19/524
Page No.: 158