

**Meeting Date:** Tuesday 25 October 2022  
**Location:** Council Chambers, Level 1A, 1 Pope Street, Ryde and Online  
**Time:** 6.00pm

*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.*

**Statement of Ethical Obligations**  
*Councillors are reminded of their Oath or Affirmation of Office made under Section 233A of the Local Government Act 1993 and their obligation under Council's Code of Conduct to disclose and appropriately manage Conflicts of Interest.*

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## **MAYORAL MINUTES**

### **MM28/22 DEATH OF FORMER COUNCILLOR – CONNIE NETTERFIELD – Mayor, Councillor Jordan Lane**

**File No.: MYR/07/10/20 - BP22/800**

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I was saddened to hear of the recent death of former Councillor Constance (Connie) Netterfield.

Connie passed away on 14 September 2022 at the age of 94.

Connie was a long time resident of Ryde and a Central Ward Councillor from 1999 to 2008.

Connie took a keen interest in social issues and was active in supporting the multicultural initiatives of Council and was also very active in ensuring that Council undertook initiatives to make the local area more “accessible” for people through the provision of kerb ramps, improved footpaths etc.

She was the Chairperson of Council’s then Access Committee and continued to serve on this Committee after she left Council.

Connie was also an enthusiastic supporter of the arts and during her time on Council expressed her desire for the City to have a cultural centre to provide space and support for music, theatre and visual arts.

In addition to her role on Council, Connie was an active Rotarian and served as President of the Gladesville Chapter. She was also an active supporter of sporting groups and was a member of North Ryde Golf Club for over 30 years.

### **RECOMMENDATION:**

- (a) That Council acknowledge the passing of former Councillor Connie Netterfield.
- (b) That Council observe a minute’s silence as a mark of respect.

### **ATTACHMENTS**

There are no attachments for this report.

### **Report Prepared by:**

**Councillor Jordan Lane  
Mayor**

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**MM29/22 GREENING OUR CITY – APPLICATION FOR GRANT – Mayor,  
Councillor Jordan Lane**

**File No.: MYR/07/10/20 - BP22/799**

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I have been informed of a NSW Government grant which will support the creation of a greener, more liveable and cooler Greater Sydney. The State government is committing to increase Sydney's tree canopy cover to 40% by 2036 and to plant five million trees in Sydney by 2030.

The 2022 Greening our City grant round is now open and councils are encouraged to apply.

Up to \$10 million in funding is available to eligible councils to support projects that increase urban greening in streets, parks and other public areas with a focus on suburbs where there is low canopy coverage and high urban heat. As with previous grant rounds, trees and canopy will continue to be the primary focus of the grant program, however, this round will also allow funding for green cover as part of tree planting projects.

I would like to ensure that City of Ryde makes application for a suitable grant by the deadline of 21 November 2022.

**RECOMMENDATION:**

- (a) That Council make application for a grant from the State Government under the 2022 Greening our City grants.
- (b) The application be made before the deadline of 21 November 2022.

**ATTACHMENTS**

There are no attachments for this report.

**Report Prepared by:**

**Councillor Jordan Lane  
Mayor**



## **COUNCIL REPORTS**

### **1 ITEMS PUT WITHOUT DEBATE**

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**Report prepared by:** Acting Manager – Corporate Governance  
**File No.:** CLM/22/1/1/2 - BP22/783

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#### **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.

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**2 CONFIRMATION OF MINUTES - Council Meeting held on 27 September 2022**

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**Report prepared by:** Acting Manager – Corporate Governance  
**File No.:** CLM/22/1/1/2 - BP22/784

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**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:**

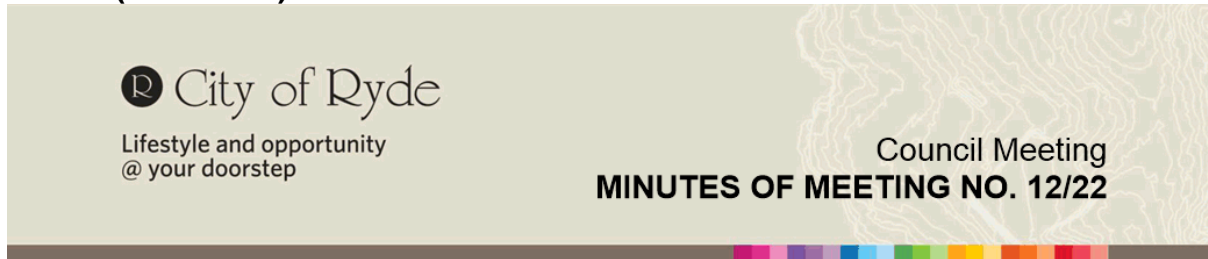
That the Minutes of the Council Meeting 12/22, held on 27 September 2022 be confirmed.

**ATTACHMENTS**

- 1** MINUTES - Ordinary Council Meeting - 27 September 2022

**ITEM 2 (continued)**

**ATTACHMENT 1**



**Meeting Date:** Tuesday 27 September 2022  
**Location:** Council Chambers, Level 1A, 1 Pope Street, Ryde and Online  
**Time:** 6.00pm

**Councillors Present in Chambers:** The Mayor, Councillor Lane and Councillors Brown, Deshpande, Han, Lara-Watson, Maggio, Pedersen, Purcell, Song and Yedelian OAM.

**Apologies:** Councillor O'Reilly.

**Staff Present:** General Manager, Director – Corporate Services, Acting Director – Customer and Community Services, Director – City Planning and Environment, Acting Director – City Works, General Counsel, Chief Financial Officer, Manager – Communications and Engagement, Manager – Corporate Governance, Manager – People and Culture, Manager – Parks, Manager – Community and Ranger Services, Acting Manager – Transport, Eastwood Central Special Commercial Manager, System Support Officers, Civic Services Manager and Civic Support Officer.

**PRAYER**

Minister Alan Au of the Captivate Presbyterian Church, North Ryde 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**

Councillor Han disclosed a Less than Significant Non-Pecuniary Interest in Item 15 – Traffic and Parking Matters approved by the Ryde Traffic Committee Meeting – August 2022 for the reason that he works as a teacher at Ryde Secondary College which is on Malvina Street.

**TABLING OF PETITIONS**

No Petitions were tabled.

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Minutes of the Council Meeting No. 12/22, dated 27 September 2022.

**ITEM 2 (continued)**

**ATTACHMENT 1**

**PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA**

The following persons provided a written submission to Council:-

<b>Name</b>	<b>Topic</b>
Michelle Brooks – Principal (representing Putney Public School)	<b>Notice of Motion 2</b> – Pedestrian Safety on Charles Street
Angela Burgess & David Dickie	<b>Notice of Motion 3</b> - Site Inspection – 2 Nelson Street, Gladesville

**PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA**

The following persons provided a written submission to Council:-

<b>Name</b>	<b>Topic</b>
Stephen Sutton	Development Application - LDA2012/0247 and MOD2016-175
Faisal Syed	Increased activity of mobile speed cameras on Morrison Road, Putney

**COUNCIL REPORTS**

**1 DETERMINATION OF OFFICE AND FEE OF DEPUTY MAYOR**

**RESOLUTION:** (Moved by Councillors Brown and Deshpande)

- (a) That Council elect a Deputy Mayor for the ensuing period until September 2023.
- (b) That where the Deputy Mayor is to act in the Office of the Mayor, that this is to be done by way of a Council resolution.
- (c) That where there is a Council resolution in accordance with (b) above, the Deputy Mayor will be paid a fee to undertake the responsibilities of the Office of the Mayor on a pro rata basis, deducted from the Mayoral Fee.

**Record of Voting:**

For the Motion: Unanimous

ITEM 2 (continued)

ATTACHMENT 1

**2 ELECTION OF DEPUTY MAYOR**

**RESOLUTION:** (Moved by Councillors Lara-Watson and Brown)

- (a) That the method of voting for the election of Deputy Mayor be open voting by show of hands.
- (b) That the Chief Executive Officer, as Returning Officer, undertake the election of Deputy Mayor by announcing the nominations and then conducting the election.

**Record of Voting:**

For the Motion: Unanimous

As a result, THE METHOD OF VOTING FOR ELECTION OF DEPUTY MAYOR WAS OPEN VOTING BY SHOW OF HANDS.

The Chief Executive Officer, as Returning Officer, advised that there were two (2) nominations for Office of Deputy Mayor, namely Councillor Yedelian OAM and Councillor Pedersen.

The Chief Executive Officer invited further nominations. There were no further nominations.

THE ELECTION FOR DEPUTY MAYOR was conducted by the Chief Executive Officer, as Returning Officer, which resulted in the following voting:

**Councillor Yedelian OAM 7 votes**

Voting in favour: The Mayor, Councillor Lane and Councillors Brown, Deshpande, Han, Lara-Watson, Maggio and Yedelian OAM

**Councillor Pedersen 3 votes**

Voting in favour: Councillors Pedersen, Purcell and Song

As a result of the voting, COUNCILLOR YEDELIAN OAM WAS DULY ELECTED DEPUTY MAYOR FOR THE ENSUING PERIOD UNTIL SEPTEMBER 2023.

The Mayor, Councillor Lane then invited the Deputy Mayor, Councillor Yedelian OAM to address the meeting.

The Deputy Mayor, Councillor Yedelian OAM gave a brief acknowledgement following his election.

**ITEM 2 (continued)**

**ATTACHMENT 1**

**3 ITEMS PUT WITHOUT DEBATE**

**RESOLUTION:** (Moved by Councillors Brown and Lara-Watson)

That Council adopt Mayoral Minute 26/22, Mayoral Minute 27/22, Item 5, Item 6, Item 7, Item 8, Item 10, Item 11, Item 13, Item 14, Item 16, Notice of Motion 1, Notice of Motion 4 and Late Confidential Item 19 on the Council Agenda as per the recommendations in the reports.

**Record of Voting:**

For the Motion: Unanimous

**MAYORAL MINUTES**

**MM26/22 OFFENSIVE AGAINST REPUBLIC OF ARMENIA AND ARTSAKH  
– Mayor, Councillor Jordan Lane and Councillor Sarkis Yedelian  
OAM**

**RESOLUTION:**

That Council:-

- (a) Condemns Azerbaijan's violations of the Nagorno Karabakh ceasefire agreement dated 9 November 2020, including Azerbaijan's most recent offensive against the Republic of Artsakh on 28 July 2022 and on 12th September 2022 against the sovereign borders of the Republic of Armenia.
- (b) Recognises the concerns of the Armenian-Australian community regarding Azerbaijan's continuing violation of human rights and international humanitarian law in Artsakh (Nagorno Karabakh) and Armenia.
- (c) Recognises the local Armenian community's appeal to their elected representatives at all levels of government to stand for the rights of the Indigenous Armenians of Artsakh (Nagorno Karabakh).
- (d) Write to local State member, Victor Dominello MP and Federal member, Jerome Laxale within the month to advocate to the Federal and State Governments to:-
  - (i) Call on Azerbaijan to cease all hostilities against Artsakh and Armenia and honour the Nagorno Karabakh ceasefire agreement dated 9 November 2020;
  - (ii) Call on the withdrawal of Azerbaijan's armed forces from the territories of Armenia and Artsakh;

Minutes of the Council Meeting No. 12/22, dated 27 September 2022.

**ITEM 2 (continued)**

**ATTACHMENT 1**

- (iii) Recognise the right to self-determination of the Indigenous Armenians of the Republic of Artsakh and the independence of the Republic of Artsakh;
- (iv) Call on the governments of Azerbaijan and Turkey to respect the OSCE Minsk Group peace process for the Karabakh/Artsakh conflict, in particular the non-use of force;
- (v) Call on Azerbaijan to release all Armenian prisoners of war remaining in forced captivity since the ceasefire agreement dated 9 November 2020; and
- (vi) Condemn Azerbaijan's desecration of ancient Armenian Christian and cultural sites in the currently occupied territories of the Republic of Artsakh.

**MM27/22 INEGRITY, TRANSPARENCY AND GOVERNANCE – Mayor,  
Councillor Jordan Lane**

**RESOLUTION:**

- (a) That Council:-
  - (i) Expand the terms of the service review of our Digital Customer Experience to include the development of real-time digital information to be published on our platforms to address both customer and the wider community's expectations.
  - (ii) Refresh Council's Communications and Engagement Strategy to deepen the engagement with our communities to ensure that there is sufficient understanding and feedback to confidently consider the response as representative of the priority/desire of the community on the issue.
  - (iii) Through the annual review of Fees and Charges, demonstrate that the appropriate evaluation has been undertaken to minimise the contribution required from our rate base to provide our range of services and functions whilst maintaining our competitive position within any market.
  - (iv) Provide qualitative information to the community about the outcomes of its Community Grants program to ensure transparency about the social, economic, and environmental benefits obtained through its provision of public money. Where possible, this information should detail what public funding gaps Council is filling.

**ITEM 2 (continued)**

**ATTACHMENT 1**

- (b) That staff report progress on these initiatives to Council through the Councillor Information Bulletin firstly in November and as required and to the community in the quarterly performance reviews.

**COUNCIL REPORTS**

**5 REFERRAL OF 2021/22 DRAFT FINANCIAL STATEMENTS TO EXTERNAL AUDIT**

**RESOLUTION:**

That Council releases the draft 2021/22 Financial Statements for external audit purposes, pursuant to section 413 of the *Local Government Act 1993*.

**6 COUNCILLOR EXPENSES AND FACILITIES POLICY**

**RESOLUTION:**

- (a) That Council endorse the public exhibition of the draft Councillor Expenses and Facilities Policy, as **ATTACHED** for a period of at least 28 days.
- (b) That following the exhibition period, a further report be provided to Council detailing any submissions received and seeking the adoption of the draft Councillor Expenses and Facilities Policy.

**7 DRAFT PETITIONS POLICY**

**RESOLUTION:**

- (a) That Council endorse the Draft Petitions Policy as **ATTACHED** to be placed on public exhibition for 28 days to allow submissions to be received.
- (b) That at the conclusion of the public exhibition period, should no submissions be received, the Policy be adopted by Council.
- (c) That should any submissions be received during the public exhibition period, a further report be presented to Council outlining these submission.



**ITEM 2 (continued)**

**ATTACHMENT 1**

**8 URBAN FOREST STRATEGY**

Note: A Memorandum from the Acting Director – City Works dated 27 September 2022 was tabled in relation to this Item and a copy is ON FILE.

**RESOLUTION:**

- (a) That the draft "Urban Forest Strategy" be placed on public exhibition for twenty-eight (28) days plus 14 days for submissions to be received.
- (b) That a further report be provided to Council should any objections be received during the consultation period.
- (c) That should no objections be received, the Strategy is adopted and implemented as outlined in this report.
- (d) That Council endorses the Significant Tree Register Manual as attached to this report.

**10 LIVE SITES IN RYDE - FIFA MEN AND WOMEN'S WORLD CUP 2022/2023**

**RESOLUTION:**

- (a) That Council supports the live outdoor screening of the FIFA World Cup 2022 Game 2 on Saturday, 26 November at 9.00pm at ELS Hall Park Field 2.
- (b) That \$20,000 is allocated in the next Quarterly Budget Review to host the outdoor live site.
- (c) That Council promote other venues in the City of Ryde who will be screening games throughout the FIFA world cup period, including but not limited to the Australian Games.
- (d) A further report is brought to Council in February 2023 for the live screening of the FIFA Women's World Cup.

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

**RESOLUTION:**

That the report on the Clause 4.6 variations 1 April to 30 June 2022 be received and noted.

Minutes of the Council Meeting No. 12/22, dated 27 September 2022.

**ITEM 2 (continued)**

**ATTACHMENT 1**

**13 PROPOSED MOTIONS FOR 2022 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE – HUNTER VALLEY – 23 OCTOBER TO 25 OCTOBER 2022**

**RESOLUTION:**

That Council endorse the motions listed in this report for submission to Local Government NSW for consideration at the 2022 Local Government NSW Annual Conference.

**14 2022 AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA) NSW ANNUAL CONFERENCE – 7 TO 9 JULY 2022 – Information Report submitted by Councillor Penny Pedersen**

**RESOLUTION:**

That Council receive and note the information included in the report submitted by Councillor Pedersen regarding her attendance at the 2022 Australian Local Government Women's Association (ALGWA) NSW Annual Conference.

**INFORMATION REPORT**

**16 REPORT FOR THE INFORMATION OF COUNCIL – INVESTMENT REPORT AS AT 31 AUGUST 2022**

Note: An Information Report was presented to Council.

**NOTICES OF MOTION**

**1 THANK YOU TO NSW SES RYDE UNIT – Councillor Roy Maggio**

**RESOLUTION:**

- (a) That Council thanks NSW SES Ryde Unit for their assistance to the residents of Ryde throughout this years unprecedented weather conditions.
- (b) That the Mayor organises a small thank you function on a Sunday afternoon to personally thank the Ryde SES volunteers for their service to the community.
- (c) That the function be funded from the Councillor and Mayoral fees and associated expenses budget up to an amount saved this year from a decision of Council not to take the annual fee increase of 2% for 2022/2023.

Minutes of the Council Meeting No. 12/22, dated 27 September 2022.

**ITEM 2 (continued)**

**ATTACHMENT 1**

- (d) That the event be promoted through all media channels and an open invitation in the Mayors Column to residents affected during recent emergencies so they can attend to show their appreciation.

**4 SAFER AND ACCESSIBLE TRAIN STATION KISS AND RIDES –  
Councillor Sophie Lara-Watson**

**RESOLUTION:**

- (a) This Notice of Motion seeks City of Ryde Staff to investigate the inclusion of safer and accessible kiss and ride zones near train stations in the next iteration of the “Integrated Transport Strategy.”
- (b) City of Ryde Staff are requested to investigate the following zones via community consultation and traffic studies and report results via workshop ahead of the next “Integrated Transport Strategy”:-
- (i) Top Ryde Bus Interchange: The current kiss and ride on Pope Street mainly services library drop offs. An additional zone could be added on Tucker Street along Top Ryde where there are currently two parking spots.
  - (ii) Denistone train station: Immediately move the kiss and ride from the bridge to alongside the nearby car park.
  - (iii) West Ryde Station: The current kiss and ride is easily missed. It is disrupting traffic as it leads into a left hand turn towards Victoria Road. Staff should investigate a kiss and ride within the bus interchange on West Parade and another on Ryedale Road.
  - (iv) Macquarie Park Station: The current drop off zone is not clear. The distance from the Metro Station is more than a block away. Council should work with the State Government to encourage drop offs to this location and North Ryde Metro station. These should be the preferred drop off zone rather than Macquarie University (which is undergoing separate upgrades) with the goal of reducing car traffic around a critical connection station.
  - (v) North Ryde Station: There are two easy access kiss and rides, this is the standard City of Ryde should be striving for.
  - (vi) Meadowbank Station: From the [Integrated Transport Strategy 2041 \(nsw.gov.au\)](https://www.nsw.gov.au), it is recognised there are plans to improve access to bus services, planned kiss and ride facilities, and reduced traffic on the eastern side of the railway line. The plan is from the State Government however staff should obtain a timeline for when this project is to progress and advocate for kiss and rides.

**ITEM 2 (continued)**

**ATTACHMENT 1**

- (vii) Eastwood Station: From the [Integrated Transport Strategy 2041 \(nsw.gov.au\)](#) Pedestrian access between the two sides of Eastwood has recently been improved, following upgrading of the railway station. To add to these improvements, staff should investigate seamless kiss and ride zones on both sides of the station, which will increase the safety of commuters and reduce traffic disruption.

**COUNCIL REPORT**

**19 ORGANISATIONAL STRUCTURE – CITY ADVOCACY FOCUS**

**RESOLUTION:**

- (a) That Council determines, pursuant to Section 332 of the Local Government Act 1993, that Council's organisation structure be as recommended in this report, and as presented in Attachment 1, including those positions within the organisation structure that are Senior Staff positions, namely Chief Executive Officer, General Manager Business Operations, General Manager City Shaping, Director City Shaping, General Counsel and Chief Financial Officer.
- (b) That the Chief Executive Officer implement the organisation structure consistent with the consultation undertaken with Council to date and pursuant to Sections 332, 337, 338 and 340 of the Local Government Act 1993.
- (c) That the Chief Executive Officer implement the organisation structure, as detailed in this report, as soon as practicable, having regard to the consultation obligations required by the NSW Local Government (State) Award 2020 and any minor amendments to positions that are non-Senior Staff.

**MAYORAL MINUTES**

**MM25/22 DEATH OF HER MAJESTY QUEEN ELIZABETH II - Mayor, Councillor Jordan Lane**

**RESOLUTION:** (Moved by the Mayor, Councillor Lane)

- (a) That a minute's silence be observed to reflect on the life of Her Majesty Queen Elizabeth II.
- (b) That the messages placed in the condolence book be forwarded to Buckingham Palace.

**Record of Voting:**

For the Motion: Unanimous

Note: A one minute silence was then observed by the meeting.

Minutes of the Council Meeting No. 12/22, dated 27 September 2022.

**ITEM 2 (continued)**

**ATTACHMENT 1**

**MM26/22 OFFENSIVE AGAINST REPUBLIC OF ARMENIA AND ARTSAKH - Mayor, Councillor Jordan Lane and Councillor Sarkis Yedelian OAM**

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

**MM27/22 INTEGRITY, TRANSPARENCY AND GOVERNANCE - Mayor, Councillor Jordan Lane**

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

**MATTER OF URGENCY**

Councillor Brown advised the meeting that he wished to raise a Matter of Urgency regarding LDA 2022/0267 - 22 Winbourne Street, West Ryde, the time being 6.34pm.

The Mayor, Councillor Lane accepted this matter as an Urgent Item.

**RESOLUTION:** (Moved by Councillors Brown and Han)

That Council consider a Matter of Urgency, raised by Councillor Brown, regarding LDA 2022/0267 - 22 Winbourne Street, West Ryde.

**Record of Voting:**

For the Motion: Unanimous

**MATTER OF URGENCY – 22 WINBOURNE STREET, WEST RYDE**

**RESOLUTION:** (Moved by Councillors Brown and Han)

- (a) That the City of Ryde extends the period of community consultation on the Development Application submitted for 22 Winbourne Street, West Ryde.
- (b) That the closing date should be extended from Friday, 30 September 2022 to close on Monday, 31 October 2022.

**Record of Voting:**

For the Motion: Unanimous

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Minutes of the Council Meeting No. 12/22, dated 27 September 2022.

**ITEM 2 (continued)**

**ATTACHMENT 1**

**MATTER OF URGENCY**

Councillor Purcell advised the meeting that he wished to raise a Matter of Urgency regarding the violence of the Iranian Government against its people, the time being 6.37pm.

The Mayor, Councillor Lane accepted this matter as an Urgent Item.

**RESOLUTION:** (Moved by Councillors Purcell and Pedersen)

That Council consider a Matter of Urgency, raised by Councillor Purcell, regarding the violence of the Iranian Government against its people.

**Record of Voting:**

For the Motion: Unanimous

**MATTER OF URGENCY – VIOLENCE OF THE IRANIAN GOVERNMENT AGAINST ITS PEOPLE**

**RESOLUTION:** (Moved by Councillors Purcell and Pedersen)

That Council:-

- (a) Condemns the Iranian Government's brutal reactions over the past 10 days and nights in the face of protestors and social reformists.
- (b) Recognises the concerns of the Persian-Australian community regarding the deaths, incarceration and brutality of the crack down.
- (c) Write to local State member, Victor Dominello MP and Federal member, Jerome Laxale within the fortnight to advocate to the Federal and State Governments to:
  - (i) Demand the Iranian Government to cease the killing and brutality against its own people.
  - (ii) Demand the release all those incarcerated as a result of the recent protests.
  - (iii) Demand the return and normalisation of basic communications for the people of Iran.
  - (iv) Demand the Iranian Government to recognise the right to free speech, to protest and to seek social reform.

**Record of Voting:**

For the Motion: Unanimous

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Minutes of the Council Meeting No. 12/22, dated 27 September 2022.



**ITEM 2 (continued)**

**ATTACHMENT 1**

**MATTER OF URGENCY**

Councillor Maggio advised the meeting that he wished to raise a Matter of Urgency regarding the Gladesville Ravens Women's NPL Team's remarkable achievement in one of the City's football clubs, the time being 6.42pm.

The Mayor, Councillor Lane accepted this matter as an Urgent Item.

**RESOLUTION:** (Moved by Councillors Maggio and Lara-Watson)

That Council consider a Matter of Urgency, raised by Councillor Maggio, regarding the Gladesville Ravens Women's NPL Team's remarkable achievement in one of the City's football clubs.

**Record of Voting:**

For the Motion: Unanimous

**MATTER OF URGENCY – GLADESVILLE RAVENS WOMEN'S NPL TEAM'S  
REMARKABLE ACHIEVEMENT IN ONE OF THE CITY'S FOOTBALL CLUBS**

**RESOLUTION:** (Moved by Councillors Maggio and Lara-Watson)

- (a) That Council invite the Gladesville Ravens woman's NPL team, administrators and coaching staff to the Council meeting in November and present them with a City of Ryde appreciation certificate of thanks for being crowned woman's FNSW Champions, a remarkable achievement for one of the city's local football clubs.
- (b) That a plaque is presented to the team captain by the Mayor, Chief Executive Officer and the Councillors.
- (c) That a photo is taken and published within all media Channels.

**Record of Voting:**

For the Motion: Unanimous

**ITEM 2 (continued)**

**ATTACHMENT 1**

**MATTER OF URGENCY**

Councillor Han advised the meeting that he wished to raise a Matter of Urgency regarding the Melrose Park Development, the time being 6.49pm.

The Mayor, Councillor Lane accepted this matter as an Urgent Item.

**RESOLUTION:** (Moved by Councillors Han and Brown)

That Council consider a Matter of Urgency, raised by Councillor Han, regarding the Melrose Park Development.

**Record of Voting:**

For the Motion: Unanimous

**MATTER OF URGENCY – MELROSE PARK DEVELOPMENT**

**RESOLUTION:** (Moved by Councillors Han and Brown)

- (a) That Council generates a submission to the City of Parramatta as a matter of urgency to address the following concerns:-
- (i) That appropriate traffic work in the VPA to be committed to alleviate the impact on Victoria Road travelling East and the local road network on the eastern side of Wharf Rd towards Meadowbank.
  - (ii) That appropriate area of open space is provided to address the dramatic increase in population as the open space of Meadowbank Park is anticipated to be significantly impacted.
  - (iii) That in the future Planning Agreement with the State Government and consultations in the planning process to include City of Ryde as a major stakeholder as the scale of the project significantly impacts the City of Ryde Road network and residents.
- (b) That Council to liaise promptly with the State Government (Department of Planning and Environment) to appropriately address the State infrastructure required in the City of Ryde.

**Record of Voting:**

For the Motion: Unanimous



**ITEM 2 (continued)**

**ATTACHMENT 1**

**COUNCIL REPORTS**

**4 CONFIRMATION OF MINUTES - Council Meeting held on 23 August 2022**

**RESOLUTION:** (Moved by Councillors Yedelian OAM and Maggio)

That the Minutes of the Council Meeting 11/22, held on 23 August 2022 be confirmed.

**Record of Voting:**

**For the Motion:** The Mayor, Councillor Lane and Councillors Brown, Deshpande, Han, Lara-Watson, Maggio and Yedelian OAM

**Against the Motion:** Councillors Pedersen, Purcell and Song

**5 REFERRAL OF 2021/22 DRAFT FINANCIAL STATEMENTS TO EXTERNAL AUDIT**

**Note:** This Item was dealt with earlier in the meeting as detailed in these Minutes.

**6 COUNCILLOR EXPENSES AND FACILITIES POLICY**

**Note:** This Item was dealt with earlier in the meeting as detailed in these Minutes.

**7 DRAFT PETITIONS POLICY**

**Note:** This Item was dealt with earlier in the meeting as detailed in these Minutes.

**8 URBAN FOREST STRATEGY**

**Note:** This Item was dealt with earlier in the meeting as detailed in these Minutes.

**9 FEEDBACK FROM COMMUNITY CONSULTATION ON THE RE-ESTABLISHMENT OF ALCOHOL FREE ZONES IN CITY OF RYDE**

**RESOLUTION:** (Moved by Councillors Yedelian OAM and Maggio)

(a) That Council re-establish Alcohol Free Zones in the following areas:-

- West Ryde Bus Interchange
- Meadowbank, encompassing Bowden Street and Bay Drive, including Meadowbank Ferry Wharf
- Eastwood Town Centre
- Trim Place and Coulter Street (between Trim Place and Linsley Street), Gladesville
- West Ryde Plaza, between Anthony Road and Market Street

Minutes of the Council Meeting No. 12/22, dated 27 September 2022.

**ITEM 2 (continued)**

**ATTACHMENT 1**

- (b) That the Alcohol-Free Zones be temporarily suspended for any Council events.

**Record of Voting:**

For the Motion: Unanimous

**10 LIVE SITES IN RYDE - FIFA MEN AND WOMEN'S WORLD CUP 2022/2023**

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

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

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

**12 WEST WARD BY-ELECTION - SATURDAY, 15 OCTOBER 2022**

**RESOLUTION:** (Moved by Councillors Yedelian OAM and Deshpande)

- (a) That Council receive and note the cost estimate for the by-election.  
(b) That Council fund these additional costs from the Election Reserve.

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

**Record of Voting:**

For the Motion: The Mayor, Councillor Lane and Councillors Brown, Deshpande, Han, Lara-Watson and Yedelian OAM

Against the Motion: Councillors Maggio, Pedersen, Purcell and Song

**13 PROPOSED MOTIONS FOR 2022 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE - HUNTER VALLEY - 23 OCTOBER TO 25 OCTOBER 2022**

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

**14 2022 AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA) NSW ANNUAL CONFERENCE - 7 TO 9 JULY 2022 - Information Report submitted by Councillor Penny Pedersen**

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

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Minutes of the Council Meeting No. 12/22, dated 27 September 2022.

**ITEM 2 (continued)**

**ATTACHMENT 1**

**15 TRAFFIC AND PARKING MATTERS APPROVED BY THE RYDE TRAFFIC COMMITTEE MEETING - AUGUST 2022**

Note: Councillor Han disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that he works as a teacher at Ryde Secondary College which is on Malvina Street.

**RESOLUTION:** (Moved by Councillors Purcell and Han)

That Council endorses the following Ryde Traffic Committee recommendations from the meeting held in August 2022:-

**(A) MALVINA STREET, RYDE - PROPOSED NO PARKING ZONE**

- a) That staff undertake a road safety audit on the intersection of Malvina Street and Forrest Road, Ryde.
- b) That staff undertake consultation with the school community and local residents about the options developed through the road safety audit.
- c) That a report be brought back to Council.

**(B) PAUL STREET, NORTH RYDE - PROPOSED MOTORBIKES ONLY PARKING ZONE**

The following changes be made on Paul Street, North Ryde:

- a) A 4.6 metres long 'Motorbikes Only' parking zone be installed between the driveway access of No.19 and No.21 Paul Street, North Ryde.

**(C) MARGARET STREET, RYDE - CHANGES TO LINE MARKING AND PARKING RESTRICTIONS**

The following changes be made on Margaret Street, Ryde:

- a) Double barrier lines on Margaret street be shortened by 5 metres.
- b) Install 'No Parking' across two parking spaces and the driveway accesses of 506 and 508 Victoria Road, Ryde.

**(D) MATTERS APPROVED UNDER DELEGATION**

The parking control measures outlined in *Table 1* of **ATTACHMENT 1** be installed to reinforce existing controls under the [NSW] *Road Rules 2014*.

**(E) ROAD SAFETY UPDATE - ROAD SAFETY PROGRAMS**

- a) The Road Safety report be received and noted.

**ITEM 2 (continued)**

**ATTACHMENT 1**

**Record of Voting:**

For the Motion: Unanimous

**INFORMATION REPORT**

**16 REPORT FOR THE INFORMATION OF COUNCIL - INVESTMENT REPORT AS AT 31 AUGUST 2022**

Note: An Information Report was presented to Council.

**NOTICES OF MOTION**

**1 THANK YOU TO NSW SES RYDE UNIT - Councillor Roy Maggio**

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

**2 PEDESTRIAN SAFETY ON CHARLES STREET - Councillor Roy Maggio**

Note: Michelle Brooks – Principal (representing Putney Public School) made a written submission on this Item and a copy is ON FILE.

**RESOLUTION:** (Moved by Councillors Maggio and Lara-Watson)

- (a) That Council commissions an independent Road Safety Audit to be undertaken at the roundabout intersection of Charles Street and Parry Street, Putney to assess safety risks to road users at this location (e.g. children crossing Charles Street).
- (b) That Council considers appropriate options such as the provision of a pedestrian crossing or pedestrian refuge on Charles Street at/near Parry Street to mitigate risks identified in the independent Road Safety Audit.
- (c) That Council undertakes community consultation on proposed options to improve pedestrian safety at the roundabout intersection of Charles Street and Parry Street, Putney.
- (d) That the option(s) supported by the outcomes of the public consultation are tabled at the Ryde Local Traffic Committee for endorsement and reported back to Council.

**Record of Voting:**

For the Motion: Unanimous

**ITEM 2 (continued)**

**ATTACHMENT 1**

**3 SITE INSPECTION - 2 NELSON STREET, GLADESVILLE - Councillor Roy Maggio**

Note: Angela Burgess and David Dickie made a written submission on this Item and a copy is ON FILE.

**RESOLUTION:** (Moved by Councillors Maggio and Lara-Watson)

- (a) That Council carry out a site inspection of 2 Nelson Street, Gladesville within 10 days with the residents, any interested Councillors, the Acting Director and any appropriate staff to be present. The purpose of the inspection is to discuss the safety component.
- (b) That following the inspection, Council staff bring a report back to the next Council meeting outlining recommendations.

**Record of Voting:**

For the Motion: Unanimous

**4 SAFER AND ACCESSIBLE TRAIN STATION KISS AND RIDES - Councillor Sophie Lara-Watson**

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

**5 UNSAFE FRUIT TREE NETS - Councillor Penny Pedersen**

**RESOLUTION:** (Moved by Councillors Pedersen and Purcell)

- (a) That Council notes that:-
  - (i) each year backyard fruit tree netting entanglement causes the painful death of many flying foxes, birds, snakes and other animals. Netting entanglement maims, and exposes animals to heat stress, sun stroke, broken bones, myopathy and often results in death.
  - (ii) NSW wildlife rescue services undertake around 1000 call-outs for netting entanglements each year. The Government relies on volunteers to rescue wildlife, as RSPCA and Council officers rarely do so.
  - (iii) rescue of entangled flying foxes requires specialist trained and vaccinated rescuers and in peak season the netting rescues are unrelenting.
  - (iv) wildlife "safe" netting (aperture no more than 5mm x 5mm) is available at most hardware shops.

**ITEM 2 (continued)**

**ATTACHMENT 1**

- (v) Victoria have passed legislation, to prevent the sale of unsafe nets and ACT are about to follow. The ban does not apply to commercial growers as Modern orchards already use wildlife friendly netting "canopies".
- (vi) the grey-headed flying fox is already listed as endangered and may not survive this century so every preventable death is totally unacceptable.
- (b) That the Chief Executive Officer write to Minister for Agriculture, the Hon. Dugald Saunders MP, calling for a ban on unsafe "backyard" netting.
- (c) That upon receipt of correspondence from Minister Saunders MP, the City of Ryde staff run an education campaign to inform residents of Ryde on the danger to wildlife when they use unsafe netting and encourage the use of wildlife "safe" netting (aperture no more than 5mm x 5mm).

**Record of Voting:**

For the Motion: Unanimous

**6 RYDE HOSPITAL DEVELOPMENT - Councillor Penny Pedersen**

**RESOLUTION:** (Moved by Councillors Pedersen and Purcell)

- (a) That City of Ryde Council supports the redevelopment of Ryde Hospital and thanks the Member for Ryde Victor Dominello for his continuous advocacy.
- (b) Recognise staff have submitted a comprehensive submission detailing concerns of including traffic, heritage, trees and site configuration and awaiting additional information on concerns raised.
- (c) That City of Ryde Staff organise a briefing with NSW Health for interested Councillors.

**Record of Voting:**

For the Motion: Unanimous



**ITEM 2 (continued)**

**ATTACHMENT 1**

**CLOSED SESSION**

**ITEM 17 - 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; AND (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**ITEM 18 - RYDE CENTRAL PROJECT**

**Confidential**

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

Note: Councillor Lara-Watson left the meeting at 8.18pm and was not present for voting on this Item.

**RESOLUTION:** (Moved by Councillors Brown and Purcell)

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

**Record of Voting:**

For the Motion: Unanimous

Note: The Council closed the meeting at 8.18pm. The public and media left the chamber.

Note: Councillor Lara-Watson returned to the meeting, the time being 8.20pm.

**ITEM 2 (continued)**

**ATTACHMENT 1**

**CONFIDENTIAL COUNCIL REPORTS**

**17 PROPERTY MATTER**

**RECOMMENDATION:** (Moved by Councillors Purcell and Brown)

- (a) That Council purchase the land known as Lot 1 in DP 1231416 otherwise known as 45A Waterloo Rd, Macquarie Park (Property) from Property NSW for the amount of \$1.4 million (excl. GST);
- (b) Delegate authority to the Chief Executive Officer to negotiate and:-
  - (i) Execute all contracts, instruments and documents in order to effect the purchase and transfer of the Property in accordance with resolution (a) above; and
  - (ii) Enter on Council's behalf into the 'Works Agreement' for the construction of the park on the Property as per the terms contained within this report; and
- (c) That Council, pursuant to Section 34 of the Local Government Act 1993, give public notice as soon as practicable, of a proposed resolution to classify the Property as "Community Land".

**Record of Voting:**

For the Motion: Unanimous

**18 RYDE CENTRAL PROJECT**

**MOTION:** (Moved by Councillors Lara-Watson and Deshpande)

- (a) That Council progress the design and construction of Ryde Central based on Option 2, a combined Community and Cultural Hall with Commercial Building sitting atop, to include a new planning application;
- (b) That Council develop and implement a community engagement program that ensures the community is fully aware that the Ryde Central project is still being delivered with the original functional outcomes, and will be within the original target price of \$110 million;
- (c) That Council further investigates the alternative funding strategy presented in the Report by undertaking a market sounding, further transaction structuring and financial modelling with the outcomes of this work presented to Council in a Workshop to be held before the Council meeting in December 2022; and

Minutes of the Council Meeting No. 12/22, dated 27 September 2022.



ITEM 2 (continued)

ATTACHMENT 1

- (d) That Council approves a budget allocation of up to \$500,000 to undertake a Preliminary Business Case for the Library & Creativity Hub at Macquarie Centre including identification of community need / demand, assessment of the viability of the proposed performance space to determine the appropriate size of such a facility, estimated capital, operating and maintenance costs to be incurred by Council.
- (e) That Council receives a report back from staff on the outcomes of this business case, along with a funding strategy for the delivery of the Library & Creativity Hub at Macquarie Centre within six (6) months.

**AMENDMENT:** (Moved by Councillors Pedersen and Purcell)

That staff bring back a report to Councillors at a workshop that explores more than three options to move forward on the delivery of the Ryde Central Project - including one that explores the delivery of the original design in stages.

On being put to the meeting, the voting on the Amendment was three (3) For and seven (7) Against. The Amendment was **LOST**. The Motion was then put and **CARRIED**.

**Record of Voting:**

For the Amendment: Councillors Pedersen, Purcell and Song

Against the Amendment: The Mayor, Councillor Lane and Councillors Brown, Deshpande, Han, Lara-Watson, Maggio and Yedelian OAM

**RECOMMENDATION:** (Moved by Councillors Lara-Watson and Deshpande)

- (a) That Council progress the design and construction of Ryde Central based on Option 2, a combined Community and Cultural Hall with Commercial Building sitting atop, to include a new planning application;
- (b) That Council develop and implement a community engagement program that ensures the community is fully aware that the Ryde Central project is still being delivered with the original functional outcomes, and will be within the original target price of \$110 million;
- (c) That Council further investigates the alternative funding strategy presented in the Report by undertaking a market sounding, further transaction structuring and financial modelling with the outcomes of this work presented to Council in a Workshop to be held before the Council meeting in December 2022; and

**ITEM 2 (continued)**

**ATTACHMENT 1**

- (d) That Council approves a budget allocation of up to \$500,000 to undertake a Preliminary Business Case for the Library & Creativity Hub at Macquarie Centre including identification of community need / demand, assessment of the viability of the proposed performance space to determine the appropriate size of such a facility, estimated capital, operating and maintenance costs to be incurred by Council.
- (e) That Council receives a report back from staff on the outcomes of this business case, along with a funding strategy for the delivery of the Library & Creativity Hub at Macquarie Centre within six (6) months.

**Record of Voting:**

For the Motion: The Mayor, Councillor Lane and Councillors Brown, Deshpande, Han, Lara-Watson, Maggio and Yedelian OAM

Against the Motion: Councillors Pedersen, Purcell and Song

**19 ORGANISATIONAL STRUCTURE – CITY ADVOCACY FOCUS**

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

**OPEN SESSION**

**RESOLUTION:** (Moved by Councillors Purcell and Pedersen)

- (a) That the Council resolve itself into open Council.
- (b) That the recommendations of Items considered in Closed Session be received and adopted as resolution of Council without any alteration or amendment thereto.
- (c) That the Minutes of the Closed Session be adopted.

**Record of Voting:**

For the Motion: Unanimous

Note: Open Council resumed at 9.17pm.

The meeting closed at 9.17pm.

CONFIRMED THIS 25TH DAY OF OCTOBER 2022

Chairperson

Minutes of the Council Meeting No. 12/22, dated 27 September 2022.

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### **3 2021/22 DRAFT FINANCIAL STATEMENTS**

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**Report prepared by:** Chief Financial Officer  
**File No.:** GRP/22/48 - BP22/787

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#### **REPORT SUMMARY**

The purpose of this report is to present to Council the draft financial statements FY 2021/22 for certification. At this meeting, Council will be asked to resolve to sign the financial statements pursuant to Section 413 (2)(c) of the Local Government Act 1993. The Auditor's opinion and reports will be issued once this certification is received.

Council officers prepared the draft 2021/22 Statutory Financial Statements in accordance with the Act, the Regulations, the Australian Accounting Standards and the Local Government Code of Accounting Practice and Financial Reporting. Council at its 27 September 2022 meeting resolved to refer these statements for external audit as per Section 413 of the Local Government Act 1993 and this audit is now complete.

The Audit Risk and Improvement Committee (ARIC) was provided with the draft financial statements on 11 October 2022 where the external auditors presented their findings. At this meeting, ARIC resolved that the draft Financial Statements be presented to Council on 25 October 2022 for certification.

Following this certification and upon receiving the Auditor's Reports, a copy of the Audited Financial Statements will be submitted to the Office of Local Government in accordance with Section 417 (5) of the Local Government Act 1993 and no later than 31 October 2022.

Section 418 of the Local Government Act 1993 requires that Council, as soon as practical after receiving a copy of the Auditor's Reports, fix a date for a meeting, proposed to be 22 November 2022 where the Audited Financial Statements together with the Auditor's Reports will be presented to the public. Council must also give public notice of the date so fixed and the council meeting must be at least 7 days after the date on which this notice was given.

Furthermore, Section 420 of the Local Government Act 1993 provides that any person may make submissions to the Council with respect to the Financial Statements and/or Auditor's Reports and those submissions must be in writing and lodged with the Council within seven days of the 22 November 2022 Council meeting. Any public submissions received will be referred to the Auditor in accordance with the Act.

**ITEM 3 (continued)**

**RECOMMENDATION:**

- (a) That the Mayor, Deputy Mayor, Chief Executive Officer and the Responsible Accounting Officer sign the 'Statement by Councillors and Management' for both the General Purpose and Special Purpose Financial Statements, as contained in the 2021/22 Draft Financial Statements, pursuant to Section 413 (2)(c) of the Local Government Act 1993.
- (b) That upon receiving the Auditor's Reports:-
  - a copy of the Audited Financial Statements be submitted to the Office of Local Government in accordance with Section 417 (5) of the Local Government Act 1993; and
  - the Audited Financial Statements be reported to Council at the next available Council meeting being 22 November 2022 and that public notice be given in accordance with Section 418 of the Local Government Act 1993.

**ATTACHMENTS**

- 1 Draft Financial Statements FY2021/2022 - CIRCULATED UNDER SEPARATE COVER

Report Prepared By:

**Aneesh Zahra**  
**Chief Financial Officer**

Report Approved By:

**Mark Eady**  
**General Manager - Business and Operations**

## **ITEM 3 (continued)**

### **Discussion**

#### **2021/22 Draft Financial Statements**

At the Council meeting 27 September 2022, Council resolved to refer the draft financial statements to external audit. The 2021/22 Draft Financial Statements have been audited by Grant Thornton via the Audit Office and are provided for in **ATTACHMENT 1 – CIRCULATED UNDER SEPARATE COVER.**

The Audit Office has reviewed Council's draft Financial Statements and have presented their findings and the conduct of the audit to Council's Audit, Risk and Improvement Committee (ARIC) on 11 October 2022. At this meeting, ARIC resolved that the draft Financial Statements be presented to Council on 25 October 2022 for certification.

This report is in two parts:-

Part A deals with material changes that have occurred in the Financial Statements between what was reported to Council on 27 September 2022 and in this business paper.

Part B deals with the Summary Performance and Financial Position.

#### **Part A - Material Changes Following Council Meeting 27 September 2022**

##### **1. Revaluation - Infrastructure Assets**

The Audit Office in late September requested council officers to revalue its infrastructure assets by applying relevant indexations in light of recent economic conditions.

This amendment is a non-cash revaluation accounting entry as required by the Australian Accounting Standards and it does not have any financial impact on Council's operating result or cash position. It does however change the Statement of Financial Position by increasing Council's infrastructure assets and the asset revaluation reserves in equity by \$123.39m. This change has also been reflected in the relevant notes to the General Purpose Financial Statements including the Special Schedule Report on Infrastructure Assets.

### ITEM 3 (continued)

The table below details the movements by asset category as a result of the revaluation:-

Asset Category	Indexation %	Source of Indexation	Revaluation Amount \$M
<b>Buildings</b>	12.71%	Non-residential construction Producer Price Index (NSW)	\$14.97
<b>Stormwater</b>	7.6%	Latest Unit Rates	\$13.91
<b>Roads</b>	3.86%	Latest Unit Rates	\$2.51
<b>Car Parks</b>	3.86%	Latest Unit Rates	\$0.15
<b>Kerb &amp; Gutter</b>	1.68%	Latest Unit Rates	\$1.08
<b>Footpaths</b>	1.22%	Latest Unit Rates	\$0.79
<b>Bridges</b>	8.35%	Audit Office (based on other councils)	\$1.13
<b>Foreshore Assets</b>	8.6%	Audit Office (based on other councils)	\$0.89
<b>Recreation &amp; Land Improvements</b>	8.6%	Audit Office (based on other councils)	\$5.78
<b>Operational Land</b>	24.3%	Average Rate of Commercial & Residential (Valuer General Assessment 2021)	\$82.2
<b>Total Revaluation Reserve</b>			\$123.39M

For FY 2022/23 financial statements, Council will need to undertake a comprehensive valuation of the above asset categories as required by the Accounting Standards.

It should be noted that, except for Operational Land, depreciation expenses may be affected however the extent will not be known until the comprehensive revaluation occurs. Council officers will also need to undertake a review of its useful lives for each asset category and relevant asset components as part of this process. Any material movement in depreciation expense will be reported in a future budget review to Council.

### **ITEM 3 (continued)**

#### **2. Special Schedule Report on Infrastructure Assets – Condition of Assets**

The asset revaluation has not affected the condition as a percentage of gross replacement cost. Please note that prior to the revaluation, an error in the initial draft statements was identified and subsequently the condition percentage for Buildings (non-specialised) has been corrected.

#### **3. Ryde Civic Centre**

The following amendment was made to **Note C1-6 Infrastructure, property, plant and equipment** due to a correction of asset conversion for Ryde Civic Centre (impairment/write-off error at time of conversion). This correction is a non-cash accounting entry and as such did not have any impact on Council' net operating result or cash position.

However, it has resulted in an increase in non-current assets and equity by \$7.7m in the Statement of Financial Position. Changes have also been made in the relevant notes to the General Purpose Financial Statements including the Special Schedule Report on Infrastructure Assets under the buildings asset category.

### **Part B - Summary Performance & Financial Position as at 30 June 2022**

#### **Operating Result**

The Income Statement shows that the operating result for the year amounted to a surplus of \$34.1m compared to \$67.5m in the previous year. This is a decrease of \$33.5m and is mainly due to fair value on investment properties, capital grants and contributions and loss from disposal of assets.

Net Operating Result before Capital Grants and Contributions is \$15.6m however this includes the fair value for investment properties (\$13.2m) and loss from disposal of infrastructure assets (\$3.5m). When adjusting for these items, the net operating result is a surplus of \$5.9m.

#### **Financial Position**

Council's Statement of Financial Position shows the enormous amount of assets under Council's care and control. The total value of Council's assets as at 30 June 2021 grew to \$1.9 billion compared to previous financial year of \$1.7 billion.

During the year Council delivered \$58.2m of capital projects of which \$32.3m was for renewal of Council's existing asset base. There was also a non-cash developer contribution of \$2.7m, mainly road dedications. In addition, as discussed above, the infrastructure assets were revalued and the asset base grew by a further \$123.4m.

### **ITEM 3 (continued)**

Council's overall cash position decreased from \$231m to \$220m and this is primarily due to a reduction in internally restricted reserves, namely asset expansion reserve which was utilised for various infrastructure related expenditure adopted by Council.

The unrestricted cash increased and remains healthy at \$7.9m.

### **Performance Indicators**

Council has achieved all the financial ratios within the industry benchmarks.

All infrastructure asset related ratios met the benchmarks. The asset maintenance ratio has improved from the previous two years and has now met the benchmark of 100%.

### **Conclusion**

Council remains in a sound financial position. The audited Financial Statements together with the Auditor's reports will be reported to Council on 22 November 2022 and any public submissions received will be referred to the Auditor in accordance with the Act.

### **Financial Implications**

Adoption of the recommendation will have no financial impact.



**4 (1) CHIEF EXECUTIVE OFFICER'S DELEGATION AND  
(2) INTERFACE AND DAY TO DAY OVERSIGHT OF THE CHIEF  
EXECUTIVE OFFICER BY THE MAYOR INCLUDING THE MAYOR'S  
ROLES AND RESPONSIBILITIES POLICY**

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**Report prepared by:** Senior Coordinator - Governance; Acting Manager - Corporate Governance

**File No.:** CLM/22/1/1/2 - BP22/781

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**REPORT SUMMARY**

This report addresses two matters that are reported to Council in one report due to the inter-relationship between these matters.

The first part of the report seeks Council's endorsement of the Chief Executive Officer's delegation, which is required to be reviewed by Council within 12 months of a new Council term of office. The delegation detailed in this report, delegates all functions of Council that it can lawfully delegate pursuant to Section 377 of the *Local Government Act 1993*. These delegated powers have been previously delegated to the Chief Executive Officer (formerly General Manager) since 1 July 2007.

The second part of this report is seeking Council's endorsement of the Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor's Roles and Responsibilities Policy. The Governance Team have reviewed this Policy and made minor amendments with references to the 'General Manager' updated to the 'Chief Executive Officer'.

This report therefore seeks Council's adoption of:-

- (i) the delegation to be granted to the Chief Executive Officer for the next term of Council.
- (ii) the updated Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor's Roles and Responsibilities Policy.

**RECOMMENDATION:**

- (a) That in accordance with Section 380 of the *Local Government Act 1993*, Council confirms that the delegation (**ATTACHMENT 2**) be granted to the Chief Executive Officer for the next term of office for the Council.
- (b) That Council adopt the Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor's Roles and Responsibilities Policy – October 2022 (**ATTACHMENT 3**).

**ITEM 4 (continued)**

**ATTACHMENTS**

- 1** 2007 General Manager - Instrument of Delegation
- 2** 2022 Chief Executive Officer - Instrument of Delegation
- 3** Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor's Roles and Responsibilities Policy - October 2022

Report Prepared By:

**Sarah Stephen**  
**Senior Coordinator – Governance**

**Amanda Janvrin**  
**Acting Manager - Corporate Governance**

Report Approved By:

**Mark Eady**  
**General Manager - Business and Operations**

## ITEM 4 (continued)

### Discussion

#### (1) Chief Executive Officer's Delegation

Section 380 of the *Local Government Act 1993* states:-

*Each council must review all its delegations during the first 12 months of each term of office.*

This requires Council to review its delegation by 4 December 2022.

The matters that can be delegated to the Chief Executive Officer by the Council, and those that can in turn be delegated by the Chief Executive Officer to staff, are prescribed in the *Local Government Act 1993*. The relevant sections of the Act are given below.

Section 377 of the *Local Government Act 1993* states:-

- (1) *A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council under this or any other Act, other than the following:*
- (a) the appointment of a general manager,*
  - (b) the making of a rate,*
  - (c) a determination under section 549 as to the levying of a rate,*
  - (d) the making of a charge,*
  - (e) the fixing of a fee,*
  - (f) the borrowing of money,*
  - (g) the voting of money for expenditure on its works, services or operations,*
  - (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),*
  - (i) the acceptance of tenders to provide services currently provided by members of staff of the council,*
  - (j) the adoption of an operational plan under section 405,*
  - (k) the adoption of a financial statement included in an annual financial report,*
  - (l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,*
  - (m) the fixing of an amount or rate for the carrying out by the council of work on private land,*

**ITEM 4 (continued)**

- (n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,*
  - (o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979,*
  - (p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,*
  - (q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons,*
  - (r) a decision under section 234 to grant leave of absence to the holder of a civic office,*
  - (s) the making of an application, or the giving of a notice, to the Governor or Minister,*
  - (t) this power of delegation,*
  - (u) any function under this or any other Act that is expressly required to be exercised by resolution of the council.*
- (1A) Despite subsection (1), a council may delegate its functions relating to the granting of financial assistance if:*
- (a) the financial assistance is part of a specified program, and*
  - (b) the program is included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and*
  - (c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and*
  - (d) the program applies uniformly to all persons within the council's area or to a significant proportion of all the persons within the council's area.*
- (2) A council may, by resolution, sub-delegate to the general manager or any other person or body (not including another employee of the council) any function delegated to the council by the Departmental Chief Executive except as provided by the instrument of delegation to the council.*

Chief Executive Officer's – Approval of Tenders

Amendments have been made to Section 377(1) of the *Local Government Act* which enable Council to delegate the function of accepting tenders (other than for services currently provided by council staff members).

#### ITEM 4 (continued)

At its meeting held on 22 March 2022, Council resolved in part as follows:-

- (e) *That in relation to tenders invited under section 55 of the Local Government Act 1993 (NSW) (**Act**), Council delegates to the General Manager the function:-*
1. *Under clause 178(1) of the Local Government (General) Regulation 2021 (NSW) (**Regulation**) to either:-*
    - (i) *accept the tender that, having regard to all the circumstances, appears to it to be the most advantageous; or*
    - (ii) *decline to accept any of the tenders.*
  2. *If the General Manager decides to accept a tender in accordance with clause 178(1)(a) of the Regulation, to finalise and execute the contract resulting from the acceptance of the tender.*
  3. *This delegation does not apply to tenders for a contract that involves an estimated expenditure or receipt of an amount greater than \$1,000,000 plus GST.*
  4. *If the General Manager exercises this delegation by declining to accept any of the tenders, a report must be provided to Council to enable Council to make a resolution under clause 178(3) of the Regulation.*

It should be noted that the Chief Executive Officer's delegations have been updated to include the above regarding tenders (**ATTACHMENT 2**).

Delegations are important to the efficient operation of the organisation. They enable the legitimate sharing of authority and decision-making, facilitating the broad range of Council functions to be carried out efficiently.

Currently, the Council delegates to the Chief Executive Officer (formerly General Manager) all functions that it can lawfully delegate pursuant to Section 377 of the *Local Government Act 1993* (**ATTACHMENT 1**). This practice has been in place since 1 July 2007 with no examples or issues of concern being raised by Council.

The power of the Chief Executive Officer to delegate throughout the organisation is covered in Section 378 of the *Local Government Act 1993*.

#### ITEM 4 (continued)

Section 378 of the *Local Government Act 1993* states:-

- (1) *The general manager may delegate any of the functions of the general manager, other than this power of delegation.*
- (2) *The general manager may sub-delegate a function delegated to the general manager by the council to any person or body (including another employee of the council).*
- (3) *Subsection (2) extends to a function sub-delegated to the general manager by the council under section 377(2).*

At the City of Ryde, the Chief Executive Officer (formerly General Manager) has utilised the power of delegations and sub-delegations to ensure the organisation operates efficiently. An audit framework ensures that these delegations are being correctly adhered to.

This report recommends that Council's updated Instrument of Delegation to the Chief Executive Officer be adopted for the 2021-2024 term of Council, with the only variation being current dates, titles, signatures and the inclusion of the acceptance of the tenders function up to the amount of \$1,000,000 plus GST (**ATTACHMENT 2**).

In accordance with Section 380 of the *Local Government Act*, Council's Governance Team have undertaken an extensive review and update of the Delegations Register (including automation). This has included consultation with external and internal legal advisors, internal subject matter experts and departmental managers.

- (2) Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor's Roles and Responsibilities Policy

This Policy (**ATTACHMENT 3**) aims to provide, as far as practicable, a single source of information regarding the Interface between the Mayor and Chief Executive Officer, as well as to provide clarity and transparency regarding the role and responsibilities of the Mayor in accordance with Section 226 of the *Local Government Act, 1993*. Clarity and consistent understanding of these roles strengthens the executive management of the City of Ryde and facilitates a positive working relationship between all parties.

The Policy includes extracts and references from legislation, regulations, Office of Local Government (OLG) guidelines and Council policies. It is required to be reviewed each term of Council and endorsed by Council.

The Governance Team have reviewed this Policy and made minor amendments with references to the 'General Manager' updated to the 'Chief Executive Officer'.

This report seeks Council's adoption of the Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor's Roles and Responsibilities Policy – October 2022.

ITEM 4 (continued)

ATTACHMENT 1


**Instrument of Delegation**

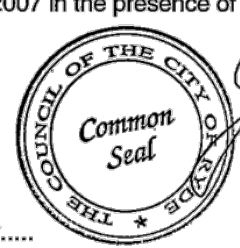
The Council of the City of Ryde pursuant to a resolution made on 19 June 2007:

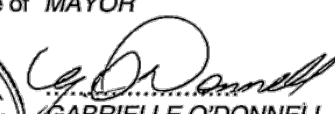
1. revokes any previous delegation or sub-delegation of the functions of the Council to the General Manager of the Council;
2. delegates to the General Manager of the Council all of its functions except for those functions which must not be delegated pursuant to section 377(1) of the Local Government Act 1993 (NSW); and
3. sub-delegates to the General Manager of the Council all functions delegated to the Council except as provided in the relevant instrument of delegation to the Council.

This instrument of delegation shall take effect on 1 July 2007.

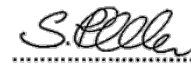
On 26<sup>th</sup> June 2007  
the common seal of the Council of  
the City of Ryde was affixed hereto  
pursuant to a resolution of Council  
on 19 June 2007 in the presence of

  
IVAN PETCH  
MAYOR

 Common Seal

  
GABRIELLE O'DONNELL  
DEPUTY MAYOR

Scott Allen  
[witness's name]

  
[witness's signature]

37 Northridge Ave, Bella Vista  
[witness's address]



**ITEM 4 (continued)**

**ATTACHMENT 2**

**Instrument of Delegation**

The Council of the City of Ryde, pursuant to a resolution made on 25 October 2022,

1. Revokes any previous delegation or sub-delegation of the functions of Council to the former General Manager of the Council,
2. Delegates to the Chief Executive Officer of the Council all of its functions except for those functions which must not be delegated pursuant to section 377(1) of the *Local Government Act 1993* (NSW),
3. That in relation to tenders invited under section 55 of the *Local Government Act 1993* (NSW), the Council of the City of Ryde delegates to the Chief Executive Officer the following additional functions:
  - A. Under clause 178(1) of the *Local Government (General) Regulation 2021* (NSW) (**Regulation**) to either:
    - (i) accept the tender that, having regard to all the circumstances, appears to it to be the most advantageous; or
    - (ii) decline to accept any of the tenders.
  - B. If the Chief Executive Officer decides to accept a tender in accordance with clause 178(1)(a) of the Regulation, to finalise and execute the contract resulting from the acceptance of the tender.
  - C. This delegation does not apply to tenders for a contract that involves an estimated expenditure or receipt of an amount greater than \$1,000,000 plus GST.
  - D. If the Chief Executive Officer exercises this delegation by declining to accept any of the tenders, a report must be provided to Council to enable Council to make a resolution under clause 178(3) of the Regulation.

This instrument of delegation shall take effect on 25 October 2022. The common seal of the Council of the City of Ryde was affixed hereto, pursuant to a resolution of Council made on 25 October 2022, in the presence of:

.....  
**Councillor Jordan Lane**  
**Mayor**

.....  
**Councillor Sarkis Yedelian OAM**  
**Deputy Mayor**

.....  
**Witness (PRINT NAME)**

.....  
**Witness' Signature**

**ITEM 4 (continued)**

**ATTACHMENT 3**



Lifestyle and opportunity @ your doorstep



**Interface and Day to Day Oversight  
of the Chief Executive Officer by the  
Mayor including Mayor's Roles and  
Responsibilities Policy**

**October 2022**

**ITEM 4 (continued)**

**ATTACHMENT 3**

*Document Version Control*

<b>Document Name:</b>	Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor's Roles and Responsibilities Policy
<b>Content Manager Reference (Word):</b>	D22/132776
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<b>Endorsed By:</b>	Council
<b>Distribution:</b>	Internal and External

*Change History*

Version	Issue Date	Author	Reason for Change
1.0	12 November 2013	Customer Service and Governance	Initial Approval by Council and Publication of Document
2.0	11 February 2014	Customer Service and Governance	(D14/12411)
3.0	24 October 2017	Audit, Risk and Governance	(D17/151607)
3.1	12 April 2021	Corporate Governance	Style and formatting changes to align with current Council templates. Updated reference to position titles (D21/47907)
3.2	25 October 2022	Corporate Governance	Updated reference to align with position titles. Presented to Council for Adoption and Publication of Document

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**ITEM 4 (continued)**

**ATTACHMENT 3**

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### 1. Purpose

The aim of the Policy is to strengthen the executive management of the Council by detailing the relationship, appropriate interface and the day to day oversight by the Mayor of the ~~General Manager~~ **Chief Executive Officer** and aims to ensure that there is a clear understanding between the ~~General Manager~~ **Chief Executive Officer** and the Mayor of the day. It will ensure that expectations and transparency of the interface between the Mayor and ~~General Manager~~ **Chief Executive Officer** is consistently applied to strengthen and maintain a positive working relationship between both parties.

This document also aims to provide clarity and transparency regarding the role and responsibilities of the Mayor in accordance with Section 226 of the *Local Government Act 1993*, which includes the statement, to "exercise any such functions of the Council as the Council determines".

### 2. Scope

This Policy governs the appropriate interface between the Mayor of the City of Ryde and the ~~General Manager~~ **Chief Executive Officer** in keeping with the *Guidelines for the Appointment and Oversight of the General Manager* (Office of Local Government – July 2011) and other related policies and guidelines.

The relationship between the ~~General Manager~~ **Chief Executive Officer** and the Mayor of the City of Ryde is a critical interface required to ensure that the Mayor's role in the day to day management of the ~~General Manager~~ **Chief Executive Officer** is transparent and appropriately delegated by Council. Constructive professional relationships between the Mayor and the ~~General Manager~~ **Chief Executive Officer** are essential to enable the effective executive management of the Council.

This Policy also addresses the Roles and Responsibilities of the Mayor in accordance with the *Local Government Act 1993*, relevant guidelines and Council Policies.

The Policy aims to provide, as far as practicable, a single source of information regarding the Interface between the Mayor and ~~General Manager~~ **Chief Executive Officer**, as well as the Mayor's Roles and Responsibilities. As a result, there are references to legislation, existing Council Policies and resolutions of Council.

### 3. Legislative Provisions

#### Role of the Mayor

Section 226 of the *Local Government Act 1993* sets out the role of Mayor as follows:-

- (a) *to be the leader of the council and a leader in the local community,*
- (b) *to advance community cohesion and promote civic awareness,*
- (c) *to be the principal member and spokesperson of the governing body, including representing the views of the council as to its local priorities,*
- (d) *to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council,*

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## ITEM 4 (continued)

## ATTACHMENT 3

- (e) *to preside at meetings of the council,*
- (f) *to ensure that meetings of the council are conducted efficiently, effectively and in accordance with this Act,*
- (g) *to ensure the timely development and adoption of the strategic plans, programs and policies of the council,*
- (h) *to promote the effective and consistent implementation of the strategic plans, programs and policies of the council,*
- (i) *to promote partnerships between the council and key stakeholders,*
- (j) *to advise, consult with and provide strategic direction to the general manager in relation to the implementation of the strategic plans and policies of the council,*
- (k) *in conjunction with the general manager, to ensure adequate opportunities and mechanisms for engagement between the council and the local community,*
- (l) *to carry out the civic and ceremonial functions of the mayoral office,*
- (m) *to represent the council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level,*
- (n) *in consultation with the councillors, to lead performance appraisals of the general manager,*
- (o) *to exercise any other functions of the council that the council determines.*

### Role of the Deputy Mayor

Section 231, Clause 3 of the *Local Government Act 1993* describes the role of the Deputy Mayor as follows:-

*The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function, or if there is a casual vacancy in the office of mayor.*

### Functions of the General Manager

Section 335 of the *Local Government Act 1993* sets out the functions of General Manager as follows:-

- (a) *to conduct the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council,*
- (b) *to implement, without undue delay, lawful decisions of the council,*
- (c) *to advise the mayor and the governing body on the development and implementation of the strategic plans, programs, strategies and policies of the council,*
- (d) *to advise the mayor and the governing body on the appropriate form of community consultation on the strategic plans, programs, strategies and policies of the council and other matters related to the council,*

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- (e) *to prepare, in consultation with the mayor and the governing body, the council's community strategic plan, community engagement strategy, resourcing strategy, delivery program, operational plan and annual report,*
- (f) *to ensure that the mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their functions,*
- (g) *to exercise any of the functions of the council that are delegated by the council to the general manager,*
- (h) *to appoint staff in accordance with the organisation structure determined under this Chapter and the resources approved by the council,*
- (i) *to direct and dismiss staff,*
- (j) *to implement the council's workforce management strategy,*
- (k) *any other functions that are conferred or imposed on the general manager by or under this or any other Act.*

### 4. Guidelines / Procedures

This Policy is drafted to ensure compliance with appropriate legislative requirements, existing Council Policies and is supported by the attached Annexure.

### 5. References – Legislation and City of Ryde Policies

- *The Local Government Act 1993 and Regulations*
- *Public Interest Disclosures Act 1994*
- *Anti-Corruption Safeguards and the NSW Planning System – ICAC 2012*
- *Guidelines for the Appointment and Oversight of General Managers (Office of Local Government July 2011)*
- *City of Ryde Code of Conduct*
- *City of Ryde Code of Meeting Practice*
- *City of Ryde Media Policy*
- *City of Ryde Expenses Relating to the General Manager and Senior Staff Policy*
- *City of Ryde Corporate Credit Card Policy*
- *City of Ryde Gifts and Benefits Policy*
- *City of Ryde Public Interest Disclosures Internal Reporting Policy*
- *City of Ryde Policy on Ethical Lobbying*
- *City of Ryde Councillor Expenses and Facilities Policy*
- *City of Ryde Councillor and Staff Interaction Policy*

### 6. Review Process and Endorsement

This Policy should be reviewed each term of Council and endorsed by the Council.

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### Attachment A – Specific Responsibilities

#### 1. The General Manager's Chief Executive Officer's Appointment

The Mayor will establish and chair a selection panel for the purpose of selecting the General Manager **Chief Executive Officer** in accordance with the Guidelines for the *Appointment and Oversight of General Managers* (Office of Government July 2011).

Council's practice has been that this process has been coordinated by the Manager Human Resources **Manager – People and Culture** in liaison with the Mayor. The recruitment process has then been reported to Council, in closed session.

This process includes the appointment of a recruiting organisation that would assist Council in the advertising and selection process, including Council determining the selection panel for the position of General Manager **Chief Operating Officer**.

Following the selection of a General Manager **Chief Executive Officer**, the recruiting organisation would assist Council in the formulation of a performance plan and then facilitate the annual performance review of the General Manager **Chief Executive Officer**.

#### 2. Management of the General Manager's Chief Executive Officer's Performance including the Mayor's Responsibilities

The General Manager's **Chief Executive Officer's** performance management process will be conducted annually in accordance with the Guidelines for the *Appointment and Oversight of General Managers* (Office of Local Government July 2011).

The Mayor will chair the Performance Review Panel and oversee the appointment of an external facilitator to assist with the process of performance appraisal and the development of performance plans.

The Office of Local Government's (OLG) Guidelines set out the following actions that are to be taken as part of this process. The Mayor, as chair of the Performance Review Panel, is responsible for these actions:-

- Ensuring all Councillors not on the panel can contribute to the process by providing feedback to the Mayor on the General Manager's **Chief Executive Officer's** performance.
- Ensuring all Councillors are notified of relevant dates in the performance review cycle.
- Ensuring all Councillors are kept advised of the Panel's findings and recommendations.
- Reporting to Council in closed session the findings and recommendations of the Review Panel.

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### 3. **Audit of the General Manager's Chief Executive Officer's Accountabilities**

If the Mayor is a member of the City of Ryde Audit, Risk and Improvement Committee, the Mayor will participate in setting the priorities and the program of the audit of Council's operations, to ensure independent oversight of the risk and compliance environment of the General Manager's **Chief Executive Officer's** accountabilities.

The Mayor will also be briefed annually by Council's external auditors to ensure robust financial reporting is in place.

### 4. **General Manager's Chief Executive Officer's Leave Applications**

The Mayor will be the approval authority for all leave applications made by the General Manager **Chief Executive Officer** in accordance with Council's Leave policies.

### 5. **General Manager's Chief Executive Officer's Expense Claims**

The Mayor will be the approval authority for all expense claims relating to the General Manager's **Chief Executive Officer's** out-of-pocket expenses and use of Council's Corporate Credit Card in keeping with the General Manager's **Chief Executive Officer's** Terms of Engagement, Council's Policy on Expenses Relating to the General Manager and Senior Staff, and Council's Corporate Credit Card Policy.

### 6. **General Manager's Chief Executive Officer's Gifts and Benefits Claims**

The Mayor will be the acknowledging authority for all Gifts and Benefits Disclosure Forms completed by the General Manager **Chief Executive Officer** in keeping with the General Manager's Terms of Engagement, and Council's Gifts and Benefits Policy.

### 7. **Training and Development – Applications by the General Manager Chief Executive Officer**

It is recognised that the General Manager **Chief Executive Officer** is required to keep abreast of local government issues, industry best practice and to keep his/her knowledge and skills relevant. To this end, the General Manager **Chief Executive Officer** will attend industry seminars, conferences and forums such as those provided by Local Government Professionals Australia, the Chief Officers' Group of Australasia, the Local Government NSW conference, and the National General Assembly of Local Government.

When deemed that attendance at an industry forum/conference is appropriate, the General Manager **Chief Executive Officer** will seek the Mayor's approval to attend.

Should the General Manager **Chief Executive Officer** seek to attend formal training or education relating to advancing his/her knowledge and skills and in accordance with Council's Policy on Tertiary Education, Conferences and Training, the General Manager **Chief Executive Officer** will seek the Mayor's approval to do so.

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### 8. Presiding at Council Meetings including the Mayor's Responsibilities

Under Section 226 of the *Local Government Act 1993*, the Mayor presides at meetings of the Council.

#### Setting the Agenda for Council or Committee Meetings

The Agenda must be set in accordance with Section 240 of the Local Government (General) Regulation 2015, which provides that:-

- 1) *The general manager must ensure that the agenda for a meeting of the council states:*
  - (a) *all matters to be dealt with arising out of the proceedings of former meetings of the council, and*
  - (b) *if the mayor is the chairperson - any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and*
  - (c) *subject to subclause (2), any business of which due notice has been given.*
- 2) *The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is (or the implementation of the business would be) unlawful. The general manager must report (without giving details of the item of business) any such exclusion to the next meeting of the council.*

Once the agenda has been set, the General Manager **Chief Executive Officer** or his/her nominee may meet with the Mayor to discuss the matters on the agenda of either a Council or Committee meeting prior to the meeting being convened. To ensure that the independence of advice to the Council is maintained, the Mayor cannot direct the General Manager **Chief Executive Officer** or his/her staff to either prepare or remove reports set on an existing or future agenda.

Clause 240 of the Regulation also stipulates that the General Manager **Chief Executive Officer** must cause the agenda for a meeting of Council or a Committee of the Council to be prepared as soon as practicable before the meeting. This supplements Section 367 of the *Local Government Act 1993* which requires that

*"the general manager of a council must send to each councillor, at least 3 days before each meeting of the council, a notice specifying the time and place at which and the date on which the meeting is to be held and the business proposed to be transacted at the meeting."*

Clause 240 of the Regulation also specifies that for meetings where the Mayor is the Chairperson, the Agenda is to include *"any matter or topic that the Mayor proposes at the time when the Agenda is prepared"*. This is to be done in accordance with Council's adopted Code of Meeting Practice.

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## ITEM 4 (continued)

## ATTACHMENT 3

### Calling Extraordinary or Special Meetings

In accordance with Council's Code of Meeting Practice, the Mayor does not have the authority, in their own right, to call an Extraordinary or Special Council Meeting.

The Mayor, following a written request signed by at least two Councillors, must call an Extraordinary Council meeting. The Mayor can be one of the two Councillors, but the Mayor cannot call Extraordinary meetings by him or herself without having a written request with another Councillor's signature. The Mayor must then 'call' the meeting, which is to be held as soon as practical but within fourteen (14) days after the request is made (OLG Meeting Practice Note 1.1.2 and Section 366 of the *Local Government Act 1993*). However, "notice of less than 3 days may be given of an Extraordinary meeting called in an emergency." (Section 367(2) of the *Local Government Act 1993*).

The ~~General Manager~~ **Chief Executive Officer** must ensure that the agenda for an Extraordinary meeting of a Council deals only with the matters stated in the notice of the meeting (CI 242 of the Regulation).

### 9. Conducting Meetings with Ministers and Members of Parliament

The Mayor will from time to time have reason to meet with Ministers and Members of Parliament to discuss issues of importance to the City of Ryde and the implementation of its *Community Strategic Plan* and Council resolutions.

These meetings are to be included in the Councillors' Information Bulletin Calendar including who the meeting is with, and the topic to be discussed. Where practicable, Councillors are to be consulted in advance of the meeting to ensure all relevant information and issues are gathered.

As per Council's resolution of 22 November 2011, the ~~General Manager~~ **Chief Executive Officer** and/or his/her nominee will accompany the Mayor to any meeting with a State Minister or Member of Parliament at which Council business will be discussed.

In accordance with this resolution, "a report of the meeting is to be presented to Councillors through the Councillors' Information Bulletin, and if appropriate, through the Council business papers (and) that the report include all matters raised, any advice or commitments given by either side and other relevant information to ensure that Council remains fully informed."

These actions will ensure appropriate briefings can be given relating to Council's Policies, operational matters or strategic impacts relating to the discussions, and to ensure that the follow up of agreed actions at the meeting will take place.

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## ATTACHMENT 3

### 10. Conducting Meetings with Constituents and those wishing to make representations to the Mayor

It is acknowledged that the Mayor will meet with constituents relating to a range of matters and may request the presence of the ~~General Manager~~ **Chief Executive Officer**. In some instances, the ~~General Manager~~ **Chief Executive Officer** may delegate attendance to the relevant senior staff member.

- *General Matters*

From time to time, the Mayor will request that the ~~General Manager~~ **Chief Executive Officer** attend meetings with constituents or other parties. Adequate notice (where practicable, no less than three working days) and background information will be given to the ~~General Manager~~ **Chief Executive Officer** to ensure that the ~~General Manager~~ **Chief Executive Officer** is able to prepare for the meeting in advance. Meetings will be held in the Mayoral suite during business hours and secretarial support will be provided for meetings that occur to ensure that records are kept detailing the agenda and minutes of the meeting.

- *Meetings relating to Complaints*

The Mayor may receive complaints about the level of service provided by the Council's staff. These complaints will be referred to the ~~General Manager~~ **Chief Executive Officer** prior to any meeting between the complainant, the Mayor and the ~~General Manager~~ **Chief Executive Officer** taking place. This will ensure that appropriate preparations can be made and will be dealt with in accordance with the Council's Customer Feedback Policy. Meetings will be convened as outlined above in General Matters.

Should the complaint relate to a development matter the procedure outlined below will be followed.

- *Matters relating to Proposed Development Matters (either Planning Proposals or proposed major Development Applications)*

No meetings will take place with any developer or their representative unless a detailed agenda item is prepared prior to the meeting. Council's Ethical Lobbying Policy will apply to meetings attended by those lobbying on behalf of their client. At such meetings the General Manager – Business Operations (or his/her nominee) is also be in attendance. Meetings will be convened as outlined above under General Matters and will be minuted by the Mayor's Executive Assistant or an appropriate Planning staff member.

In accordance with Council's resolution of 27 September 2005, "*.. in the interest of transparency, all significant meetings held by the Mayor, or by the Mayor's nominee with parties participating or seeking to participate in development or other activities in the City of Ryde, (are to) be reported to all Councillors via the Councillors Bulletin papers on a fortnightly basis.*"

It is inappropriate for the Mayor to attempt to influence the independent advice of Planning staff on any planning proposal or development assessment report. No meetings will be held on matters where a development application assessment process is already underway, to ensure there can be no perception of inappropriate influence.

Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor's Roles and Responsibilities Policy		
Owner: Corporate Governance	Accountability: Corporate Governance	Adopted by Council: 25 October 2022
CM Reference (Word): D22/132776	Next Review date: August 2025	Last Review Date: October 2022
CM Reference (PDF): D22/132781		

## ITEM 4 (continued)

## ATTACHMENT 3

### 11. Public Relations Management

The ~~General Manager~~ **Chief Executive Officer** will ensure that the Mayor is provided with adequate resources to meet his/her requirements for public relations management. Public relations management relates to the provision of advice and preparation of:

- press releases
- issues management
- speeches
- Mayoral pieces in Council publications – for example the Annual Report
- Social media monitoring
- opinion pieces for journals etc.

In accordance with Council's Media Policy, both the Mayor and the ~~General Manager~~ **Chief Executive Officer** can make comments to the media on policy matters. When doing so, the Mayor and ~~General Manager~~ **Chief Executive Officer** will communicate with members of the press through Council's media advisor to ensure consistency of message. All articles and speeches etc relating to or quoting the Mayor will be approved by the Mayor prior to their release.

The ~~General Manager~~ **Chief Executive Officer** will comment on administration issues in accordance with the Media Policy.

The ~~General Manager~~ **Chief Executive Officer** will ensure that Council staff provide necessary public relations support for all non-political issues relating to Council's operations and the adopted resolutions of Council. Should the Mayor wish to make commentary that in the opinion of the ~~General Manager~~ **Chief Executive Officer** is of a political nature and does not relate to matters of Council policy, business or resolution etc, Council's media staff will not be used to draft or place such statements.

### 12. Mayor's Responsibilities with respect to Council's Media Policy

In accordance with Council's Media Policy the Mayor and the ~~General Manager~~ **Chief Executive Officer** are Council's official spokespersons on all matters. The Mayor may nominate another Councillor to speak on a particular matter.

Council's Media Officer is responsible for the coordinating media liaison and issuing press releases. All media enquiries should be directed to the Media Officer.

In addition:

- 1) Every Councillor has a right to express a private opinion on any issue, whether or not that opinion reflects Council's official position, but Councillors must carefully identify the role in which they speak or write.
- 2) Whenever Councillors publicly express their own opinions they must make it clear they are speaking for themselves, unless delegated by the Mayor, and not for Council, unless they are supporting a Council position.
- 3) When Councillors speak "for the Council" when delegated by the Mayor, they must express and support Council's entire Policy on the issue at hand.

Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor's Roles and Responsibilities Policy		
Owner: Corporate Governance	Accountability: Corporate Governance	Adopted by Council: 25 October 2022
CM Reference (Word): D22/132776	Next Review date: August 2025	Last Review Date: October 2022
CM Reference (PDF): D22/132781		

## ITEM 4 (continued)

## ATTACHMENT 3

### 13. Managing Complaints about the General Manager Chief Executive Officer

All complaints about the General Manager's **Chief Executive Officer's** conduct will be referred to the Mayor and will be managed in accordance with Council's Customer Feedback Policy, Council's Code of Conduct and if necessary, the *Public Interest Disclosures Act 1994* and Council's Public Interest Disclosures Internal Reporting Policy. The Mayor may seek the independent assistance of the Manager – Corporate Governance, external experts and Council's General Counsel should she/he so require, when undertaking investigations or seeking advice. The procurement of external experts will be managed by Council's Manager – Corporate Governance.

All Code of Conduct complaints relating to Councillors made by the General Manager **Chief Executive Officer** will be made to the Mayor, and managed in accordance with Council's Code of Conduct and if necessary the *Public Interest Disclosures Act 1994* and Council's Public Interest Disclosures Internal Reporting Policy.

Clauses 5.27 – 5.33 of the 'Code of Conduct – Complaints Procedure' sets out the Mayor's role with regard to Code of Conduct complaints while Part 10 of the 'Public Interest Disclosures Internal Reporting Procedure' sets out the Mayor's role with regard to Public Interest Disclosure reporting.

### 14. Mayor's Responsibilities with respect to Council's Code of Conduct

In accordance with Council's Code of Conduct, the Mayor is responsible for receiving written Code of Conduct complaints about the General Manager **Chief Executive Officer**. Where the complaint cannot be made in writing, the Mayor is to confirm the complaint in writing as soon as possible after the receipt of the complaint.

The Mayor must give consideration to the complainant's preferences in deciding how to deal with the complaint.

Where the Mayor becomes aware of a possible breach of the Code of Conduct by the General Manager **Chief Executive Officer**, they may initiate the process for the consideration of the matter in accordance with the Code of Conduct without a written complaint. The Mayor also has senior staff available to assist in such matters including Council's Complaints Coordinator, General Counsel or the Manager – Corporate Governance.

The specific provisions regarding Code of Conduct complaints about the General Manager **Chief Executive Officer** are set out below:

How are code of conduct complaints about the General Manager **Chief Executive Officer** to be dealt with?

The Mayor must refer the following code of conduct complaints about the General Manager **Chief Executive Officer** to the NSW Office of Local Government (OLG):

- (a) complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the Code of Conduct – Standards of Conduct,
- (b) complaints alleging a breach of Part 9 of the code of conduct relating to the maintenance of the integrity of the code, and
- (c) complaints the subject of a special complaints management arrangement with the Office under clauses 5.48 and 5.49.

Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor's Roles and Responsibilities Policy		
Owner: Corporate Governance	Accountability: Corporate Governance	Adopted by Council: 25 October 2022
CM Reference (Word): D22/132776	Next Review date: August 2025	Last Review Date: October 2022
CM Reference (PDF): D22/132781		



## ITEM 4 (continued)

## ATTACHMENT 3

Where the Mayor refers a complaint to the OLG under clause 5.28, the Mayor must notify the complainant of the referral in writing.

Where the Mayor considers it to be practicable and appropriate to do so, he or she may seek to resolve code of conduct complaints about the ~~General Manager~~ **Chief Executive Officer**, other than those requiring referral to OLG under clause 5.27, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation or apology instead of referring them to the Complaints Coordinator under clause 5.33.

Where the Mayor resolves a code of conduct complaint under clause 5.32 to the Mayor's satisfaction, the Mayor must notify the complainant in writing of the steps taken to resolve the complaint within 21 days of the receipt of the complaint and this shall finalise the consideration of the matter under these procedures.

The Mayor must refer all code of conduct complaints about the ~~General Manager~~ **Chief Executive Officer** other than those referred to the OLG under clause 5.27 or finalised under clause 5.30 or resolved under clause 5.31 to the Complaints Coordinator.

The detailed procedure for complaint management is set out in the Code of Conduct – Complaints Procedure.

In addition, where complaints about the ~~General Manager~~ **Chief Executive Officer** are received by the Mayor, the Mayor is to advise all Councillors in writing that a complaint has been received and, where appropriate, the nature of the complaint. In addition, the Mayor is to advise all Councillors of the intended course of action and subsequently report the complaint handling plan to Council as a confidential Mayoral Minute.

### 15. Mayor's Responsibilities with respect to Public Interest Disclosures

The provisions for the reporting of Public Interest Disclosures are set out in Council's adopted Internal Reporting Policy – Public Interest Disclosures which aligns to the *Public Interest Disclosures Act 1994*.

The Mayor is identified as a Public Interest Disclosure Officer and as such is able to receive complaints regarding Councillors or the ~~General Manager~~ **Chief Executive Officer**.

In this role the Mayor is responsible for:

- deciding if a report is a protected disclosure
- determining what needs to be done next, including referring it to other authorities
- deciding what needs to be done to correct the problem that has been identified

The Mayor must make sure there are systems in place in the City of Ryde to support and protect staff who report wrongdoing.

If the report is about the ~~General Manager~~ **Chief Executive Officer**, the Mayor is also responsible for referring actual or suspected corrupt conduct to the Independent Commission Against Corruption.

Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor's Roles and Responsibilities Policy		
Owner: Corporate Governance	Accountability: Corporate Governance	Adopted by Council: 25 October 2022
CM Reference (Word): D22/132776	Next Review date: August 2025	Last Review Date: October 2022
CM Reference (PDF): D22/132781		

## ITEM 4 (continued)

## ATTACHMENT 3

To support the Mayor in this role, training will be provided regarding the management and handling of public interest disclosures. This training will also be offered to the Deputy Mayor where possible. The Mayor also has senior staff available to assist in such matters including Council's Disclosures Coordinator, General Counsel or the Manager – Corporate Governance.

### 16. Civic Events, Ceremonies, Conferences and Forums

It is acknowledged that both the Mayor and the ~~General Manager~~ **Chief Executive Officer** will represent Council at Civic Events, Ceremonies and professional forums etc. When both the Mayor and ~~General Manager~~ **Chief Executive Officer** are speaking at an event the Mayor will always speak first. Media staff will coordinate the content of each speech to ensure consistency of message and avoid duplication.

When the ~~General Manager~~ **Chief Executive Officer** is speaking at a forum or conference, he/she will advise the Mayor of the topic of address. The Mayor will respect the independence of the content and the format of the presentation to enable the ~~General Manager~~ **Chief Executive Officer** to provide his/her professional views. The ~~General Manager~~ **Chief Executive Officer** must make it clear when doing so if they are not the views of Council or its policies.

When speaking about the City of Ryde Council, Council's policies and views will always be clearly stated by the Mayor and ~~General Manager~~ **Chief Executive Officer**.

### 17. Civic and Ceremonial Functions of the Mayoral Office

In accordance with the provisions of the *Local Government Act 1993*, the Mayor will undertake the civic and ceremonial functions of the Mayoral Office.

The Mayoral chains and robes are generally only to be worn at official Council functions. Should the Mayor identify another event or occasion where it would be appropriate for the ceremonial clothing to be worn, that this be at the discretion of the Mayor.

In accordance with the Councillor Expenses and Facilities Policy, Council shall meet the cost of providing refreshments and associated expenses for civic receptions hosted by the Mayor at Council premises, subject to funds being available within the appropriate allocation in the Mayor's Office Budget.

### 18. Exercise of Policy Making Functions

Where in cases of necessity, the Mayor exercises the policy-making functions of the Council in between Council meetings, in accordance with Section 226 of the *Local Government Act 1993*, this is to be communicated to all Councillors and the ~~General Manager~~ **Chief Executive Officer** as soon as possible. Any action taken is to be reported to the next available Council Meeting by way of a Mayoral Minute.

It is recommended that the Mayor liaise and seek guidance from the ~~General Manager~~ **Chief Executive Officer**, and communicate the intent to exercise such functions to Councillors, prior to the taking of any action.

Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor's Roles and Responsibilities Policy		
Owner: Corporate Governance	Accountability: Corporate Governance	Adopted by Council: 25 October 2022
CM Reference (Word): D22/132776	Next Review date: August 2025	Last Review Date: October 2022
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## ITEM 4 (continued)

## ATTACHMENT 3

### 19. Role of the Deputy Mayor

As provided by Section 231 of the *Local Government Act 1993*, the Deputy Mayor may exercise any function of the Mayor at the request of the Mayor, or if the Mayor is prevented by illness, absence or otherwise from exercising the function of the Office of the Mayor, or if there is a casual vacancy in the office of Mayor.

#### Mayoral Leave of Absence

The *Local Government Act 1993* deals with an endorsed Leave of Absence in relation to attendance at Council Meetings only.

Where the Mayor applies for and is granted a Leave of Absence, the Mayor must specifically state as part of the application whether this leave applies only to Council Meetings or whether the Deputy Mayor is to assume the Mayoral duties in accordance with the Act and this document. This will also require a resolution of Council with regard to the payment of any fee to the Deputy Mayor from the Mayor's fee to undertake these duties.

Where the Mayor is on an endorsed Leave of Absence, the Deputy Mayor by resolution of Council will undertake the roles as responsibilities of the Mayor in accordance with this document, legislation and relevant Council policies.

Where the Mayor is not present at a Council Meeting, the Deputy Mayor will preside at that meeting without the requirement of a resolution of Council.

### 20. Updating Relevant Information

Both the Mayor and General-Manager **Chief Executive Officer** will use their best endeavours to keep each other apprised of relevant issues relating to Council's operations and the local government industry. Whilst this should take place on an 'as needs' basis, a more formal regular update meeting may take place between the Mayor and the General-Manager **Chief Executive Officer** and his/her executive team as agreed by both parties.

The Mayor may call fortnightly meetings with the General-Manager **Chief Executive Officer** and the Executive Team. At the Council meeting held 27 August 2013, it was confirmed that any minutes of meetings that the Mayor conducts with the Executive Team were to be provided to all Councillors for their information.

Additionally on 12 February 2013, Council resolved the following with regard to the fortnightly Executive Team meetings:

*That the Mayor or his nominated representative attend Council fortnightly Executive Team Meetings noting that some parts of the meeting may be closed sessions due to operational issues (with reasons provided). That the meetings be minuted and copies be provided to all Councillors.*

Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor's Roles and Responsibilities Policy		
Owner: Corporate Governance	Accountability: Corporate Governance	Adopted by Council: 25 October 2022
CM Reference (Word): D22/132776	Next Review date: August 2025	Last Review Date: October 2022
CM Reference (PDF): D22/132781		

## **5 REVIEW OF CODE OF CONDUCT POLICY DOCUMENTS**

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**Report prepared by:** Senior Coordinator - Governance  
**File No.:** GRP/22/48 - BP22/731

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### **REPORT SUMMARY**

In accordance with Section 440 of the *Local Government Act 1993* (NSW), Council must review its Code of Conduct within 12 months after an ordinary election and make adjustments as it considers appropriate.

Following a review of the *Code of Conduct – Policy*, the Governance Team have determined the document does not add value to the Code of Conduct framework. The Policy is not mandated by the Office of Local Government and repeats content from the *Code of Conduct – Standards of Conduct* and the *Code of Conduct – Complaints Procedure*. Accordingly, it is recommended that Council rescinds the *Code of Conduct – Policy*.

The Governance Team have completed a review and update of the *Code of Conduct – Standards of Conduct* and the *Code of Conduct – Complaints Procedure*, which are presented to Council for adoption.

### **RECOMMENDATION:**

- (a) That Council rescind the *Code of Conduct – Policy*.
- (b) That Council adopt the updated *Code of Conduct – Standards of Conduct* and the updated *Code of Conduct – Complaints Procedure*.

### **ATTACHMENTS – CIRCULATED UNDER SEPARATE COVER**

- 1 Code of Conduct - Standards of Conduct
- 2 Code of Conduct - Complaints Procedure

Report Prepared By:

**Sarah Stephen**  
**Senior Coordinator - Governance**

Report Approved By:

**Amanda Janvrin**  
**Acting Manager - Corporate Governance**

**Mark Eady**  
**General Manager - Business and Operations**

## ITEM 5 (continued)

### History

The *Code of Conduct – Policy*, the *Code of Conduct – Standards of Conduct* and the *Code of Conduct – Complaints Procedure* were last reviewed and adopted by Council in September 2020. This review was based on changes made to the mandatory *Model Code of Conduct for Local Councils*, published by the Office of Local Government ('OLG').

### Discussion

Following a review of the *Code of Conduct – Policy*, it was determined that the document does not add value to the Code of Conduct framework. The *Code of Conduct – Policy* repeats the content in the *Code of Conduct – Standards of Conduct* and the *Code of Conduct – Complaints Procedure*. The document is also not mandated by the OLG and refers to outdated organisational values that are inconsistent with the "HEART" values recently implemented at Council. Accordingly, it is recommended that Council rescind the *Code of Conduct – Policy*.

In accordance with Section 440 of the *Local Government Act 1993* ('the Act'), the Governance Team have reviewed the *Code of Conduct – Standards of Conduct* and the *Code of Conduct – Complaints Procedure*. These documents are mandated by the OLG and aim to define and describe the:-

- Conduct obligations required of all Council officials when carrying out their duties and
- Complaints procedures under the Code of Conduct and the operating guidelines for a conduct reviewer.

The only minor adjustment required was the update of all references to the "General Manager" throughout the documents. These references have been updated to "Chief Executive Officer", as noted in *green italics*.

A copy of the updated the *Code of Conduct – Standards of Conduct* and the *Code of Conduct – Complaints Procedure* are provided as **ATTACHMENT 1** and **ATTACHMENT 2** are presented to Council for adoption.

### Critical Dates

In accordance with Section 440(7) of the Act, Council must:-

- Review its Code of Conduct within 12 months after each ordinary election and
- Make such adjustments as it considers appropriate and as are consistent with Section 440 of the Act.

**ITEM 5 (continued)**

This requirement is also captured within the OLG's *Post-Election Guide* for Councils.

Under the Act, the Code of Conduct Policy suite is not required to be placed on public exhibition.

**Financial Implications**

Adoption of the recommendation will have no financial impact.

## 6 COUNCILLOR AND STAFF INTERACTION POLICY

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**Report prepared by:** Civic Services Manager

**File No.:** COR2018/163/33 - BP22/785

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### REPORT SUMMARY

Following extensive consultation, the Office of Local Government (OLG) has developed a *Model Councillor and Staff Interaction Policy – 2022* which reflects best practice.

The '*Councillor and Staff Interaction Policy*' (the Policy) provides a framework for Councillors when exercising their civic functions by specifically addressing their ability to interact with and receive advice from authorised staff.

The aim of the Policy is to facilitate a positive working relationship between Councillors, as the community's elected representatives, and staff, who are employed to administer the operations of the Council. The Policy provides direction on interactions between Councillors and staff to assist both parties in carrying out their day-to-day duties professionally, ethically and respectfully.

The Policy at its core has three main goals:-

- to establish a framework by which Councillors can access the information they need to perform their civic functions;
- to promote positive and respectful interactions between Councillors and staff; and
- to advise where concerns can be directed if there is a breakdown in the relationship between Councillors and staff.

The Governance Team have completed a review of the previous Guideline and updated the document to a Policy in accordance with the *Model Councillor and Staff Interaction Policy – 2022* developed by the Office of Local Government.

The updated Councillor and Staff Interaction Policy – October 2022 is now presented to Council for adoption.

### RECOMMENDATION:

That Council adopt the Councillor and Staff Interaction Policy – October 2022 (**ATTACHMENT 3**).



**ITEM 6 (continued)**

**ATTACHMENTS – CIRCULATED UNDER SEPARATE COVER**

- 1** Office of Local Government Model Template - Councillor and Staff Interaction Policy - 2022
- 2** Guideline on Interaction Between Councillors and Staff - adopted by Council on 23 May 2017
- 3** Councillor and Staff Interaction Policy - October 2022

Report Prepared By:

**Amanda Janvrin**  
**Acting Manager - Corporate Governance**

Report Approved By:

**Mark Eady**  
**General Manager - Business and Operations**

## ITEM 6 (continued)

### Discussion

Following extensive consultation, the Office of Local Government (OLG) has developed a *Model Councillor and Staff Interaction Policy* which reflects best practice. A copy of the OLG Model Policy is provided for in **ATTACHMENT 1**.

The '*Councillor and Staff Interaction Policy*' (the Policy) provides a framework for Councillors when exercising their civic functions by specifically addressing their ability to interact with and receive advice from authorised staff.

The aim of the Policy is to facilitate a positive working relationship between Councillors, as the community's elected representatives, and staff, who are employed to administer the operations of the Council. The Policy provides direction on interactions between Councillors and staff to assist both parties in carrying out their day-to-day duties professionally, ethically and respectfully.

The Policy at its core has three main goals:-

- to establish a framework by which Councillors can access the information they need to perform their civic functions;
- to promote positive and respectful interactions between Councillors and staff; and
- to advise where concerns can be directed if there is a breakdown in the relationship between Councillors and staff.

### History

The 'Guideline on Interaction between Councillors and Staff' was previously adopted by Council on 23 May 2017 and a copy is provided for in **ATTACHMENT 2**.

### Context

The Governance Team have reviewed the previous Guideline and updated the document to a Policy in accordance with the Model Councillor and Staff Interaction Policy developed by the Office of Local Government (OLG). A copy of the updated Councillor and Staff Interaction Policy – October 2022 is provided for in **ATTACHMENT 3** and is presented to Council for adoption.

### Financial Implications

Adoption of the recommendation will have no financial impact.

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## **7 ANNUAL DISCLOSURE OF PECUNIARY INTERESTS FOR THE PERIOD OF 1 JULY 2021 TO 30 JUNE 2022**

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**Report prepared by:** Senior Coordinator - Governance  
**File No.:** GRP/22/48 - BP22/732

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### **REPORT SUMMARY**

Under clause 4.21 of the *City of Ryde Code of Conduct – Standards of Conduct*, Councillors and designated persons must lodge a Pecuniary Interest Disclosure with the Chief Executive Officer by 30 September each year.

This report provides a summary of the Pecuniary Interest Disclosures that are required to be lodged for the period of 1 July 2021 to 30 June 2022.

### **RECOMMENDATION:**

That the Register of Pecuniary Interest Disclosures is tabled as required under Clause 4.25 of the *City of Ryde Code of Conduct – Standards of Conduct*.

### **ATTACHMENTS**

There are no attachments for this report.

Report Prepared By:

**Sarah Stephen**  
**Senior Coordinator - Governance**

Report Approved By:

**Amanda Janvrin**  
**Acting Manager - Corporate Governance**

**Mark Eady**  
**General Manager - Business and Operations**

## **ITEM 7 (continued)**

### **Discussion**

Clause 4.21 of the *Code of Conduct* requires Councillors and designated persons to lodge an annual Pecuniary Interest Disclosure by 30 September each year.

Clause 4.24 of the *Code of Conduct* requires the Chief Executive Officer to keep a register of Pecuniary Interest Disclosures and to table the Disclosures at the first Council meeting after 30 September.

Council is advised that 11 Councillors, 6 former Councillors, 75 Council staff, and 3 independent members of Council's Audit, Risk and Improvement Committee have completed 2021-22 Pecuniary Interest Disclosures.

The following Council official has not yet submitted an annual Pecuniary Interest Disclosure:-

- Mr George Dedes (former General Manager)

Corporate Governance will continue to follow up with the above Council official and prompt them to submit a Pecuniary Interest Disclosure for FY 2021-22.

Additionally, 12 Ryde Local Planning Panel Members have separately lodged 2021-22 Pecuniary Interest Disclosures in accordance with the NSW Government's *Code of Conduct for Planning Panel Members*.

In accordance with clause 4.25 of the *Code of Conduct*, the 2020-2021 Register of Disclosure of Pecuniary Interests Returns is tabled.

### **Financial Implications**

Adoption of the recommendation will have no financial impact.

## **8 SUBMISSION TO PLANNING PROPOSAL REVIEW - 146 VIMIERA ROAD, MARSFIELD (TG MILLNER FIELD)**

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**Report prepared by:** Senior Strategic Planner  
**File No.:** LEP2022/2/5 - BP22/764

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### **REPORT SUMMARY**

On 20 May 2022 Council received a planning proposal seeking to rezone the current site known as TG Millner Field at 146 Vimiera Road, Marsfield.

The main assessment issues with the proposed changes are inconsistency with existing strategies and site-specific strategic merit. There are two main factors in this inconsistency. The first is that the proposal is inconsistent with Council's Open Space Future Provision Strategy (OSFPS). The second is the lack of certainty in the delivery of the submitted master plan as proposed and the questionable efficiency of the mechanisms proposed to achieve it, which creates significant uncertainty in the strategic merit and strategic consistency of the proposal.

Council staff have advised the applicant of these inconsistencies during the pre-assessment and assessment process, however, in the assessment of staff, the applicant's responses have not adequately addressed Council's concerns.

On 14 September 2022 the applicant lodged a rezoning review request with the Department of Planning and Environment. The effect of this request is that the Department is now the planning authority for the planning proposal application.

The purpose of this report is to obtain Council's endorsement of a submission to the Department's review advising of Council's position on the application.

### **RECOMMENDATION:**

- (a) That Council reinforce it's previous resolution of 28 June 2022 as follows:-

*That Council:-*

- a) Recognise the rich history of the TG Millner playing fields in Marsfield, and the vital importance of large open spaces for our local community.*
  - b) Oppose any plans that reduce or diminish the public's access to green space in Ryde.*
  - c) Instruct the Acting General Manager to take any and all steps necessary to help secure this iconic local landmark as green open space in perpetuity.*
- (b) That Council endorse the submission attached to this report.
- (c) That the submission be forwarded to the Department of Planning and Environment for consideration.

**ITEM 8 (continued)**

- (d) That Council undertake a community awareness campaign to advise our community of the need to retain the TG Millner fields as open space in perpetuity and the City of Ryde's desire to achieve this open space outcome.

**ATTACHMENTS**

- 1 146-150 Vimiera Road, Marsfield RR-2022-23 - Council Submission

Report Prepared By:

**Matthew Owens**  
**Senior Strategic Planner**

Report Approved By:

**Naomi L'Oste-Brown**  
**Senior Coordinator - Strategic Planning**

**Dyalan Govender**  
**Manager - Urban Strategy**

**Liz Coad**  
**Director - City Shaping**

## ITEM 8 (continued)

### Discussion

A pre-lodgement meeting between the applicant, their consultant, and Council staff was held on 22 March 2022. The advice provided by Council staff following that pre-lodgement meeting was extensive so that appropriate amendments to the overall master plan and lot boundary location could be made prior to the lodgement of the planning proposal. The advice also advised the inconsistency with Council's Open Space Future Provision Strategy (OSFPS), seeking for the proposed approach to provision of open space to be reconsidered with respect to the need for formal recreation facilities in the Local Government Area.

The planning proposal, prepared by Ethos Urban on behalf of North Ryde RSL, Eastwood Rugby Club, and Vimiera Recreation Grounds Limited, was submitted on 20 May 2022, and states that it seeks to:-

- *Rezone the site to part R2 Low Density Residential and part RE1 Public Recreation, and to permit semi-detached and attached dwellings on the part of the site proposed to be zoned R2 Low Density Residential via an additional permitted use clause.*
- *Apply a maximum building height of 9.5 metres to the portion of the site proposed to be zoned R2 Low Density Residential.*
- *Dedicate the proposed RE1 Public Recreation area to Council as passive open space.*

*In addition, a site-specific amendment to the Ryde Development Control Plan 2014 is being prepared separately in order to give effect to the Master Plan and provide more detailed planning controls in order to mitigate any future environmental impacts.*

The amendment to the Ryde Development Control Plan (DCP) is the subject of a separate statutory process. Should the result of the rezoning review process be that the proposal is to proceed to public exhibition, a Draft DCP will be reported to Council for consideration.

The planning proposal is also accompanied by an offer to enter into a Voluntary Planning Agreement which is also the subject of a separate statutory assessment process. Should the result of the rezoning review process be that the proposal proceeds to public exhibition, the Draft Voluntary Planning Agreement will be reported to Council for consideration.

## ITEM 8 (continued)

### Background

Council has made several resolutions in regard to the TG Millner playing fields. A brief summary of those resolutions is as follows:-

- On 24 April 2018, Council resolved the following:

*That the City of Ryde Council:*

- a. Recognise the value of the existing TG Millner site for recreational public use.*
  - b. Commence negotiations to purchase TG Millner to secure its use for public open space following a comprehensive investigation into its viability.*
  - c. Urgently review whether the TG Millner playing fields meet the criteria for heritage listing and if so seek an interim heritage order with a view to a permanent listing that protects these fields as open space in perpetuity.*
- On 22 October 2019, Council resolved:
    - a. That having regard to the need to protect existing green spaces in our City, the General Manager investigate the heritage listing of TG Millner Fields in Marsfield.*
    - b. That a report be presented to Council in February 2020 as part of the next stage in the LEP review.*
  - On 25 August 2020 Council received a report on the heritage listing of the TG Millner Fields. The report, by Kemp and Johnson, is titled *Heritage Assessment Report; T.G. Millner Field*, and dated March 2020. In relation to this item Council resolved:
    - a. That Council does not proceed with heritage listing T.G. Millner Field.*
    - b. That a further report be provided to Council as soon as is practicable, including consideration of the strategic land use planning actions required to ensure the ongoing provision of open space and recreation opportunities to the community, and the role of land currently zoned for private recreation.*



### ITEM 8 (continued)

- At the meeting of 25 August 2020 Council also considered a Notice of Motion in relation to 'Open Space Planning for the Future of Ryde', and resolved the following:

*That the City of Ryde Council re-affirm its commitment to:-*

- a. Recognise the iconic nature of the TG Millner Fields to the local community as a highly valued public, open green space that is fully utilised by the community.*
  - b. Request that Council staff commence work on drafting a report on "Open Space Planning for the Future of Ryde".*
  - c. Affirm the support of all political public representatives at the Federal, State and Local Government areas for the preservation of this important public open space.*
  - d. Write to the Prime Minister, Premier of NSW, the NSW Minister for Planning, the Member for Ryde, the Member for Epping, the Member for Lane Cove, and the Member for Bennelong advising of our position and seeking their commitment or re-affirmation of their support for the retention of this important public recreational open space.*
- On 28 June 2022, as a result of a Mayoral Minute, Council resolved the following:

*That Council:-*

- a. Recognise the rich history of the TG Millner playing fields in Marsfield, and the vital importance of large open spaces for our local community.*
- b. Oppose any plans that reduce or diminish the public's access to green space in Ryde.*
- c. Instruct the Acting General Manager to take any and all steps necessary to help secure this iconic local landmark as green open space in perpetuity.*

### Assessment

Following preliminary assessment of the application by staff from relevant sections of Council, an additional information letter was sent to the applicant on 2 August 2022. This letter advised the applicant of the uncertainties in the delivery of the submitted master plan and the strategic inconsistencies identified in the assessment, providing the applicant with the opportunity to respond and/or amend the proposal.

### ITEM 8 (continued)

The applicant's response to the additional information request (received on 25 August 2022) disagrees with Council's assessment with respect to Open Space impacts and advised that a contingency plan to develop Seniors Housing on the site will also be pursued if the planning proposal is not supported by Council. The applicant also provided further information on 14 September 2022 to address concerns relating to the delivery of design benefits such as tree canopy proposed; this further information suggested covenants be put in place over the proposed future properties to prevent certain complying development on the site that would compromise the proposed design outcomes.

On 14 September 2022 the applicant also lodged a rezoning review request with the Department of Planning and Environment. The effect of this request is that the Department is now the determining authority for the planning proposal to proceed to a Gateway Determination.

It is proposed that a submission, setting out Council's position on this proposal, be sent to the Department of Planning and Environment for consideration in the Department's assessment of the rezoning review. A copy of that submission is provided for in **ATTACHMENT 1**. A summary of the submission is as follows:

- There is partial consistency with existing strategies in relation to housing diversity only.
- The planning proposal is inconsistent with Council's Open Space Future Provision Strategy (OSFPS) in that it is not providing for playing fields, and strategic justification in other areas is weak.
- It is also considered to be inconsistent with the relevant open space objectives of the North District Plan.
- The reliance on the master plan to achieve strategic merits leaves significant uncertainty with respect to key outcomes.
- The site-specific merits also rely on uncertain provisions such as tree planting on private allotments ultimately beyond the control of the applicant and uncertain delivery of housing diversity given SEPP provisions.
- Ryde LGA does not require additional rezonings to achieve required dwelling targets; by comparison, formal playing fields are needed to meet the community's future recreation needs.
- The TG Millner Fields were donated by the Millner family in the 1960s for community use, specifically to the Eastwood Rugby Club. Whilst this is a private arrangement, the broader community benefits have not been appropriately considered in the planning proposal.

**ITEM 8 (continued)**

- The recreational and open space opportunities available at this current site cannot, and should not, be underestimated. Although the heritage assessment undertaken in 2020 did not recommend heritage listing of the land (due to the specific scope of that heritage listing investigation) the community's social and aesthetic connection to this current open space has not been appropriately considered. Such an existing open space opportunity cannot be readily relocated within the community.

**Financial Implications**

Adoption of the recommendation will have no financial impact.

**ITEM 8 (continued)**

**ATTACHMENT 1**



## City of Ryde Submission



146-150 Vimiera Road, Marsfield  
Rezoning Review (RR-2022-23)

## ITEM 8 (continued)

## ATTACHMENT 1

### Executive Summary

The 146-150 Vimiera Road, Marsfield Planning Proposal (the Proposal) seeks to amend the Ryde Local Environmental Plan 2014 (RLEP 2014) in relation to the subject site located at 146-150 Vimiera Road, Marsfield, by amending the land use zone from RE2 Private Recreation to part R2 Low Density Residential and part RE1 Public Recreation. In addition, the Proposal seeks to amend Schedule 1 of RLEP 2014 to include semi-detached and attached dwellings as additional uses. A height development standard of 9.5 metres is proposed to be applied for the portion of the site to be zoned R2.

In accordance with the Department of Planning and Environment's Planning Circular PS 18-012, if Council fails to indicate its support within 90 days after the proponent submits a request, the proponent will have the opportunity to request a Rezoning Review. A Rezoning Review request was subsequently submitted by the proponent on 14 September 2022.

The submitted planning proposal, prepared by Ethos Urban on behalf of North Ryde RSL, Eastwood Rugby Club, and Vimiera Recreation Grounds Limited, states that it seeks to:

- Rezone the site to part R2 Low Density Residential and part RE1 Public Recreation, and to permit semi-detached and attached dwellings on the part of the site proposed to be zoned R2 Low Density Residential via an additional permitted use clause.
- Apply a maximum building height of 9.5 metres to the portion of the site proposed to be zoned R2 Low Density Residential.
- Dedicate the proposed RE1 Public Recreation area to Council as passive open space.
- In addition, a site-specific amendment to the Ryde Development Control Plan 2014 is being prepared separately in order to give effect to the Master Plan and provide more detailed planning controls in order to mitigate any future environmental impacts.

The amendment to the Development Control Plan (DCP) is the subject of a separate statutory process. However, should the planning proposal receive a Gateway Determination, Council would endeavour to publicly exhibit the draft DCP amendment concurrently to the planning proposal.

The application states that the planning proposal and master plan include the following:

- Delivery of a new public park fronting Vimiera Road with an area of approximately 10,000m<sup>2</sup>, including full-sized basketball, multi-purpose sports court, an all-abilities play space, pedestrian paths, seating, and fitness equipment.
- Approximately 132 dwellings across lots ranging in size between 188-540m<sup>2</sup> with six key dwelling typologies comprising detached, semi-detached, and attached (terrace) dwellings.
- Stormwater management and water-sensitive urban design infrastructure, including infrastructure to manage overland flows from surrounding properties.
- Planting of 570 additional trees across the Site, to provide total site canopy cover of approximately 65%.
- New internal public roads with two vehicular connections to Vimiera Road.
- Pedestrian access to Thelma Street to provide walkable community access to the new park.

The Proposal is also accompanied by an offer to enter into a Planning Agreement which is the subject of a separate process. As the Planning Agreement has not been accepted by Council, it cannot be relied upon to address any strategic deficiencies in the current proposal.

The planning proposal, as part of its justification, has highlighted that the subject land is not suitable for heritage listing and that the site is currently underutilised. However, this argument is flawed in that the planning proposal has not appropriately considered the amenity and aesthetic value that the community has for the site. These values relate to the current open space use and the opportunity that the site has to fill the real gap in active open space in the Ryde LGA. Similarly, the flawed argument does not consider the use restrictions that private management of the site has on the current utilisation of the site. Public management

## ITEM 8 (continued)

## ATTACHMENT 1

of the site would significantly increase the community use of the overall site and open the use of the playing fields to a broader range of sporting activities.

Council staff found that the Proposal does not comply with relevant strategies or, there is uncertainty in the delivery of the parts of the proposal that are relied upon to provide strategic consistency. There are two main factors in this inconsistency. The first is that the proposal is inconsistent with council's Open Space Future Provision Strategy (OSFPS) and inconsistent with numerous elements of the North District Plan relating to provision of space including, Objective 6, 7 and 31, and Action 73. The second is the lack of certainty in the delivery of the submitted master plan under the current proposal, which creates significant uncertainty in the strategic merit and strategic consistency of the proposal. This submission outlines Council's assessment of the Proposal and identifies issues yet to be resolved by the proponent.

### Background

A pre-lodgement meeting between the applicant, their consultant, and Council was held on 22 March 2022. The advice provided by Council following that pre-lodgement meeting was extensive and included guidance on development application matters so that appropriate amendments to the overall master plan and lot boundary location could be made prior to the lodgement of the planning proposal. The advice also advised the inconsistency with Council's Open Space Future Provision Strategy (OSFPS).

The planning proposal was submitted to Council on 19 May 2022. Accompanying the planning proposal is a master plan design concept for the R2 and RE1 land development and embellishment. A draft amendment to the DCP was also submitted to Council by the applicant and is the subject of a separate assessment process. An additional information letter was sent to the applicant on 2 August 2022. This letter advised the applicant of the strategic inconsistencies found in the planning proposal assessment and provided the applicant with the opportunity to respond/amend the proposal. The applicant's response to the additional information request, received on 25 August 2022, disagrees with Council's assessment with respect to Open Space impacts and advised that a contingency plan to develop Seniors Housing on the site will also be pursued if the planning proposal is not supported by Council. The applicant also provided further information on 14 September 2022 to address concerns relating to the delivery of design benefits such as the proposed tree canopy; this further information suggested covenants be put in place over the proposed future properties to prevent certain types of Complying Development on the site that would compromise the proposed design outcomes. The use of covenants is not considered an efficient or appropriate mechanism to ensure the proposed benefits of the proposal are achieved.

A Rezoning Review request was submitted by the proponent on 14 September 2022, as Council fails to indicate its support within 90 days after the proponent submits a request. As a result, the related Planning Proposal (PP-2022-1822) has been put on hold until a decision on the Rezoning Review request has been made. The Proposal is currently with the Department of Planning and Environment for assessment.

### Site History

On 25 August 2020 Council considered a heritage report, prepared by Kemp and Johnson, titled *Heritage Assessment Report: T.G. Millner Field*, and dated March 2020. The purpose of that report was to investigate the TG Millner Fields site for possible heritage listing. Whilst this report did not recommend the heritage listing of the site, it did make several relevant statements as follows:

- Thomas George (TG) Millner (1887-1986) was a prominent local with links to rugby union and the Eastwood Rugby Club.
- During 1950 and 1951, TG Millner purchased the then owned FA Baylis site facing Vimiera Road (the subject site) from Elizabeth Baylis, FA Baylis' widow.
- Millner sold the Vimiera Road land (the subject land) to the Eastwood Club and loaned the money for the purchase, while a listed club, Vimiera Recreation Grounds Limited, was set up to manage the property.
- The Field has some historical association with TG Millner, who donated the land and is considered to be a figure of local historical significance, however the fabric of the Field does not demonstrate this historical association. The history of the site is capable of interpretation as part of any future redevelopment. The Field is likely to have some level of social significance to the various associated sports organisations and users of the Club and sports facilities, however this social significance is



## ITEM 8 (continued)

## ATTACHMENT 1

likely to relate more to the amenity of the site for the community (an exclusion criterion for heritage listing)...

- Any social significance of the TG Millner Field is likely to relate to the community amenity of the site (an exclusion criterion), and such amenities are capable of relocation.

As shown from the above heritage study statements, TG Millner purchased the land in 1950 and in the 1960s donated the land to the Eastwood Rugby Club via a sale funded by him lending the money to the club. The Vimiera Recreation Grounds Limited was set up, like a Trust, to manage the property.

It is noted that the above heritage report suggests that the community amenity link to the site has some social significance but “*such amenities are capable of relocation*”. However, this relocation suggestion is made in the context of the report assessing the site for heritage listing in isolation to the overall planning for the locality. The open space and amenity of the subject site (donated for such use) is significant and to relocate such amenity and facilities elsewhere in the Ryde LGA would be almost impossible. In this regard the open space significance of the site cannot, and should not, be underestimated.

Much of the planning proposal argument is that the land has no historical significance and hence, being privately owned, can be sold or developed. However, this argument is flawed in that it overlooks the abovementioned social and amenity value that this large parcel of land (originally donated to the community for recreational use) has to the wider community, and its ability to fill a real gap in the open space provision in the Ryde Local Government Area.

### The Site

The Planning Proposal site (Lot 6 in DP 1046532) is known as the TG Millner playing fields at 146 Vimiera Road, Marsfield. The site is surrounded by existing residential development as shown in figure 1.



Figure 1: Aerial Image of the site and immediate surrounds (Source: RydeMaps).

Marsfield is located between Macquarie University and Macquarie Park to the east and Epping to the west and is approximately 14km north-west of the Sydney CBD. Marsfield is characterised by predominately low-rise housing, with educational institutions and local retail. The Terrys Creek bushland is located to the west of the site.

**ITEM 8 (continued)**

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The land surrounding the site is generally zoned RE2 Low Density Residential and characterised by one and two storey residential dwellings. A land parcel to the northwest of the site is zoned as SP2 (Research Facility) currently occupied by the CSIRO.

The Site is located approximately 400m south of Epping Road and has an approximate area of 6.17 hectares. The site has road frontages to Vimiera Road (200m wide) and Thelma Street (55m wide), with vehicular access to both street frontages, and also a 4.5m-wide undeveloped access handle connecting through to Culloden Road.

The Site is currently occupied by Eastwood Rugby Club, the North Ryde RSL Sports Club and a 78-place childcare centre. Existing site comprises the TG Millner Field (see Figure 2 and Figure 3 for the existing playing field facilities at the subject site), a district-grade playing field with grandstand seating, and a range of associated structures used by Eastwood Rugby Club. A large informal rugby training area is located in the south-eastern portion of the Site. The NRRSL Sports Club, a registered club which includes bar, bistro and gaming facilities, is located in the centre of the Site adjacent to the TG Millner Field. The childcare centre is located on a portion of the site under lease adjacent to the northern boundary near Vimiera Road.



Figure 2: TG Millner layout and facilities



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**Figure 3: TG Millner Field Facilities (Source: Heritage Assessment Report TG Millner Field, Kemp & Johnson, March 2020)**

There is no heritage listed item adjoining or within the immediate vicinity of the site. The closest items are 400m to the east in Balaclava Road and 450m to the north on the north side of Epping Road.

## The Planning Proposal

The Proposal is summarised as follows:

**Table 1: Proposal summary**

<b>Site Area</b>	6.17 ha
<b>Proposed zones</b>	Part RE1 Public Recreation Part R2 Low Density Residential
<b>Intended future use</b> (Subject to Development Approval)	RE1 – Passive Recreation R2 – Approximately 132-136 dwellings across lots ranging in size between 188-537 m <sup>2</sup> with six key dwelling typologies comprising semi-detached and attached (terrace) dwellings.
<b>Proposed Areas</b>	RE1 Zone – 1.0 ha R2 Zone – 5.17 ha

The proposed amendments to the Ryde Local Environmental Plan 2014 (LEP2014) are:

- Change to the zoning map for the site from the current RE2 Private recreation to part R2 Low Density Residential and part RE1 Public Recreation,
- Change Building Height Map to introduce maximum building height of 9.5 metres (same as surrounding zone)
- Addition of Clause in Schedule 1 of the LEP to permit Semi-Detached and Attached Dwellings (Terraces) in the proposed R2 zoned portion of the site only,
- Addition of Local Provisions Clause to the LEP 2014 to set the minimum and maximum lot sizes permitted on the proposed R2 zoned portion of the site.

## ITEM 8 (continued)

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- Proposed amendment to the Ryde DCP to provide site specific planning controls for the site as proposed in the submitted master plan.

### Relevant Council Resolutions

Council has passed several resolutions relating to the TG Millner fields site. These resolutions clearly show Council's position on the site and its clear intention to retain the site for open space. A summary of these resolutions is as follows:

**Table 2: Relevant Council Resolution**

Meeting date	Item	Resolution
24 April 2018	NoM 8	That the City of Ryde Council: a) Recognise the value of the existing TG Millner site for recreational public use. b) Commence negotiations to purchase TG Millner to secure its use for public open space following a comprehensive investigation into its viability. c) Urgently review whether the TG Millner playing fields meet the criteria for heritage listing and if so seek an interim heritage order with a view to a permanent listing that protects these fields as open space in perpetuity.
22 October 2019	NoM 5	a) That having regard to the need to protect existing green spaces in our City, the General Manager investigate the heritage listing of TG Millner Fields in Marsfield. b) That a report be presented to Council in February 2020 as part of the next stage in the LEP review.
25 August 2020	Item 14	a) That Council does not proceed with heritage listing T.G. Millner Field. b) That a further report be provided to Council as soon as is practicable, including consideration of the strategic land use planning actions required to ensure the ongoing provision of open space and recreation opportunities to the community, and the role of land currently zoned for private recreation.
25 August 2020	NoM 14	That the City of Ryde Council re-affirm its commitment to:- a) Recognise the iconic nature of the TG Millner Fields to the local community as a highly valued public, open green space that is fully utilised by the community. b) Request that Council staff commence work on drafting a report on "Open Space Planning for the Future of Ryde". c) Affirm the support of all political public representatives at the Federal, State and Local Government areas for the preservation of this important public open space. d) Write to the Prime Minister, Premier of NSW, the NSW Minister for Planning, the Member for Ryde, the Member for Epping, the Member for Lane Cove, and the Member for Bennelong advising of our position and seeking their commitment or re-affirmation of their support for the retention of this important public recreational open space.
28 June 2022	Mayoral Minute	That Council:- a) Recognise the rich history of the TG Millner playing fields in Marsfield, and the vital importance of large open spaces for our local community. b) Oppose any plans that reduce or diminish the public's access to green space in Ryde. c) Instruct the Acting General Manager to take any and all steps necessary to help secure this iconic local landmark as green open space in perpetuity.

## ITEM 8 (continued)

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Council recognises the TG Millner playing field significance to the local community not only for its historical link to the Eastwood Rugby Club and to TG Millner. There is an unmet demand for full size outdoor playing fields in the locality and the community has a social and aesthetic link to the site as open space. The opportunity to provide additional open space of this size is limited, or almost impossible, and this opportunity should not be overlooked. The following sections will outline this issue in more detail.

### Strategic Merit of the Proposal

#### Part 1 Objectives or intended outcomes

From the assessment of the Proposal's listed objectives only three of the stated objectives can be reasonably certain if the Proposal is supported. The remaining four listed objectives are not considered to have been met by the proposal as there is too much uncertainty in the delivery of those objectives to consider them in support of the planning proposal, and in the case of the first objective, it is not considered a relevant planning consideration.

The objectives listed in the Proposal are noted and assessment comments are provided as follows:

**Table 3: Objectives and Council Comments**

Objectives	Council comments
1. Facilitate the rezoning, development and sale of the existing private landholding to allow for the investment in new facilities and sporting infrastructure by NRRSL and Eastwood Rugby.	Not supported. This objective is not a planning objective, rather an individual or company objective, it would not be certain should the proposal proceed, and it is not a relevant planning consideration.
2. Increase the diversity of low-rise housing stock within the Ryde LGA by permitting semi-detached and attached (terrace) housing to be delivered on the Site.	Not supported in this location. The proposal, if delivered, has the potential to contribute to the housing diversity within the Ryde LGA. However, the rezoning is not required to meet the current housing targets, and Council has other options for the delivery of terrace housing that are not inconsistent with relevant open space objectives.
3. Contribute to the amenity of the existing and future community by delivering a new high-quality public open space within the Vimiera Road frontage of the Site.	Not supported. The proposed passive recreation park may contribute to the amenity of the immediate development. However, Council, through the OSFPS has identified the need for active playing field on the site to maintain appropriate levels of access to recreation space. The proposal is considered inconsistent with the relevant Strategy for achieving this objective.
4. Apply a maximum building height limit that is that same as that which applies to adjoining residential areas	The inclusion of a maximum building height of 9.5 metres being the same as surrounding residentially zoned land is a suitable outcome. This objective is supported.
5. Provide for a significant net increase in urban tree canopy within the Site.	Not supported. The intent of the proponent to increase urban tree canopy is admirable and that intent of the applicant is not questioned. However, the intended tree canopy increase noted on the submitted master plan is uncertain under the proposed changes and may not necessarily be delivered. As such it should not be given weight in this assessment.

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	<p>There is no legal mechanism available for a planning proposal to require the works proposed in the master plan to be delivered as that is contrary to a Section 9.1 Ministerial Direction (1.5 Site-specific Provisions). It is acknowledged that a proposed DCP amendment will assist with this intent, but the DCP is not a statutory instrument that provides certainty for such an outcome, particularly when the SEPP provisions (Complying Development) can circumvent the application of DCP in this regard. The master plan uncertainty is increased when consideration is given to the fact that much of the tree canopy increase is based on future privately owned allotments. The enforcement and retention of tree canopy on private land is very uncertain when considering future development on those lots. It is suggested that the proposal be reconsidered to better guarantee the proposed outcome. Consideration could be given to reconfiguration of the proposed master plan to ensure there is capacity to provide tree canopy, including via street trees, in the proposed public domain.</p> <p>It is also noted that a rezoning is not required to achieve this objective.</p>
6. Facilitate the integration of 'smart cities' principles into the design and use of the future site.	<p>Not supported.</p> <p>The intent of integrating 'smart cities' principles in future development is uncertain and cannot be enforced by the current planning proposal. These principles are guidelines that lack statutory certainty and should not be considered as a matter supporting a planning proposal.</p>
7. Manage urban stormwater and improve water quality within and around the Site.	<p>No objection.</p> <p>The provision of open space along the frontage of Vimiera Road has the potential to positively contribute to the management of urban stormwater.</p> <p>However, it is noted that the rezoning of the land is not required to manage or improve water quality in and around the site, and this could be achieved under the current zoning.</p>

The intended outcomes of the Proposal as listed, and Council's comments are provided as follows:

**Table 4: Intended Outcomes and Council Comments**

Intended Outcomes	Council comments
1. Delivery of a new public park fronting Vimiera Road with an area of approximately 10,000 m <sup>2</sup> , including full-sized basketball/multi-purpose sports court, an all-abilities play space, pedestrian paths, seating and fitness equipment.	<p>Not supported.</p> <p>The open space proposed in the planning proposal is noted. The Open Space Future Provision Strategy (OSFPS) identifies a shortfall of 4 playing fields in the locality to 2036. There would be an even greater shortage beyond 2036. The OSFPS suggests options for addressing this shortfall, including 2 fields at the TG Millner site (the site). It is also not consistent with Council's Local Strategic Planning Statement (LSPS) which requires the provision of open space to service population needs or the open space objectives and actions of the North District Plan. Under its current zoning, the Site includes 3 full-size fields, regardless of whether</p>



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	it is privately owned, they make significant contributions to the well-being of the community and contribute to the capacity for sport and recreation within the Local Government Area.
<b>2. Approximately 132 dwellings across lots ranging in size between 188-537 m<sup>2</sup> with six key dwelling typologies comprising semi-detached and attached (terrace) dwellings.</b>	Not supported. The intended outcome of approximately 132-136 low density dwellings across a range of lot sizes is generally supported. However, the uncertainty of this outcome is increased due to the lack of statutory mechanisms in the planning proposal to deliver the development and design intent outlined in the master plan. Further, there is sufficient capacity for housing in the current planning controls and a rezoning is not required to deliver the required dwellings to meet current housing targets.
<b>3. Stormwater management and water-sensitive urban design infrastructure, including infrastructure to manage overland flows from surrounding properties.</b>	No objection. Stormwater management is a development application matter but is an acceptable outcome from the planning proposal. However, it is noted that a rezoning is not required to achieve this outcome.
<b>4. Planting of 570 additional trees across the Site, to provide total site canopy cover of approximately 65%.</b>	Not supported. The planting and retention of 570 additional trees is the applicant's intent (not questioned in this assessment) of the planning proposal. However, there is significant uncertainty in the ongoing retention of this increased canopy when much of the planting proposed by the master plan will be within privately owned allotments. The applicant will not have any power over the retention of these plantings after sale of the properties and Council will have limited power, considering SEPP provisions, that these planting will remain on privately owned land in the longer term. It is also noted that a rezoning is not required to achieve this outcome.
<b>5. New internal public roads with two vehicular connections to Vimiera Road.</b>	Not supported. The provision of internal roads will benefit the development of the site only and has no wider local network function.
<b>6. Pedestrian access to Thelma Street to provide walkable community access to the new park.</b>	Not supported. Pedestrian access through the site is generally supported but is an uncertain outcome for a planning proposal. A rezoning is not required for this outcome to be delivered.

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### The Proponent's Response

The proponent was advised of staff concerns relating to the proposal on 2 August 2022 and their response to this advice was received on 25 August 2022, with further information also provided on 14 September 2022. The proponent's response is discussed as follows.

#### *Active Open Space Provision*

The proponent has argued that the OSFPS "is not a land use planning policy that should be used to assess this Planning Proposal. It does not rezone or acquire land or require the dedication of land by private landowners."

The OSFPS is a Council adopted Strategy and is a relevant consideration for the assessment of a planning proposal, as are the provisions of the Planning Ryde Local Strategic Planning Statement (LSPS) and the North District Plan.

The proponent has stated that the proposed development does not generate the need for a full-sized playing field and the provision of same by this development is not appropriate. The response suggests that Council should pursue other options rather than the subject site as this site would not represent "value for money" if the site was purchased.

It is agreed that this development alone does not generate the need for a full-sized playing field. However, as an application for a rezoning, the additional unplanned need must be considered in light of existing capacity and anticipated future capacity. As discussed in the OSFPS, the identified logical available options for consideration are sites that are not burdened by existing development, and they represent opportunities for open space development due to their limited existing development.

Further, the proposed loss of private recreation land to residential uses and the retention of a portion of this site for informal recreation is not, on balance, considered to be consistent with Council's strategic open space provision responsibilities and would result in a worsening of potential local access to formal active recreation spaces. In general, it was found that people are willing to travel a maximum of 1.5 km to access outdoor field and ovals. Figure 2 below illustrates that there is poor access to full size outdoor field and ovals south of the subject site. The site provides crucial access to field and ovals for its surrounding residents. The gap becomes larger in winter as there is more demand for outdoor ovals in winter.

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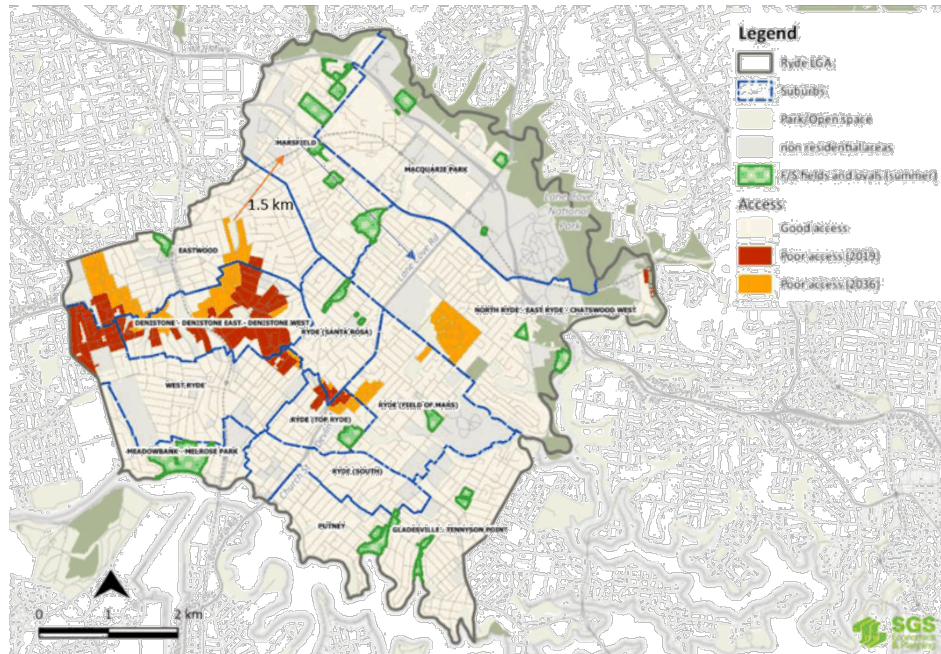


Figure 4: Full size outdoor field and oval: access gaps in 2019 showing in orange, gaps in 2036 showing in red.

The proponent has argued that the provision of a full-sized playing field on the land would make the proposed development unviable. As an alternative, the proponent's response is to propose a Seniors Living development, under the provisions of the SEPP (Housing) as a contingency. The proponent also stated that the Seniors Living proposal would not be accompanied by a VPA or include any open space provision. This is an option to be explored by the proponent and the comparative merit of this scheme to a potential Seniors Housing development on the site is not a relevant planning consideration for this current proposal, which is assessed on its merits and consistency with the strategic framework as per the planning proposal process.

Whilst Council's letter of 2 August suggested alternative options for the proponent, including "Review location of zone boundary between the R2 and RE1 zone to provide for full size playing field and surrounding passive open space. This will require a review of the density provisions in relation to lot size map changes.". However, the proponent has not discussed this option with Council in sufficient detail for Council to provide an assessment and their response to Council's letter indicates that they are not seeking to revise their proposal to address the issues raised by Council with respect to open space provision.

#### Recreational Needs Assessment

The planning proposal has included a Recreational Needs Assessment that suggests that the locality is already well serviced with active playing fields and that there is a need for smaller, passive recreational areas. The proposal cites the current underutilisation of the TG Millner playing fields in support of this argument.

However, the submitted needs assessment is not consistent with, nor supported by, Council's Open Space Future Provision Strategy (OSFPS) that identifies the current shortfall and future need for additional playing fields in the locality.

The proposal's argument that the current playing fields are underutilised does not take into account the difference between the current private management of the site when compared to a potential public (Council)

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management of the site. The current private management of the site is heavily restricted to the use for specific sports and users, e.g., club members or affiliates. If the site was publicly managed, the site utilisation could be significantly increased through utilising the main playing field for more sports and the other secondary fields for training and playing of a larger range of sporting activities and users. The public management of the site would open the land to both structured and unstructured community use that is not currently permitted by the private management of the land.

### *Strategic Consistency*

The applicant's response of 25 August considers that the proposed amendments to the DCP and VPA offer provides sufficient certainty, for future development, to enable the planning proposal to be supported. In addition to this the applicant has also proposed that any proposed addition of a Clause in Schedule 1 of the Ryde LEP 2014 to refer to the DCP requirements. This is possible but it does not address the significant uncertainty that Council has in relation to the provisions of the *Low Rise Housing Diversity Code* (the Code) under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

To address this concern, the applicant has proposed:

*"we believe that the imposition of a covenant which prevents application of the Codes SEPP (whether through the requirement in the Draft DCP or by the current landowner required through the final Planning Agreement) would address Council's concerns and is a robust and readily enforceable approach. The Proponents will provide separate legal advice to Council shortly which confirms that this approach can be readily implemented to address Council's concerns."*

Further advice in this regard was provided on 14 September 2022.

The use of covenants (such as under the *Conveyancing Act 1919*) is not considered an efficient or effective means to deliver appropriate housing and design outcomes. The potential regulatory implication of administering such a mechanism is not considered an acceptable mechanism to manage the future uses of the land. Should any rezoning of the land to provide housing proceed, consideration should be given to a revised masterplan that better ensures the outcomes proposed. This could, for example, include reconfiguration of lots and streets to deliver greater tree canopy in the public domain.

From the above assessment of the planning proposal's listed outcomes the stated outcomes are not considered to provide sufficient justification to warrant rezoning.

Consistency with adopted strategic objectives is continued in Part 3 below – see "Relationship to Strategic Planning Framework – The Strategic Merit Test".

## Part 3 Justification

### **Need for the Planning Proposal**

*Is the planning proposal a result of an endorsed LSPS, strategic study or report?*

Council response:

The planning proposal is not the result of an endorsed LSPS, strategic study or report. The potential provision of low density housing diversity is generally consistent with the Ryde LSPS and will contribute, in a minor way, to dwelling targets in the North District Plan. However, as found in the Ryde Local Housing Strategy the Ryde LGA will achieve the dwelling targets with or without additional rezoning of land.

The impact on open space provision is considered to be inconsistent with Ryde LSPS. In particular, the proposal would result in the loss of private recreation space with the potential to provide formal active recreation, with residential uses and some informal recreation space. The proposal is accompanied by a Voluntary Planning Agreement; however, this would not facilitate additional capacity through acquisition of land and would simply bring forward works already planned works that would be required should the land remain private open space.



## ITEM 8 (continued)

## ATTACHMENT 1

In particular, the proposal is considered inconsistent with Action OS1.1 of the Ryde LSPS - *"Identify opportunities for collaborating with non-Council open space land owners and private recreation providers in the LGA to increase the range and amount of, and access to, recreation opportunities."* The subsequent Open Space Future Provision Strategy (OSFPS) identifies the site as such an opportunity.

The planning proposal is inconsistent with the OSFPS, which identifies the subject site for the provision of formal active playing fields. The planning proposal has submitted an open space needs assessment report that concluded that a playing field is not required in the vicinity and that the proposed passive open space is more appropriate. Council's Parks section does not agree with the assessment of open space needs and recommends that the existing, Council adopted, strategy be enforced; the OSFPS indicates that ongoing provision of formal active recreation will be needed on the site in order to keep pace with projected growth and demand in the Ryde LGA.

*Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

Council response:

Given the Ryde LSPS and OSFPS's objectives for the site, particularly with respect to open space, the planning proposal is not considered the best means of achieving the relevant objectives for the site. The objectives with respect to the provision of housing can be achieved in other locations that would not result in inconsistencies with relevant open space objectives.

### Relationship to Strategic Planning Framework – The Strategic Merit Test

The 'Local Environmental Plan Making Guideline' poses a series of questions to consider for this part of the planning proposal. A strategic merit test is provided in the following table.

Strategic Merit Issue	Comment
State Environmental Planning Policies and Local Directions	The planning proposal is not inconsistent with any SEPP or s9.1 Ministerial Direction.  However, Direction 1.5 <i>Site Specific Provisions</i> specifically prohibits the inclusion of site specific plans and development controls, such as a master plan. As such there is significant uncertainty in the delivery of the master plan intent and hence the justification for the planning proposal is weak.
Greater Sydney Region Plan - A Metropolis of Three Cities	The planning proposal is generally consistent with the Greater Sydney Region Plan - A Metropolis of Three Cities.
North District Plan	The planning proposal is not required to meet the housing targets contained in the Plan, and the uncertainty in the delivery of the intended outcomes of the proposal are such that in its current form there is a risk that it will result in outcomes that are not consistent with this Plan. Further, the proposal is considered inconsistent with numerous elements of the North District Plan relating to provision of space including, Objective 6, 7 and 31, and Action 73.
Planning Ryde: Local Strategic Planning Statement	The open space proposed in the planning proposal is not consistent with the LSPS which requires the provision of open space to service population needs (Planning Priority OS1 and Action OS1.4).

## ITEM 8 (continued)

## ATTACHMENT 1

### Site-specific Merit

An assessment of the key issues relevant to the planning proposal is provided in the following table.

Site Specific Issues	Assessment
Traffic	Should the proposal be supported, a range of traffic measures, including site access, restricted egress to left turn only and vehicle turning paths may be suitably addressed at the development application stage. Cycleways in Vimiera Road must be retained and enhanced.
Parking	Parking is limited in Vimiera Road and must be provided on site. All parking for the open space area must be provided on site.  The OSFPS requires provision of playing field space on site. For such space to be functional sufficient parking must also be on-site. The provision of playing field space and parking for same would require an amendment to the overall design and changes to the proposed zone boundary between the RE1 and R2 zones. As such the current proposal cannot be supported until such amendments have been investigated and fully assessed.
Transport	It is likely that the majority of visits to the site will be via private vehicle (see parking comments above). However, public transport is currently available in Epping Road approximately 400m to the north of the site.
Social impact	The site is currently occupied by private playing fields that, being privately operated, have reduced public use despite significant local and regional demand.  The current proposal is inconsistent with the OSFPS and is likely to have a detrimental social impact on the surrounding community.
Heritage	The subject site is not encumbered by any heritage listed items and there are no items adjacent to or in the immediate vicinity of the site. The closed items are in Balaclava Road and Epping Road, 400m and 450m respectively, from the site.  The planning proposal is not anticipated to have any impact on these items.
Public Infrastructure	The land is able to be serviced with necessary infrastructure, such as water, sewer, electrical and communications subject to minor upgrades to cater for any future development.
Flooding	The site is flood affected in the 100 year flood event in the Terry's Creek catchment. The land impacted by flood is in the western portion fronting Vimiera Road and would impact the intended open space area shown in the submitted master plan. Overland flow from Yangalla Street in a westerly direction to Vimiera Road contributes to this flood affectation. The flood and overland flow impacts can be managed in any future development application process.

### Conclusion

The planning proposal to rezone the subject site from RE2 Private Recreation to part R2 Low Density Residential and part RE1 Public Recreation has been assessed with particular attention being given to strategic consistency and site-specific merit.

**ITEM 8 (continued)**

**ATTACHMENT 1**

The assessment of the planning proposal has found that there is partial consistency with existing strategies in relation to housing diversity only. The planning proposal is inconsistent with Council's Open Space Future Provision Strategy (OSFPS) in that it is not providing for playing fields, and strategic justification in other areas is weak. It is also considered to be inconsistent with the relevant open space objectives of the North District Plan.

The planning proposal's intent to achieve strategic consistency and site-specific merit relies heavily on the master plan submitted with the application. Whilst this intent is noted, and the applicant's intent is not specifically questioned, the reliance on the master plan for this strategic merit leaves significant uncertainty with respect to key outcomes. While this can partially be addressed by the proposed DCP amendment, this also lacks certainty given that State Environmental Planning Policies (specifically Exempt and Complying development Housing Code) can override these provisions. As such, the proposal has been assessed noting the range of possible outcomes not limited to those envisaged in the masterplan. Furthermore, Council currently has sufficient capacity to meet its housing needs without rezoning this land, whereas it will likely be unable to meet future recreation needs should the rezoning occur as proposed.

The site-specific merits also rely on uncertain provisions such as tree planting on private allotments ultimately beyond the control of the applicant and uncertain delivery of housing diversity given SEPP provisions.

Given this uncertainty and the fact that the Ryde LGA does not require additional rezonings to achieve required dwelling targets, it is recommended that the planning proposal for 146 Vimiera Road, Marsfield not proceed to a Gateway determination.

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## **9 UPCYCLING, REUSE AND REPAIR CENTRE FOR CITY OF RYDE**

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**Report prepared by:** Team Leader - Waste Contracts & Projects  
**File No.:** BIS/20/191/4 - BP22/720

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### **REPORT SUMMARY**

On the 26 October 2021, Council resolved for City of Ryde staff to provide a report to Council on the feasibility of establishing a Council-facilitated Upcycle, Re-Purpose and Repair Centre (URRC) in the City of Ryde.

A comprehensive review has determined that the cost of a facility to provide the services stipulated in the Council resolution are estimated to be \$512,500 annually. Evidence based projections are that uptake by residents for a URRC will to be limited, and resultant diversion from landfill of waste is assessed to be low.

Alternative options are available that are likely to provide similar or better recycling and rehoming services at significantly lower cost to ratepayers.

### **RECOMMENDATION:**

- (a) That Council acknowledges interest in providing resource recovery solutions to the community.
- (b) That Council discontinue investigation of establishing an Upcycling, Reuse and Repair centre.
- (c) That Council continues to optimise the opportunities available to the community to rehome or repair items as prescribed in the four options in this report.

### **ATTACHMENTS**

There are no attachments for this report.

Report Prepared By:

**Elsbeth Pike**  
**Team Leader - Waste Contracts & Projects**

Report Approved By:

**Denise Torres**  
**Senior Coordinator - Resource Recovery**

**Ian Garland**  
**Manager - Business Infrastructure**

**Mark Eady**  
**General Manager - Business and Operations**

## **ITEM 9 (continued)**

### **Discussion**

On the 26 October 2021 Council resolved that City of Ryde staff provide a report to Council to evaluate the feasibility of establishing a Council-facilitated Upcycle, Re-Purpose and Repair Centre (URRC) in the City of Ryde.

Over the last few years, the amount of waste from household bins and clean-up collections has increased by almost 20,000 tonnes (2019-2020 to 2020-2021). 5300 tonnes of this is bulky waste from the Household Clean-up collection service. Approximately 30% of bulky waste is recovered, being predominantly green waste and metal/electronics. This increase in waste generation is a consequence of several different factors including an increase in high density living and a greater proportion of professionals working from home.

In 2021, Ryde conducted an audit of household waste bins and household clean-up material. The data generated from these audits identified that 2.8% of clean up material was electrical and 3.4% were white goods. Furniture made up 14.8% of clean-up material however the quality of furniture being presented varies greatly. While it is considered that some of the furniture, electrical and white goods presented for Clean-up could potentially be reusable, much of the material was not in salvageable condition.

In recent years the Ryde community have expressed increasing interest in finding new ways to recycle or rehome unwanted items and divert as much waste as possible from landfill. To promote reuse and waste reduction of household materials, the City of Ryde offers several services, some of which are listed below:-

- Free TV and computer collection service
- Free repair workshops for clothing and electricals (facilitated by the Bower)
- Free Bower collection service for furniture in good condition
- Free Furniture repair and restoration workshops
- Free Tools Workshops for women
- Residents are encouraged to recycle or rehome unwanted goods through free Council and community services

Residents also have access to the Sydney North Repair Café in Lane Cove, which offers free repairs two Sundays a month for clothing and accessories, ceramics, small electrical items, and blade sharpening.

To date, reuse workshops have been well received by residents however the workshops are never fully booked or operating at full capacity. Workshops are often held on the weekend, but many residents are time-poor and find it difficult to attend, as indicated in the summary table below.

**ITEM 9 (continued)**

<b>Reuse/Repair Workshop</b>	<b>Host</b>	<b>Date</b>	<b>Location</b>	<b>Attendance</b>
Furniture Repair Café	The Bower	Saturday 17 April 2021	Online via Zoom	20/50
Furniture Repair Café	The Bower	Saturday 14 August 2021	Online via Zoom	11/50

In 2022 Council surveyed residents on whether they would be interested in attending future waste workshops. The results indicated that 47% of respondents would not attend further workshops, and only 16% of respondents were interested in participating in a furniture repair workshop.

The Resolution passed on the 26 October 2021 stipulates that the URRC would be required to provide repair services, maintenance services and facilitate the exchange of household goods. It would be open to residents and volunteers, and would be staffed by people with reuse and repair expertise to facilitate workshops and assist visitors with their enquiries.

The resolution further indicated that a URRC would need sufficient floor space to house at least 5 workstations and have a designated area to store and exchange household items. It would also require publicly accessible toilets, a kitchen area/break room and sufficient parking. A comparable site within Northern Sydney is the Artarmon Community Recycling Centre. Consequently, the Community recycling Centre has been referenced when developing cost projections for the URRC.

If the shed includes a second-hand purchasing service, the site would need to be considerably larger to house items until they are rehomed. Time and condition limitations would need to be placed on stock to ensure that items are of sufficient quality to attract a new owner and are safe to continue to use. It is also likely large items would be brought to the centre that would then be required to be removed / disposed either by the resident or Council.

To repair or sell electrical items, Council will require the services of a licensed electrician to comply with NSW consumer safety laws, which require that all electrical work be conducted by a licensed electrician, and any electrical items sold must also be tagged and tested by a licensed electrician.

The Projected annual spend to provide URRC services (itemised below) is based on the operational expenses of the Artarmon Community Recycling Centre (2021-2022).

## ITEM 9 (continued)

OPERATING EXPENSE	COST PER ANNUM
Rent	200,000
Internal Plant Hire	4000
Training Expenses	3000
Telephones (mobile and landline)	2000
Sundries (Site improvement materials i.e., signage, mirrors & doorbells)	2000
Security Monitoring	1500
Printing & Stationery	500
Stationary	1000
Maintenance	3000
Insurance	5500
Electricity	6000
Cleaning	5000
Advertising	5000
Salaries & Wages 1 X Full Time Position and 2 X Part Time Positions	274,000
<i>Total cost</i>	<b>\$512,500</b>

Within Sydney Metro there are five other Reuse Sheds: The Bower Marrickville; The Bower Parramatta; 107 Redfern; Banga Community Shed; and Kimbriki Resource Recovery Centre. Council has an ongoing membership with The Bower and regularly offers workshop opportunities to residents.

The establishment of a URRC has the potential to contribute to the minimisation of waste generation in Ryde. However, the costs are considerable, the logistics are likely to be challenging, and it is difficult to forecast participation levels, community interest, or waste diversion. After analysing the data and projected costs, Council recommends reviewing alternative options which will still assist in achieving waste minimisation.

### Options

Beyond the introduction of an upcycling and repair centre, there are several other options available for further investigation to allow residents to access repair or rehome services.

#### 1. Additional workshops and partnerships

To increase the opportunities for residents to repair their own items, the Waste team could investigate diversifying workshops available to the community. Further partnership opportunities could be investigated, including local Women's and Men's sheds (including locations in Parramatta), and the Sydney North Repair Café. These groups typically focus on upskilling residents and providing access to basic tools to facilitate self-repair opportunities and report strong community interest.

## ITEM 9 (continued)

### 2. Digital sharing spaces

In recent years, the digital resale and sharing economy has experienced significant growth. Many people use sites like eBay, DePop, Gumtree and Facebook marketplace to sell, swap or give away unwanted items. Community-focused giveaway sites have gained significant traction within Sydney, particularly on Facebook through Buy/Swap/Sell and Paying It Forward (PIF) themed community groups.

To date there are at least two significant community groups already on Facebook within the LGA:-

- Ryde & Epping Pay It Forward/FREE STUFF with approximately 8,500 members and 1,900 posts per month
- Epping, Ryde, Eastwood, Macquarie – Buy, Sell, Swap, Trade with approximately 12,000 members and 8900 posts per month

These groups have several logistical and social benefits that make them desirable to the community. They are moderated by community members with clearly defined expectations on behaviour. Additionally, the level of effort required to dispose of items is extremely low. All the owner need do is take some photos, provide measurements and details, and post. The onus of logistics of removal is placed on the receiver of the item, who is incentivised by obtained a desired item for low cost or free.

Given that these are already thriving communities, there are significant opportunities to encourage diversion from landfill to rehome items in good working condition, or repairable non-working condition to others within the community. These could include advertising Council re-use opportunities or promoting these services to the community on Council platforms. Supporting the rehoming of items within the local area reduces carbon impacts of the transaction and requires no investment by Council in physical infrastructure. It also allows Council to encourage re-homing of items without having to add charges for use of the program.

### 3. Promoting local businesses

For items that the owner would like repaired but don't have the skills to do themselves, there are several local small businesses that can provide repair services at reasonable prices. These include cobblers, tailors and seamstresses, electricians, and carpenters. Many of these industries have seen a downturn in work due to the rise of fast fashion and decreased interest in paid repair services.

Residents may not be aware of these businesses in their community or may perceive the cost of repair as being prohibitive. The Waste team could investigate opportunities to build further links with these community members and promote these as valuable services.



## ITEM 9 (continued)

### 4. Additional drop off days

Waste staff are currently investigating options to provide residents with additional drop off days to donate or recycle unwanted goods, including clothes and household items. A trial clothing donation event was held with the Red Cross in February 2022, which saw 1737kg donated by 135 residents. Future events will likely include expanded collection capacity for a broader range of household items.

### Financial Implications

Should Council resolve to undertake this project it will result in an estimated financial impact of \$512,500 per annum and is not included in the current budget.

The findings from the IPART review indicate that the shed would not meet the requirements to be funded via the Domestic Waste charge. There are currently no grants open or opening soon from the NSW Government which would assist with the establishment of the URRC.

	Current approved budget	Estimated annual cost	Surplus/(Deficit)
Upcycling, Reuse and Repair Centre	\$0	\$512,500	(\$512,500)

## **10 ROCKEND COTTAGE - CLASSIFICATION OF LAND TO FACILITATE LEASING**

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**Report prepared by:** Manager - Strategic Property  
**File No.:** GRP/22/48 - BP22/791

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### **REPORT SUMMARY**

At the Council meeting on 25 May 2021, Council was advised that the Office of Strategic Lands (OSL) of the Department of Planning and Environment was proposing the transfer to Council of 51 parcels of land totaling some 9.5 hectares, largely for the purposes of regional open space land and environmental conservation land. The transfers were to take place in two Tranches. Included in the first Tranche was Lot 1 DP746316, known as 40 Punt Road Gladesville.

40 Punt Road is a small lot encompassing a heritage listed building and restaurant, known as Rockend Cottage (or formerly known as Banjo Paterson Cottage Restaurant).

All lands transferred in that Tranche were to be classified as Community Land. The mechanism for the transfer of these lands was to be an agreed Land Transfer Agreement, which would set out the obligations and responsibilities of both parties. The Land Transfer Agreement was then negotiated and agreed with OSL.

In mid-2022, Council officers were informed that the occupying tenant at Banjo Paterson Cottage Restaurant wished to cease trading and did not want to remain in occupation beyond the lease expiry of 30 June 2022.

After subsequent meetings, the OSL agreed to the issue of an amended Land Transfer Agreement solely in respect of Lot 1 DP746316 which will allow Ryde City Council to classify the land as Operational on an interim basis to enable the continued leasing of the land for commercial purposes (i.e. continuation of a restaurant). As the land was not owned by Council prior to this time, it was not required to be classified. OSL did not have to satisfy the requirements of land classification under the *Local Government Act 1993*, and as a result had more flexibility in sourcing and managing tenants under lease.

The OSL have agreed to this classification on the condition that Council consents to a caveat being placed on title. The Land Transfer Agreement provides that when the heritage building on the site is no longer required for commercial purposes (to be leased as a restaurant by Council), then it is intended that Council will reclassify the land as Community Land. Reclassification of the land as Community Land would be consistent with the public recreation zoning of the land.

### **RECOMMENDATION:**

That Council resolves to classify Lot 1 DP 746316 as Operational Land under the *Local Government Act 1993* in accordance with this report.

**ITEM 10 (continued)**

**ATTACHMENTS**

There are no attachments for this report.

Report Prepared By:

**Glenn Davis**  
**Manager - Strategic Property**

Report Approved By:

**Mark Eady**  
**General Manager - Business and Operations**

## **ITEM 10 (continued)**

### **Discussion**

Council's Strategic Property Team has been negotiating with the Office of Strategic Lands (OSL) of the Department of Planning and Environment (DPE) for the transfer of 51 parcels of land totaling some 9.5 hectares, largely for the purposes of regional open space land and environmental conservation land.

At the Council meeting held on 25 May 2021, Council endorsed the transfer of these lots under Tranche 1 from OSL to Ryde Council, with the recommendations to classify those lands when transferred to Council for Open Space and Environmental Conservation purposes as Community Land under the Local Government Act.

Included in those transfers was the transfer Lot 1 DP746316, known as 40 Punt Road Gladesville, the site of a heritage listed building and restaurant, known as Rockend Cottage (or formerly known as Banjo Paterson Cottage Restaurant).

As the land was not owned by Council at that time, it was not required to be classified.

Banjo Paterson Cottage Restaurant had been trading at this location for over 30 years. At the time the meetings with OSL were held Council envisaged and were hopeful that the existing tenant a Banjo Paterson Cottage would remain. This was based on the operator seeking an extension of the lease arrangements to enable continuing operations under the same arrangements. The current lease to the tenant at Banjo Paterson Restaurant was due to expire 30 June 2022.

However, at a meeting held mid-2022, the two directors of Banjo Paterson Restaurant informed Council officers of their intent to cease trading and operating Banjo Paterson Restaurant, ending a 30 year + relationship between Council and the tenant.

As one of the directors wished to retire and the other did not wish to continue in the restaurant/hospitality business, they had no desire to continue operating Banjo Paterson Cottage Restaurant.

At subsequent meetings held with OSL, OSL agreed to the issue of an amended Land Transfer Agreement for Lot 1 DP746316 which will allow Ryde City Council to classify the land as Operational on an interim basis, instead of Community Land as originally proposed, to enable the continued leasing of the land for commercial purposes.

OSL did not have to satisfy the requirements of land classification under the Local Government Act and had more flexibility in sourcing and managing tenants under lease. The classification to Operational Land would better enable and provide Council with greater flexibility to procure, negotiate and secure a commercial business and return for Council over Banjo Paterson Cottage.

### **ITEM 10 (continued)**

OSL supports Council classifying the land as Operational Land on an interim basis subject to the transfer of land being subject to the following caveat:

*The Land may be classified as operational land under section 31 of the Local Government Act 1993. When the heritage building on the Land is leased... by Council it is intended that Council will reclassify the Land as community land.*

Such a re-classification can be simply done by way of a Council resolution once a new lease has been put in place with a new operator.

Adoption of the recommendation will have no financial impact.

### **Section 31 Classification of Land**

Lot 1 DP 746316, known as Rockend Cottage (and previously operating as Banjo Paterson Cottage Restaurant) was transferred to Council on the 26 August 2022.

Under section 31 of the *Local Government Act 1993*, Council must give notification of its proposal to classify land as Operational Land before Council acquires the land, or within 3 months after it acquires the land. Failing this, the land automatically defaults to Community Land.

As this need to classify the land only arose just prior to its transfer to Council ownership, then public notification of its proposed classification was required in accordance with section 31.

The public notification period to classify Lot 1 DP746316 known as Rockend Cottage as Operational Land, commenced on 22 August 2022 and concluded on 18 September 2022. A period of 28 days.

No public submissions were received in response to the notification.

**ITEM 10 (continued)**



## **ITEM 10 (continued)**

### **Financial Implications**

Adoption of the recommendation will have no financial impact. It will facilitate the ongoing leasing of the premises consistent with its previous long-term usage as a destination restaurant and produce ongoing income to Council. Accordingly, Council's income will remain the same.

### **Consultation with relevant external bodies**

The NSW Department of Planning and Environment has recently transferred this piece of land to Council. The Department is fully supportive of the position put forward to be adopted by Council.

## **11 TRAFFIC AND PARKING MATTERS APPROVED BY THE RYDE TRAFFIC COMMITTEE MEETING - SEPTEMBER 2022**

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**Report prepared by:** Traffic Engineer  
**File No.:** GRP/09/3 - BP22/733

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### **REPORT SUMMARY**

This report provides recommendations on each traffic/ parking matter separately and details on how Council may proceed with the proposed measures. The September 2022 Traffic Committee was held electronically. Members of the committee are listed below:

City of Ryde (Chair) ..... Senior Coordinator Transport Services (for Mgr. Transport)  
Transport for New South Wales.....Network & Safety Officer, Central River City  
NSW Police Force .....Ryde Local Area Command  
Member for Ryde (7 items) ..... The Hon. V Dominello MP  
Member for Lane Cove (1 item) ..... The Hon. A Roberts MP

The September 2022 Traffic Committee agenda consisted of Seven (7) traffic and parking proposals. No objections were received from the voting members regarding all items A to G. No pecuniary or non-pecuniary interests were declared.

The proposed traffic and parking matters now require the approval of Council. For ease of review, details of the proposals identified in the recommendations below are provided as **ATTACHMENT 1**.

### **RECOMMENDATION:**

That Council endorses the following Ryde Traffic Committee recommendations from the meeting held in September 2022:-

#### **(A) PEARSON STREET, GLADESVILLE - NO PARKING ZONES**

Due to the lack of community support, the Ryde Traffic Committee recommends that:

- a) No changes be made to on-street parking on Pearson Street between Victoria Road and Ashburn Place, Gladesville.

#### **(B) ST. ANNES STREET, RYDE - CHANGE TO PARKING RESTRICTIONS**

The following changes be made on St. Annes Street, Ryde:

- a) A 6-metre-long unrestricted parking space be converted to a 15-minute restricted parking at the property frontage of 5 St Annes Street, Ryde.



**ITEM 11 (continued)**

- b) The existing “No Stopping” zone across the driveway servicing no. 5 St Annes Street be replaced with “No Parking” signage.

**(C) COBHAM LANE, MELROSE PARK - NO PARKING RESTRICTIONS**

The following changes be made on Cobham Lane, Melrose Park:

- a) A 72m long section of “No Parking” restrictions be installed on the southern side of Cobham Lane between the existing No Stopping zones at Cobham Avenue and Wharf Road.

**(D) SOBRAON ROAD, MARSFIELD - NO STOPPING RESTRICTIONS**

The following changes be made on Sobraon Road, Marsfield:

- a) The existing “No Stopping” zone on the western side of Sobraon Road to the immediate south of its intersection with Zanco Road be extended by 10 metres,
- b) A Giveway hold line be installed on Zanco Road at its intersection with Sobraon Road, Marsfield,
- c) The “No Stopping” zones on Sobraon Road to the immediate north and south of Zanco Road be supplemented with dividing barrier (BB) centrelines to reinforce the “No Stopping” restrictions.

**(E) RYEDALE ROAD, WEST RYDE - EXISTING BUS ZONE LENGTH**

The following changes be made on Ryedale Road, West Ryde:

- a) The “1P 8am-6pm Mon-Sun and Public Holidays’ on the western side of Ryedale Road, West Ryde be extended by 10 metres to replace the existing bus zone.

**(F) MATTERS APPROVED UNDER DELEGATION**

The parking control measures outlined in *Table 1* of **ATTACHMENT 1** be installed to reinforce existing controls under the [NSW] *Road Rules 2014*.

**(G) ROAD SAFETY UPDATE - ROAD SAFETY PROGRAMS**

- a) The Road Safety report be received and noted.

**ATTACHMENTS**

- 1 Ryde Traffic Committee Agenda - September 2022

**ITEM 11 (continued)**

Report Prepared By:

**Muddasir Ilyas**  
**Senior Coordinator - Transport Services**

Report Approved By:

**Yafeng Zhu**  
**Acting Manager - Transport**

**Mark Eady**  
**General Manager - Business and Operations**

**ITEM 11 (continued)**

**ATTACHMENT 1**



Ryde Traffic Committee

**ITEM (A) PEARSON STREET, GLADESVILLE**

**SUBJECT: NO PARKING ZONES**

ELECTORATE: RYDE  
WARD: EAST  
ROAD CLASS: NON-CLASSIFIED

Traffic Committee Members are required to advise whether they have any pecuniary or non-pecuniary interest with regards to the item discussed below.

**PROPOSAL**

Council received requests from residents of Pearson Street, Gladesville regarding improvement of two-way traffic flow in their street. In response, Council proposed to install four (4) 'No Parking' zones on Pearson Street between Victoria Road and Ashburn Place, Gladesville. Following the community consultation, residents of Pearson Street did not support the removal of on-street parking.

Therefore, Council proposes no changes be made to parking restrictions on Pearson Street between Victoria Road and Ashburn Place, Gladesville.



**Figure 1: Proposed Location**

Agenda of the Ryde Traffic Committee, dated 08 September 2022

**ITEM 11 (continued)**

**ATTACHMENT 1**



Ryde Traffic Committee

**DISCUSSION**

The majority of Pearson Street provides access to high rise residential development. Pearson Street between Ashburn Place and Victoria Road has a constrained road carriageway width of 6m with indented 90-degree parking on the western side of the road and parallel parking on the eastern side.

There is good visibility along the roadway and the road carriageway parking spaces generally create a tight, alternating weaving pattern. This encourages oncoming vehicles approaching each other to slow down and give way to each other to continue their travel path.

Parking surveys confirm that the street's parking utilisation is in the order of 95 percent and there has been an additional demand for parking as a result of recent development activity. As there is a marginal amount of spare capacity the road carriageway parking spaces are being occupied more frequently or for longer periods.

Due to the high demand for parking drivers park inappropriately on the constrained road carriageway, either by parking directly opposite the 90-degree indented parking bays and/or adjacent to the parallel parking bays. This obstructs vehicular access to the indented parking bay spaces on both sides of the street, vehicular access to private driveways and the two-way traffic flow along Pearson Street.

The installation of the four (4) proposed 'No Parking' zones on Pearson Street will improve traffic flow and driveway access for residents.

The proposed 'No Parking' zone locations are:

- Kerbside between indented parking between 15 and 19 Pearson Street.
- Kerbside between 126 and 128-130 Victoria Road.
- Kerbside between 126 driveway and parallel parking at 120 Pearson Street.
- Kerbside between 6 and 10 Pearson Street.

In 2019, a similar proposal for a series of 'No Parking' zones was presented to residents which, did not go ahead due to the lack of community support. Since then, there has been changes to the area and continuing requests from the community to improve traffic flow and driveway access.

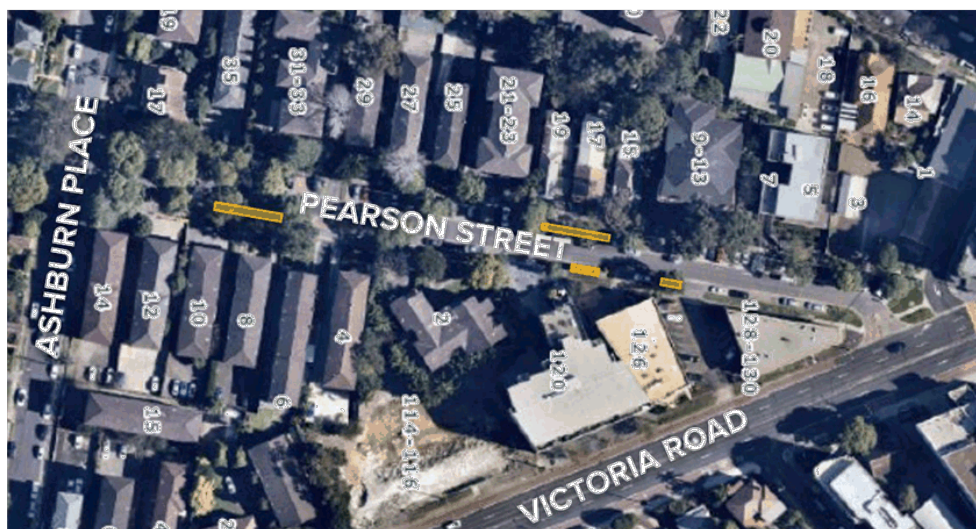
Due to the lack of community support, no parking changes are proposed on Pearson Street between Victoria Road and Ashburn Place, Gladesville.

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Agenda of the Ryde Traffic Committee, dated 08 September 2022

**ITEM 11 (continued)**

**ATTACHMENT 1**



**Figure 3: Proposal to install 4 x "No Parking" zones**

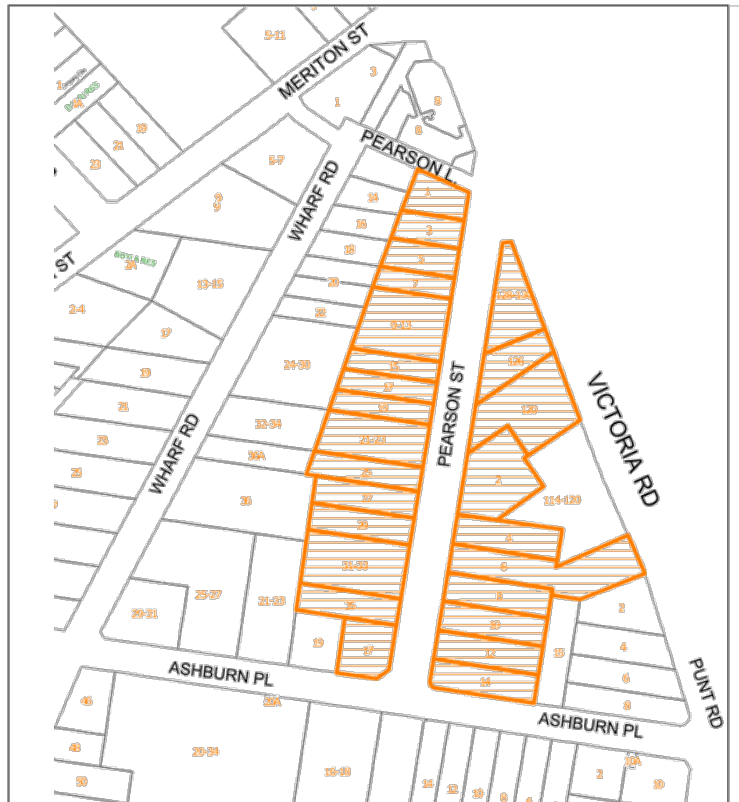


**ITEM 11 (continued)**

**ATTACHMENT 1**

**CONSULTATION**

Three hundred (300) surveys were distributed to residents (owners & tenants) as shown in Figure 2 to determine the level of support for the proposal.



**Figure 2: Distribution Map for consultation.**

Thirty-one (31) responses were received. A summary of result is provided in Table 1, with more details as follows:

Survey Results - Pearson Street between Victoria Road and Ashburn Place	
Surveys distributed	300
Responses received	31
Support	14
DO NOT support	17

**Table 1: Summary of survey results**

**ITEM 11 (continued)**

**ATTACHMENT 1**



Ryde Traffic Committee

Of the thirty-one (31) comments received, fourteen (14) supported the proposal, and seventeen (17) did not support the proposal.

The residents who supported the proposal commented that:

- Their driveways are obstructed by parked vehicles,
- The road is not wide enough to turn in and out of their driveways,
- The parked vehicles next to their driveways restrict visibility to oncoming traffic while existing their driveways; and
- The road is too narrow for passing vehicles.

The residents who were not in favour of the proposal commented that:

- There is a high demand of on-street parking on Pearson Street. Removal of on-street parking will alleviate the shortage of parking on their Street.

**RECOMMENDATION**

Given the majority of the residents (55%) are against the proposal, Ryde Traffic Committee recommends that:

- a) No changes be made to on-street parking on Pearson Street between Victoria Road and Ashburn Place, Gladesville.

**ITEM 11 (continued)**

**ATTACHMENT 1**



Ryde Traffic Committee

**ITEM (B): ST. ANNES STREET, RYDE**  
**SUBJECT: CHANGE TO PARKING RESTRICTIONS**

ELECTORATE: RYDE  
WARD: CENTRAL  
ROAD CLASS: NON-CLASSIFIED

Traffic Committee Members are required to advise whether they have any pecuniary or non-pecuniary interest with regards to the item discussed below.

**PROPOSAL**

Council proposes to make the following on-street parking changes along the southern side of St Annes Street, adjacent to no. 5 St. Annes Street, Ryde:

- a) Convert a 6-metre-long unrestricted parking space to a 15-minute parking zone,
- b) Replace the existing "No Stopping" signs on either side of the driveway servicing no. 5 St Annes Street with "No Parking" signs.



**Figure 1: Location Plan**

**DISCUSSION**

Council received a request from the building manager of Sky Garden Apartments at 5 St. Annes Street to provide an on-street disabled parking space adjacent to the building entrance to facilitate access for disabled residents. There are 10 apartments in the building

Agenda of the Ryde Traffic Committee, dated 08 September 2022



**ITEM 11 (continued)**

**ATTACHMENT 1**



Ryde Traffic Committee

accommodating tenants that are National Disability Insurance Scheme (NDIS) participants with a high level of physical disability in wheelchairs.

A formal submission was also made and tabled at the Council Meeting in March 2022, by Stryder, a community transport organisation specialising in assisting frail elderly people and people with disabilities with accessible transport. Stryder requested a dedicated disabled parking area to allow wheelchair-accessible vehicles and minibuses to pick-up and drop-off in front of the property. Due to the high parking occupancy rate on St. Annes Street, people with disabilities cannot find parking for pick-up and drop-off near the main pedestrian entrance of 5 St. Annes Street.

At the Council Meeting in March 2022, it was resolved to investigate appropriate measures to be implemented in the public domain outside the Sky Gardens Apartments at 5 St Annes Street to improve disabled access to the building.

Subsequently, an engineering consultant was engaged to undertake an independent investigation into the traffic and safety implications of providing an on-street disabled parking space at 5 St Annes Street.

St Annes Street is 7-metres-wide with parking on both sides of the street. The provision of a 3.2 metre wide disabled parking space in accordance with Australian Standards means that the street would be narrowed to 1.8 metres wide (7 metres minus 3.2 metres and minus another 2.0 metres for parallel parking on the northern side of the street). A width of 1.8 metres is insufficient width for a vehicle to fit within the street. Due to high demand for parking spaces, removal of parking on the northern side is not favoured by the nearby residents and visitors and is not recommended as a viable option.

In order to provide an indented disabled parking bay whilst allowing for the same road carriageway width for passing motorists, the footpath would need to be reduced in width from 2.4 metres to 1.1 metres which is too narrow for wheelchair users.

Due to the constrained road width and footpath, it is not viable to provide disabled parking spaces along St Anne Street.

The report recommended the following options be considered to allow for pick-up and drop-off to occur on the southern side of St Annes Street, which may be suitable for some of the disabled residents as well as able-bodied residents of the Sky Apartments. It would also provide additional short-term parking for visitors to the area:

Option 1 - Install 2-hour parking along the southern side of St. Annes Street (10 parking spaces) in front of the property.

Option 2 - Install a 6-metres-long, 15-minute restricted parking space.

In addition to the above, the report also recommended replacing the existing "No Stopping" zone across the driveway access of 5 St. Annes Street with "No Parking" to allow pick-up and drop-off.

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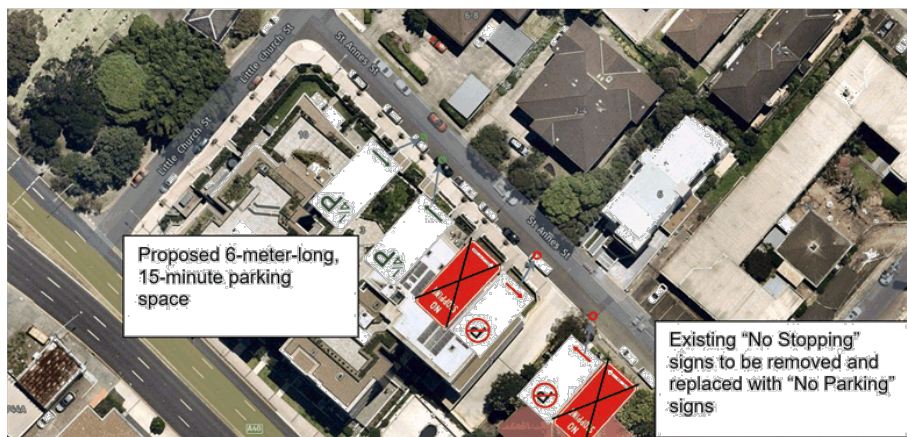
Agenda of the Ryde Traffic Committee, dated 08 September 2022

ITEM 11 (continued)

ATTACHMENT 1



**Figure 2: 2P restrictions not supported by residents**



**Figure 3: Proposed Changes (Supported by residents)**

**CONSULTATION**

As indicated in Figure 4, Council consulted with the surrounding properties seeking their support on options 1 or 2, allowing two weeks for feedback and enquiries.

Fourteen (14) responses were received in support of option 2 for the installation of a 6-metres-long, 15-minute parking space. Majority of the responses in support of option 2 indicated the proposal will improve disability access whilst having the least impact on the unrestricted on-street parking along the street. The two (2) responses from residents favoured option 1, in which they shared their view that more short-term parking along the street be provided for more turnover as the parking occupancy rate is high in the area. No

Agenda of the Ryde Traffic Committee, dated 08 September 2022

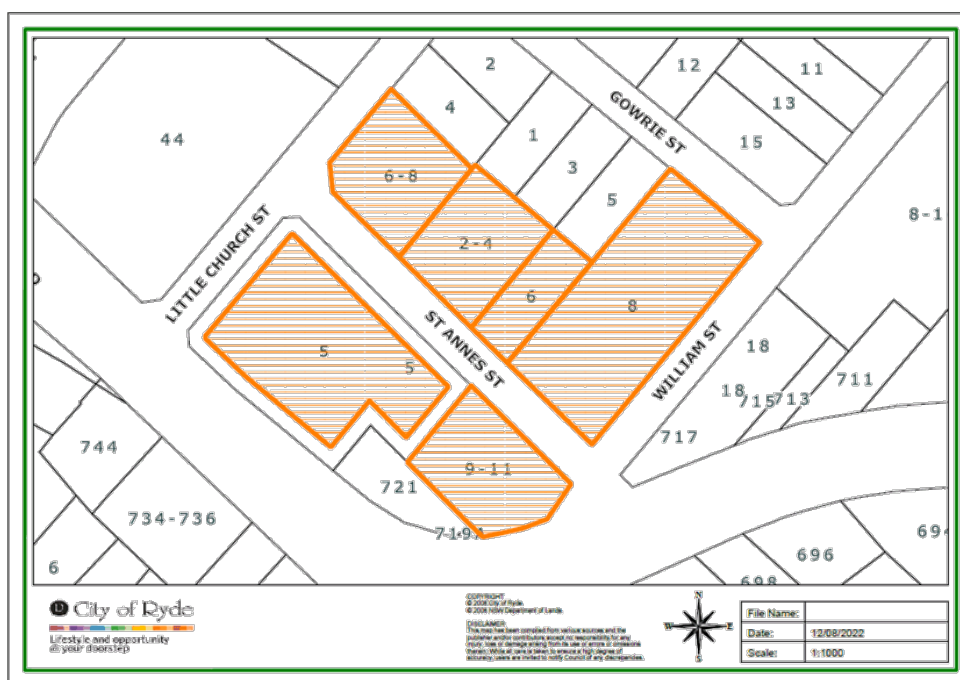
**ITEM 11 (continued)**

**ATTACHMENT 1**



Ryde Traffic Committee

objections were received from rest of the residents of St Annes Street regarding both options 1 and 2.



**Figure 4: Consultation area**

**RECOMMENDATION**

The Ryde Traffic Committee recommends that:

- a- A 6-metre-long unrestricted parking space be converted to a 15-minute restricted parking at the property frontage of 5 St Annes Street, Ryde.
- b- The existing "No Stopping" zone across the driveway servicing no. 5 St Annes Street be replaced with "No Parking" signage.



**ITEM 11 (continued)**

**ATTACHMENT 1**



Ryde Traffic Committee

**ITEM (C):** COBHAM LANE, MELROSE PARK  
**SUBJECT:** NO PARKING RESTRICTIONS

**ELECTORATE:** RYDE  
**WARD:** WEST  
**ROAD CLASS:** NON-CLASSIFIED

Traffic Committee Members are required to advise whether they have any pecuniary or non-pecuniary interest with regards to the item discussed below.

**PROPOSAL**

Council is proposing to install "No Parking" on the southern side of Cobham Lane, West Ryde.



*Figure 1 – Location Plan*

**DISCUSSION**

Council has received numerous requests to regulate the parking on Cobham Lane, Melrose Park. There is currently No Parking installed on the northern side of the lane. This proposal will remove all the parking on the lane.

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Agenda of the Ryde Traffic Committee, dated 08 September 2022

**ITEM 11 (continued)**

**ATTACHMENT 1**



Ryde Traffic Committee

Cobham Lane is 4.3m wide causing parked vehicles to encroach on the minimum access for emergency vehicles, which require a 3m wide travel lane. Vehicles parking at this location are technically committing an offence under the Australian Road Rules by parking within 3m of an obstruction.

As this is a No Parking zone, it will still be able to be utilised as a pick-up and drop-off area, and for deliveries to the residential properties.



*Figure 2 – Proposed parking restrictions on Southern side of Cobham Lane.*

**CONSULTATION**

Notification letters were distributed to the surrounding properties and allowed two weeks for feedback and enquiries. Council has received two submissions supporting the proposal and three objections.

The nature of the objections identified the loss of parking and access adjacent to residential properties with requests to make this resident parking only.

Each of the objections raised the issue of the parking generated by the Melrose Park development on Wharf Road in Parramatta LGA as a particular problem in the area.

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Agenda of the Ryde Traffic Committee, dated 08 September 2022

**ITEM 11 (continued)**

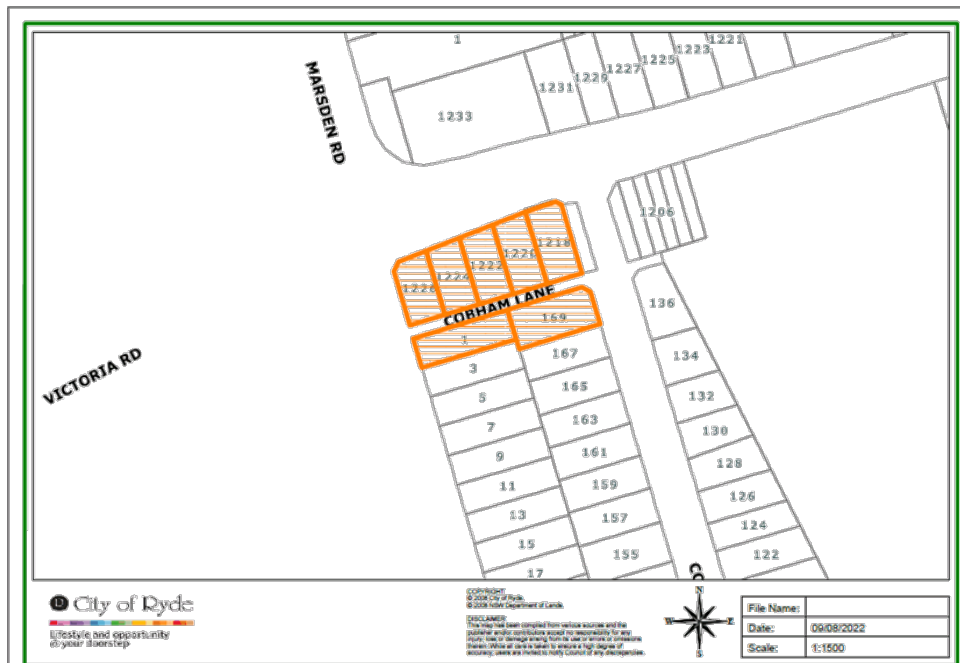
**ATTACHMENT 1**



Ryde Traffic Committee

Given the constrained nature of the laneway and the legal requirement for access, it is recommended that the installation proceed, and residents be advised of the capacity for No Parking areas to be used as a pick-up and drop-off area.

Council proposes to proceed with the installation because it is illegal to park within 3 metres of an obstruction.



**Figure 3 – Distribution Map**

**RECOMMENDATION**

The Ryde Traffic Committee recommends that:

- a) A 72m long section of “No Parking” restrictions be installed on the southern side of Cobham Lane between the existing No Stopping zones at Cobham Avenue and Wharf Road.



**ITEM 11 (continued)**

**ATTACHMENT 1**



Ryde Traffic Committee

**ITEM (D):** SOBRAON ROAD, MARSFIELD  
**SUBJECT:** NO STOPPING RESTRICTIONS

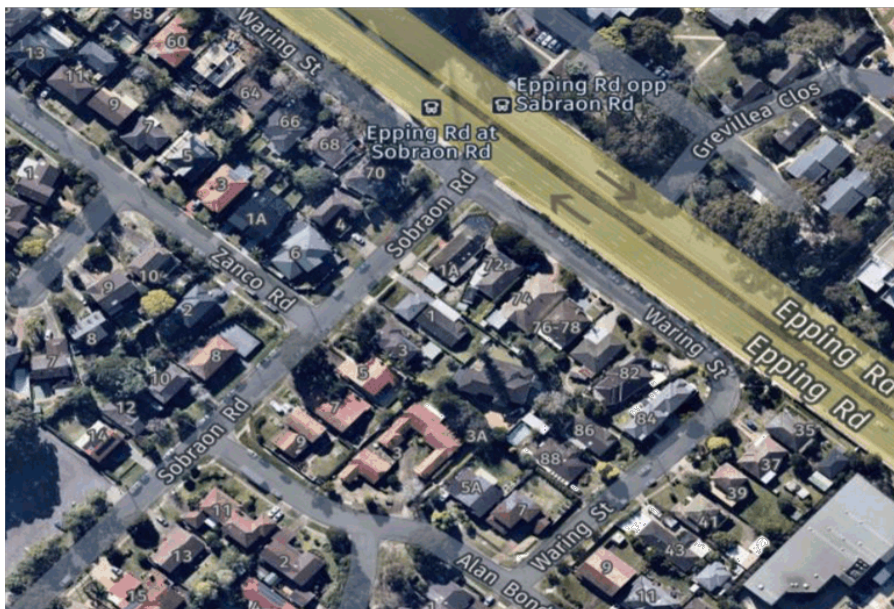
**ELECTORATE:** RYDE  
**WARD:** WEST  
**ROAD CLASS:** NON-CLASSIFIED

Traffic Committee Members are required to advise whether they have any pecuniary or non-pecuniary interest with regards to the item discussed below.

**PROPOSAL**

Council is proposing to implement the following traffic management measures at the intersection of Sobraon Road and Zanco Road, Marsfield to improve traffic safety at this location:

- a) The existing "No Stopping" zone on the western side of Sobraon Road to the immediate south of its intersection with Zanco Road be extended by 10 metres. A Giveway hold line be installed on Zanco Road at its intersection with Sobraon Road, Marsfield,
- b) The "No Stopping" zones on Sobraon Road to the immediate north and south of Zanco Road be supplemented with dividing barrier (BB) centrelines to reinforce the "No Stopping" restrictions.



**Figure 1 – Location Plan**

Agenda of the Ryde Traffic Committee, dated 08 September 2022

## ITEM 11 (continued)

## ATTACHMENT 1



Ryde Traffic Committee

### DISCUSSION

Council has received numerous requests to improve the operation of the intersection of Sobraon Road and Zanco Road, Marsfield. The nature of the concern in this area is the sight distance between vehicles travelling north towards Epping Road and those on Zanco Road.

Observations of the site indicate that the main utilisation of parking on this section of Sobraon Road and the unrestricted sections of Zanco Road are by trades vehicles. Drivers have been observed occupying these spaces early in the morning and walking to/across Epping Road to access areas in Macquarie Park and nearby construction sites.

Parking in this location has been an ongoing concern with Council previously marking driveway delineation lines at all properties to deter encroachment onto residential driveways.

In addition to the proposed restrictions Council proposes to highlight the intersection by marking intersection hold line (TB lines) and a short section of BB line on Sobraon Road, within the existing No Stopping area at the intersection. This will not change the existing priority or control of the intersection



*Figure 2 – Proposed parking restrictions on western side of Sobraon Road.*

### CONSULTATION

Notification letters were distributed to the surrounding properties and allowed two weeks for feedback and enquiries. Council has received one objection to the proposal. No other objections were received.

Agenda of the Ryde Traffic Committee, dated 08 September 2022



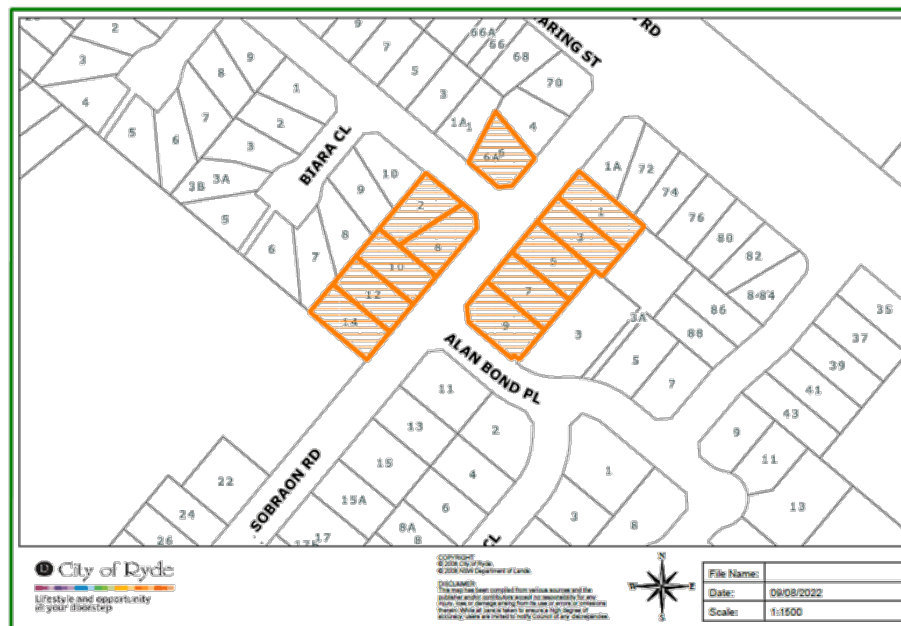
**ITEM 11 (continued)**

**ATTACHMENT 1**



Ryde Traffic Committee

The objection is related to the loss of parking. The comment received identified that the area was frequently parked out by non-resident vehicles and that the loss of any spaces in the area would exacerbate this issue. This was received from a resident on the opposite side of Sobraon Road, in closer proximity to Epping Road, which does experience the highest demand for parking.



**Figure 3 – Distribution Map**

**RECOMMENDATION:**

The Ryde Traffic Committee recommends that:

- a) The existing “No Stopping” zone on the western side of Sobraon Road to the immediate south of its intersection with Zanco Road be extended by 10 metres,
- b) A Giveaway hold line be installed on Zanco Road at its intersection with Sobraon Road, Marsfield,
- c) The “No Stopping” zones on Sobraon Road to the immediate north and south of Zanco Road be supplemented with dividing barrier (BB) centrelines to reinforce the “No Stopping” restrictions.

**ITEM 11 (continued)**

**ATTACHMENT 1**

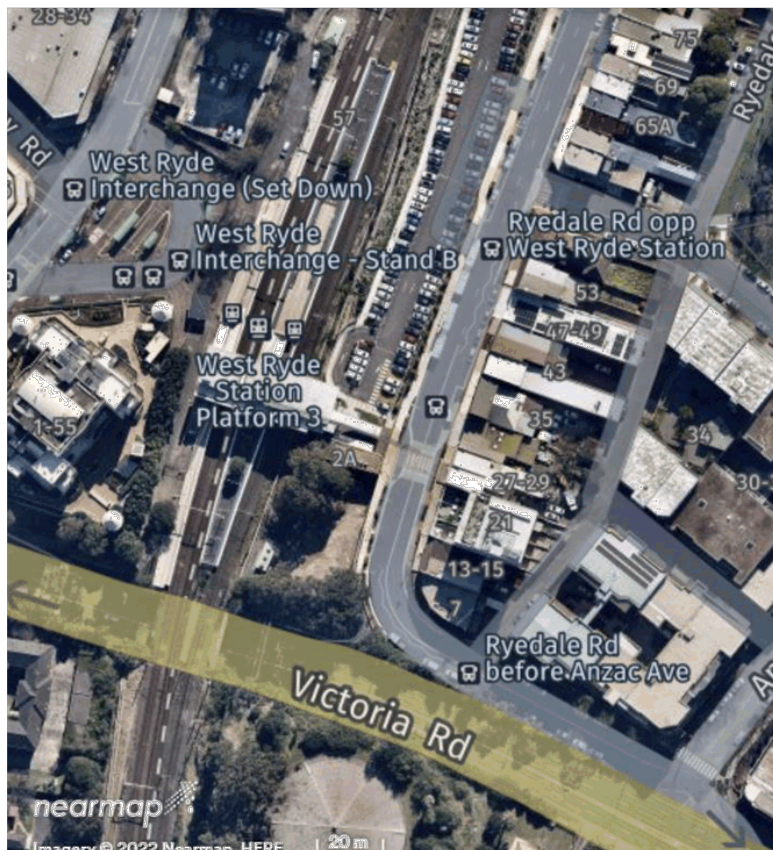
**ITEM (E): RYEDALE ROAD, WEST RYDE**  
**SUBJECT: EXISTING BUS ZONE LENGTH**

ELECTORATE: RYDE  
WARD: SOUTH  
ROAD CLASS: NON-CLASSIFIED

Traffic Committee Members are required to advise whether they have any pecuniary or non-pecuniary interest with regards to the item discussed below.

**PROPOSAL**

Council is proposing to replace the 10 metres of existing Bus Zone with 1 hour parking on the western side of Ryedale Road, West Ryde, opposite the commercial area.



**Figure 1 – Location Plan**

Agenda of the Ryde Traffic Committee, dated 08 September 2022

**ITEM 11 (continued)**

**ATTACHMENT 1**

**DISCUSSION**

Council has negotiated with Busways in an effort to maximise the parking availability on Ryedale Road in the vicinity of the commercial area and West Ryde station.

The existing bus zone on the western side of Ryedale Road is 60 metres long which can be reduced by 10m without compromising the efficiency and safety of bus service operations at this location.



*Figure 2 – Proposed parking restrictions on Ryedale Road*

**CONSULTATION**

This proposal originates from requests for additional parking in the vicinity of the commercial area on Ryedale Road. There was no community consultation undertaken because no properties were affected directly.

**RECOMMENDATION:**

The Ryde Traffic Committee recommends that:

- a) The "1P 8am-6pm Mon-Sun and Public Holidays" on the western side of Ryedale Road, West Ryde be extended by 10 metres to replace the existing bus zone.

**ITEM 11 (continued)**

**ATTACHMENT 1**



Ryde Traffic Committee

**ITEM (F) MATTERS APPROVED UNDER DELEGATION**

The parking control measures outlined in *Table L1* will be installed to reinforce existing controls under the [NSW] *Road Rules 2014*.

Location	Parking Control Measure	Existing <i>Road Rules 2014</i> Control	Installation Date
Intersection of Boulton Street and Morrison Road, Putney	1. 10m of "NO STOPPING" on both sides of Boulton Street	Rule 170 Stopping at or near an intersection	Oct 2022
Intersection of Myra Avenue and Adams Street, Ryde	2. 15m of No Stopping on the inside curve on Myra Avenue opposite intersection of Adams Street	Rule 170 Stopping at or near an intersection	Oct 2022
Intersection of Parklands Road and Whiteside Street, North Ryde	3. 10m of No Stopping on Parklands Road at intersection of Whiteside Street (*may require adjustment to suit driveway at No.63 Parklands)	Rule 170 Stopping at or near an intersection	Oct 2022

*Table L1 - Parking control measures installed to reinforce existing controls under Road Rules 2014.*



**ITEM 11 (continued)**

**ATTACHMENT 1**



Ryde Traffic Committee

**ITEM (G): ROAD SAFETY UPDATE**  
**SUBJECT: ROAD SAFETY PROGRAMS**  
**ELECTORATE: RYDE / LANE COVE**  
**WARD: ALL**

Traffic Committee Members are required to advise whether they have any pecuniary or non-pecuniary interest with regards to the items discussed below.

**TRANSPORT FOR NEW SOUTH WALES (TfNSW) FUNDED PROGRAMS**

Councils are still waiting on confirmation of funding for nominated 2022-2023 projects under the Local Government Road Safety Program.

**COUNCIL FUNDED PROGRAMS**

**School Zone Safety Program**

Council is working with Ryde Public School to prepare parents and students for changes to their Kiss & Ride area and to improve safety at pick-up time around the school. The Road Safety Education Officer from the Department of Education will be working with teachers to provide additional support and learning for students while Council provides information and resources for parents. The new arrangements are expected to begin in Term 4.

**Go Active 2 School**

Council is partnering with the Department of Education to relaunch Go Active 2 School, an active travel program aimed at encouraging more children and parents to walk to and from school. The program initially rolled out to most primary schools in the Ryde Local Government Area between 2010 and 2016. Over the past few years Council has focused on improving pedestrian and cycling infrastructure around schools before preparing to roll out the program again. Two schools have been nominated to take part in the initial program which will begin rollout in Term 4.

**2023 Road Safety Calendar**

The annual road safety calendar is a collaboration between City of Ryde, Hornsby, Lane Cove, North Sydney and Northern Beaches Councils. Next year's calendar is currently being finalised to go to print in early September for distribution in October.

**RECOMMENDATION**

The Ryde Traffic Committee recommends that:

- a) The Road Safety report be received and noted.

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Agenda of the Ryde Traffic Committee, dated 08 September 2022

## **INFORMATION REPORT**

### **12 REPORT FOR THE INFORMATION OF COUNCIL - INVESTMENT REPORT AS AT 30 SEPTEMBER 2022**

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**Report prepared by:** Chief Financial Officer  
**File No.:** GRP/21/8 - BP22/786

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#### **REPORT SUMMARY**

This report details Council's performance of its investment portfolio as at 30 September 2022, and compares it against key benchmarks. The report includes Council's loan liabilities.

Council's rate of return on investments for the reporting period is 2.66%, which is 0.87% above the benchmark figure of 1.79%.

Income from interest on investments is budgeted at \$2,312K and as at 30 September 2022, funds of \$1,332K have been earned.

#### **ATTACHMENTS**

There are no attachments for this report.

Report Prepared By:

**Aneesh Zahra**  
**Chief Financial Officer**

Report Approved By:

**Mark Eady**  
**General Manager - Business and Operations**

## ITEM 12 (continued)

### Discussion

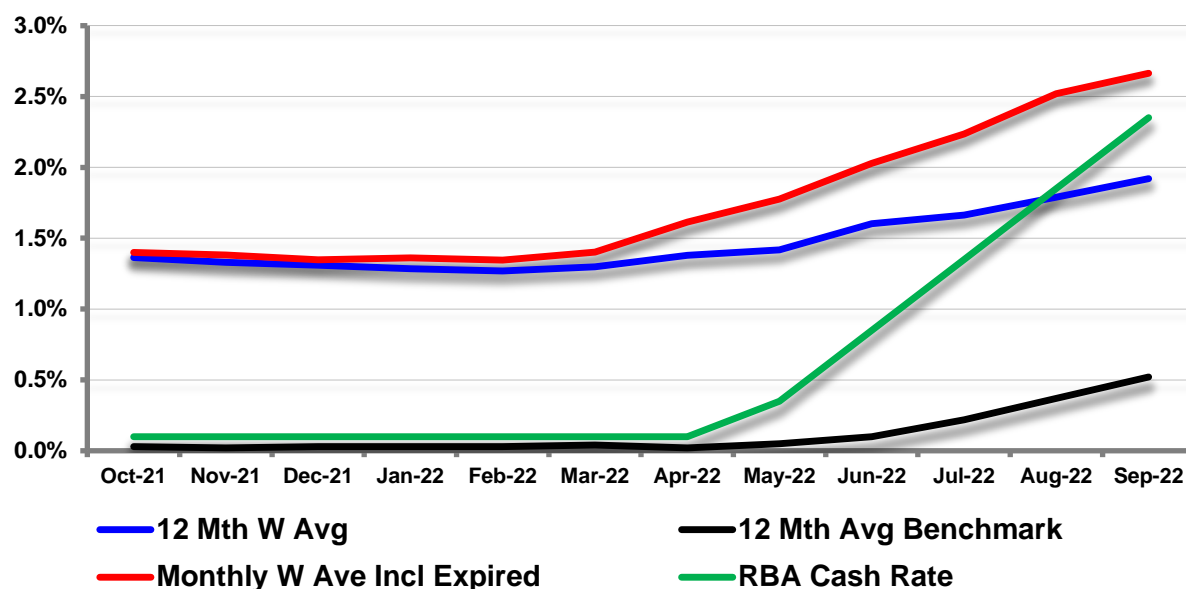
Council's Responsible Accounting Officer is required to report monthly on Council's Investment Portfolio as per the Local Government (General) Regulation 2021 Section 212 and certify that the Investments are held in accordance with Council's Investment Policy and Section 625 of the *Local Government Act 1993*.

### Investment Performance Commentary

Council's performance against the benchmark for returns of its investment portfolio for September 2022 and the past 12 months are as follows:

	Sep	12 Mth	FYTD
<b>Council Return</b>	<b>2.66</b>	<b>1.92</b>	<b>2.50</b>
<b>Benchmark</b>	1.79	0.52	1.69
<b>Variance</b>	<b>0.87</b>	<b>1.40</b>	<b>0.81</b>

### Performance - All Investments



Council's investment portfolio as at 30 September 2022 was as follows:

Cash/Term Deposits	\$106.59M	46.09%
Floating Rate Notes	\$37.49M	16.21%
Fixed Bonds	\$87.17M	37.69%
<b>Total Investments</b>	<b>\$231.25M</b>	

### **ITEM 12 (continued)**

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.

Council's income from investments continues to exceed original budgeted expectations, primarily due to Council's cash reserves balances being higher than anticipated and higher interest rates being offered reflective of recent economic conditions.

### **Loan Liability**

Council's loan liability as at 30 September 2022, was \$629K which represents the balance of two loans which were established under the Local Infrastructure Renewal Scheme (LIRS). Council receives a 3% interest subsidy payment from the OLG twice a year.

1. A \$1.5M 10 year loan drawn down 31 January 2014 at 180 day Bank Bill Swap rate (BBSW) of +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.
2. 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 12 (continued)

### INVESTMENT SUMMARY AS AT 30 SEPTEMBER 2022

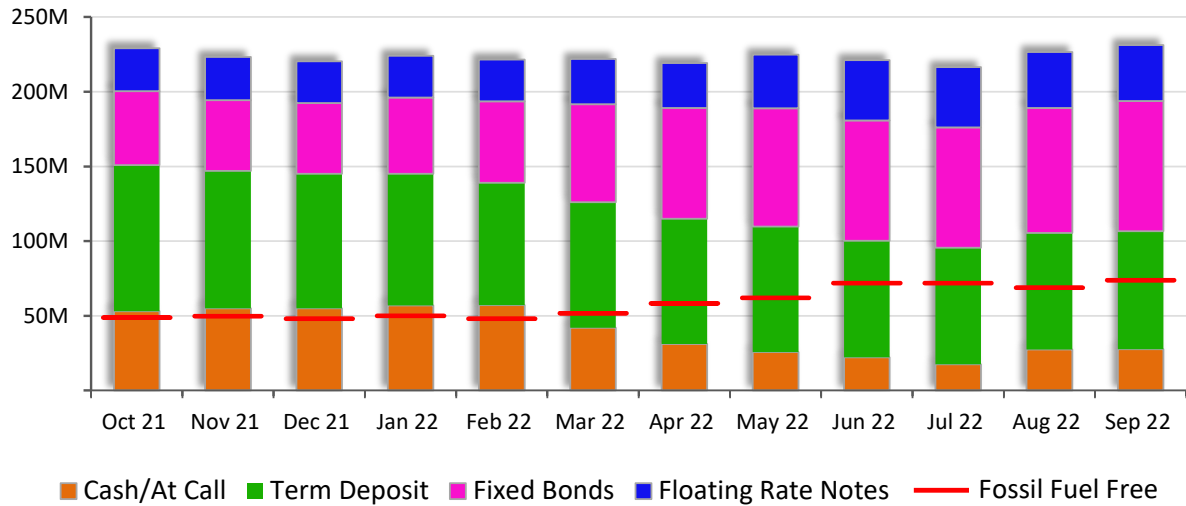
Issuer	Investment Name	Investment Rating	Fossil Fuel Free	Invested at 30-Sep-22 \$000's	Annualised Period Return (%)	12 Month Average Return on Current Investments	Return since 01 July 2022	% of Total Invested	Maturity	Tenor
Bank of Queensland	1. Bank of Queensland Floating Rate Note	AAA	N	1,200	3.43	1.66	2.78	0.52	14/05/2025	1826
Bank of Queensland	2. BoQ FRN	AAA	N	2,000	3.43	2.76	2.78	0.86	14/05/2025	1051
National Australia Bank	3. NAB Fixed Bond (Covered)	AAA	N	3,749	2.94	3.10	3.05	1.62	16/03/2023	1826
Suncorp-Metway	4. Suncorp Covered Bond	AAA	Y	3,961	3.57	3.58	3.60	1.71	24/08/2026	1593
Westpac Banking Corporation	5. WBC Covered Bond	AAA	N	3,193	3.93	3.93	3.94	1.38	20/05/2025	1096
Australia and New Zealand Banking Group	6. ANZ Fixed Bond	AA-	N	1,500	3.15	3.16	3.21	0.65	18/01/2023	1826
Australia and New Zealand Banking Group	7. ANZ Fixed Bond	AA-	N	3,000	3.14	3.14	3.19	1.30	8/02/2024	1826
Australia and New Zealand Banking Group	8. ANZ Fixed Bond	AA-	N	2,000	1.56	1.57	1.57	0.86	29/08/2024	1827
Australia and New Zealand Banking Group	9. ANZ Fixed Bond	AA-	N	1,996	1.67	1.67	1.68	0.86	29/08/2024	1805
Australia and New Zealand Banking Group	10. ANZ Fixed Bond	AA-	N	1,998	1.70	1.68	1.70	0.86	16/01/2025	1827
Australia and New Zealand Banking Group	11. ANZ Fixed Bond	AA-	N	2,987	1.80	1.80	1.81	1.29	29/08/2024	1612
Australia and New Zealand Banking Group	12. ANZ Fixed Bond	AA-	N	2,000	4.09	4.09	4.09	0.86	12/05/2025	1096
Australia and New Zealand Banking Group	13. ANZ Floating Rate Note	AA-	N	1,500	2.98	1.34	2.64	0.65	18/01/2023	1826
Australia and New Zealand Banking Group	14. ANZ Floating Rate Note	AA-	N	2,000	3.20	1.51	2.64	0.86	9/05/2023	1826
Australia and New Zealand Banking Group	15. ANZ Term Deposit	AA-	N	4,000	3.83	2.11	3.23	1.73	10/11/2022	2557
Australia and New Zealand Banking Group	16. ANZ Term Deposit	AA-	N	4,000	3.76	2.07	3.38	1.73	15/12/2022	2557
Commonwealth Bank of Australia	17. CBA Business Online Saver	AA-	N	26,596	2.37	0.52	1.97	11.50		
Commonwealth Bank of Australia	18. CBA Fixed Bond	AA-	N	3,997	3.41	3.41	3.41	1.73	25/04/2023	1916
Commonwealth Bank of Australia	19. CBA Fixed Bond	AA-	N	3,499	3.27	3.27	3.33	1.51	16/08/2023	1826
Commonwealth Bank of Australia	20. CBA Fixed Bond	AA-	N	3,492	3.23	3.24	3.28	1.51	11/01/2024	1826
Commonwealth Bank of Australia	21. CBA Fixed Bond	AA-	N	2,996	4.29	4.29	4.29	1.30	18/08/2025	1096
Commonwealth Bank of Australia	22. CBA Term Deposit	AA-	N	4,000	0.80	0.68	0.80	1.73	22/02/2023	365
National Australia Bank	23. NAB Fixed Bond	AA-	N	3,999	3.08	3.08	3.13	1.73	10/02/2023	1918
National Australia Bank	24. NAB Fixed Bond	AA-	N	2,999	2.95	2.95	3.06	1.30	26/02/2024	1826
National Australia Bank	25. NAB Fixed Bond	AA-	N	3,492	2.98	3.00	3.03	1.51	25/02/2027	1826
National Australia Bank	26. NAB Floating Rate Note	AA-	N	4,000	3.24	1.48	2.58	1.73	16/05/2023	1826
National Australia Bank	27. NAB Floating Rate Note	AA-	N	2,000	3.20	1.54	2.92	0.86	19/06/2024	1827
National Australia Bank	28. NAB Term Deposit	AA-	N	4,000	0.90	0.72	0.90	1.73	24/02/2023	365
National Australia Bank	29. NAB Term Deposit	AA-	N	2,000	1.83	1.83	1.83	0.86	12/10/2022	146
National Australia Bank	30. NAB Term Deposit	AA-	N	4,000	0.52	0.50	0.52	1.73	11/11/2022	365
National Australia Bank	31. NAB Term Deposit	AA-	N	4,000	0.65	0.60	0.65	1.73	11/01/2023	365
National Australia Bank	32. NAB Term Deposit	AA-	N	4,000	3.35	3.35	3.35	1.73	18/09/2023	1827
National Australia Bank	33. NAB Term Deposit	AA-	N	2,000	0.55	0.54	0.55	0.86	2/12/2022	365
Westpac Banking Corporation	34. Westpac Fixed Bond	AA-	N	2,493	3.25	3.25	3.25	1.08	24/04/2024	1917
Westpac Banking Corporation	35. Westpac Fixed Bond	AA-	N	2,597	2.45	2.71	2.66	1.12	17/03/2025	1096
Westpac Banking Corporation	36. Westpac Term Deposit	AA-	N	4,000	3.93	3.42	3.73	1.73	9/08/2023	365
Westpac Banking Corporation	37. Westpac Term Deposit	AA-	N	2,000	3.94	3.47	3.75	0.86	18/08/2023	365
Westpac Banking Corporation	38. Westpac Term Deposit	AA-	N	4,000	1.65	1.65	1.65	1.73	16/02/2024	729
Macquarie Bank	39. Macquarie Bank Fixed Bond	A+	N	3,999	1.71	1.71	1.77	1.73	12/02/2025	1827
Suncorp-Metway	40. Suncorp-Metway Fixed Bond	A+	Y	3,591	2.58	2.59	2.62	1.55	25/01/2027	1826
Suncorp-Metway	41. Suncorp Fixed Bond	A+	Y	3,842	3.60	3.61	3.63	1.66	25/01/2027	1763
Suncorp-Metway	42. Suncorp Fixed Bond	A+	Y	1,349	5.49	5.46	5.50	0.58	25/01/2027	1683
Suncorp-Metway	43. Suncorp-Metway Floating Rate Note	A+	Y	1,200	3.38	1.70	2.93	0.52	24/04/2025	1823
Suncorp-Metway	44. Suncorp FRN	A+	Y	2,561	3.43	2.84	2.91	1.11	25/02/2027	1711
Australian Unity Bank	45. Australian Unity Bank Term Deposit	BBB+	Y	2,000	4.14	4.14	4.14	0.86	19/07/2023	398
B&E (T/as Bank of Us)	46. Bank of us Term Deposit	BBB+	Y	2,000	3.28	2.42	2.66	0.86	9/02/2023	184
Bank of Queensland	47. ME Bank At Call Account	BBB+	N	597	1.13	0.49	0.88	0.26		
Bank of Queensland	48. BoQ Fixed Bond	BBB+	N	3,795	2.15	2.15	2.14	1.64	27/10/2026	1826
Bank of Queensland	49. BoQ Fixed Bond	BBB+	N	1,838	4.06	4.04	4.06	0.79	6/05/2026	1496

## ITEM 12 (continued)

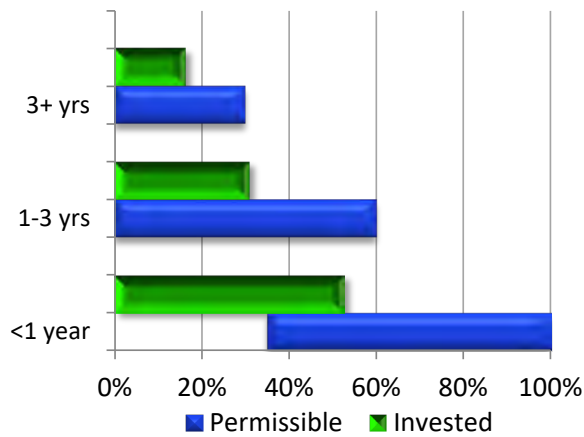
Issuer	Investment Name	Investment Rating	Fossil Fuel Free	Invested at 30-Sep-22 \$000's	Annualised Period Return (%)	12 Month Average Return on Current Investments	Return since 01 July 202	% of Total Invested	Maturity	Tenor
Bank of Queensland	50. BoQ Fixed Bond	BBB+	N	717	4.95	4.95	4.95	0.31	27/10/2026	1498
Bank of Queensland	51. BoQ Fixed Bond	BBB+	N	458	4.81	4.81	4.81	0.20	27/10/2026	1495
Bank of Queensland	52. BoQ Fixed Bond	BBB+	N	2,398	4.66	4.66	4.66	1.04	6/05/2026	1321
Bank of Queensland	53. Bank of Queensland Term Deposit	BBB+	N	2,000	2.55	2.55	2.55	0.86	13/06/2024	1827
Bank of Queensland	54. Bank of Queensland Term Deposit	BBB+	N	2,000	0.70	1.21	0.70	0.86	9/12/2022	365
Bank of Queensland	55. Bank of Queensland Term Deposit	BBB+	N	4,000	3.50	3.50	3.50	1.73	15/11/2022	1804
Bendigo and Adelaide Bank	56. Bendigo and Adelaide Bank Fixed Bond	BBB+	Y	2,000	3.53	3.55	3.59	0.86	25/01/2023	1826
Bendigo and Adelaide Bank	57. Bendigo Fixed Bond	BBB+	Y	3,744	2.74	3.04	2.98	1.62	17/03/2025	1096
Bendigo and Adelaide Bank	58. Bendigo Bank Fixed Bond	BBB+	Y	991	3.09	3.38	3.32	0.43	17/03/2025	1088
Bendigo and Adelaide Bank	59. Bendigo Fixed Bond	BBB+	Y	2,499	3.20	3.24	3.24	1.08	6/09/2024	882
Bendigo and Adelaide Bank	60. Bendigo and Adelaide Bank Floating Rate Note	BBB+	Y	2,000	3.35	1.68	2.91	0.86	25/01/2023	1532
Members Banking Group	61. RACQ FRN	BBB+	Y	2,000	3.69	2.74	2.91	0.86	23/05/2025	1096
MyState Bank	62. MyState FRN	BBB+	Y	1,500	2.95	1.27	2.59	0.65	16/06/2025	1461
MyState Bank	63. MyState Bank Term Deposit	BBB+	Y	2,000	0.65	0.65	0.65	0.86	11/10/2023	730
MyState Bank	64. MyState Bank Term Deposit	BBB+	Y	2,000	1.69	1.69	1.69	0.86	4/03/2024	732
MyState Bank	65. MyState Bank Term Deposit	BBB+	Y	2,000	0.70	0.70	0.70	0.86	29/11/2022	365
MyState Bank	66. MyState Bank Term Deposit	BBB+	Y	2,000	0.70	0.70	0.70	0.86	4/11/2022	365
Police Financial Services	67. BankVic Term Deposit	BBB+	Y	2,000	3.94	3.94	3.94	0.86	21/03/2023	181
AMP	68. AMP At Call Account	BBB	N	399	0.51	0.51	0.49	0.17		
AMP	69. AMP Term Deposit	BBB	N	1,000	3.50	1.21	2.58	0.43	2/08/2023	365
Auswide Bank	70. Auswide Bank Floating Rate Note	BBB	Y	1,500	3.30	1.68	3.02	0.65	17/03/2023	1095
Auswide Bank	71. Auswide Bank Term Deposit	BBB	Y	2,000	1.24	1.39	1.24	0.86	5/02/2024	720
Bank Australia	72. Bank Australia Floating Rate Note	BBB	Y	2,000	3.39	1.45	2.56	0.86	2/12/2022	1096
Credit Union Australia	73. Great Southern Bank Floating Rate Note	BBB	Y	1,000	3.38	1.70	2.93	0.43	24/10/2024	1827
Credit Union Australia	74. Great Southern Bank Term Deposit	BBB	Y	2,000	0.70	0.70	0.70	0.86	31/01/2023	365
Defence Bank	75. Defence Bank Term Deposit	BBB	Y	2,000	0.85	0.71	0.85	0.86	8/02/2024	730
Defence Bank	76. Defence Bank Term Deposit	BBB	Y	2,000	4.05	4.05	4.05	0.86	5/09/2023	365
G&C Mutual Bank	77. G&C Mutual Bank Term Deposit	BBB	Y	2,000	4.02	4.02	4.02	0.86	7/09/2023	365
Newcastle Permanent Building Society	78. NPBS FRN	BBB	Y	2,000	3.03	1.18	2.27	0.86	4/03/2026	1826
Newcastle Permanent Building Society	79. NPBS FRN	BBB	Y	3,236	3.18	1.69	2.41	1.40	4/03/2026	1458
Newcastle Permanent Building Society	80. NPBS FRN	BBB	Y	3,693	3.74	2.91	3.51	1.60	10/02/2027	1720
Police & Nurses Limited	81. P&N Bank Term Deposit	BBB	Y	1,000	3.50	3.50	3.50	0.43	2/11/2023	1821
Police & Nurses Limited	82. P&N Bank Term Deposit	BBB	Y	2,000	1.52	1.52	1.52	0.86	31/01/2024	730
Teachers Mutual Bank	83. Teachers Mutual Bank FRN	BBB	Y	1,100	2.99	1.30	2.63	0.48	16/06/2026	1826
QPCU	84. QBank FRN	BBB-	Y	1,000	2.90	1.35	2.67	0.43	22/03/2024	1096
Warwick Credit Union	85. Warwick CU Term Deposit	NR	NA	1,000	0.75	0.75	0.75	0.43	9/03/2023	728
				231,251	2.69	2.04	2.55	100		

**ITEM 12 (continued)**

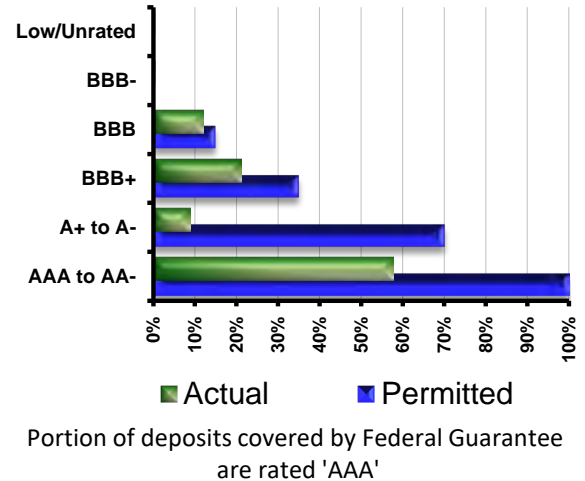
**Total Funds Invested**



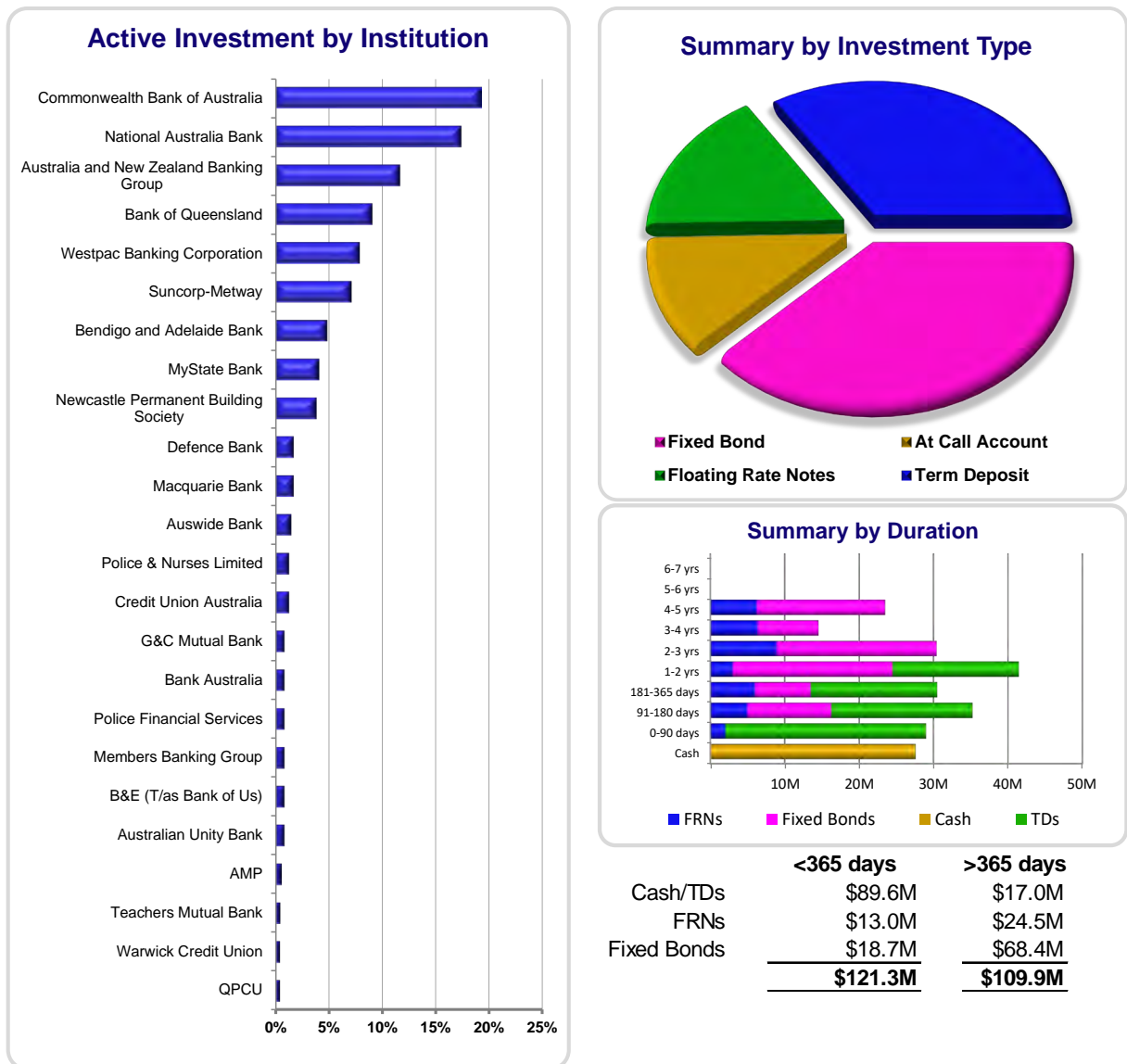
**Policy Limits on Maturities**



**Investment Summary by Rating**



## ITEM 12 (continued)



## Divestment of Fossil Fuel Aligned Financial Institutions

Council uses the entity Market Forces to validate its classes of investments into either fossil fuel or non-fossil fuel aligned institutions. The figures below are conservative and do not include any financial institutions that have not declared if they are fossil fuel or non-fossil fuel aligned.

As at 30 September 2022, Council had a total amount of \$73.76M million invested in non-fossil fuel aligned financial institutions, which is 31.9% of its total investment portfolio.

While all efforts are made to increase Council's proportion of non-fossil fuel aligned financial institutions, a conflict may arise with legislated credit rating requirements. This is because non-fossil fuel investment opportunities are in the main provided by smaller institutions that have lower credit ratings.

## **ITEM 12 (continued)**

### **Financial Implications**

Council's return for the reporting period is 2.66%, which is 0.87% above the benchmark figure of 1.79%. Income from interest on investments is budgeted at \$2,312K and as at 30 September 2022 funds of \$1,332K have been earned.

### **Summary**

Council's investment portfolio continues to perform well with returns above benchmark and is consistent with Section 625 of the *Local Government Act 1993*, 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.

Aneesh Zahra  
Chief Financial Officer

## **NOTICES OF MOTION**

### **1 RYDE PARK PLAYGROUND SAFETY ISSUES AND INSTALLING FITNESS EQUIPMENT - Deputy Mayor, Councillor Sarkis Yedelian OAM**

**File Number:** CLM/22/1/1/6 - BP22/801

#### **MOTION:**

- (a) That Council investigate, identify and rectify safety related issues at the Ryde Park Playground.
- (b) That staff prepare a report identifying potential funding sources to install and repair the existing playground equipment and rubber softfall.
- (c) That this report include consideration for the installation of outdoor fitness equipment for all ages in a suitable location within Ryde Park.

### **2 FRAMEWORK FOR REPORTING NOTICES OF MOTION - Councillor Shweta Deshpande**

**File Number:** CLM/22/1/1/6 - BP22/809

#### **MOTION:**

That Council provide an update on the Notices of Motion currently outstanding:-

- (i) Introduce a standing agenda item for every 2<sup>nd</sup> Council meeting to provide an update on the Notices of Motion passed under Council meetings.
- (ii) Develop a framework for managing and tracking the Notices of Motion currently under progress.
- (iii) Structure regular catchups to meet with the relevant Councillor to understand and have an ongoing dialogue to uncover the context for any roadblocks holding back fulfilment of projects.
- (iv) Back date this from the commencement of this term.

## **NOTICES OF MOTION (CONTINUED)**

### **3 ILLEGAL DUMPING OF RUBBISH ON STREETS ACROSS THE CITY OF RYDE - Councillor Roy Maggio**

**File Number:** CLM/22/1/1/6 - BP22/810

#### **MOTION:**

- (a) That Council notes the fluctuations in reports of illegal dumping on residential streets across the City of Ryde particularly following recent wet weather, and the ongoing impacts of COVID-19 on Council services.
- (b) That Council acknowledges Council's free booked clean up service provides a flexible, efficient and environmentally beneficial service for residents.
- (c) That Council staff as soon as possible, undertakes a comprehensive and targeted education campaign to tackle illegal dumping of rubbish on streets across the City of Ryde - with information on a prominent page in City of Ryde local media, social media and on the council website, stickers and decals on Council trucks and vehicles - focused on:-
  - (i) How to use the booked clean up service;
  - (ii) How to report illegal dumping;
  - (iii) Local opportunities to reuse, swap and share, including online groups, resale platforms and local reuse organisations; and
  - (iv) The financial, social and environmental cost to the community of illegal dumping.
- (d) That Council, as part of its education campaign, engages with real estate agents to provide information to tenants or owners who are relocating about the booked clean up service and engages with strata committees to better manage collections.
- (e) That Council increases patrols of dumping hotspots.
- (f) That Council increases and employs Council's social media budget for the purpose of promoting core services that benefit the local community.

## **NOTICES OF MOTION (CONTINUED)**

### **4 MANAGEMENT OF COMPANION ANIMALS IN THE CITY OF RYDE - Councillor Roy Maggio**

**File Number:** CLM/22/1/1/6 - BP22/811

#### **MOTION:**

- (a) That Council notes the rise in dog ownership across the Ryde Local Government Area (LGA), Council's significant investment in local dog parks and infrastructure, and the role of local government in facilitating responsible dog ownership.
- (b) That Council acknowledges the risk that untrained or poorly socialised dogs can present to the community, including attacks on other dogs or people.
- (c) That Council investigates the implementation of four (4) free puppy classes for dog owners in this Council term to encourage responsible dog ownership and brings back a report to Council which includes costs and also investigates the feasibility of providing this service in partnership with authorised local dog training providers.
- (d) That Council undertakes a review of signage across the LGA to maximise community awareness about designated dog areas.
- (e) That Council investigates the installation of signage in areas frequented by dogs to promote dog ownership responsibilities and provides a report back to Council.
- (f) That Council undertakes a review of the effectiveness of ranger patrols of designated dog areas in promoting responsible dog ownership.
- (g) That Council staff provide advice back to Council about Council's role in educating the community about responsible pet ownership.
- (h) That Council review its policies for Companion Animal ownership to ensure they contribute to responsible pet ownership in the LGA.



## **NOTICES OF MOTION (CONTINUED)**

### **5 AMENDMENT TO PART 8 OF COUNCIL'S CODE OF MEETING PRACTICE - ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS - Councillor Roy Maggio**

**File Number:** CLM/22/1/1/6 - BP22/812

#### **MOTION:**

- (a) That Council amend Part 8 of the Code of Meeting Practice – Order of Business for Ordinary Council Meetings to include Condolences and Acknowledgments so that Councillors may bring Condolence Motions and Acknowledgements for the local community before the Council Meeting.
- (b) That Council amend Clause 8.1 of the Code of Meeting Practice to read as follows:-
  - 8.1 The General Order of Business for an Ordinary Meeting of Council shall be:-
    - (a) Opening Meeting
    - (b) Acknowledgement of Country and Opening Statements (including notice of webcasting)
    - (c) Prayer
    - (d) National Anthem
    - (e) Apologies / Requests for Leave of Absence
    - (f) Disclosures of Interest
    - (g) Condolences and Acknowledgements (if required)
    - (h) Tabling of Petitions (if required)
    - (i) Written Submissions from the Public
    - (j) Items Put Without Debate (Considered by Exception)
    - (k) Mayoral Minutes
    - (l) Confirmation of Minutes from Previous Meetings
    - (m) Reports to Council
    - (n) Precis of Correspondence
    - (o) Notices of Motion
    - (p) Notice of Rescission (if required)
    - (q) Urgent Items as submitted by the Mayor
    - (r) Questions by Councillors as per Policy
    - (s) Consideration of any business in Closed Session
    - (t) Conclusion of the Meeting
- (c) That Council considers the above amendments to Council's Code of Meeting Practice as set out in parts (a) and (b) above to not be substantial amendments and accordingly public exhibition is not required.

## **NOTICES OF MOTION (CONTINUED)**

### **6 MEADOWBANK / MELROSE PARK TRAFFIC ASSESSMENT - Councillor Bernard Purcell**

**File Number:** CLM/22/1/1/6 - BP22/816

#### **MOTION:**

- (a) That staff report back to Councillors on the outcomes of the main Meadowbank Traffic and Transport Study (and the supplementary study, which is currently in progress), following the completion of all parts of the study.
- (b) That staff undertake relevant community consultation with respect to the measures/improvements identified from the Meadowbank Traffic and Transport Study and other assessments within the area bound by Victoria Road to the north, Wharf Road to the west, Adelaide Street to the east and Andrew Street to the south.
- (c) That staff report back to Council on the outcomes of part (b) within the next six (6) months.

### **7 INITIATE CONSULTATION REGARDING PARRAMATTA LIGHT RAIL STAGE 2 - WARATAH STREET BRIDGE - Councillor Bernard Purcell**

**File Number:** CLM/22/1/1/6 - BP22/817

#### **MOTION:**

- (a) That the City of Ryde Chief Executive Officer, initiate an open and transparent dialogue with Transport for NSW, and all relevant State Government bodies, to ensure that the residents of this precinct in Ryde are having due and proper input into a development that is affecting them directly.
- (b) That staff report back to Council on the outcomes of the discussions and consultation within the next six (6) months.

## **NOTICES OF MOTION (CONTINUED)**

### **8 FEES AND CHARGES INCREASE - GLEN STREET PARKING - Councillor Bernard Purcell**

**File Number:** CLM/22/1/1/6 - BP22/818

#### **MOTION:**

- (a) That the City of Ryde assess the significant increase of annual parking permits and find a reasonable alternative in consultation with business owners of the Eastwood shopping district.
- (b) That the difference in annual fees already paid should be returned retrospectively.
- (c) That staff report back to Council on the outcomes of the consultation and fee reduction by the end of 2022.

### **9 COMMERCIAL BUILDING IN LONG TERM STATE OF DISREPAIR AT 144 COX'S ROAD, NORTH RYDE - Councillor Penny Pedersen**

**File Number:** CLM/22/1/1/6 - BP22/819

#### **MOTION:**

- (a) That Council note:-
  - (i) The commercial building at 144 Cox's Road, North Ryde has been in a state of disrepair for many years; has recently been the subject of court proceedings and that the case was found in Council's favour.
  - (ii) That the building has been the subject of numerous orders and our community are concerned that nothing is being done to force the owner to make the building secure from rodents, pests and vandals.
  - (iii) Many residents and businesses complain that the state of the building is undermining the business centre as a desirable place to shop, dine and socialise.
- (b) That staff bring back a report to Council on:-
  - (i) The steps they are taking/have taken to help the owner make this building safer and/or more fit for purpose.

- (ii) The steps that have been taken to encourage the owner to build a compliant building that fits with the current Local Environment Plan, development controls, that will benefit the local community and be more aesthetically pleasing to users and local residents.
- (iii) What can be done to force owners of buildings in disrepair to fix the buildings, so they do not become unsafe, aesthetically unappealing and undermine residents amenity or the success of neighbouring business.

**10 ACCESS FOR WHEELCHAIRS AND LESS MOBILE ATTENDEES AT CORK AND FORK - Councillor Penny Pedersen**

**File Number:** CLM/22/1/1/6 - BP22/820

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**MOTION:**

- (a) That Council notes that the Cork and Fork Festival has become an enjoyable and well attended event which is held in parks and grassed areas, where soft surfaces can make access difficult for wheelchair users and those with mobility issues.
- (b) That Council staff supply a report to the Councillor Information Bulletin outlining a plan:-
  - (i) To make the next Cork and Fork and all other annual Council events in parks, more accessible for those using wheelchairs, walkers and mobility aids.
  - (ii) To provide more dedicated parking that is close to the event for attendees requiring mobility aids.

## **NOTICES OF MOTION (CONTINUED)**

### **11 REINVIGORATING SISTER CITIES RELATIONSHIP TO SUPPORT MACQUARIE PARK INNOVATION DISTRICT - Councillor Daniel Han**

**File Number:** CLM/22/1/1/6 - BP22/821

#### **BACKGROUND:**

City of Ryde is a member of 'Connect Macquarie Park Innovation District' (Connect MPID).

Connect MPID is creating connections to optimise opportunities and to share values to take it further to fit for the future.

Macquarie Park is designated as a priority precinct by the Premier of NSW in 2020, and the next 20 years will see more than 20,000 jobs created and 10,000 new homes built.

To support the Connect MPID initiative, council should seek opportunities to partner with our Asia Pacific counter parts who are leaders in innovation.

- South Korea has been identified as number one leading country in innovation according to 'Global Innovation Index 2022 report'.
- Republic of China (Taiwan) is the birth place of the world's largest semiconductor industry.

#### **MOTION:**

That to reinvigorate sister city relationships with South Korea and ROC (Taiwan) to support Macquarie Park Innovation District Council:-

- (i) Drafts a new Policy to provide an agreed framework for the establishment and management of relationships with cities that includes the establishment of committees for interested Councillors to progress sister city opportunities for the City of Ryde.
- (ii) Invites expressions of interest from Councillors to participate in a committee to progress a sister city relationship with South Korea and the Republic of China (Taiwan).
- (iii) The first meeting of the committee to be held before the Ordinary Council meeting in December 2022.
- (iv) The City of Ryde staff organise a morning tea with the Director-General of the Republic of China (Taiwan) and a photo opportunity for interested Councillors to take place in the Council Chambers in November 2022, with the morning tea to be funded from the Mayoral budget.

- (v) That an online conference call be organised with sister city Jongno-gu delegates from South Korea to celebrate the 3rd year anniversary of sister city agreement in November 2022.

**12 KOREAN WAR MEMORIAL GARDEN AT MEMORIAL PARK,  
MEADOWBANK - Councillor Daniel Han**

**File Number:** CLM/22/1/1/6 - BP22/822

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**MOTION:**

- (a) That Council investigate the feasibility of completion of Korean War Memorial Park inside the Memorial Park in Meadowbank before June 2023.
- (b) That Council liaise with the Korean Memorial Garden working group to investigate appropriate funding sources.

## **CONFIDENTIAL ITEMS**

### **13 COUNCIL OPERATIONAL WASTE DISPOSAL CONTRACT**

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#### **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.

Contains pricing and cost information of competing potential service providers to the City of Ryde who may bid in future tender.

**Report prepared by:** Senior Coordinator Business Improvement Services

**File No.:** OPU/22/85 - BP22/789

**Page No.:** 142