

Meeting Date: Tuesday 23 May 2017
Location: Council Chambers, Level 1A, 1 Pope Street, Ryde
Time: 7.15pm

Councillors Present: The Mayor, Councillor Pickering and Councillors Laxale, Li, Maggio, Pendleton, Stott and Yedelian OAM.

Apologies: Councillor Simon.

Leave of Absence: Councillors Perram and Salvestro-Martin.

Note: Councillor Pendleton left the meeting at 9.16pm and did not return. She was not present for consideration or voting on Items 5(1), 5(2), 5(3), 5(4), 5(5), 5(6), 5(7), 5(8), 5(9), 5(10), 5(11), 5(12), 4(4), Precis of Correspondence 1, Precis of Correspondence 2, Notice of Motion 2, Notice of Motion 3, Notice of Motion 4, Questions with Notice 1, Questions with Notice 2 and Item 8 (Confidential).

Staff Present: Acting General Manager, Acting Director – Customer and Community Services, Acting Director – Corporate and Organisational Support Services, Acting Director – City Planning and Development, Acting Director – City Works and Infrastructure, General Counsel, Chief Financial Officer, Manager – Community Services, Manager – Environment, Health and Building, Executive Officer – Ryde Civic Hub, Senior Coordinator – Communications, Senior Coordinator – Social Development and Capacity Building, Senior Coordinator – Community Engagement, Community Project Officer – Young People, Senior Coordinator – Governance and Governance, Risk and Audit Coordinator.

PRAYER

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

SUSPENSION OF STANDING ORDERS

Councillor Yedelian OAM requested a Suspension of Standing Orders, to allow Council to observe a one minutes silence in recognition of the recent events that have occurred in Manchester, United Kingdom.

Councillor Maggio also requested Council to observe a one minutes silence to acknowledge the passing of Mr Keith Aggett, President of the Ryde Eastwood Leagues Club.

RESOLUTION: (Moved by Councillors Yedelian OAM and Stott)

That Standing Orders be Suspended to allow Council to observe a one minute silence in recognition of the recent events that have occurred in Manchester, United Kingdom and also a one minute silence to acknowledge the passing of Mr Keith Aggett, President of the Ryde Eastwood Leagues Club, the time being 7.22pm.

Record of Voting:

For the Motion: Unanimous

ONE MINUTE SILENCE

Note: A one minute silence was then observed by the meeting in recognition of the recent events that have occurred in Manchester, United Kingdom.

Note: A one minute silence was then observed by the meeting to acknowledge the passing of Mr Keith Aggett, President of the Ryde Eastwood Leagues Club.

RESUMPTION OF STANDING ORDERS

Council then Resumed Standing Orders, the time being 7.25pm.

LEAVE OF ABSENCE

Note: The Mayor, Councillor Pickering advised the meeting that Councillor Salvestro-Martin had requested a Leave of Absence for tonight's Council Meeting, 23 May 2017.

RESOLUTION: (Moved by Councillors Yedelian OAM and Stott)

That Councillor Salvestro-Martin's Leave of Absence for tonight's Council Meeting, 23 May 2017 be approved.

Record for the Voting:

For the Motion: Unanimous

Note: Councillor Pendleton requested a Leave of Absence for the period 5 June 2017 to 29 June 2017, inclusive.

RESOLUTION: (Moved by Councillors Pendleton and Yedelian OAM)

That Councillor Pendleton's Leave of Absence for the period 5 June 2017 to 29 June 2017, inclusive be approved.

Record for the Voting:

For the Motion: Unanimous

DISCLOSURES OF INTEREST

Councillor Pendleton disclosed a Less than Significant Non-Pecuniary Interest in Item 3 – Report of the Ryde Civic Hub Committee Meeting 4/17 held on 9 May 2017 for the reason that her continued and consistent opposition to the sale/redevelopment of the Civic Centre public land with the inclusion of high rise residential development, the loss of the bus interchange and internal auditorium and other community amenity is consistent with her core commitment made to the electorate at the 2012 elections.

Councillor Stott disclosed a Less than Significant Non-Pecuniary Interest in Item 4(2) – Community Halls and Meeting Rooms For Hire Historical Arrangements for the reason that she is the Secretary of the Ryde Eisteddfod Committee.

Council's Acting Director – Customer and Community Services, Angela Jones-Blayne disclosed a Less than Significant Non-Pecuniary Interest in Item 4(2) – Community Halls and Meeting Rooms For Hire Historical Arrangements for the reason that she is the City of Ryde's designated representative who attends the Ryde Eisteddfod Committee Meetings.

TABLING OF PETITIONS

No Petitions were tabled.

PRESENTATION OF AWARD TO COUNCILLOR YEDELIAN OAM FOR 13 YEARS OF SERVICE TO THE CITY OF RYDE

The Mayor, Councillor Pickering presented Councillor Yedelian OAM with a Certificate of Appreciation from Local Government NSW for his 13 years of service to the City of Ryde.

Councillor Yedelian OAM has been a Councillor at the City of Ryde from March 2004 to present and he was Deputy Mayor for the period September 2007 to August 2009.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:-

Name	Topic
Lindsay Donald (representing Gladesville Hornsby Football Association)	Notice of Motion 1 – Christie Park Amenities Building

Name	Topic
Helen Armson (representing Gladesville Hornsby Football Association)	Notice of Motion 1 – Christie Park Amenities Building
Buckley Findlay (representing Gladesville Hornsby Football Association)	Notice of Motion 1 – Christie Park Amenities Building
Jasmine Inkster	Item 6 – Ryde Youth Theatre: Update on Investigations into Alternate Funding Sources
Yvette Vignando	Item 6 – Ryde Youth Theatre: Update on Investigations into Alternate Funding Sources
Liam Regent (representing Ryde Youth Theatre)	Item 6 – Ryde Youth Theatre: Update on Investigations into Alternate Funding Sources
Kimberly Green	Item 6 – Ryde Youth Theatre: Update on Investigations into Alternate Funding Sources
Hassan Mehdi	Item 6 – Ryde Youth Theatre: Update on Investigations into Alternate Funding Sources
Gian Vignando (representing Ryde Youth Theatre)	Item 6 – Ryde Youth Theatre: Update on Investigations into Alternate Funding Sources
Penny Pedersen	Item 6 – Ryde Youth Theatre: Update on Investigations into Alternate Funding Sources
Paul Azizi (representing Raymond Azizi)	Item 7 – Blenheim Park – Update and Status – Property Acquisitions

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

RESOLUTION: (Moved by Councillors Stott and Maggio)

That the speakers who submitted a Request to Address Council on Items Listed on the Agenda on an Item previously considered by the Planning and Environment Committee Meeting 4/17 held on 9 May 2017 and the Works and Community Committee Meeting 3/17 held on 16 May 2017 and the speaker who registered after the deadline be allowed to address the meeting, the time being 8.03pm.

Record of Voting:

For the Motion: Unanimous

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons then addressed the Council:-

Name	Topic
Edna Wilde (representing Ryde Eisteddfod)	ITEM 4(2) – Community Halls and Meeting Rooms for Hire Historical Arrangements

Note: Mark Shanahan (representing Houserroom Pty Ltd) was called to address Council, however he was not present in the Chamber.

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

The following persons addressed the Council:-

Name	Topic
Patrick Azizi (representing Alnox Pty Ltd)	Blenheim Park Expansion
Rosemarie Lavery	Corner Badajoz Road and Callaghan Street – new works and Council Amalgamation

ORDER OF BUSINESS

RESOLUTION: (Moved by Councillors Yedelian OAM and Maggio)

That Council now consider the following Items, the time being 8.17pm:-

- Notice of Motion 1 – Christie Park Amenities Building
- Item 6 – Ryde Youth Theatre: Update on Investigations into Alternate Funding Sources
- Item 7 – Blenheim Park – Update and Status – Property Acquisitions
- Item 4(2) – Community Halls and Meeting Rooms for Hire Historical Arrangements

Record for the Voting:

For the Motion: Unanimous

NOTICE OF MOTION

1 CHRISTIE PARK AMENITIES BUILDING - Councillor Roy Maggio

Note: Lindsay Donald (representing Gladesville Hornsby Football Association), Helen Armson (representing Gladesville Hornsby Football Association) and Buckley Findlay (representing Gladesville Hornsby Football Association) addressed the Meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Maggio and Yedelian OAM)

- (a) That the City of Ryde approve the naming of the Christie Park amenities building 'The Ross Iredale Building' to commemorate the 36 years of volunteer service on the Board of Gladesville Hornsby Football Association.
- (b) That the City of Ryde approve the transfer of the name 'The Ross Iredale Building' to the proposed new amenities building that will be built at Christie Park as Phase 2 of the redevelopment.
- (c) That 'The Ross Iredale Building' naming, by way of a plaque, be implemented within 14 days of this meeting, in consultation with the Board of Gladesville Hornsby Football Association.

Record of Voting:

For the Motion: Unanimous

COUNCIL REPORTS

6 RYDE YOUTH THEATRE: UPDATE ON INVESTIGATIONS INTO ALTERNATE FUNDING SOURCES

Note: Jasmine Inkster, Yvette Vignando, Liam Regent (representing Ryde Youth Theatre), Kimberly Green, Hassan Mehdi, Gian Vignando (representing Ryde Youth Theatre) and Penny Pedersen addressed the Meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Pendleton and Yedelian OAM)

- (a) That Council endorses Option 3 to allocate the amount of \$75,000 per annum, for 4 years; being 2017/18 to 2020/21 for the purpose of funding the Ryde Youth Theatre program and that this be funded from the General Revenue budget to allow for stability and additional resources to sustain the activities of the program whilst Council Officers continue to explore long term options for the program.
- (b) That a further report with an update on the Ryde Youth Theatre be provided to Council in October 2019.

- (c) That the Ryde Youth Theatre provides a report on their activities and financials to be included in Council's Annual Financial Report.
- (d) That Council promote the Ryde Youth Theatre through its normal communication channels, including the Mayor's column, social media and Council's website.

Record of Voting:

For the Motion: Unanimous

7 BLENHEIM PARK - UPDATE AND STATUS - PROPERTY ACQUISITIONS

Note: Paul Azizi (representing Raymond Azizi) addressed the Meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Laxale and Yedelian OAM)

That this update and status report be noted.

Record of Voting:

For the Motion: Unanimous

4 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 3/17 held on 16 May 2017

2 COMMUNITY HALLS AND MEETING ROOMS FOR HIRE HISTORICAL ARRANGEMENTS

Note: Edna Wilde (representing Ryde Eisteddfod) addressed the Meeting in relation to this Item.

Note: Councillor Stott disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that she is the Secretary of the Ryde Eisteddfod Committee.

Note: Council's Acting Director – Customer and Community Services, Angela Jones-Blayney disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that she is the City of Ryde's designated representative who attends the Ryde Eisteddfod Committee Meetings.

RESOLUTION: (Moved by Councillors Stott and Li)

- (a) That Council maintains the status quo with historical arrangements for the following groups:

1. Armenian Senior Citizens
2. Ryde Eisteddfod
3. Easy Care Gardening
4. Indonesian Welfare Society
5. Italian Leisure
6. Italo-Australian Senior Citizens Association
7. Ryde Art Society
8. Ryde Schools Spectacular
9. Lantern Club

and that the in-kind and financial support provided to all these groups be reported in Council's Annual Financial Report.

- (b) That effective 1 July 2017, that the Community Migrant Resource Centre bookings at the Eastwood Meeting Rooms be amended from four days a week down to three days a week and that the group pay \$9,385.23 per annum plus any CPI increases for such use. In addition, that Council's subsidy to this group be reported in Council's Annual Financial Report and that Council explores the potential of an alternative venue option to be managed under a licence arrangement.
- (c) That should Rock N Soul Choir apply for future use of Council's venues, that they be charged the current "Standard" rate under Council's Fees and Charges Schedule, until such a time that they can provide evidence that they are registered as a not for profit community organisation.

Record of the Voting:

For the Motion: Unanimous

4 RESTORATION OF WORLD WAR I HONOUR BOARDS AND PROPOSED LOCATIONS FOR PUBLIC DISPLAY

Note: This matter was dealt with later in the Meeting as detailed in these Minutes.

MAYORAL MINUTES

6/17 BALLOON RELEASE BAN - The Mayor, Councillor Bill Pickering

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

- (a) That Council ban the release of balloons at Council events and in Council managed reserves.

- (b) That Council include a “No release of balloons” policy in Council’s Events Guidelines.
- (c) That Council advocate for a State and National education program on the issues associated with balloon release and encourage the banning of balloon release.

Record of Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Laxale, Li, Pendleton, Stott and Yedelian OAM

Against the Motion: Councillor Maggio

COUNCIL REPORTS

1 CONFIRMATION OF MINUTES - Council Meeting held on 26 April 2017

RESOLUTION: (Moved by Councillors Stott and Yedelian OAM)

That the Minutes of the Council Meeting 3/17, held on 26 April 2017 be confirmed.

Record of Voting:

For the Motion: Unanimous

2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 4/17 held on 9 May 2017

RESOLUTION: (Moved by Councillors Yedelian OAM and Stott)

That Council determine Item 2 of the Planning and Environment Committee report 4/17, held on 9 May 2017 noting that Items 1, 3 and 4 were dealt with by the Committee within its delegated powers.

Record for the Voting:

For the Motion: Unanimous

- 2 118 BALACLAVA ROAD, MARSFIELD. LOT 8 DP 16216. Local Development Application for construction of two-storey boarding house containing 10 boarding rooms. LDA2016/0287.**

RESOLUTION: (Moved by Councillors Yedelian OAM and Stott)

That Local Development Application No 2016/287 be refused for the following reasons:

1. The development is unsatisfactory when assessed against the provisions of Ryde DCP 2014, specifically, in terms of the following provisions:
 - Topography and excavation controls
 - Visual privacy
 - Acoustic Privacy
 - Internal building design
 - Boarding House Management
 - Clothes drying facilities
 - Lack of detail regarding boarding house management
2. The proposal will have unacceptable impacts on the amenity of adjoining residential properties, in particular due to noise impacts, potential privacy and overlooking impacts and waste disposal arrangements.
3. The development is unsatisfactory in terms of vehicle access. Specifically, safe vehicle access to and from the site often cannot be provided due to cars parked on the street which limits sight distance for drivers entering and leaving the site.
4. The development is unsatisfactory in terms of stormwater drainage disposal. Specifically, the development relies on drainage through an adjoining property to connect into Council's stormwater system, however presently there is no drainage easement available over the adjoining property to enable such drainage to occur.
5. The proposal is not in the public interest.

Record for the Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Li, Maggio, Stott and Yedelian OAM

Against the Motion: Councillors Laxale and Pendleton

3 REPORT OF THE RYDE CIVIC HUB COMMITTEE MEETING 4/17 held on 9 May 2017

Note: Councillor Pendleton disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that her continued and consistent opposition to the sale/redevelopment of the Civic Centre public land with the inclusion of high rise residential development, the loss of the bus interchange and internal auditorium and other community amenity is consistent with her core commitment made to the electorate at the 2012 elections.

RESOLUTION: (Moved by Councillors Stott and Yedelian OAM)

That Council determine all Items 1 and 2 of the Ryde Civic Hub Committee Meeting 4/17, held on 9 May 2017 in accordance with the Ryde Civic Hub Committee Terms of Reference.

Record for the Voting:

For the Motion: Unanimous

1 CONFIRMATION OF MINUTES - Ryde Civic Hub Committee Meeting held on 11 April 2017

RESOLUTION: (Moved by Councillors Stott and Yedelian OAM)

That the Minutes of the Ryde Civic Hub Committee 3/17, held on 11 April 2017, be confirmed.

Record for the Voting:

For the Motion: Unanimous

2 RYDE CIVIC HUB INTERNATIONAL DESIGN COMPETITION STATUS REPORT 18 - MAY 2017

Note: A Memorandum from Council's Executive Officer – Ryde Civic Hub dated 22 May 2017 was tabled in relation to this matter and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Stott and Yedelian OAM)

That the Committee receives and notes the content of this report.

Record for the Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Li, Maggio, Stott and Yedelian OAM

Against the Motion: Councillors Laxale and Pendleton

4 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 3/17 held on 16 May 2017

RESOLUTION: (Moved by Councillors Maggio and Stott)

That Council determine Items 2 and 4 of the Works and Community Committee report 3/17, held on 16 May 2017 noting that Items 1, 3, 5 and 6 were dealt with by the Committee within its delegated powers.

Record for the Voting:

For the Motion: Unanimous

**2 COMMUNITY HALLS AND MEETING ROOMS FOR HIRE
HISTORICAL ARRANGEMENTS**

Note: This matter was dealt with earlier in the Meeting as detailed in these Minutes.

**4 RESTORATION OF WORLD WAR I HONOUR BOARDS AND
PROPOSED LOCATIONS FOR PUBLIC DISPLAY**

Note: This matter was dealt with later in the Meeting as detailed in these Minutes.

**5 REPORT OF THE FINANCE AND GOVERNANCE COMMITTEE MEETING
4/17 held on 16 May 2017**

Note: Councillor Pendleton left the meeting at 9.16pm and did not return. She was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Maggio and Stott)

That Council determine all Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 of the Finance and Governance Committee Meeting 4/17, held on 16 May 2017 in accordance with the Finance and Governance Committee Terms of Reference.

Record for the Voting:

For the Motion: Unanimous

**1 CONFIRMATION OF MINUTES - Finance and Governance
Committee Meeting held on 18 April 2017**

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

RESOLUTION: (Moved by Councillors Maggio and Stott)

That the Minutes of the Finance and Governance Committee 3/17, held on 18 April 2017, be confirmed.

Record of the Voting:

For the Motion: Unanimous

2 INVESTMENT REPORT AS AT 30 APRIL 2017

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

RESOLUTION: (Moved by Councillors Maggio and Stott)

That Council endorse the Investment Report – April 2017.

Record of the Voting:

For the Motion: Unanimous

3 MARCH QUARTERLY REVIEW REPORT - FOUR YEAR DELIVERY PLAN 2016-2020 AND 2016/2017 OPERATIONAL PLAN

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

RESOLUTION: (Moved by Councillors Maggio and Stott)

- (a) That the report of the Acting Chief Financial Officer dated 31 March 2017 on the March Quarterly Review Report - Four Year Delivery Plan 2016-2020 and One Year Operational Plan 2016/2017, *Quarter Three, January – March 2017* be received and endorsed.
- (b) That the proposed budget adjustments included in this report resulting in a net increase of \$0.37 million to Council's Working Capital for a projected balance as at 30 June 2017 of \$4.82 million, be endorsed.
- (c) That the proposed transfers to and from Reserves as detailed in the report, and included as budget adjustments, totalling a net increase in Transfers to Reserves of \$8.61 million be endorsed.
- (d) That the Certificate of the Responsible Accounting Officer dated 01 May 2017 be endorsed.
- (e) That the Projects recommended for cancellation, deferral, being placed on hold or proposed to be carried over, as detailed in this report, be endorsed.

Record of the Voting:

For the Motion: Unanimous

4 LOCAL GOVERNMENT REMUNERATION TRIBUNAL DETERMINATION - Councillors and Mayoral fees for 2017/2018

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

RESOLUTION: (Moved by Councillors Maggio and Stott)

That Council adopt the following increases to Councillor and Mayoral fees effective from 1 July 2017:

- (a) 2.5% increase to Councillor fees from \$23,950 to \$24,550 per annum.
- (b) 2.5% increase to Mayoral fees from \$63,640 to \$65,230 per annum; in addition to the Councillor fees.

Record of the Voting:

For the Motion: Unanimous

5 REVIEW OF CODE OF CONDUCT POLICY AND ASSOCIATED DOCUMENTS

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

RESOLUTION: (Moved by Councillors Maggio and Stott)

That Council adopt the four draft Code of Conduct documents (**ATTACHED**)

- Code of Conduct April 2017 – Policy
- Code of Conduct April 2017 – Standards of Conduct
- Code of Conduct April 2017 – Complaints Procedure
- Guideline on the Interaction between Councillors and Staff

Record of the Voting:

For the Motion: Unanimous

6 ADVISORY COMMITTEE MEMBERSHIP

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

RESOLUTION: (Moved by Councillors Maggio and Stott)

- (a) That Council endorse Ms Cate Sinclair and Mr Yadaei being appointed members of the Economic Development Advisory Committee (EDAC).

- (b) That Council endorse Mr Lochtenberg being appointed a member of the Macquarie Park Forum.

Record of the Voting:

For the Motion: Unanimous

7 SHOP RYDER COMMUNITY BUS SERVICE

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

RESOLUTION: (Moved by Councillors Maggio and Stott)

- (a) That Council continue the current operating level (four days per week) of the Shop Ryder Community Bus Service (the Service) beyond 1 July 2017 with funding of up to \$145k per annum indexed being allowed to fund the Service and that funding be split equally from General Revenue and the domestic waste management charge whilst-ever the buses are used for advertising waste messaging otherwise to be fully funded from General Revenue.
- (b) That any replacement buses required for the Service from 2018/19, or sooner as required, be funded from the Council's Plant Reserve.
- (c) The Service is reviewed on a quarterly basis and reported annually under the Council's adopted Corporate Reporting Standards to ensure it continues to meet agreed key performance indicators.

Record of the Voting:

For the Motion: Unanimous

8 PROPERTY MATTER

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

RESOLUTION: (Moved by Councillors Maggio and Stott)

That Council notes the content of the update on the Strategic Action Plan contained within the City of Ryde Property Strategy.

Record of the Voting:

For the Motion: Unanimous

9 REQUEST FOR TENDER - COR-RFT-18/16 - THE PROVISION OF CLEANING AND MAINTENANCE SERVICE OF GROSS POLLUTANT TRAPS

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

RESOLUTION: (Moved by Councillors Maggio and Stott)

- (a) That Council accepts the tender from Total Drain Cleaning Services Pty Ltd for “The Provision of Cleaning and Maintenance Services of Gross Pollutant Traps” to the amount of \$72,702 per annum excluding GST with an option to extend the contract for a further one (1) year as recommended in the Tender Evaluation Report.
- (b) That Council delegate to the General Manager the authority to enter into a contract with Total Drain Cleaning Services Pty Ltd on the terms contained within the tender and for minor amendments to be made to the contract documents that are not of a material nature.
- (c) That Council advise all the respondents of Council’s decision.

Record of the Voting:

For the Motion: Unanimous

10 REQUEST FOR TENDER COR-RFT-15/16 - OLYMPIC PARK STRATEGIC PLAN AND MASTER PLAN

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

RESOLUTION: (Moved by Councillors Maggio and Stott)

- (a) That Council accept the tender from Tompkins MDA Architects Pty Ltd for the Olympic Park Strategic Plan and Master Plan to the amount of \$196,040 (excl. GST) as recommended in the Tender Evaluation Report.
- (b) That Council delegate to the Acting General Manager the authority to enter into a contract with Tompkins MDA Architects Pty Ltd on the terms contained within the tender and for minor amendments to be made to the contract documents that are not of a material nature.
- (c) That Council endorse the allocation of additional funding up to \$100,000 for the expert traffic and parking review. To be adjusted in the 2017/2018 budget (operation plan) and be funded from developer contributions.

(d) That Council advise all the respondents of Council's decision.

Record of the Voting:

For the Motion: Unanimous

11 ADVICE ON COURT ACTIONS

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

RESOLUTION: (Moved by Councillors Maggio and Stott)

That the report of the General Counsel be received.

Record of the Voting:

For the Motion: Unanimous

12 INAUGURAL REFUGEE WELCOME ZONE FORUM – CANBERRA – THURSDAY, 22 JUNE 2017

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

RESOLUTION: (Moved by Councillors Maggio and Stott)

That Council support the attendance of interested Councillors at the Inaugural Refugee Welcome Zone Forum on 22 June 2017, at a cost of \$170 + GST per registration, to be funded from the allocation for Councillors – Conference Expenses.

Record of the Voting:

For the Motion: Unanimous

Note: At the meeting, Councillor Laxale was the only Councillor who expressed an interest in attending the Inaugural Refugee Welcome Zone Forum on 22 June 2017.

**4 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 3/17
held on 16 May 2017**

**4 RESTORATION OF WORLD WAR I HONOUR BOARDS AND
PROPOSED LOCATIONS FOR PUBLIC DISPLAY**

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

RESOLUTION: (Moved by Councillors Maggio and Laxale)

- (a) That Council endorses the restoration of both the North Ryde School of Arts Roll of Honour and the Eastwood School of Arts Roll of Honour boards.
- (b) That Council endorses the Centenary of ANZAC and WWI Committee's preferred location to house both boards in the foyer on Level 1 leading into the Council Chambers due to the availability of space and widest range of hours for public access and viewing.
- (c) That Council endorses the promotion of this project and the available viewing times to the public through all its regular media channels.

Record for the Voting:

For the Motion: Unanimous

**6 RYDE YOUTH THEATRE: UPDATE ON INVESTIGATIONS INTO
ALTERNATE FUNDING SOURCES**

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

7 BLENHEIM PARK - UPDATE AND STATUS - PROPERTY ACQUISITIONS

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

PRECIS OF CORRESPONDENCE FOR CONSIDERATION

1 EASTWOOD COMMUTER CARPARK

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

RESOLUTION: (Moved by Councillors Stott and Maggio)

That the correspondence be received and the information noted.

Record of Voting:

For the Motion: Unanimous

2 AUDIT OFFICE OF NEW SOUTH WALES - INITIAL LOCAL GOVERNMENT PERFORMANCE AUDITS

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

RESOLUTION: (Moved by Councillors Stott and Maggio)

That the correspondence be received and noted.

Record of Voting:

For the Motion: Unanimous

NOTICES OF MOTION

1 CHRISTIE PARK AMENITIES BUILDING - Councillor Roy Maggio

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

2 INDEPENDENT HEARING AND ASSESSMENT PANEL (IHAP) - Councillor Roy Maggio

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

MOTION: (Moved by Councillors Maggio and Laxale)

That Council request the Acting General Manager to prepare a report into introducing an Independent Hearing and Assessment Panel (IHAP) at the City of Ryde and that this report be considered by the new Council, following their election on 9 September 2017.

On being put to the Meeting, the voting on the Motion was two (2) for and four (4) against. The Motion was **LOST**.

Record of Voting:

For the Motion: Councillors Laxale and Maggio

Against the Motion: The Mayor, Councillor Pickering and Councillors Li, Stott and Yedelian OAM

3 STRENGTHENING PROCEDURES - INTERACTIONS BETWEEN COUNCILLORS AND DEVELOPERS - Councillor Roy Maggio

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

RESOLUTION: (Moved by Councillors Maggio and Laxale)

That the Acting General Manager prepare a report to a future Council Meeting identifying;

- (a) What procedures are currently in place with respect to the interactions of staff and Councillors with Developers when negotiating Voluntary Planning Agreements; and
- (b) What measures can be implemented to improve these procedures in order to ensure the highest levels of probity and transparency in negotiations and finalising Voluntary Planning Agreement matters.

Record of Voting:

For the Motion: Councillors Laxale, Li, Maggio and Stott

Against the Motion: The Mayor, Councillor Pickering and Councillor Yedelian
OAM

4 NSW GOVERNMENT'S FIRE AND EMERGENCY SERVICES LEVY - Councillor Roy Maggio

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

RESOLUTION: (Moved by Councillors Maggio and Laxale)

- (a) That Council strongly objects to the imposition of the Fire and Emergency Services Levy being collected through Council's rates and requests the Mayor to make representations on behalf of Council to the Premier of NSW, The Hon. Gladys Berejiklian, the Minister for Emergency Services, The Hon. Troy Grant and the Minister for Local Government, The Hon. Gabrielle Upton, seeking an explanation on the following;
 - i. Why the Local Government Industry is being used to collect the NSW Government's Fire and Emergency Services Levy?
 - ii. Why the City of Ryde community have not been consulted on this matter?
 - iii. Will the City of Ryde be fully compensated for all of its cost in undertaking the collection of this Levy on behalf of the State Government?

- (b) That the Mayor write to the President of Local Government NSW seeking their support and to make further representations to the State Government on this matter.
- (c) That Council draft a suitable Motion to the next Local Government NSW Conference on this matter.
- (d) That Council issue information to the City of Ryde community through its normal communication channels such as the Mayor's Message and Council's website.

Record of Voting:

For the Motion: Unanimous

QUESTIONS BY COUNCILLORS AS PER POLICY

1 QUESTIONS WITH NOTICE - Councillor Jeff Salvestro-Martin

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

RESOLUTION: (Moved by Councillors Stott and Yedelian OAM)

That the following Answers to Questions with Notice be received and noted.

Record of Voting:

For the Motion: Unanimous

The below Questions relate to Holdmark VPA:-

Question 1:

What were the specific and critical skill sets that the lawyers engaged by City of Ryde to advise on the Holdmark VPA brought to this issue?

Answer 1:

The relevant solicitors providing advice in this matter are accredited Local Government and Planning Law specialists. They are therefore appropriately skilled to provide advice on the matter and draft the relevant VPA.

Question 2:

What was the name or names of the companies they were sourced from and why were 2 lawyers required when City of Ryde has an in-house lawyer?

Answer 2:

The relevant firm is Sparke Helmore Lawyers. The firm is on Council's legal services panel as adopted by Council at its meeting on 9 December 2014. There was only one lawyer from that firm present at the meeting in question (Mr. Chris Drury). The other two persons who spoke at the meeting with Mr. Drury with respect to the Holdmark VPA were Council's VPA and Section 94 Coordinator and General Counsel.

Question 3:

How much was the legal bill for their advice on this matter?

Answer 3:

\$24,659.36 (incl GST). However, under Council's VPA policy, Council's reasonable legal costs associated with the preparation, negotiation, execution and implementation of VPAs are to be borne by the proponent. In this matter, Holdmark have previously agreed to pay for Council's legal costs albeit that they insisted that it be capped.

Question 4:

What other matters has this legal company (s) advised City of Ryde on since 1 January 2015?

Answer 4:

(a) *Voluntary Planning Agreements:*

- 1-3 Wharf Road, Gladesville.
- 2 - 10 Wharf Road, Gladesville.
- 2-4 Porter Street, Meadowbank.
- 10 Byfield Street, Macquarie Park.
- 388-392 Lane Cove Road, Macquarie Park.
- 8 Khartoum Road, Macquarie Park.
- North Ryde M2 Site (Lachlan's Line).
- 115-117 Church Street, Ryde.
- 723-730 Victoria Road, Ryde.
- 21-24 Railway Parade, Meadowbank.

(b) *LEC proceedings:*

- Kennards Self Storage Pty Limited v. CoR – 7-9 Khartoum Road, North Ryde.

(c) *Other matters:*

- Review and negotiation of Strata Management Scheme for West Ryde Redevelopment.
- Closure of Public Road – Wharf Road and Meriton Street, Gladesville.

Question 5:

What is the total legal bill from this company (s) since 1 January 2015?

Answer 5:

\$140,396.71 (incl GST).

2 QUESTIONS WITH NOTICE - Councillor Denise Pendleton

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

RESOLUTION: (Moved by Councillors Stott and Yedelian OAM)

That the following Answers to Questions with Notice be received and noted.

Record of Voting:

For the Motion: Unanimous

Question 1:

What specific “technical” issues resulted in the April Council Meeting to not be web streamed?

Answer 1:

Following the meeting of 26 April 2017, Council has sought a specific response from its Audio/Visual consultant (Ulmano Pty Ltd) as to the failures experienced in the Audio-Visual system at this Council meeting. This is summarised below:-

- The consultants responded that on this day they attended the Council chambers at 3.30pm in order to check on the system status and to assist Governance staff with the set-up of the system due to a number of modifications since the March 2017 meeting;
- At approximately 4.50pm, a representative from the consultants checked all operational aspects of the system, including the web streaming operation and no abnormalities were noted. The system was functioning in the required manner at this time;

- It would appear that between this time and commencement of the meeting that there was a power surge that affected the web streamer settings;
- The consultants witnessed a further power surge during the meeting at 9.09pm which effectively disrupted some aspects of the voting system. The voting system was re-established at approximately 9.44pm although the web streaming settings could not be re-established.

The conclusions and recommendations as per the consultant's report are summarised below:-

- The consultants had witnessed a power surge at 9.09pm and therefore suspect that another power surge had occurred which effectively disrupted the web steaming settings prior to the start of the meeting. It is suspected that this occurred sometime between 4.50pm and the commencement of the meeting;
- The consultants believe that it was likely that the power surges were responsible for the web streaming issues experienced on the 26 April 2017 and were also responsible for the partial failure of the voting system on the night;
- They have recommended the installation of a UPS (Uninterruptable Power Supply) with full surge protection along with some modifications to start up procedures and testing;
- A UPS is in the process of being specified and installed and is expected to be in operation for the June Council meeting.

CLOSED SESSION

ITEM 8 – 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.

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

RESOLUTION: (Moved by Councillors Yedelian OAM and Maggio)

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

Record for the Voting:

For the Motion: Unanimous

Note: The Council closed the meeting at 10.25pm. The public and media left the chamber.

LATE CONFIDENTIAL REPORT

8 PROPERTY MATTER

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

RECOMMENDATION: (Moved by Councillors Stott and The Mayor, Councillor Pickering)

That Council make an offer to purchase 86 Blenheim Road and 12A – 14 Epping Road, North Ryde by private treaty up to the value as detailed in Option 3 in this report.

Record of Voting:

For the Motion: Unanimous

OPEN SESSION

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

RESOLUTION: (Moved by Councillors Stott and Maggio)

That Council resolve itself into open Council.

Record for the Voting:

For the Motion: Unanimous

Note: Open Council resumed at 10.40pm.

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

RESOLUTION: (Moved by Councillors Stott and Maggio)

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

Record for the Voting:

For the Motion: Unanimous

NATIONAL ANTHEM

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

The meeting closed at 10.42pm.

CONFIRMED THIS 27TH DAY OF JUNE 2017

Chairperson