

Meeting Date: Tuesday 24 October 2017
Location: Council Chambers, Level 1A, 1 Pope Street, Ryde
Time: 7.00pm

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

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1 CONFIRMATION OF MINUTES - Council Meeting held on 22 August 2017

Report prepared by: Senior Coordinator - Governance**File No.:** CLM/17/1/1/2 - BP17/1026

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 7/17, held on 22 August 2017 be confirmed.

ATTACHMENTS

1 MINUTES - Ordinary Council Meeting - 22 August 2017

ITEM 1 (continued)

ATTACHMENT 1

**Council Meeting
MINUTES OF MEETING NO. 7/17**

Meeting Date: Tuesday 22 August 2017
Location: Council Chambers, Level 1A, 1 Pope Street, Ryde
Time: 7.00pm

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

Apologies: Nil.

Absent: Councillor Salvestro-Martin.

Staff Present: Acting General Manager, Acting Director – Customer and Community Services, Acting Director – Corporate and Organisational Support Services, Acting Director – City Planning and Development, General Counsel, Manager – Project Development, Acting Manager – City Planning, Acting Manager – Community Services, Acting Manager – Business Infrastructure, Senior Coordinator – Communications, Senior Coordinator – Community Engagement, Senior Coordinator – Ranger and Parking Services, Research and Insights Coordinator, Temporary Digital Communications Coordinator, Senior Coordinator – Governance, Governance, Risk and Audit Coordinator and Administration Officer – Councillor Support.

PRAYER

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

DISCLOSURES OF INTEREST

Councillor Pickering disclosed a Less than Significant Non-Pecuniary Interest in relation to Item 5(6) – Licence to Putney Tennyson Bowling and Community Club Ltd – Part Morrison Bay Park for the reason that he is a member of the Putney Tennyson Bowling Club and does not hold any Executive Board Position.

Councillor Stott disclosed a Less than Significant Non-Pecuniary Interest in relation to Item 5(6) – Licence to Putney Tennyson Bowling and Community Club Ltd – Part Morrison Bay Park for the reason that she is a member of the Putney Tennyson Bowling and Community Club Ltd and has no decision making powers.

Councillor Pendleton disclosed a Less than Significant Non-Pecuniary Interest in Item 3 – Report of the Ryde Central Committee Meeting 6/17 held on 8 August 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 performance auditorium and other community amenity is consistent with her core commitment made to the electorate at the 2012 elections.

ITEM 1 (continued)

ATTACHMENT 1

TABLING OF PETITIONS

Councillor Laxale tabled a petition with 96 signatures from residents regarding the Rezoning of Dunbar Park Estate from R3 – Medium Density to R2 – Low Density and a copy is ON FILE.

Councillor Pendleton tabled a petition with 28 signatures from residents objecting to the Proposed Skate Park in Meadowbank Park and a copy is ON FILE.

Councillor Li tabled a petition with 64 signatures from residents regarding traffic control on Abuklea Road, Marsfield and a copy is ON FILE.

Councillor Perram tabled a petition with over 1400 signatures from residents objecting to any part of Eastwood Park being used as a commuter car park and a copy is ON FILE.

PRESENTATION OF GOLD AWARD FOR 2016/2017 ANNUAL REPORT

The Acting General Manager presented the Mayor, Councillor Pickering with the Gold Award for Council's 2015/2016 Annual Report. This is the seventh year in a row that the City of Ryde has won the Gold Award for its Annual Report at the Australasian Reporting Awards (ARA).

PRESENTATION OF 2017 AUSTRALIAN BUSINESS AWARD FOR EMPLOYER OF CHOICE

The Acting General Manager presented the Mayor, Councillor Pickering with the 2017 Australian Business Award for Employer of Choice. This Award recognises organisations which have developed leading workplaces that maximise the full potential of their workforce through practices that demonstrate effective employee recruitment, engagement and retention.

PRESENTATION OF LOCAL GOVERNMENT NSW RH DOUGHERTY AWARD FOR EXCELLENCE IN COMMUNICATION FOR THE DESIGN OUR RYDE INTERNATIONAL DESIGN COMPETITION

The Acting General Manager presented the Mayor, Councillor Pickering with the Highly Commended Local Government NSW RH Dougherty Award for the Design Our Ryde International Design Competition. This category recognises a communication and public relations campaign that was produced to a standard of excellence.

ITEM 1 (continued)

ATTACHMENT 1

SUSPENSION OF STANDING ORDERS

Councillor Simon requested a Suspension of Standing Orders to defer the Presentation to Councillors to allow Public Participation and consideration of all Items on which there were speakers to occur prior to the Presentation to Councillors.

RESOLUTION: (Moved by Councillors Simon and Maggio)

That Standing Orders be Suspended to defer the Presentation to Councillors to allow Public Participation and consideration of all Items on which there were speakers to occur prior to the Presentation to Councillors, the time being 7.24pm.

Record for the Voting:

For the Motion: Unanimous

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:-

Name	Topic
Buckley Findlay	Item 7 – Planning Proposal – Community Consultation – 86 Blenheim Road and 12A and 14 Epping Road, North Ryde
Paul Azizi (representing Raymond Azizi)	Item 7 – Planning Proposal – Community Consultation – 86 Blenheim Road and 12A and 14 Epping Road, North Ryde
Sharon Bejjani	Item 7 – Planning Proposal – Community Consultation – 86 Blenheim Road and 12A and 14 Epping Road, North Ryde
Brad Powe	Item 7 – Planning Proposal – Community Consultation – 86 Blenheim Road and 12A and 14 Epping Road, North Ryde
Penny Pedersen	Item 7 – Planning Proposal – Community Consultation – 86 Blenheim Road and 12A and 14 Epping Road, North Ryde
Melanie Marcellino	Item 11 – Deferred Report – Acquisition of Private Land – Request from adjoining owner
Peter Raptis	Notice of Motion 3 – Dunbar Park Estate Zoning
Oliver Sheehan	Notice of Motion 3 – Dunbar Park Estate Zoning
Gary Pilgrim	Notice of Motion 3 – Dunbar Park Estate Zoning
Peter Aylett	Notice of Motion 3 – Dunbar Park Estate Zoning

ITEM 1 (continued)

ATTACHMENT 1

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

RESOLUTION: (Moved by Councillors Stott and Maggio)

That the speaker 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 6/17 held on 8 August 2017 and the speaker who submitted a late Request to Address Council on Items Listed on the Agenda on an Item previously considered by the Planning and Environment Committee Meeting 6/17 held on 8 August 2017 be allowed to address the meeting, the time being 7.52pm.

Record of Voting:

For the Motion: Unanimous

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons then addressed the Council:-

Name	Topic
Sarah Horsfield (representing AMP Capital and Jo Fleming from AMP Capital)	Item 2(5) – Planning Proposal – 197-223 Herring Road, Macquarie Park – Macquarie Shopping Centre Advertising Sign
Nigel White (representing the applicant)	Item2(2) – 6 Lexcen Place, Marsfield – LDA2017/0167

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

The following persons addressed the Council:-

Name	Topic
Des Sibraa	Ryde Outdoor Youth and Family Recreation Space
Rossie Vasilev	Ratepayer vs Council's Tree
Fletcher Simpkins	Against the Development Proposal for 2-14 Tennyson Road currently open for public comment
Jeff Hayes	2-14 Tennyson Road Development
Kate Scotland (representing Narelle Matley)	Removal of Ryde Council's Caveat on 10 Cooper Street, Marsfield. The Caveat was lodged in 1973 to prevent the property from being used as a dual occupancy, however today it is antiquated, lacks legal merit, unduly burdens the property and potentially prevents the registered proprietor from selling the property

ITEM 1 (continued)

ATTACHMENT 1

Name	Topic
Doug Matley (representing Narelle Matley)	Removal of Ryde Council's Caveat on 10 Cooper Street, Marsfield. The Caveat was lodged in 1973 to prevent the property from being used as a dual occupancy, however today it is antiquated, lacks legal merit, unduly burdens the property and potentially prevents the registered proprietor from selling the property
Peter Bradley	Car parking on the ovals

Note: Tosko Vasilev was called to address Council, however he was not present in the Chamber.

Note: Des Sibraa handed some photographs of parked cars and traffic congestion surrounding Meadowbank Park around for Councillors to view and a copy of the photographs are ON FILE.

ORDER OF BUSINESS

RESOLUTION: (Moved by Councillors Yedelian OAM and Laxale)

That Council now consider the following Items, the time being 8.23pm:-

- Item 7 – Planning Proposal – Community Consultation – 86 Blenheim Road and 12A and 14 Epping Road, North Ryde
- Item 11 - Deferred Report – Acquisition of Private Land – Request from adjoining owner
- Item 2(2) – 6 Lexcen Place, Marsfield – LOT 70 DP 718680 - Development Application – LDA2017/0167
- Notice of Motion 3 - Dunbar Park Estate Zoning
- Item 2(5) – Planning Proposal – 197-223 Herring Road, Macquarie Park – Macquarie Shopping Centre Advertising Sign

Record for the Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

COUNCIL REPORT

7 PLANNING PROPOSAL - COMMUNITY CONSULTATION - 86 BLENHEIM ROAD AND 12A AND 14 EPPING ROAD NORTH RYDE

Note: Buckley Findlay, Paul Azizi (representing Raymond Azizi), Sharon Bejjani, Brad Powe and Penny Pedersen addressed the Meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Yedelian OAM and Laxale)

- (a) That Council endorse that Ryde LEP 2014, as it relates to 86 Blenheim Road, 12A and 14 Epping Road North Ryde (LOTS C, D, E in DP 410408) be amended as follows:
 - i. Ryde LEP 2014 Land Zoning Map amended to rezone the land to RE1 Public Recreation
 - ii. Ryde LEP 2014 Floor Space Ratio Map be amended to remove the FSR control from the land;
 - iii. Ryde LEP 2014 Height of Building Map be amended to remove the Height control from the subject land;
 - iv. Ryde LEP 2014 Lot Size Map be amended to remove the controls from the subject land ; and
 - v. Ryde LEP 2014 Land Reservation Acquisition Map be amended to identify the subject site as "Local Open Space" (coloured in yellow on the map).
- (b) That Council endorse forwarding the Planning Proposal – 86 Blenheim Road, 12A and 14 Epping Road North Ryde to the Department of Planning and Environment with a request that the Plan be made and notified on the NSW Legislation Website.
- (c) That Council endorse the amendments to the Integrated Open Space Plan
- (d) That Council notify all community members who made a submission regarding the planning proposal.

Record of the Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

LATE COUNCIL REPORT

11 DEFERRED REPORT: ACQUISITION OF PRIVATE LAND – REQUEST FROM ADJOINING OWNER

Note: Melanie Marcellino addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Laxale and Yedelian OAM)

- (a) That Council undertake further investigations, to a maximum value of \$50,000, to establish whether there are any living successors of William Star and if none make an application to the Registrar General (subject to compliance with any relevant statutory requirements) to declare the Land as Public Road with Council being the relevant roads authority. The ultimate aim of this motion would be to sell the acquired land to adjoining land owners for a sum which would recover costs of this process.
- (b) That if there are any living successors of William Star, Council facilitate a meeting between the successors and adjoining land owners and assist in resolving the matter.

Record of the Voting:

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

Against the Motion: Councillor Perram and Pendleton

COUNCIL REPORT

2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 6/17 held on 8 August 2017

2 6 LEXCEN PLACE, MARSFIELD. LOT 70 DP 718680. Development Application – Demolition, new residential apartment building comprising 4 x 3 bedroom apartments over a semi-basement parking level for 6 vehicles - under the State Environmental Planning Policy (Affordable Rental Housing) 2009. LDA2017/0167

Note: Nigel White (representing the applicant) addressed the meeting in relation to this Item.

Note: A Memorandum the Acting Director – City Planning and Development dated 18 August 2017 was tabled in relation to this Item and a copy is ON FILE.

ITEM 1 (continued)

ATTACHMENT 1

RESOLUTION: (Moved by Councillors Yedelian OAM and Laxale)

(a) That Local Development Application No. LDA2017/0167 be refused for the following reasons:

Section 79C(1)(a)(i) of the Act of the Act The proposal is considered to be inconsistent with Clause 16A 'Character of the Local Area' of *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

The proposal is unsatisfactory in terms of the following Design Quality Principles Contained within Schedule 1 of *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development*:

- Principle 1: Context and neighbourhood character
- Principle 2: Built form and scale
- Principle 3: Density
- Principle 5: Landscape
- Principle 6: Amenity
- Principle 8: Housing diversity and social interaction
- Principle 9: Aesthetics

The proposal is unsatisfactory in terms of the following provisions of the *Apartment Design Guide*:

- Part 3D – Communal and Public Open Space
- Part 4C – Floor to Floor Heights
- Part 4D – Apartment Size and Layout
- Part 4H – Acoustic Privacy
- Part 4K – Apartment Mix
- Part 4M – Facades
- Part 4Q – Universal Design

The proposal is unsatisfactory in terms of Development Engineering and Waste Disposal issues regarding the design of the basement carpark, namely:

- drainage disposal (uncertainty as to whether or not a pipe exists within the drainage easement to the rear of the site);
- design of basement car park;
- driveway gradients;
- lack of waste storage areas (both garbage and recycling bins storage areas required).

ITEM 1 (continued)

ATTACHMENT 1

Section 79C(1)(b) of the Act	The likely impacts of the proposal on the built environment are unsatisfactory due to the proposal introducing a discordant building typology to the street. The resultant impact is a proposal that will unduly impact on the amenity of adjoining property by way of visual and acoustic privacy.
Section 79C(1)(c) of the Act	The significant inconsistencies with the relevant planning controls are considered to be manifestations of the underlying unsuitability of the site for residential use.
Section 79C(1)(e) of the Act	The significant public objection to the proposal, along with unjustifiable non-compliances with the provisions of <i>State Environmental Planning Policy (Affordable Rental Housing) 2009</i> , <i>State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development</i> , and the <i>Apartment Design Guide</i> are evidence the proposal is not in the public interest.

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

Record of Voting:

For the Motion: Unanimous

NOTICE OF MOTION

3 NOTICE OF MOTION - DUNBAR PARK ESTATE ZONING – Councillor Jerome Laxale

Note: Peter Raptis, Oliver Sheehan, Gary Pilgrim and Peter Aylett addressed the meeting in relation to this Item.

Note: A Dunbar Park Estate Zoning Map from Ryde LEP 2014 from Councillor Laxale was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Laxale and Simon)

That Council prepare and submit to the NSW Department of Planning and Environment for Gateway Determination, a Planning Proposal for the “Dunbar Park Estate R3 Zone” in Marsfield.

The effect of the Planning Proposal is to amend Ryde Local Environmental Plan 2014 to rezone the land from R3 Medium Density Residential to R2 Low Density Residential in order to harmonise zonings in this area and ensure it's character and amenity is maintained.

ITEM 1 (continued)

ATTACHMENT 1

Record of the Voting:

For the Motion: Unanimous

COUNCIL REPORT

**2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING
6/17 held on 8 August 2017**

**5 PLANNING PROPOSAL - 197-223 HERRING ROAD MACQUARIE
PARK - MACQUARIE SHOPPING CENTRE ADVERTISING SIGN**

Note: Sarah Horsfield (representing AMP Capital and Jo Fleming from AMP Capital) addressed the Meeting in relation to this Item.

Note: A Memorandum the Acting Director – City Planning and Development dated 18 August 2017 was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Stott and Li)

- (a) That Council accept an amendment to the PP relating to the sign at 197-223 Herring Road - Macquarie Shopping Centre (LOT 100 in DP1190494) to increase the advertising time provided as public benefit from 5% to 10% and that the PP be forwarded for a gateway determination in accordance with Section 56 of the *Environmental Planning and Assessment Act 1979* and that Council request delegation from the Minister to implement the Plan.
- (b) That Council, in the event of a gateway determination being issued pursuant to Section 56 of the *Environmental Planning and Assessment Act 1979*, place the proposal on public exhibition and that Council consider a further report following the completion of the exhibition period advising of the outcomes and next steps.

Record of Voting:

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

Against the Motion: Councillors Laxale and Simon

ITEM 1 (continued)

ATTACHMENT 1

MATTER OF URGENCY

The Mayor, Councillor Pickering advised the meeting that he wished to raise a Matter of Urgency regarding the Potential Removal of a tree outside the property at 28 Tarrants Avenue, Eastwood.

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

That Council consider a Matter of Urgency raised by The Mayor, Councillor Pickering regarding the potential removal of a tree outside the property at 28 Tarrants Avenue, Eastwood, the time being 9.05pm.

Record of the Voting:

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

Against the Motion: Councillor Perram

MATTER OF URGENCY – POTENTIAL REMOVAL OF TREE OUTSIDE 28 TARRANTS AVENUE, EASTWOOD.

Note: A Structural Report from Michael Ell Consulting Engineers Pty Ltd dated 4 April 2017 together with photographs of the tree outside the property at 28 Tarrants Avenue, Eastwood from Rossie Vasilev was tabled in relation to this Item and a copy is ON FILE.

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

That Council conduct an immediate investigation into the feasibility for a masonry root barrier as one solution which if not practicable then undertake the removal of the tree outside the property at 28 Tarrants Avenue, Eastwood.

Record of the Voting:

For the Motion: Unanimous

MATTER OF URGENCY

Councillor Maggio advised the meeting that he wished to raise a Matter of Urgency regarding the Removal of a Caveat on the Title of the property at 10 Cooper Street, Marsfield.

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

ITEM 1 (continued)

ATTACHMENT 1

MATTER OF URGENCY – REMOVAL OF CAVEAT FROM TITLE ON THE PROPERTY AT 10 COOPER STREET, MARSFIELD

Note: Documentation including a copy of a Deed and Caveat from Kate Scotland (representing Doug and Narelle Matley) was tabled in relation to this Item and a copy is ON FILE.

MOTION: (Moved by Councillors Maggio and Stott)

That the Acting General Manager be delegated authority on behalf of the Council to, upon his review of all necessary documentation, to determine the request to remove the Caveat on the title of the property at 10 Cooper Street, Marsfield and consider the release of the Covenants and the subject of the Deed of Covenant dated 24 September 1973.

AMENDMENT: (Moved by Councillors Yedelian OAM and Laxale)

That Council officers investigate the caveat on the property and that the Acting General Manager be delegated authority to resolve the matter.

On being put to the Meeting, the voting on the Amendment was four (4) for and five (5) against. The Amendment was **LOST**. The Motion was then put and **CARRIED**.

Record of the Voting:

For the Amendment: Councillors Laxale, Pendleton, Simon and Yedelian OAM

Against the Amendment: The Mayor, Councillor Pickering and Councillors Li, Maggio Perram and Stott

RESOLUTION: (Moved by Councillors Maggio and Stott)

That the Acting General Manager be delegated authority on behalf of the Council to, upon his review of all necessary documentation to determine the request to remove the caveat on the title of the property at 10 Cooper Street, Marsfield and consider the release of the covenants and the subject of the Deed of Covenant dated 24 September 1973.

Record of the Voting:

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

Against the Motion: Councillor Simon

ITEM 1 (continued)

ATTACHMENT 1

PRESENTATION TO CURRENT SERVING COUNCILLORS OF THE CITY OF RYDE

The Acting General Manager, Mr George Dedes thanked and congratulated the current serving Councillors for their contribution and dedication to their role during their tenure with the City of Ryde and presented each Councillor with a Certificate in Recognition of their Service.

COUNCIL REPORTS

1 CONFIRMATION OF MINUTES - Council Meeting held on 25 July 2017

RESOLUTION: (Moved by Councillors Stott and Yedelian OAM)

That the Minutes of the Council Meeting 6/17, held on 25 July 2017 be confirmed.

Record for the Voting:

For the Motion: Unanimous

2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 6/17 held on 8 August 2017

RESOLUTION: (Moved by Councillors Yedelian OAM and Pendleton)

That Council determine Item 4 of the Planning and Environment Committee report 6/17, held on 8 August 2017 noting that Items 1, 3 and 6 were dealt with by the Committee within its delegated powers and Items 2 and 5 were considered earlier in the Meeting as detailed in these Minutes.

Record for the Voting:

For the Motion: Unanimous

- 2 6 LEXCEN PLACE, MARSFIELD. LOT 70 DP 718680. Development Application – Demolition, new residential apartment building comprising 4 x 3 bedroom apartments over a semi-basement parking level for 6 vehicles - under the State Environmental Planning Policy (Affordable Rental Housing) 2009. LDA2017/0167**

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

ITEM 1 (continued)

ATTACHMENT 1

4 SUITE 102 / 25 ANGUS STREET, MEADOWBANK. LOT 174 SP 76502. Development Application – Conversion of existing commercial space to a residential apartment and home office. LDA2016/0189

RESOLUTION: (Moved by Councillors Yedelian OAM and Pendleton)

- (a) That the application be deferred for a mediation meeting with the applicant and the objectors to resolve issues raised in the assessing officers report and specifically to endeavour to improve the amenity of the proposed residential unit.
- (b) That any amended plans or additional information provided by the applicant are renotified.
- (c) That a further report be submitted to Council.

Record of Voting:

For the Motion: Unanimous

5 PLANNING PROPOSAL - 197-223 HERRING ROAD MACQUARIE PARK - MACQUARIE SHOPPING CENTRE ADVERTISING SIGN

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

3 REPORT OF THE RYDE CENTRAL COMMITTEE MEETING 6/17 held on 8 August 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 performance 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 Maggio)

That Council determine all Items 1 and 2 of the Ryde Civic Hub Committee Meeting 6/17, held on 8 August 2017 in accordance with the Ryde Civic Hub Committee Terms of Reference.

Record for the Voting:

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

Against the Motion: Councillor Pendleton

ITEM 1 (continued)

ATTACHMENT 1

1 CONFIRMATION OF MINUTES - Ryde Civic Hub Committee Meeting held on 13 June 2017

RESOLUTION: (Moved by Councillors Stott and Maggio)

That the Minutes of the Ryde Civic Hub Committee 5/17, held on 13 June 2017, be confirmed.

Record for the Voting:

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

Against the Motion: Councillor Pendleton

2 STATUS REPORT 20 - JULY 2017

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

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

Record of Voting:

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

Against the Motion: Councillor Pendleton

4 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 6/17 held on 15 August 2017

RESOLUTION: (Moved by Councillors Maggio and Stott)

That Council determine Item 2 of the Works and Community Committee report 6/17, held on 15 August 2017 noting that Items 1 and 3 were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

2 BILL MITCHELL CLUB HOUSE (PIGEON CLUB)

RESOLUTION: (Moved by Councillors Maggio and Stott)

- (a) That Council endorse the demolition of the building previously occupied by the Ryde and District Racing Pigeon Club and return the site to the park.
- (b) That Council allocate the amount of \$15,000 from working capital for the purpose of demolition of the Bill Mitchell Club building and that the amount be consolidated into the 2017/18 Quarter 1 review.

Record of Voting:

For the Motion: Unanimous

5 REPORT OF THE FINANCE AND GOVERNANCE COMMITTEE MEETING 7/17 held on 15 August 2017

RESOLUTION: (Moved by Councillors Maggio and Stott)

That Council determine all Items 1, 2, 3, 4, 5, 6, 7 and 8 of the Finance and Governance Committee Meeting 7/17, held on 15 August 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 July 2017

RESOLUTION: (Moved by Councillors Maggio and Stott)

That the Minutes of the Finance and Governance Committee 6/17, held on 18 July 2017, be confirmed.

Record of the Voting:

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

Against the Motion: Councillor Pendleton

ITEM 1 (continued)

ATTACHMENT 1

2 INVESTMENT REPORT AS AT 31 JULY 2017

RESOLUTION: (Moved by Councillors Maggio and Stott)

That Council endorse the Investment Report as at 31 July 2017.

Record of the Voting:

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

Against the Motion: Councillor Pendleton

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

RESOLUTION: (Moved by Councillors Maggio and Stott)

- (a) That the report of the Chief Financial Officer on the 2017 June Quarterly Review Report - Four Year Delivery Plan 2016-2020 and One Year Operational Plan 2016/2017 be received and endorsed.
- (b) That the proposed budget adjustments included in this report resulting in a net increase of \$0.04 million to Council's Working Capital for a projected balance as at 30 June 2017 of \$4.85 million, be endorsed and included in the 2016/2017 Budget.
- (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 \$2.29 million, be endorsed.
- (d) That the Certificate of the Responsible Accounting Officer, dated 1 August 2017 be endorsed.
- (e) That Council endorse the Projects recommended for cancellation, deferral, being placed on hold or proposed to be carried over as outlined in this Report.

Record of the Voting:

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

Against the Motion: Councillor Pendleton

ITEM 1 (continued)

ATTACHMENT 1

4 CITY OF RYDE END OF TERM REPORT UPDATE

RESOLUTION: (Moved by Councillors Maggio and Stott)

- (a) That Council endorse this End of Term Report 2012-2017; and
- (b) That Council publishes a copy of the End of Term Report 2012-2017 on its website from October 2017 in line with the OLG guidelines.

Record of the Voting:

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

Against the Motion: Councillor Pendleton

5 THE NEW PARKED BOAT TRAILER LEGISLATION

RESOLUTION: (Moved by Councillors Maggio and Stott)

- (a) That Council at this stage adopts not to enforce the parking of boat trailers within the City of Ryde under the changes to the “Impounding Act 1993 No 31”.
- (b) That this matter be reviewed by the Manager Community Services in August 2018 and reported back to Council should there be significant changes in the level of reported incidents relating to parked boat trailers within the City of Ryde.
- (c) That Council notify all people who participated in the community consultation process and advise the community via Council’s media channels.

Record of the Voting:

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

Against the Motion: Councillor Pendleton

6 LICENCE TO PUTNEY TENNYSON BOWLING AND COMMUNITY CLUB LTD - PART MORRISON BAY PARK

Note: Councillor Pickering disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that he is a member of the Putney Tennyson Bowling Club and does not hold any Executive Board Position.

ITEM 1 (continued)

ATTACHMENT 1

Note: Councillor Stott disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that she is a member of the Putney Tennyson Bowling and Community Club Ltd and has no decision making powers.

RESOLUTION: (Moved by Councillors Maggio and Stott)

- (a) That subject to no objections being received following the statutory advertising of the proposal, a five(5) year licence of part of Morrison Bay Park (aka 68 Frances Road), Putney comprising some 8880 square metres be granted to the Putney Tennyson Bowling and Community Club Ltd on the key terms outlined within this Report.
- (b) That should any submission objecting to the licence proposal be received following the statutory advertising, a further report be submitted for consideration of Council.

Record of the Voting:

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

Against the Motion: Councillor Pendleton

7 REQUEST FOR TENDER - COR-RFP-04/17 REQUEST FOR PROPOSAL: TRANSACTIONAL CUSTOMER SATISFACTION RESEARCH PROGRAM

RESOLUTION: (Moved by Councillors Maggio and Stott)

- (a) That Council accept the tender from Micromex Research for the City of Ryde Transactional Research Program for a 12 month contract with 2 x 1 year option. The cost of commissioning this program is \$85,502.38 (excl. GST) in year 1, \$86,835.38 (excl. GST) in year 2 and \$90,641.91 (excl. GST) in year 3. The total amount tendered for the works over three (3) years will therefore be \$262,979.68 (excl. GST).
- (b) That Council delegate to the General Manager the authority to enter into a contract with Micromex Research 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 to the Request for Proposal of Council's decision.

ITEM 1 (continued)

ATTACHMENT 1

Record of the Voting:

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

Against the Motion: Councillor Pendleton

8 ADVICE ON COURT ACTIONS

RESOLUTION: (Moved by Councillors Maggio and Stott)

That the report of the General Counsel be received.

Record of the Voting:

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

Against the Motion: Councillor Pendleton

6 DRAFT 2016/17 FINANCIAL STATEMENTS

RESOLUTION: (Moved by Councillors Stott and Perram)

- (a) That pursuant to the provisions of Section 413 of the Local Government Act 1993, Council hereby declares that it has prepared General Purpose Financial Statements for the 2016/2017 financial year ending 30 June 2017 and has formed an opinion, based on the advice of Council officers, that these reports:
- i. Have been prepared in accordance with:
 - The Local Government Act 1993 (as amended) and the Regulations made thereunder
 - The Australian Accounting Standards and professional pronouncements
 - The Local Government Code of Accounting Practice and Financial Reporting.
 - ii. Present fairly the operating result and financial position of the City of Ryde for the year ended 30 June 2017.
 - iii. Accords with Council's accounting and other records and policies.

ITEM 1 (continued)

ATTACHMENT 1

- (b) That the Special Purpose Financial Statements have been drawn up in accordance with the Local Government Code of Accounting Practice and Financial Reporting.
- (c) That the General and Special Purpose Financial Statements be certified by the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer (Chief Financial Officer) in accordance with section 413 (2)(c) of the Local Government Act 1993.
- (d) That pursuant to the provisions of Section 413 of the Local Government Act 1993, Council hereby declares that the Financial Statements (including General Purpose and Special Purpose Reports) for the year ending 30 June 2017 be referred for audit.
- (e) That under delegated authority and with endorsement from the Audit and Risk Committee, the Mayor, Deputy Mayor, Acting General Manager and the Responsible Accounting Officer resign the Statement for lodgement to the audit team following the Councillor elections.
- (f) That Tuesday, 24 October 2017 be fixed as the date for the public meeting to present the audited financial statements and auditor's report for the year ended 30 June 2017 as required by section 419 of the Local Government Act 1993 and that the Council's external auditors be present.
- (g) That \$4 million be transferred to the Investment Property Reserve.

Record of the Voting:

For the Motion: Unanimous

7 PLANNING PROPOSAL - COMMUNITY CONSULTATION - 86 BLENHEIM ROAD AND 12A AND 14 EPPING ROAD NORTH RYDE

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

8 PLANNING PROPOSAL - AFFORDABLE HOUSING

RESOLUTION: (Moved by Councillors Yedelian OAM and Stott)

- (a) That Council prepare a Local Strategic Planning Statement related to Affordable Housing and submit to the Minister for Planning for adoption. This will set the strategic direction for the Ryde Local Government Area for key worker housing.

ITEM 1 (continued)

ATTACHMENT 1

- (b) That Council prepare a Planning Proposal for the inclusion of affordable housing provisions in Ryde Local Environmental Plan and forward for it to the Minister for Planning with a request for a gateway determination in accordance with Section 56 of the *Environmental Planning and Assessment Act 1979*. The Planning Proposal will involve the following amendments to Ryde Local Environmental Plan 2014:

Introduce new Clause 6.12 Affordable housing.

- 1) *The consent authority may, when granting development consent to a development containing a residential component impose a condition requiring a contribution equivalent to the affordable housing contribution levy being:-*
 - a. *for development within an R3 Medium Density Residential zone, R4 High Density Residential zone and/or a Town Centre identified on Ryde Local Environmental Plan 2014 Centres Map, 2% of the total floor area of the residential component.*
 - b. *for development resulting from a change in the zoning of the land on or after the day Ryde Local Environmental Plan 2014 (Amendment No 15) commences 7% of so much of the total floor area of the residential component.*
 - c. *for development resulting from a change in the maximum height and floor space permissible, 7% of the additional residential component.*
- 2) *The consent authority may, when granting consent to a development, exclude from floor space ratio calculations the gross floor area of the affordable housing to be dedicated to Council.*

Note: A financial contribution will be required in accordance with Development Control Plan 2014 Part 3.6 Affordable Housing when the required affordable housing contribution levy results in part of a dwelling being required.

- (c) That Council, in the event of a Gateway Determination being issued pursuant to Section 56 of the *Environmental Planning and Assessment Act 1979*, place the Planning Proposal on public exhibition and a further report be presented to Council following the completion of the exhibition period advising of the outcomes and next steps.
- (d) That Council prepare a new draft Part 3.6 to Ryde Development Control Plan 2014 (**ATTACHED**) and exhibit the draft concurrently with the abovementioned Planning Proposal. The Development Control Plan will provide detailed guidance to the Local Environmental Plan and include provisions relating to the minimum size of affordable housing (50sqm) and a monetary contribution calculator.

ITEM 1 (continued)

ATTACHMENT 1

- (e) That the Acting General Manager write to the Minister for Planning requesting that the City of Ryde be included in *State Environmental Planning Policy 70 - Affordable Housing* providing evidence of the identified need for affordable housing in the City of Ryde, a copy of *City of Ryde Affordable Housing Policy 2016-2031*, this report and Council's resolutions.
- (f) That all monetary contributions obtained under the Ryde Affordable Housing Controls, including any surplus rental funds, are hypothecated to the delivery, maintenance and management of affordable housing and that a Reserve is established for this purpose.

Record of the Voting:

For the Motion: Unanimous

9 LAND CLASSIFICATION - AFFORDABLE HOUSING DWELLING - 9/6 MOOLTAN AVENUE MACQUARIE PARK

RESOLUTION: (Moved by Councillors Stott and Yedelian OAM)

That Council endorses that the land known as Unit 9/6 Mooltan Avenue Macquarie Park (being LOT 8 in SP 91339) be classified as operational land.

Record of the Voting:

For the Motion: Unanimous

10 LAND CLASSIFICATION - AFFORDABLE HOUSING DWELLING - 16/21 BAY DRIVE MEADOWBANK

RESOLUTION: (Moved by Councillors Stott and Yedelian OAM)

That Council endorses that the land known as Unit 16/21 Bay Drive, Meadowbank (being LOT 16 in SP 95518) be classified as operational land.

Record of the Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

LATE COUNCIL REPORTS

11 DEFERRED REPORT: ACQUISITION OF PRIVATE LAND – REQUEST FROM ADJOINING OWNER

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

12 DISABILITY INCLUSION ACTION PLAN (DIAP): 2017-2021

RESOLUTION: (Moved by Councillors Stott and Yedelian OAM)

- (a) That Council endorse the adoption of the Disability Inclusion Action Plan 2017-2021 for the effective coordination and delivery of programs and services to facilitate disability inclusion across the City of Ryde.
- (b) That Council write to the members of the community who wrote submissions and participated in the process, advising them of Council's decision and thanking them for their contribution.

Record of the Voting:

For the Motion: Unanimous

LATE PRECIS OF CORRESPONDENCE FOR CONSIDERATION

1 NSW GOVERNMENT DECISION NOT TO PROCEED WITH MERGER

RESOLUTION: (Moved by Councillors Stott and Li)

That the correspondence be received and noted.

Record of the Voting:

For the Motion: Unanimous

NOTICES OF MOTION

1 NSW GOVERNMENT MERGER BACKFLIP – Councillor Jerome Laxale

RESOLUTION: (Moved by Councillors Laxale and Maggio)

- (a) That the Acting General Manager immediately commence recruitment for a General Manager for the City of Ryde.

ITEM 1 (continued)

ATTACHMENT 1

- (b) That the Acting General Manager prepare a report identifying all costs associated with complying with the Government's Local Government Reform / Merger processes, dating back to the Government's Destination 2036 document.

These costs would include, but not be limited to;

- Staff Time
- Workshops and Council Meetings held on the matter
- Legal Fees
- Consultants Fees
- Printing and Design Costs

Record of the Voting:

For the Motion: Unanimous

2 MEMBERSHIP FOR THE COMMUNITY HARMONY REFERENCE GROUP - Councillor Sarkis Yedelian OAM

RESOLUTION: (Moved by Councillors Yedelian OAM and Pendleton)

That Council accept these expressions of interest, to join the Community Harmony Reference Group effective immediately:-

- Mahboba Rawi – Mahboba's Promise founder and active in community and social inclusion projects.
- Lesley Tomasulo – Experienced in community organisations and community management committees.

Record of the Voting:

For the Motion: Unanimous

3 DUNBAR PARK ESTATE ZONING – Councillor Jerome Laxale

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

ITEM 1 (continued)

ATTACHMENT 1

NATIONAL ANTHEM

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

The meeting closed at 11.08pm.

CONFIRMED THIS DAY OF 24TH OCTOBER 2017

Chairperson

2 CONFIRMATION OF MINUTES - Extraordinary Council Meeting held on 26 September 2017

Report prepared by: Senior Coordinator - Governance
File No.: CLM/17/1/1/2 - BP17/1027

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 8/17, held on 26 September 2017 be confirmed.

ATTACHMENTS

1 MINUTES - Extraordinary Council Meeting - 26 September 2017

ITEM 2 (continued)

ATTACHMENT 1

**Extraordinary Council Meeting
MINUTES OF MEETING NO. 8/17**

Meeting Date: Tuesday 26 September 2017
Location: Council Chambers, Level 1A, 1 Pope Street, Ryde
Time: 7.00pm

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

Apologies: Nil.

Leave of Absence: Nil.

Staff Present: Acting General Manager, Acting Director – Customer and Community Services, Director – Corporate and Organisational Support Services, Acting Director – City Planning and Development, Acting Director – City Works and Infrastructure, General Counsel, Manager – Risk, Audit and Governance, Manager – Community Services, Manager – Library Services, Senior Coordinator – Communications, Senior Coordinator – Community Engagement, Information Systems Librarian Local Studies, Community Projects Coordinator (Sector Development), Digital Communications Coordinator, Executive Assistant to Acting Director – Customer and Community Services, Senior Coordinator – Governance, Governance, Risk and Audit Coordinator and Administration Officer – Councillor Support.

PRAYER

Reverend Mal York of the West Ryde Anglican Church offered prayer prior to the commencement of the meeting.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

TABLING OF PETITONS

No Petitions were tabled.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

No addresses were made to Council.

ITEM 2 (continued)

ATTACHMENT 1

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

The following persons then addressed the Council:-

Name	Topic
Mr John Booth	As the oldest living former Alderman-Councillor of Ryde Council, he would like to congratulate the new Councillors and offer some advice on the Ryde Civic Centre site as he was instrumental in its acquisition and original building

COUNCIL REPORTS

1 COUNCILLORS' OATH OF OFFICE

In accordance with section 233A of the *Local Government Act 1993*, Councillors (including Mayors) are required to take an Oath or Affirmation of Office at or before the first meeting of Council.

The Acting General Manager, invited each Councillor to stand and undertook either the Oath or Affirmation of Office as follows:-

The following Councillors undertook the Oath of Office:-

- Councillor Trenton Brown
- Councillor Peter Kim
- Councillor Jerome Laxale
- Councillor Roy Maggio
- Councillor Christopher Moujalli
- Councillor Sarkis Yedelian OAM

The following Councillors undertook the Affirmation of Office:-

- Councillor Edwina Clifton
- Councillor Christopher Gordon
- Councillor Jordan Lane
- Councillor Penelope Pedersen
- Councillor Bernard Purcell
- Councillor Simon Zhou

ITEM 2 (continued)

ATTACHMENT 1

2 ELECTION OF MAYOR FOR ENSUING TWO (2) YEARS

The Acting General Manager, as Returning Officer, gave an overview of the election process.

METHOD OF VOTING FOR ELECTION OF MAYOR

The Acting General Manager, as Returning Officer, presented the options on the method of voting for Mayor.

RESOLUTION: (Moved by Councillors Yedelian OAM and Maggio)

- (a) That the method of voting for the election of Mayor be open voting by the show of hands.
- (b) That the Acting General Manager, as Returning Officer, undertake the election of Mayor for the ensuing two (2) years by announcing the nominations and then conducting the election.

Record of the Voting:

For the Motion: Unanimous

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

The Acting General Manager, as Returning Officer, advised that there were two (2) nominations for Office of Mayor, namely Councillor Laxale and Councillor Yedelian OAM.

The Acting General Manager invited further nominations. There were no further nominations.

THE ELECTION FOR MAYOR was conducted by the Acting General Manager, as Returning Officer, which resulted in the following voting:

Councillor Laxale **7 votes**

Voting in favour: Councillors Clifton, Gordon, Kim, Laxale, Pedersen, Purcell and Zhou

Councillor Yedelian OAM **4 votes**

Voting in favour: Councillors Brown, Lane, Moujalli and Yedelian OAM

Informal Votes **1 vote**

As Councillor Maggio abstained from voting

ITEM 2 (continued)

ATTACHMENT 1

As a result of the voting, COUNCILLOR LAXALE WAS DULY ELECTED MAYOR FOR THE ENSUING TWO YEARS.

The Mayor, Councillor Laxale then assumed the Chair of Mayor, as Chairperson of the meeting.

The Mayor, Councillor Laxale gave a brief acknowledgement following his election.

3 DETERMINATION OF OFFICE AND FEE OF DEPUTY MAYOR

RESOLUTION: (Moved by Councillors Yedelian OAM and Purcell)

- (a) That Council elect a Deputy Mayor for a 12 month term.
- (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 is to be paid a fee to undertake the roles and responsibilities of the Office of the Mayor on a pro rata basis, deducted from the Mayoral Fee.

Record of the Voting:

For the Motion: Unanimous

4 ELECTION OF DEPUTY MAYOR

The Acting General Manager, as Returning Officer, gave an overview of the election process.

METHOD OF VOTING FOR ELECTION OF DEPUTY MAYOR

The Acting General Manager, as Returning Officer, presented the options on the method of voting for Deputy Mayor.

RESOLUTION: (Moved by Councillors Yedelian OAM and Moujalli)

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

Record of the Voting:

For the Motion: Unanimous

ITEM 2 (continued)

ATTACHMENT 1

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

The Acting General Manager, as Returning Officer, advised that there were two (2) nominations for Office of Deputy Mayor, namely Councillor Gordon and Councillor Lane.

The Acting General Manager invited further nominations. There were no further nominations.

THE ELECTION FOR DEPUTY MAYOR was conducted by the Acting General Manager, as Returning Officer, which resulted in the following voting:

Councillor Gordon 7 votes

Voting in favour: The Mayor, Councillor Laxale and Councillors Clifton, Gordon, Kim, Pedersen, Purcell and Zhou

Councillor Lane 4 votes

Voting in favour: Councillors Brown, Lane, Moujalli and Yedelian OAM

Informal Votes 1 vote

As Councillor Maggio abstained from voting

As a result of the voting, COUNCILLOR GORDON WAS DULY ELECTED DEPUTY MAYOR FOR THE ENSUING 12 MONTHS.

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

5 COUNCIL/COMMITTEE MEETINGS STRUCTURE AND SCHEDULE OF PROPOSED MEETING DATES

RESOLUTION: (Moved by Councillors Purcell and Yedelian OAM)

- (a) That Council endorse the preferred option, Option 1, as outlined in this report in relation to the Council and Committee meetings structure and cycle.
- (b) That Council endorse the **ATTACHED** draft meeting schedule of meeting dates for the preferred option, Option 1, as outlined in this report, for Council and Committee meetings for the period up to the end of September 2018, noting that the schedule may be amended at any time, subject to one month transition period to allow for public notices to be given.
- (c) That Council note that there will be no Committee meetings held in December 2017 due to Councillor attendance at the Local Government Conference from 4 December 2017 to 6 December 2017.

ITEM 2 (continued)

ATTACHMENT 1

- (d) That Council endorse that a Council meeting be held on the second Tuesday of December, being 12 December 2017.

Record of the Voting:

For the Motion: Unanimous

6 COUNCIL / COMMITTEE MEETINGS - Appointment of Councillor Members to Standing Committees

RESOLUTION: (Moved by Councillors Purcell and Yedelian OAM)

- (a) That Council endorse its Standing Committees of Planning and Environment Committee, Works and Community Committee, Ryde Central Committee and Finance and Governance Committee.
- (b) That Council note that the Planning and Environment Committee will cease on 28 February 2018 due to the mandatory introduction of an Independent Hearing and Assessment Panel (IHAP) on 1 March 2018.
- (c) That Council determine the Committee members for the Planning and Environment Committee, based on Council's determination of its Committee Meeting structure, detailed in Item 5 on this Agenda.
- Councillor Pedersen
 - Councillor Purcell
 - Councillor Kim
 - Councillor Gordon
 - Councillor Clifton
 - Councillor Zhou
 - Councillor Yedelian OAM
- (d) That Council determine the Committee members for the Works and Community Committee, based on Council's determination of its Committee Meeting structure, detailed in Item 5 on this Agenda.
- Councillor Pedersen
 - Councillor Purcell
 - Councillor Kim
 - Councillor Gordon
 - Councillor Clifton
 - Councillor Zhou
 - Councillor Moujalli
 - Councillor Lane

ITEM 2 (continued)

ATTACHMENT 1

(e) That Council determine the Committee members for the Finance and Governance Committee, based on Council's determination of its Committee Meeting structure, detailed in Item 5 on this Agenda.

- Councillor Pedersen
- Councillor Purcell
- Councillor Kim
- Councillor Gordon
- Councillor Clifton
- Councillor Zhou
- Councillor Lane
- Councillor Moujalli
- Councillor Brown

(f) That Council determine the Committee members for the Ryde Central Committee, based on Council's determination of its Committee Meeting structure, detailed in Item 5 on this Agenda.

- Councillor Pedersen
- Councillor Purcell
- Councillor Kim
- Councillor Gordon
- Councillor Clifton
- Councillor Zhou
- Councillor Yedelian OAM
- Councillor Moujalli

Record of the Voting:

For the Motion: Unanimous

7 DETERMINATION OF ADVISORY COMMITTEES AND APPOINTMENT OF COUNCILLOR REPRESENTATIVES

MOTION: (Moved by Councillors Purcell and Pedersen)

(a) That the following Advisory Committees be convened for the 2017-2020 term of Council:-

- Audit and Risk Committee
- Bicycle Advisory Committee
- Bushland and Environment Advisory Committee
- Community Harmony Reference Group
- Economic Development Advisory Committee
- Festivals and Events Advisory Committee
- Heritage Advisory Committee
- Macquarie Park Forum
- Ryde Hunters Hill Joint Library Services Committee

ITEM 2 (continued)

ATTACHMENT 1

- Ryde Youth Council
 - Social Inclusion Advisory Committee
 - Sport and Recreation and Wheeled Sports Advisory Committee
 - Status of Women Advisory Committee
 - Arts Advisory Committee
 - Renewable Energy Advisory Committee
- (b) That Council determine the Councillor(s) to be members of each City of Ryde Advisory Committee, in accordance with their Terms of Reference.
- (c) That Council nominate a Chairperson to each of these Committees, with the exception of the Audit and Risk Committee and the Ryde Youth Council, in accordance with their Terms of Reference.

Advisory Committee	Councillor Delegates
Audit and Risk Committee (Note: No Councillor Chairperson required)	Councillor Lane Councillor Brown Councillor Moujalli (alternate)
Bicycle Advisory Committee	Councillor Gordon (Chair) Councillor Lane (Deputy Chair) Councillor Kim Councillor Moujalli
Bushland and Environment Advisory Committee	Councillor Pedersen (Chair) Councillor Gordon (Deputy Chair) Councillor Clifton Councillor Brown
Community Harmony Reference Group	Councillor Zhou (Chair) Councillor Kim (Deputy Chair) Councillor Yedelian OAM Councillor Moujalli
Economic Development Advisory Committee	Councillor Clifton (Chair) Councillor Lane (Deputy Chair) Councillor Brown Councillor Moujalli Councillor Yedelian OAM Councillor Purcell

ITEM 2 (continued)

ATTACHMENT 1

Festivals and Events Advisory Committee	Councillor Kim (Chair) Councillor Zhou (Deputy Chair) Councillor Brown Councillor Pedersen Councillor Clifton
Heritage Advisory Committee	Councillor Gordon (Chair) Councillor Clifton (Deputy Chair)
Macquarie Park Forum	Councillor Purcell (Chair) Councillor Zhou (Deputy Chair) Councillor Lane Councillor Gordon Councillor Moujalli Councillor Clifton
Ryde Hunters Hill Joint Library Services Committee	Councillor Gordon (Chair) Councillor Lane
Ryde Youth Council (Note: No Councillor Chairperson required)	Councillor Lane Councillor Moujalli Councillor Pedersen Councillor Kim
Social Inclusion Advisory Committee	Councillor Pedersen (Chair) Councillor Zhou (Deputy Chair) Councillor Kim
Sport and Recreation and Wheeled Sports Advisory Committee	Councillor Purcell (Chair) Councillor Moujalli (Deputy Chair)
Status of Women Advisory Committee	Councillor Pedersen (Chair)
Arts Advisory Committee	Councillor Gordon (Chair) Councillor Pedersen (Deputy Chair) Councillor Zhou
Renewable Energy Advisory Committee	Councillor Pedersen (Chair) Councillor Clifton (Deputy Chair) Councillor Gordon

ITEM 2 (continued)

ATTACHMENT 1

- (d) That Council confirm the commencement of an Expression of Interest process to identify interested and committed people from the City of Ryde community, to become members of each of these Advisory Committees.
- (e) That following Council's endorsement of the above recommendations, Council officers review the committees' Terms of Reference, which are subsequently to be confirmed at each Committee's first meeting and then reported back to Council.

AMENDMENT: (Moved by Councillors Moujalli and Lane)

- (a) That the following Advisory Committees be convened for the 2017-2020 term of Council:-
 - Audit and Risk Committee
 - Bicycle Advisory Committee
 - Bushland and Environment Advisory Committee
 - Community Harmony Reference Group
 - Economic Development Advisory Committee
 - Festivals and Events Advisory Committee
 - Heritage Advisory Committee
 - Macquarie Park Forum
 - Ryde Hunters Hill Joint Library Services Committee
 - Ryde Youth Council
 - Social Inclusion Advisory Committee
 - Sport and Recreation and Wheeled Sports Advisory Committee
 - Status of Women Advisory Committee
 - Arts Advisory Committee
 - Energy Advisory Committee
- (b) That Council determine the Councillor(s) to be members of each City of Ryde Advisory Committee, in accordance with their Terms of Reference.
- (c) That Council nominate a Chairperson to each of these Committees, with the exception of the Audit and Risk Committee and the Ryde Youth Council, in accordance with their Terms of Reference.

Advisory Committee	Councillor Delegates
Audit and Risk Committee (Note: No Councillor Chairperson required)	Councillor Lane Councillor Brown Councillor Moujalli (alternate)

ITEM 2 (continued)

ATTACHMENT 1

Bicycle Advisory Committee	Councillor Gordon (Chair) Councillor Lane (Deputy Chair) Councillor Kim Councillor Moujalli
Bushland and Environment Advisory Committee	Councillor Pedersen (Chair) Councillor Gordon (Deputy Chair) Councillor Clifton Councillor Brown
Community Harmony Reference Group	Councillor Zhou (Chair) Councillor Kim (Deputy Chair) Councillor Yedelian OAM Councillor Moujalli
Economic Development Advisory Committee	Councillor Clifton(Chair) Councillor Lane (Deputy Chair) Councillor Brown Councillor Moujalli Councillor Yedelian OAM Councillor Purcell
Festivals and Events Advisory Committee	Councillor Kim (Chair) Councillor Zhou (Deputy Chair) Councillor Brown Councillor Pedersen Councillor Clifton
Heritage Advisory Committee	Councillor Gordon (Chair) Councillor Clifton (Deputy Chair)
Macquarie Park Forum	Councillor Moujalli (Chair) Councillor Zhou (Deputy Chair) Councillor Lane Councillor Gordon Councillor Purcell Councillor Clifton
Ryde Hunters Hill Joint Library Services Committee	Councillor Gordon (Chair) Councillor Lane
Ryde Youth Council (Note: No Councillor Chairperson required)	Councillor Lane Councillor Moujalli Councillor Pedersen Councillor Kim

ITEM 2 (continued)

ATTACHMENT 1

Social Inclusion Advisory Committee	Councillor Pedersen (Chair) Councillor Zhou (Deputy Chair) Councillor Kim
Sport and Recreation and Wheeled Sports Advisory Committee	Councillor Moujalli (Chair) Councillor Purcell (Deputy Chair)
Status of Women Advisory Committee	Councillor Pedersen (Chair)
Arts Advisory Committee	Councillor Gordon (Chair) Councillor Pedersen (Deputy Chair) Councillor Zhou
Energy Advisory Committee	Councillor Pedersen (Chair) Councillor Clifton (Deputy Chair) Councillor Gordon

- (d) That Council confirm the commencement of an Expression of Interest process to identify interested and committed people from the City of Ryde community, to become members of each of these Advisory Committees.
- (e) That following Council's endorsement of the above recommendations, Council officers review the committees' Terms of Reference, which are subsequently to be confirmed at each Committee's first meeting and then reported back to Council.

On being put to the Meeting, Councillor Brown abstained from voting and accordingly his vote was recorded Against the Amendment. The voting on the Amendment was three (3) for and nine (9) against. The Amendment was **LOST**. The Motion was then put and **CARRIED**.

Record of the Voting:

For the Amendment: Councillors Lane, Moujalli and Yedelian OAM

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

ITEM 2 (continued)

ATTACHMENT 1

RESOLUTION: (Moved by Councillors Purcell and Pedersen)

(a) That the following Advisory Committees be convened for the 2017-2020 term of Council:-

- Audit and Risk Committee
- Bicycle Advisory Committee
- Bushland and Environment Advisory Committee
- Community Harmony Reference Group
- Economic Development Advisory Committee
- Festivals and Events Advisory Committee
- Heritage Advisory Committee
- Macquarie Park Forum
- Ryde Hunters Hill Joint Library Services Committee
- Ryde Youth Council
- Social Inclusion Advisory Committee
- Sport and Recreation and Wheeled Sports Advisory Committee
- Status of Women Advisory Committee
- Arts Advisory Committee
- Renewable Energy Advisory Committee

(b) That Council determine the Councillor(s) to be members of each City of Ryde Advisory Committee, in accordance with their Terms of Reference.

(c) That Council nominate a chairperson to each of these Committees, with the exception of the Audit and Risk Committee and the Ryde Youth Council, in accordance with their Terms of Reference.

Advisory Committee	Councillor Delegates
Audit and Risk Committee (Note: No Councillor Chairperson required)	Councillor Lane Councillor Brown Councillor Moujalli (alternate)
Bicycle Advisory Committee	Councillor Gordon (Chair) Councillor Lane (Deputy Chair) Councillor Kim Councillor Moujalli
Bushland and Environment Advisory Committee	Councillor Pedersen (Chair) Councillor Gordon (Deputy Chair) Councillor Clifton Councillor Brown

ITEM 2 (continued)

ATTACHMENT 1

Community Harmony Reference Group	Councillor Zhou (Chair) Councillor Kim (Deputy Chair) Councillor Yedelian OAM Councillor Moujalli
Economic Development Advisory Committee	Councillor Clifton (Chair) Councillor Lane (Deputy Chair) Councillor Brown Councillor Moujalli Councillor Yedelian OAM Councillor Purcell
Festivals and Events Advisory Committee	Councillor Kim (Chair) Councillor Zhou (Deputy Chair) Councillor Brown Councillor Pedersen Councillor Clifton
Heritage Advisory Committee	Councillor Gordon (Chair) Councillor Clifton (Deputy Chair)
Macquarie Park Forum	Councillor Purcell (Chair) Councillor Zhou (Deputy Chair) Councillor Lane Councillor Gordon Councillor Moujalli Councillor Clifton
Ryde Hunters Hill Joint Library Services Committee	Councillor Gordon (Chair) Councillor Lane
Ryde Youth Council (Note: No Councillor Chairperson required)	Councillor Lane Councillor Moujalli Councillor Pedersen Councillor Kim
Social Inclusion Advisory Committee	Councillor Pedersen (Chair) Councillor Zhou (Deputy Chair) Councillor Kim
Sport and Recreation and Wheeled Sports Advisory Committee	Councillor Purcell (Chair) Councillor Moujalli (Deputy Chair)

ITEM 2 (continued)

ATTACHMENT 1

Status of Women Advisory Committee	Councillor Pedersen (Chair)
Arts Advisory Committee	Councillor Gordon (Chair) Councillor Pedersen (Deputy Chair) Councillor Zhou
Renewable Energy Advisory Committee	Councillor Pedersen (Chair) Councillor Clifton (Deputy Chair) Councillor Gordon

- (d) That Council confirm the commencement of an Expression of Interest process to identify interested and committed people from the City of Ryde community, to become members of each of these Advisory Committees.
- (e) That following Council's endorsement of the above recommendations, Council officers review the committees' Terms of Reference, which are subsequently to be confirmed at each Committee's first meeting and then reported back to Council.

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

Record of the Voting:

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

Against the Motion: Councillor Moujalli

8 EXTERNAL COMMITTEES - Appointment of Delegates

MOTION: (Moved by Councillors Yedelian OAM and Lane)

- (a) That Council appoint the following delegates to NSROC:
- The Mayor, Councillor Laxale
 - Councillor Yedelian OAM as a formal delegate
 - Councillors Moujalli and Gordon as alternate delegates
- (b) That Council appoint Councillors Clifton and Purcell as Council's delegates and Councillors Gordon, Kim, Lane and Moujalli, as an alternate delegate to the Sydney Planning Panels.

ITEM 2 (continued)

ATTACHMENT 1

AMENDMENT: (Moved by Councillors Gordon and Pedersen)

(a) That Council appoint the following delegates to NSROC:

- The Mayor, Councillor Laxale
- Councillor Gordon as a formal delegate
- Councillors Pedersen and Kim as alternate delegates

(b) That Council appoint Councillors Clifton and Purcell as Council's delegates and Councillors Gordon, Moujalli, Kim and Lane as an alternate delegate to the Sydney Planning Panels.

On being put to the Meeting, the voting on the Amendment was eight (8) for and four (4) against. The Amendment was **CARRIED** and then became the Motion.

Record of the Voting:

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

Against the Amendment: Councillors Brown, Lane, Moujalli and Yedelian OAM

RESOLUTION: (Moved by Councillors Gordon and Pedersen)

(a) That Council appoint the following delegates to NSROC:

- The Mayor, Councillor Laxale
- Councillor Gordon as a formal delegate
- Councillors Pedersen and Kim as alternate delegates

(b) That Council appoint Councillors Clifton and Purcell as Council's delegates and Councillors Gordon, Moujalli, Kim and Lane as an alternate delegate to the Sydney Planning Panels.

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

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

ITEM 2 (continued)

ATTACHMENT 1

9 2017 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE - Hyatt Regency, Sydney - 4 to 6 December 2017

MOTION: (Moved by Councillors Yedelian OAM and Brown)

- (a) That Council nominate the following Councillors to attend the 2017 Local Government NSW Annual Conference:-

The Mayor, Councillor Laxale
Councillor Yedelian OAM
Councillor Moujalli
Councillor Brown
Councillor Lane

noting that the voting delegates will be in the above order of nomination and any remaining Councillors will attend the Conference as observers

- (b) That Council note that the Acting General Manager will select staff to attend the Conference as appropriate.

AMENDMENT: (Moved by Councillors Pedersen and Purcell)

- (a) That Council nominate the following Councillors to attend the 2017 Local Government NSW Annual Conference:-

The Mayor, Councillor Laxale
Councillor Pedersen
Councillor Purcell
Councillor Kim
Councillor Gordon
Councillor Clifton
Councillor Zhou
Councillor Moujalli
Councillor Brown
Councillor Lane

noting that the voting delegates will be in the above order of nomination and any remaining Councillors will attend the Conference as observers

- (b) That Council note that the Acting General Manager will select staff to attend the Conference as appropriate.

On being put to the Meeting, the voting on the Amendment was eight (8) for and four (4) against. The Amendment was **CARRIED** and then became the Motion.

ITEM 2 (continued)

ATTACHMENT 1

Record of the Voting:

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

Against the Amendment: Councillors Brown, Lane, Moujalli and Yedelian OAM

RESOLUTION: (Moved by Councillors Pedersen and Purcell)

- (a) That Council nominate the following Councillors to attend the 2017 Local Government NSW Annual Conference:-

The Mayor, Councillor Laxale
Councillor Pedersen
Councillor Purcell
Councillor Kim
Councillor Gordon
Councillor Clifton
Councillor Zhou
Councillor Moujalli
Councillor Brown
Councillor Lane

noting that the voting delegates will be in the above order of nomination and any remaining Councillors will attend the Conference as observers.

- (b) That Council note that the Acting General Manager will select staff to attend the Conference as appropriate.

Record of the Voting:

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

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

MAYORAL MINUTE

MM9/17 EASTWOOD PARK

RESOLUTION: (Moved by The Mayor, Councillor Laxale)

- (a) That Transport for NSW, the Minister for Transport and Local Member Victor Dominello be advised that the City of Ryde Council is opposed to a car park in any part of Eastwood Park and will not agree to Eastwood Park being used for that purpose.

ITEM 2 (continued)

ATTACHMENT 1

- (b) That Council issue a media release on the matter and advertise its position on the website, Mayoral column and prominently at the Granny Smith Festival.
- (c) That the Council no longer provide any assistance to Transport for NSW or its agents in respect of any car park proposal affecting Eastwood Park.
- (d) That should any proposal for a car park in Eastwood Park be published seeking feedback, Council prepare a submission stating Council's position in opposition to Eastwood Park being used for that purpose.
- (e) That Council offer to enter bi-lateral discussions and investigations with the State Government, local residents and local land owners for redevelopment of the existing car parks in Glen Street and Rowe Street, Eastwood.

Record of the Voting:

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

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

NATIONAL ANTHEM

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

The meeting closed at 8.56pm.

CONFIRMED THIS 24TH DAY OF OCTOBER 2017

Chairperson

3 REPORT OF THE RYDE CENTRAL COMMITTEE MEETING 7/17 held on 10 October 2017

Report prepared by: Senior Coordinator - Governance
File No.: CLM/17/1/4/2 - BP17/1028

REPORT SUMMARY

Attached are the Minutes of the Ryde Central Committee Meeting 7/17 held on 10 October 2017. The Minutes will be listed for confirmation at the next Ryde Central Committee Meeting.

The following Committee recommendations for Items 2 and 3 are submitted to Council for determination in accordance with the delegations set out in the Code of Meeting Practice relating to Charters, functions and powers of Committees:

2 CONFIRMATION OF MINUTES - Ryde Civic Hub Committee Meeting held on 8 August 2017

RECOMMENDATION: (Moved by Councillors Purcell and Pedersen)

That the Minutes of the Ryde Central Committee 6/17, held on 8 August 2017, be confirmed.

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

Record of the Voting:

For the Motion: Councillors Gordon, Moujalli, Pedersen, Purcell and Zhou

Against the Motion: Councillor Clifton

Note: This matter will be dealt with at the Council Meeting to be held on **24 OCTOBER 2017** in accordance with the Ryde Civic Hub Committee Terms of Reference in Council's Code of Meeting Practice.

3 STATUS REPORT 21 - AUGUST AND SEPTEMBER 2017

Note: A Memorandum from the Acting Deputy General Manager / Director Corporate and Organisational Support Services dated 6 October 2017 containing CONFIDENTIAL additional information was tabled in relation to this Item and a copy is ON FILE – CONFIDENTIAL.

RECOMMENDATION: (Moved by Councillors Moujalli and Zhou)

That the Committee receive and note this Status Report.

ITEM 3 (continued)

Record of the Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 OCTOBER 2017** in accordance with the Ryde Civic Hub Committee Terms of Reference in Council's Code of Meeting Practice.

ATTACHMENTS

1 MINUTES - Ryde Central Committee Meeting - 10 October 2017

ITEM 3 (continued)

ATTACHMENT 1

**Ryde Central Committee
MINUTES OF MEETING NO. 7/17**

Meeting Date: Tuesday 10 October 2017
Location: Council Chambers, Level 1A, 1 Pope Street, Ryde
Time: 5.05pm

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

Apologies: Councillors Kim and Yedelian OAM.

Staff Present: Acting General Manager, Acting Director – Customer and Community Services, Acting Director – City Planning and Development, Chief Financial Officer, Executive Officer – Ryde Central, Senior Coordinator – Governance and Executive Assistant to the General Manager.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

1 ELECTION OF CHAIRPERSON AND DEPUTY CHAIRPERSON

The Acting General Manager, as Returning Officer, gave an overview of the election process in relation to the election of the Chairperson and Deputy Chairperson.

METHOD OF VOTING FOR CHAIRPERSON AND DEPUTY CHAIRPERSON

The Acting General Manager, as Returning Officer presented the options on the method of voting for Chairperson and Deputy Chairperson.

RESOLUTION: (Moved by Councillors Clifton and Purcell)

- (a) That the method of voting for the election of the Chairperson and Deputy Chairperson be open voting by show of hands.
- (b) That the Acting General Manager, as Returning Officer, undertake the election of the Chairperson and Deputy Chairperson for the ensuing twelve (12) months by announcing the nominations and then conducting the election.

Record of the Voting:

For the Motion: Unanimous

ITEM 3 (continued)

ATTACHMENT 1

ELECTION OF CHAIRPERSON

The Acting General Manager, as Returning Officer called for nominations for the position of Chairperson of the Committee and received one nomination being for Councillor Gordon.

The Acting General Manager, as Returning Officer called for any further nominations. As there were none, nominations were closed.

The Acting General Manager, as Returning Officer confirmed with Councillor Gordon that he accepted the nomination.

As there was only one nomination, **COUNCILLOR GORDON WAS DULY ELECTED CHAIRPERSON FOR THE ENSUING YEAR.**

ELECTION OF DEPUTY CHAIRPERSON

The Acting General Manager, as Returning Officer called for nominations for the position of Deputy Chairperson of the Committee and received one nomination being for Councillor Clifton.

The Acting General Manager, as Returning Officer called for any further nominations. As there were none, nominations were closed.

The Acting General Manager, as Returning Officer confirmed with Councillor Clifton that she accepted the nomination.

As there was only one nomination, **COUNCILLOR CLIFTON WAS DULY ELECTED DEPUTY CHAIRPERSON FOR THE ENSUING YEAR.**

Note: The Chairperson, Councillor Gordon then assumed the Chair.

2 CONFIRMATION OF MINUTES - Ryde Civic Hub Committee Meeting held on 8 August 2017

RECOMMENDATION: (Moved by Councillors Purcell and Pedersen)

That the Minutes of the Ryde Central Committee 6/17, held on 8 August 2017, be confirmed.

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

ITEM 3 (continued)

ATTACHMENT 1

Record of the Voting:

For the Motion: Councillors Gordon, Moujalli, Pedersen, Purcell and Zhou

Against the Motion: Councillor Clifton

Note: This matter will be dealt with at the Council Meeting to be held on **24 OCTOBER 2017** in accordance with the Ryde Civic Hub Committee Terms of Reference in Council's Code of Meeting Practice.

3 STATUS REPORT 21 - AUGUST AND SEPTEMBER 2017

Note: A Memorandum from the Acting Deputy General Manager / Director Corporate and Organisational Support Services dated 6 October 2017 containing CONFIDENTIAL additional information was tabled in relation to this Item and a copy is ON FILE – CONFIDENTIAL.

RECOMMENDATION: (Moved by Councillors Moujalli and Zhou)

That the Committee receive and note this Status Report.

Record of the Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 OCTOBER 2017** in accordance with the Ryde Civic Hub Committee Terms of Reference in Council's Code of Meeting Practice.

The meeting closed at 5.18pm

CONFIRMED THIS 14TH DAY OF NOVEMBER 2017.

Chairperson

4 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 7/17 held on 17 October 2017

Report prepared by: Senior Coordinator - Governance
File No.: CLM/17/1/2/2 - BP17/1029

REPORT SUMMARY

Attached are the Minutes of the Works and Community Committee Meeting 7/17 held on 17 October 2017. The Minutes will be listed for confirmation at the next Works and Community Committee Meeting.

Items 1 and 2 were dealt with by the Committee within its delegated powers.

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

3 SMALL GRANTS PROGRAM - ALLOCATION OF FUNDING SEPTEMBER 2017

RECOMMENDATION: (Moved by Councillors Kim and Purcell)

- (a) That Council endorse the allocation of The City of Ryde **Small Grants Category** as follows:

Organisation	Project Name	Amount
Mahbobas Promise	Afghani Youth Sports Program	\$1,000

- (b) That the successful Grant applicant be informed of the outcome of their application.
- (c) That the unsuccessful Grant applicant be provided with feedback on the reasons their application was not successful.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 OCTOBER 2017** as it is outside the Committee's delegations.

4 TRAFFIC AND PARKING INVESTIGATIONS AT SCHOOLS

Note: Councillor Pedersen disclosed a Less than Significant Non-Pecuniary Interest in this Item, for the reason that her children attend two (2) of the schools mentioned in the School Traffic Report.

ITEM 4 (continued)**MOTION:** (Moved by Councillors Clifton and Kim)

- (a) That Council investigates changes to traffic and parking conditions at the schools in the Ryde LGA in the order detailed in the report.
- (b) That Council investigates changes to traffic and parking conditions at the following schools in conjunction with the appropriate traffic study:
 - St Charles Primary School (Morrison Road LATM scheme),
 - Gladesville Public School (Gladesville Town Centre Upgrade),
 - Holy Cross College(College Street “trial” closure), and
 - Melrose Park Public School (Northern Melrose Park Structure Plan).

AMENDMENT: (Moved by Councillors Pedersen and Clifton)

- (a) That Council conduct information sessions at each of the schools in the Ryde LGA, inviting all concerned residents to participate.
- (b) That Council investigates changes to traffic and parking conditions at the schools in the Ryde LGA in the order detailed in the report.
- (c) That Council investigates changes to traffic and parking conditions at the following schools in conjunction with the appropriate traffic study:
 - St Charles Primary School (Morrison Road LATM scheme),
 - Gladesville Public School (Gladesville Town Centre Upgrade),
 - Holy Cross College(College Street “trial” closure), and
 - Melrose Park Public School (Northern Melrose Park Structure Plan).
- (d) That in the interest of safety, a report be presented to the Works and Community Committee regarding the funding required to expedite the program.

On being put to the Meeting, the voting on the Amendment was unanimous. The Amendment was **CARRIED** and then became the Motion.

Record of Voting:

For the Amendment: Unanimous

RECOMMENDATION: (Moved by Councillors Pedersen and Clifton)

- (a) That Council conduct information sessions at each of the schools in the Ryde LGA, inviting all concerned residents to participate.

ITEM 4 (continued)

- (b) That Council investigates changes to traffic and parking conditions at the schools in the Ryde LGA in the order detailed in the report.
- (c) That Council investigates changes to traffic and parking conditions at the following schools in conjunction with the appropriate traffic study:
- St Charles Primary School (Morrison Road LATM scheme),
 - Gladesville Public School (Gladesville Town Centre Upgrade),
 - Holy Cross College(College Street “trial” closure), and
 - Melrose Park Public School (Northern Melrose Park Structure Plan).
- (d) That in the interest of safety, a report be presented to the Works and Community Committee regarding the funding required to expedite the program.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 OCTOBER 2017** as substantive changes were made to the published recommendation.

ATTACHMENTS

1 MINUTES - Works and Community Committee Meeting - 17 October 2017

ITEM 4 (continued)

ATTACHMENT 1

**Works and Community Committee
MINUTES OF MEETING NO. 7/17**

Meeting Date: Tuesday 17 October 2017
Location: Council Chambers, Level 1A, 1 Pope Street, Ryde
Time: 5.03pm

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

Apologies: Nil.

Staff Present: Acting General Manager, Acting Director – Customer and Community Services, Director – Corporate and Organisational Support Services, Acting Director – City Planning and Development, Acting Director – City Works and Infrastructure, Chief Financial Officer, Manager – Community Services, Manager – Traffic and Transport Development, Road Safety Officer, Senior Coordinator – Governance and Executive Assistant to the General Manager.

DISCLOSURES OF INTEREST

Councillor Pedersen disclosed a Less than Significant Non-Pecuniary Interest in Item 4 – Traffic and Parking Investigations at Schools, for the reason that her children attend two (2) of the schools mentioned in the School Traffic Report.

1 ELECTION OF CHAIRPERSON AND DEPUTY CHAIRPERSON

The Acting General Manager, as Returning Officer, gave an overview of the election process in relation to the election of the Chairperson and Deputy Chairperson.

METHOD OF VOTING FOR CHAIRPERSON AND DEPUTY CHAIRPERSON

The Acting General Manager, as Returning Officer presented the options on the method of voting for Chairperson and Deputy Chairperson.

Note: Councillors Lane and Moujalli were not present for consideration and voting on this Item.

RESOLUTION: (Moved by Councillors Gordon and Purcell)

- (a) That the method of voting for the election of the Chairperson and Deputy Chairperson be open voting by show of hands.
- (b) That the Acting General Manager, as Returning Officer, undertake the election of the Chairperson and Deputy Chairperson for the ensuing twelve (12) months by announcing the nominations and then conducting the election.

ITEM 4 (continued)

ATTACHMENT 1

Record of the Voting:

For the Motion: Unanimous

ELECTION OF CHAIRPERSON

The Acting General Manager, as Returning Officer called for nominations for the position of Chairperson of the Committee and received one nomination being for Councillor Pedersen.

The Acting General Manager, as Returning Officer called for any further nominations. As there were none, nominations were closed.

The Acting General Manager, as Returning Officer confirmed with Councillor Pedersen that she accepted the nomination.

As there was only one nomination, **COUNCILLOR PEDERSEN WAS DULY ELECTED CHAIRPERSON FOR THE ENSUING YEAR.**

ELECTION OF DEPUTY CHAIRPERSON

The Acting General Manager, as Returning Officer called for nominations for the position of Deputy Chairperson of the Committee and received one (1) nomination being for Councillor Purcell.

Note: Councillors Lane and Moujalli arrived at the meeting at 5.06pm.

The Returning Officer called for any further nominations. A further nomination from the floor was received for Councillor Lane.

The Returning Officer called for any further nominations. As there were none, nominations were closed.

The Returning Officer confirmed with Councillor Purcell and Councillor Lane that they accepted the nomination.

THE ELECTION FOR DEPUTY CHAIRPERSON was conducted by the Acting General Manager, as Returning Officer, which resulted in the following voting:

Councillor Purcell	6 votes
Voting in favour:	Councillors Clifton, Gordon, Kim, Pedersen, Purcell and Zhou

Councillor Lane	2 votes
Voting in favour:	Councillors Lane and Moujalli

As a result of the voting, **COUNCILLOR PURCELL WAS DULY ELECTED DEPUTY CHAIRPERSON FOR THE ENSUING YEAR.**

ITEM 4 (continued)

ATTACHMENT 1

Note: The Chairperson, Councillor Pedersen then assumed the Chair.

2 CONFIRMATION OF MINUTES - Meeting held on 15 August 2017

RESOLUTION: (Moved by Councillors Purcell and Gordon)

That the Minutes of the Works and Community Committee 6/17, held on 15 August 2017, be confirmed.

Record of Voting:

For the Motion: Unanimous

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

3 SMALL GRANTS PROGRAM - ALLOCATION OF FUNDING SEPTEMBER 2017

RECOMMENDATION: (Moved by Councillors Kim and Purcell)

- (a) That Council endorse the allocation of The City of Ryde **Small Grants Category** as follows:

Organisation	Project Name	Amount
Mahbobas Promise	Afghani Youth Sports Program	\$1,000

- (b) That the successful Grant applicant be informed of the outcome of their application.
- (c) That the unsuccessful Grant applicant be provided with feedback on the reasons their application was not successful.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 OCTOBER 2017** as it is outside the Committee's delegations.

4 TRAFFIC AND PARKING INVESTIGATIONS AT SCHOOLS

Note: Councillor Pedersen disclosed a Less than Significant Non-Pecuniary Interest in this Item, for the reason that her children attend two (2) of the schools mentioned in the School Traffic Report.

ITEM 4 (continued)

ATTACHMENT 1

MOTION: (Moved by Councillors Clifton and Kim)

- (a) That Council investigates changes to traffic and parking conditions at the schools in the Ryde LGA in the order detailed in the report.
- (b) That Council investigates changes to traffic and parking conditions at the following schools in conjunction with the appropriate traffic study:
 - St Charles Primary School.....(Morrison Road LATM scheme),
 - Gladesville Public School.....(Gladesville Town Centre Upgrade),
 - Holy Cross College(College Street “trial” closure), and
 - Melrose Park Public School.....(Northern Melrose Park Structure Plan).

AMENDMENT: (Moved by Councillors Pedersen and Clifton)

- (a) That Council conduct information sessions at each of the schools in the Ryde LGA, inviting all concerned residents to participate.
- (b) That Council investigates changes to traffic and parking conditions at the schools in the Ryde LGA in the order detailed in the report.
- (c) That Council investigates changes to traffic and parking conditions at the following schools in conjunction with the appropriate traffic study:
 - St Charles Primary School.....(Morrison Road LATM scheme),
 - Gladesville Public School.....(Gladesville Town Centre Upgrade),
 - Holy Cross College(College Street “trial” closure), and
 - Melrose Park Public School.....(Northern Melrose Park Structure Plan).
- (d) That in the interest of safety, a report be presented to the Works and Community Committee regarding the funding required to expedite the program.

On being put to the Meeting, the voting on the Amendment was unanimous. The Amendment was **CARRIED** and then became the Motion.

Record of Voting:

For the Amendment: Unanimous

RECOMMENDATION: (Moved by Councillors Pedersen and Clifton)

- (a) That Council conduct information sessions at each of the schools in the Ryde LGA, inviting all concerned residents to participate.
- (b) That Council investigates changes to traffic and parking conditions at the schools in the Ryde LGA in the order detailed in the report.

ITEM 4 (continued)

ATTACHMENT 1

- (c) That Council investigates changes to traffic and parking conditions at the following schools in conjunction with the appropriate traffic study:
- St Charles Primary School.....(Morrison Road LATM scheme),
 - Gladesville Public School.....(Gladesville Town Centre Upgrade),
 - Holy Cross College (College Street “trial” closure), and
 - Melrose Park Public School(Northern Melrose Park Structure Plan).
- (d) That in the interest of safety, a report be presented to the Works and Community Committee regarding the funding required to expedite the program.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 OCTOBER 2017** as substantive changes were made to the published recommendation.

The meeting closed at 5.42pm.

CONFIRMED THIS 21ST DAY OF NOVEMBER 2017.

Chairperson

**5 REPORT OF THE FINANCE AND GOVERNANCE COMMITTEE MEETING
8/17 held on 17 October 2017**

Report prepared by: Senior Coordinator - Governance
File No.: CLM/17/1/5/2 - BP17/1030

REPORT SUMMARY

Attached are the Minutes of the Finance and Governance Committee Meeting 8/17 held on 17 October 2017. The Minutes will be listed for confirmation at the next Finance and Governance Committee Meeting.

The following Committee recommendations for Items 2, 3, 4, 5, 6 and 7 are submitted to Council for determination in accordance with the delegations set out in the Code of Meeting Practice relating to Charters, functions and powers of Committees:

**2 CONFIRMATION OF MINUTES - Finance and Governance Committee
Meeting held on 15 August 2017**

RECOMMENDATION: (Moved by Councillors Purcell and Gordon)

That the Minutes of the Finance and Governance Committee 7/17, held on 15 August 2017, be confirmed.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 OCTOBER 2017** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

3 INVESTMENT REPORT AS AT 31 AUGUST 2017

RECOMMENDATION: (Moved by Councillors Purcell and Pedersen)

That Council endorse the Investment Report as at 31 August 2017.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 OCTOBER 2017** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

ITEM 5 (continued)**4 INVESTMENT REPORT AS AT 30 SEPTEMBER 2017****RECOMMENDATION:** (Moved by Councillors Purcell and Pedersen)

That Council endorse the Investment Report as at 30 September 2017.

Record of Voting:For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 OCTOBER 2017** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

5 ANNUAL DISCLOSURE OF PECUNIARY INTERESTS**RECOMMENDATION:** (Moved by Councillors Purcell and Pedersen)That the Register of Disclosure of Pecuniary Interest Returns is tabled as required under Section 450A of the *Local Government Act, 1993*.**Record of Voting:**For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 OCTOBER 2017** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

6 TENDER EVALUATION REPORT COR-RFT-11/17 FOR THE PROVISION OF BUS OPERATORS FOR THE SHOP RYDER COMMUNITY BUS SERVICE FOR THE PERIOD UP TO 30 JUNE 2020**RECOMMENDATION:** (Moved by Councillors Clifton and Gordon)

- (a) That Council accept the tender from EBS Global Pty Ltd for the provision of two bus operators for the Shop Ryder Community Bus Service for the period up to 30 June 2020 for the amount of \$240,240 excluding 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 EBS Global 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.

ITEM 5 (continued)**Record of Voting:**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 OCTOBER 2017** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

7 ADVICE ON COURT ACTIONS

RECOMMENDATION: (Moved by Councillors Purcell and Gordon)

That the report of the General Counsel be received.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 OCTOBER 2017** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

ATTACHMENTS

1 MINUTES - Finance and Governance Committee Meeting - 17 October 2017

ITEM 5 (continued)

ATTACHMENT 1

**Finance and Governance Committee
MINUTES OF MEETING NO. 8/17**

Meeting Date: Tuesday 17 October 2017
Location: Council Chambers, Level 1A, 1 Pope Street, Ryde
Time: 6.00pm

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

Apologies: Nil.

Staff Present: Acting General Manager, Acting Director – Customer and Community Services, Director – Corporate and Organisational Support Services, Acting Director – City Planning and Development, Acting Director – City Works and Infrastructure, General Counsel, Chief Financial Officer, Senior Coordinator – Governance and Executive Assistant to the General Manager.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

1 ELECTION OF CHAIRPERSON AND DEPUTY CHAIRPERSON

The Acting General Manager, as Returning Officer, gave an overview of the election process in relation to the election of the Chairperson and Deputy Chairperson.

METHOD OF VOTING FOR CHAIRPERSON AND DEPUTY CHAIRPERSON

The Acting General Manager, as Returning Officer presented the options on the method of voting for Chairperson and Deputy Chairperson.

RESOLUTION: (Moved by Councillors Gordon and Brown)

- (a) That the method of voting for the election of the Chairperson and Deputy Chairperson be open voting by show of hands.
- (b) That the Acting General Manager, as Returning Officer, undertake the election of the Chairperson and Deputy Chairperson for the ensuing twelve (12) months by announcing the nominations and then conducting the election.

Record of the Voting:

For the Motion: Unanimous

ITEM 5 (continued)

ATTACHMENT 1

ELECTION OF CHAIRPERSON

The Acting General Manager, as Returning Officer called for nominations for the position of Chairperson of the Committee and received nominations being for Councillor Kim and Councillor Brown.

The Acting General Manager, as Returning Officer called for any further nominations. As there were none, nominations were closed.

The Acting General Manager, as Returning Officer confirmed with Councillor Kim and Councillor Brown that they accepted their nomination.

THE ELECTION FOR CHAIRPERSON was conducted by the Acting General Manager, as Returning Officer, which resulted in the following voting:

Councillor Kim	6 votes
Voting in favour:	Councillors Clifton, Gordon, Kim, Pedersen, Purcell and Zhou

Councillor Brown	3 votes
Voting in favour:	Councillors Brown, Lane and Moujalli

As a result of the voting, COUNCILLOR KIM WAS DULY ELECTED CHAIRPERSON FOR THE ENSUING YEAR.

ELECTION OF DEPUTY CHAIRPERSON

The Acting General Manager, as Returning Officer called for nominations for the position of Deputy Chairperson of the Committee and received nominations being for Councillor Pedersen and Councillor Lane.

The Returning Officer called for any further nominations. As there were none, nominations were closed.

The Returning Officer confirmed with Councillor Pedersen and Councillor Lane that they accepted the nomination.

THE ELECTION FOR DEPUTY CHAIRPERSON was conducted by the Acting General Manager, as Returning Officer, which resulted in the following voting:

Councillor Pedersen	6 votes
Voting in favour:	Councillors Clifton, Gordon, Kim, Pedersen, Purcell and Zhou

Councillor Lane	3 votes
Voting in favour:	Councillors Brown, Lane and Moujalli

ITEM 5 (continued)

ATTACHMENT 1

As a result of the voting, COUNCILLOR PEDERSEN WAS DULY ELECTED DEPUTY CHAIRPERSON FOR THE ENSUING YEAR.

Note: The Chairperson, Councillor Kim then assumed the Chair.

2 CONFIRMATION OF MINUTES - Finance and Governance Committee Meeting held on 15 August 2017

RECOMMENDATION: (Moved by Councillors Purcell and Gordon)

That the Minutes of the Finance and Governance Committee 7/17, held on 15 August 2017, be confirmed.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 OCTOBER 2017** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

3 INVESTMENT REPORT AS AT 31 AUGUST 2017

RECOMMENDATION: (Moved by Councillors Purcell and Pedersen)

That Council endorse the Investment Report as at 31 August 2017.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 OCTOBER 2017** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

4 INVESTMENT REPORT AS AT 30 SEPTEMBER 2017

RECOMMENDATION: (Moved by Councillors Purcell and Pedersen)

That Council endorse the Investment Report as at 30 September 2017.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 OCTOBER 2017** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

ITEM 5 (continued)

ATTACHMENT 1

5 ANNUAL DISCLOSURE OF PECUNIARY INTERESTS

RECOMMENDATION: (Moved by Councillors Purcell and Pedersen)

That the Register of Disclosure of Pecuniary Interest Returns is tabled as required under Section 450A of the *Local Government Act*, 1993.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 OCTOBER 2017** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

CLOSED SESSION

ITEM 6 - TENDER EVALUATION REPORT COR-RFT-11/17 FOR THE PROVISION OF BUS OPERATORS FOR THE SHOP RYDER COMMUNITY BUS SERVICE FOR THE PERIOD UP TO 30 JUNE 2020

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.

ITEM 7 - ADVICE ON COURT ACTIONS

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (g) advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

RESOLUTION: (Moved by Councillors Purcell and Clifton)

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

Record of Voting:

For the Motion: Unanimous

ITEM 5 (continued)

ATTACHMENT 1

Note: The Committee closed the meeting at 6.30pm. The public and media left the chamber.

6 TENDER EVALUATION REPORT COR-RFT-11/17 FOR THE PROVISION OF BUS OPERATORS FOR THE SHOP RYDER COMMUNITY BUS SERVICE FOR THE PERIOD UP TO 30 JUNE 2020

RECOMMENDATION: (Moved by Councillors Clifton and Gordon)

- (a) That Council accept the tender from EBS Global Pty Ltd for the provision of two bus operators for the Shop Ryder Community Bus Service for the period up to 30 June 2020 for the amount of \$240,240 excluding 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 EBS Global 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 Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 OCTOBER 2017** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

7 ADVICE ON COURT ACTIONS

RECOMMENDATION: (Moved by Councillors Purcell and Gordon)

That the report of the General Counsel be received.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 OCTOBER 2017** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

ITEM 5 (continued)

ATTACHMENT 1

OPEN SESSION

RESOLUTION: (Moved by Councillors Moujalli and Purcell)

That the Committee resolve itself into open Council.

Record of Voting:

For the Motion: Unanimous

Note: Open Council resumed at 7.02pm.

The meeting closed at 7.02pm.

CONFIRMED THIS 21ST DAY OF NOVEMBER 2017.

Chairperson

**6 (1) GENERAL MANAGER'S DELEGATION AND
(2) POLICY ON MAYOR'S OVERSIGHT OF THE GENERAL
MANAGER, INCLUDING THE MAYOR'S ROLES AND
RESPONSIBILITIES**

Report prepared by: Governance Coordinator
File No.: CLM/17/1/1/2 - BP17/842

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 General Manager'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 General Manager since 1 July 2007.

The second part of this report is seeking Council's endorsement of the Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities. This Policy has been updated to reflect recent changes to the role of the Mayor and functions of the General Manager in the *Local Government Act, 1993*.

This report therefore seeks Council's adoption of:

- (i) the delegation to be granted to the General Manager for the next term of Council, ie September 2017 to September 2020; and
- (ii) the revised Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities.

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 General Manager for the next term of office for the Council.
- (b) That Council adopt the Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities – October 2017 (**ATTACHMENT 3**).

ITEM 6 (continued)**ATTACHMENTS**

- 1 General Manager Instrument of Delegation - July 2007
- 2 General Manager Instrument of Delegation - October 2017
- 3 Draft - Policy for the Interface and Day-to-Day Oversight of the General Manager by the Mayor including role of the Mayor - October 2017
- 4 Role of Mayor and General Manager - changes to the Local Government Act, 1993

Report Prepared By:

Lorie Parkinson
Governance Coordinator

Report Approved By:

John Schanz
Manager - Risk, Audit and Governance

Roy Newsome
Director - Corporate and Organisational Support Services

ITEM 6 (continued)**Discussion****(1) General Manager's Delegation**

Section 380 of the *Local Government Act 1993*: Review of Delegations 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 9 September 2018.

The matters that can be delegated to the General Manager by the Council, and those that can in turn be delegated by the General Manager 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*: General power of the Council to delegate 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,*
- (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 ,*

ITEM 6 (continued)

- (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.*

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 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 General Manager to delegate throughout the organisation is covered in Section 378 of the *Local Government Act 1993*.

Section 378 of the *Local Government Act 1993*: Delegations by the General Manager states:

- (1) *The general manager may delegate any of the functions of the general manager, other than this power of delegation.*

ITEM 6 (continued)

- (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 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 therefore recommends that Council's current Instrument of Delegation to the General Manager, as given in **ATTACHMENT 1**, be adopted for the 2017-2020 term of Council, with the only variation being current dates, and signatures (**ATTACHMENT 2**).

It should be noted that Council's Risk, Audit and Governance team are in the process of implementing an electronic delegations management system, that is projected to be implemented by June 2018.

- (2) Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities

This Policy (**ATTACHMENT 3**) aims to provide, as far as practicable, a single source of information regarding the Interface between the Mayor and General Manager, 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 and its associated Guidelines include 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.

In 2017, the Policy has been updated to address the changes to the *Local Government Act, 1993* that commenced on 23 September 2016.

There were changes to Section 226 – the role of the Mayor, and Section 335 – the role of the General Manager. There were no changes to the role of the Deputy Mayor (Section 231). The changes to the Act are detailed in **ATTACHMENT 4**, and shown in the Policy as follows: additions are in ***bold italic*** and deletions in ~~strikethrough~~.

As well as updates to reflect this legislative change, there have also been small additions made to Part 11 - Public Relations Management and Part 12 - Mayor's Responsibilities regarding Council's Media Policy.

ITEM 6 (continued)

“Social media monitoring” has been added to the services that the General Manager provides the Mayor and an extract from the Media policy regarding Letters to the Editor has been included in Part 12 – Mayor’s Responsibilities with respect to Council’s Media Policy of the Guideline.

A further change to Part 1 - The General Manager’s Appointment of the Guideline details the City of Ryde process in conducting the recruitment and selection of the General Manager’s position.

This report seeks Council’s adoption of the Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor including Mayor’s Roles and Responsibilities – October 2017.

ITEM 6 (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 26th June 2007
the common seal of the Council of
the City of Ryde was affixed hereto
pursuant to a resolution of Council *Ivan Petch*
on 19 June 2007 in the presence of **IVAN PETCH**
MAYOR



Gabrielle O'Donnell
.....
GABRIELLE O'DONNELL
DEPUTY MAYOR

Scott Allen
.....
[witness's name]

S. Allen
.....
[witness's signature]

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

ITEM 6 (continued)

ATTACHMENT 2

Instrument of Delegation

The City of Ryde pursuant to a resolution made on

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 accept as provided in the relevant instrument of delegation to the Council.

This instrument of delegation shall take effect on

On 2017
the common seal of the Council of
City of Ryde was affixed hereto
Pursuant to a resolution of Council
onin the presence of

.....
Name
MAYOR

.....
Name
DEPUTY MAYOR

.....
Witness's Name

.....
Witness's Signature

.....
Witness's Address

ITEM 6 (continued)

ATTACHMENT 3

Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities



Scope

This policy governs the appropriate interface between the Mayor of the City of Ryde and the General Manager 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 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 is transparent and appropriately delegated by Council. Constructive professional relationships between the Mayor and the General Manager 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, as well as the Mayor's Roles and Responsibilities. As a result, there are a number of references to legislation, existing Council Policies and resolutions of Council.

Purpose

The aim of the policy is to strengthen the executive management of the Council by detailing the relationship, the appropriate interface and the day to day oversight by the Mayor of the General Manager and aims to ensure that there is a clear understanding between the General Manager and the Mayor of the day. It will ensure that expectations and transparency of the interface between the Mayor and General Manager 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 that statement, to "exercise any such functions of the Council as the Council determines".

Legislative Provisions

Role of the Mayor

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

~~to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council~~

DRAFT Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities		
Owner: Risk, Audit and Governance	Accountability: Mayor and Councillor Support Service	Policy Number: CSG009
Trim Reference: D17/114255	Review: following Council election (every four years)	Adopted by Council -

ITEM 6 (continued)

ATTACHMENT 3

Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities



- ~~• to exercise such other functions of the council as the council determines~~
- ~~• to preside at meetings of the council~~
- ~~• to carry out the civic and ceremonial functions of the mayoral office.~~
- (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,
- (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.

DRAFT Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities		
Owner: Risk, Audit and Governance	Accountability: Mayor and Councillor Support Service	Policy Number: CSG009
Trim Reference: D17/114255	Review: following Council election (every four years)	Adopted by Council -

ITEM 6 (continued)

ATTACHMENT 3

Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities



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:

- ~~(1) The general manager is generally responsible for the efficient and effective operation of the council's organisation and for ensuring the implementation, without undue delay, of decisions of the council.~~
- ~~(2) The general manager has the following particular functions:

 - ~~to assist the council in connection with the development and implementation of the community strategic plan and the council's resourcing strategy, delivery program and operational plan and the preparation of its annual report and state of the environment report~~
 - ~~the day to day management of the council~~
 - ~~to exercise such of the functions of the council as are delegated by the council to the general manager~~
 - ~~to appoint staff in accordance with an organisation structure and resources approved by the council~~
 - ~~to direct and dismiss staff~~
 - ~~to implement the council's equal employment opportunity management plan.~~~~
- ~~(3) The general manager has such other functions as may be conferred or imposed on the general manager by or under this or any other Act.~~
- ~~(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,~~

DRAFT Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities		
Owner: Risk, Audit and Governance	Accountability: Mayor and Councillor Support Service	Policy Number: CSG009
Trim Reference: D17/114255	Review: following Council election (every four years)	Adopted by Council -

ITEM 6 (continued)

ATTACHMENT 3

Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities



- (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,*
- (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.*

Guidelines / Procedures

This policy is drafted to ensure compliance with appropriate legislative requirements, existing Council policies and is supported by the attached Guidelines.

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*

DRAFT Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities		
Owner: Risk, Audit and Governance	Accountability: Mayor and Councillor Support Service	Policy Number: CSG009
Trim Reference: D17/114255	Review: following Council election (every four years)	Adopted by Council -

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ATTACHMENT 3

Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities



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- City of Ryde Corporate Credit Card Policy
 - City of Ryde Gifts and Benefits Policy
 - City of Ryde Training and Career Development Policy
 - City of Ryde Public Interest Disclosures Internal Reporting Policy
 - City of Ryde Policy on Ethical Lobbying
 - City of Ryde Policy on the Expenses and Facilities for the Mayor and Other Councillors
 - City of Ryde Guideline on the Interaction between Councillors and Staff

Review Process and Endorsement

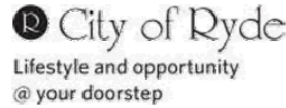
This Policy should be reviewed each term of Council and endorsed by the Council.

DRAFT Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities		
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ATTACHMENT 3

Guidelines for the Interface and Day to Day Oversight of the General Manager by the Mayor, including Mayor's Roles and Responsibilities



1. The General Manager's Appointment

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

~~In 2009, the process for the appointment of a recruiter and subsequent selection of a General Manager provided for the participation of all Councillors.~~

Council's practice has been that this process has been coordinated by the Manager Human Resources 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.

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

2. Management of the General Manager's Performance including the Mayor's Responsibilities

The General Manager'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:

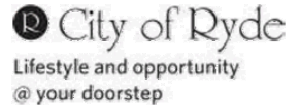
- Ensuring all Councillors not on the panel can contribute to the process by providing feedback to the Mayor on the General Manager's performance.
- Ensuring all Councillors are notified of relevant dates in the performance review cycle.
- Ensuring all Councillors are kept advised of the Panel's findings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

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Guidelines for the Interface and Day to Day Oversight of the General Manager by the Mayor, including Mayor's Roles and Responsibilities



3. Audit of the General Manager's Accountabilities

If the Mayor is a member of the City of Ryde Audit and Risk 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 accountabilities.

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

4. The General Manager's Leave Applications

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

5. The General Manager's Expense Claims

The Mayor will be the approval authority for all expense claims relating to the General Manager's out-of-pocket expenses and use of Council's Corporate Credit Card in keeping with the General Manager'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. The General Manager's Gifts and Benefits Claims

The Mayor will be the acknowledging authority for all Gifts and Benefits Disclosure Forms completed by the General Manager 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

It is recognised that the General Manager 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 will attend industry seminars conferences and forums such as those provided by the 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 will seek the Mayor's approval to attend.

Should the General Manager seek to attend formal training or education relating to advancing his/her knowledge and skills and in accordance with Council's policies on Tertiary

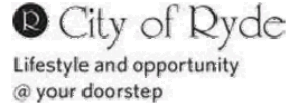
Education, Conferences and Training, the General Manager will seek the Mayor's approval to do so.

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Guidelines for the Interface and Day to Day Oversight of the General Manager by the Mayor, including Mayor's Roles and Responsibilities



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 2005*, 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 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 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 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 the *Local Government Act 1993* requirement (s367) 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."

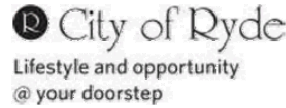
Clause 240 of the Regulation also specifies that for meetings where the Mayor is the Chairperson, the Agenda is to include "any matter or topic that the Mayor proposes at the time when the Agenda is prepared". This is to be done in accordance with Council's adopted Code of Meeting Practice.

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Guidelines for the Interface and Day to Day Oversight of the General Manager by the Mayor, including Mayor's Roles and Responsibilities



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 s.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." (s367(2) of the Local Government Act, 1993).

The General Manager must ensure that the agenda for an extraordinary meeting of a council deals only with the matters stated in the notice of the meeting (s242 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 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."

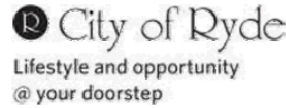
These actions will ensure appropriate briefings can be given relating to Council's policies, operational matters or strategic impacts relating to the discussions, and to ensure that the follow up of agreed actions at the meeting will take place.

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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. In some instances, the General Manager may delegate attendance to the relevant Director or staff member.

▪ *General Matters*

From time to time the Mayor will request that the General Manager 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 to ensure that the General Manager 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 prior to any meeting between the complainant, the Mayor and the General Manager 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 Director, City Planning and Development (or his/her nominee) is also to 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.

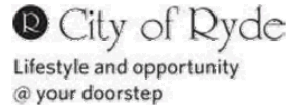
In accordance with Council's resolution of 27 September 2005, "... in the interest of transparency, all significant meetings held by the Mayor, or by the Mayor's nominee, with parties participating or seeking to participate in development or other activities in the City of Ryde, (are to) be reported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

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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.

11. Public Relations Management

The General Manager 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 can make comments to the media on policy matters. When doing so, the Mayor and General Manager 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 will comment on administration issues in accordance with the *Media Policy*.

The General Manager 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 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 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.

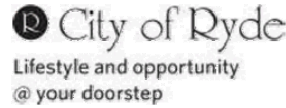
It should be noted that in accordance with the City of Ryde Media Policy, the Mayor is an Authorised signatory for Letters to the Editor on policy issues, and the General Manager is an authorised signatory for Letters to the Editor on policy, administration and operations issues.

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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.

13. Managing Complaints about the General Manager

All complaints about the General Manager'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 – Risk, Audit and 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 – Risk, Audit and Governance

All Code of Conduct complaints relating to Councillors made by the General Manager 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*.

Part 14 of these Guidelines sets out the Mayor's role with regard to Code of Conduct complaints, and Part 15 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. 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.

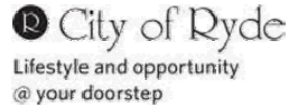
Where the Mayor becomes aware of a possible breach of the *Code of Conduct* by the General Manager, they may initiate the process for the consideration of the matter in accordance with the *Code of Conduct* without a written complaint. The Mayor also has senior staff available to assist in such matters including Council's Director Corporate and \

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Organisational Support Services, General Counsel or the Manager Risk, Audit and Governance.

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

How are code of conduct complaints about the General Manager to be dealt with?
Code of Conduct Complaints Procedure 5.21 – 5.25

The Mayor must refer the following code of conduct complaints about the general manager to the Office of Local Government:

- a) complaints alleging a breach of the pecuniary interest provisions of the Act,
- b) complaints alleging a breach of Part 8 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 clause 5.40.

Where the Mayor refers a complaint to the Office under clause 5.21, 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, other than those requiring referral to the Office under clause 5.21, 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 5.25.

The Mayor must advise all Councillors in writing that a complaint about the General Manager has been received and, where appropriate, the nature of the complaint. 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.

Where the Mayor resolves a code of conduct complaint under clause 5.23 to the Mayor's satisfaction, the Mayor must notify the complainant in writing of the steps taken to resolve 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 other than those referred to the Office under clause 5.21 or resolved under clause 5.23 to the complaints coordinator.

In addition, when there are complaints about the General Manager, 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.

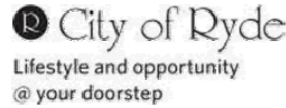
The detailed procedure for complaint management is set out in the *Code of Conduct – Complaints Procedure*.

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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, NSW, 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.

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.
- dealing with disclosures made under the Council's Code of Conduct in accordance with the Council's adopted Code of Conduct procedures

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, the Mayor is also responsible for referring actual or suspected corrupt conduct to the Independent Commission Against Corruption.

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, Risk, Audit and Governance.

16. Civic Events, Ceremonies, Conferences and Forums

It is acknowledged that both the Mayor and the General Manager will represent Council at Civic Events, Ceremonies and professional forums etc. When both the Mayor and General Manager 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 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 to provide his/her professional views. The General Manager must make it clear when doing so if they are not the views of Council or its policies.

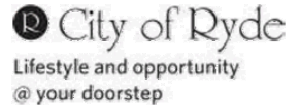
When speaking about the City of Ryde Council, Council's policies and views will always be clearly stated by the Mayor and General Manager.

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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, this would be at the discretion of the Mayor.

In accordance with the Policy on the Expenses and Facilities for the Mayor and other Councillors, 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 as soon as possible. Any action that is 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, and communicate the intent to exercise such functions to Councillors, prior to the taking of any action.

19. Role of the Deputy Mayor

As provided by Section 231 of the Act, 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.

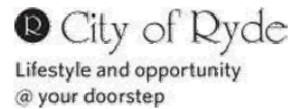
Where the Mayor applies for and is granted a Leave of Absence, the Mayor must specifically state as part of the application whether this leave applies only to Council Meetings or whether the Deputy Mayor is to assume the Mayoral duties in accordance with the Act and this document. This will also require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

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ATTACHMENT 3

Guidelines for the Interface and Day to Day Oversight of the General Manager by the Mayor, including Mayor's Roles and Responsibilities



Where the Mayor is on an endorsed Leave of Absence, the Deputy Mayor by resolution of Council will undertake the roles and 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 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 and his/her executive team as agreed by both parties.

The Mayor may call fortnightly meetings with the General Manager 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.

DRAFT Guidelines for the Interface and Day to Day Oversight of the General Manager by the Mayor including Mayor's Roles and Responsibilities		
Owner: Risk, Audit and Governance	Accountability: Mayor and Councillor Support Service	Adopted by Council –
Trim Reference: D17/114255	Policy: Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor, including Mayor's Roles and Responsibilities	

ITEM 6 (continued)

ATTACHMENT 4

Changes to the Local Government Act commencing 23 September 2016

Pre-September 2016	From 23 September 2016
<p>226 What is the role of the mayor?</p> <p>The role of the mayor is:</p> <ul style="list-style-type: none"> • to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council • to exercise such other functions of the council as the council determines • to preside at meetings of the council • to carry out the civic and ceremonial functions of the mayoral office. 	<p>226 Role of mayor</p> <p>The role of the mayor is as follows:</p> <ul style="list-style-type: none"> (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, (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.

ITEM 6 (continued)

ATTACHMENT 4

<p>335 Functions of general manager</p> <p>(1) The general manager is generally responsible for the efficient and effective operation of the council's organisation and for ensuring the implementation, without undue delay, of decisions of the council.</p> <p>(2) The general manager has the following particular functions:</p> <ul style="list-style-type: none"> • to assist the council in connection with the development and implementation of the community strategic plan and the council's resourcing strategy, delivery program and operational plan and the preparation of its annual report and state of the environment report • the day-to-day management of the council • to exercise such of the functions of the council as are delegated by the council to the general manager • to appoint staff in accordance with an organisation structure and resources approved by the council • to direct and dismiss staff • to implement the council's equal employment opportunity management plan. <p>(3) The general manager has such other functions as may be conferred or imposed on the general manager by or under this or any other Act.</p>	<p>335 Functions of general manager</p> <p>The general manager of a council has the following functions:</p> <ul style="list-style-type: none"> (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, (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.
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7 REVISED DRAFT 2016/17 FINANCIAL STATEMENTS

Report prepared by: Chief Financial Officer

File No.: FIM/07/6/4/2/7/2 - BP17/1055

REPORT SUMMARY

The purpose of this report is to:

1. Submit the **Revised** Draft 2016/17 Financial Statements to Council for consideration and sign-off, given a number of material adjustments have occurred since they were endorsed by Council on 22 August 2017; and
2. Provide an update on the progress of the external audit, together with a revised timeframe for completion of the 2016/17 Financial Statements.

Revised Draft 2016/17 Draft Financial Statements Sign-off

In accordance with legislative requirements, the Draft 2016/17 Financial Statements were originally submitted to Council on 22 August 2017, for referral to Council's external auditors for examination.

The Draft 2016/17 Financial Statements were endorsed by Council at that meeting with Council noting that if there were any material (financially significant) adjustments to Council's financial result, that this would require the Financial Statements to be resubmitted as a "Revised Draft" to Council at a later stage.

During the external audit it became evident that in respect of the valuation of 'Community Land' (in particular) this would give rise to material adjustments and therefore this would require the Financial Statements to be resubmitted to Council for endorsement, in line with external audit expectations. This matter was identified and considered in the report to Council on 22 August 2017.

Council's external auditors have advised that they require the Revised Draft 2016/17 Financial Statements to be endorsed and signed off by Council, prior to issuing the Independent Auditors Report.

Material Adjustments - Value of Community Land, Land Under Roads and Operational Land

Included in the 22 August 2017 report to Council (titled "Draft 2016/17 Financial Statements"), were the following statements (in italics):

"Council has had preliminary discussions with its external Auditors (the Audit Office and PwC) with respect to the valuation of Community Land. Those discussions are ongoing, however, it would appear as though Council's Community Land is overvalued, from the Auditor General's perspective. Community Land includes parks, reserves and land under which Council facilities are located.

ITEM 7 (continued)

Any downward revaluation of Community Land will be first charged against Council's 'Revaluation Reserves' in the Balance Sheet. In the event there are insufficient Revaluation Reserve funds available to accommodate the reduced Community Land valuation, an adjustment to Council's Retained Earnings (Equity) will need to be made. This adjustment will have the effect of reducing Council's Net Assets and therefore, Equity. It should be noted, however, that Community Land values are accounting entries that do not affect Council's overall financial performance, financial indicators or Working Capital.

As the external audit progresses, Councillors will be informed of any material adjustments (including Community Land values) that are brought to Council's staff attention by the Audit Office or PwC."

Following further discussions with the Audit Office and PwC, the asset value attributed to 'Community Land' has been adjusted (discounted) to reflect the nature, limitations and constraints of the land. Community Land includes parks, sporting fields, passive reserves, and land under which Council facilities are located.

Whilst the extent of the adjustment is significant (\$1.25 billion), it is important to note the adjustment is purely an accounting entry and does not materially affect Council's financial performance, nor does it adversely affect Council's financial indicators or Working Capital position.

Similarly, an adjustment was necessary to the asset value attributed to 'Land Under Roads' which Council has brought to account since 2008. Council's External Auditors have indicated a revision downwards of 90% is appropriate given the limitations and constraints of the land, which is consistent with the Code of Accounting Practice. The value of this adjustment is \$10.4 million.

Like Community Land, the adjustment of the asset value of 'Land Under Roads' is purely an accounting entry and does not materially affect Council's financial performance, nor does it adversely affect Council's financial indicators or Working Capital position.

These material adjustments have been applied retrospectively in accordance with AASB 108 Accounting Policies, Changes in Accounting Estimates and Errors. Consequently, relevant prior year comparatives in the financial statements have been restated. Additional disclosures have also been made to comply with the Accounting Standards.

During the progress of the external audit, Council also identified parcels of land that should have been classified as 'operational' land, not 'community land'. These parcels were typically amongst or immediately surrounding 'community land' and were accordingly valued as 'community land'. The total additional value brought on as 'operational land' is \$70.6 million.

ITEM 7 (continued)

Again, like Community Land and Land under Roads, the adjustment of the asset value of 'Operational Land' is purely an accounting entry and does not materially affect Council's financial performance, nor does it adversely affect Council's financial indicators or Working Capital position.

Progress of External Audit and Revised Timeline for Completion of 2016/17 Financial Statements

The Audit Office (via the Auditor-General) is ultimately responsible for the external audit of Annual Financial Statements for all NSW Councils. This is the first time the Audit Office has been charged with this responsibility.

The Auditor-General has commissioned Price Waterhouse Coopers (PwC) to provide audit and/or assurance services for the external audit of Council's 2016/17 Financial Statements. However, the Auditor-General remains responsible for the audits, their performance and for issuing the Independent Auditor's Reports. The Audit Office has overseen PwC's planning and execution of the audit throughout the course of this external audit.

In essence, Council has two entities (the Audit Office and PwC) conducting the external audit. The examination of Council's financial accounts has been exhaustive and, in the main, productive. There have been times where Council has received conflicting advice or has experienced delays in obtaining audit direction or feedback.

Typically, an external audit examination would entail 2 weeks of on/off-site testing and analysis with an Audit Report generally received within 4 weeks. This year, the audit timeframe has effectively doubled.

For example, the agreed timeframe for Council to receive the Audit Report was late September 2017. This has now been revised to late October. This delay means the Final (audited) 2016/17 Financial Statements cannot be presented to Council until the Council Meeting of 28 November 2017 (as opposed to the original date of 24 October 2017).

It is reasonable to conclude that this year's external audit has experienced some 'teething problems' with the transition of all NSW Local Government audits now under the control of the Audit Office. All parties, including Council, will actively work towards a more efficient process for the 2017/18 external audit.

Importantly, the delay in finalising the financial accounts will not adversely impact Council's ability to satisfy its legislative obligations of having the audited Financial Statements submitted to the Office of Local Government by 31 October 2017.

ITEM 7 (continued)

The revised timeframe for finalisation of the 2016/17 Financial Statements is as follows:

Audit Clearance Meeting	12 October 2017
Revised Draft 2016/17 Financial Statements to Council	24 October 2017
Independent Auditors Report Submitted (to be confirmed)	25 October 2017
Submit 2016/17 Financial Statements to OLG	31 October 2017
Advertise 2016/17 Financial Statements	15 November 2017
Final 2016/17 Financial Statements to Council (includes presentation to Councillors by External Auditors)	28 November 2017
Public Submissions Closing Date	5 December 2017

RECOMMENDATION:

- (a) That the Mayor, Deputy Mayor, Acting General Manager and the Responsible Accounting Officer sign the 'Statement by Councillor and Management' for both the General Purpose and Special Purpose Financial Statements as contained in the Revised Draft 2016/17 Financial Statements.
- (b) That Council's Meeting on Tuesday, 28 November 2017 be fixed as the date for the public meeting to allow Council's external auditors to present the audited financial statements and Independent Auditor's Report for the year ended 30 June 2017 as required by section 419 of the Local Government Act 1993.

ATTACHMENTS

- 1 Previous Report to Council Meeting on 22 August 2017 attaching 2016/2017 Draft Financial Statements - CIRCULATED UNDER SEPARATE COVER
- 2 2016/2017 Revised Draft Financial Statements - CIRCULATED UNDER SEPARATE COVER

Report Prepared By:

Steven Kludass
Chief Financial Officer

Report Approved By:

Roy Newsome
Director - Corporate and Organisational Support Services

ITEM 7 (continued)

Discussion

Background

Council, at its meeting of 22 August 2017, endorsed the Draft 2016/17 Financial Statements for the purposes of referring them to audit. The Council report that accompanied the Draft Financial Statements provided an overview of Council's financial performance for the year ended 30 June 2017, including major variations to the Original Budget for 2016/17. The report also indicated that preliminary discussions were underway with the external audit team with respect to the valuation of Council's community assets.

A copy of that report and the accompanying Draft 2016/17 Financial Statements is appended to this report as **ATTACHMENT 1 – CIRCULATED UNDER SEPARATE COVER**.

Community Land, Land Under Roads and Operational Land values

During the course of the external audit of Council's 2016/17 Financial Statements it became evident that an adjustment to the value of Community Land, Land Under Roads and Operational Land was necessary. The Audit Office raised concerns with the high values that were attributed to 'Community Land' and 'Land Under Roads', and sought an explanation of how these asset values were derived.

Council has historically used independently certified and accredited valuers, Scott Fullerton Valuations, to value its assets in accordance with relevant Australian Accounting Standards. Initially, the Audit Office noted the value of Council's community assets to be abnormally high when compared to similar sized Councils in NSW. Council is aware the Audit Office has observed similar valuation abnormalities with several other NSW Councils who have used independent valuers to value community assets.

The Audit Office advised Council to use the Valuer General's values for 'Community Land' for the purposes of local government comparability and sector-wide consistency. In loading the Valuer General asset values into Council's financial systems, an alarming difference in the values of individual assets was noted.

The Audit Office advised Council that the Valuer General's valuations were likely to be more accurate as they included a level of 'discounting' more akin to the nature of community assets and their inherent constraints and limitations.

The following comparison highlights the difference in values for 'Community Land':

Description	\$000
Independent Valuation of Community Land	\$1,394,978
Value General's Valuation of Community Land	\$143,354
Difference in Valuation (Decrease)	\$1,251,624

ITEM 7 (continued)

The following comparison highlights the difference in values for 'Land Under Roads':

Description	\$000
Initial Valuation of Land Under Roads	\$11,552
Englobo Approach – Code of Accounting Practice	\$1,155
Difference in Valuation (Decrease)	\$10,397

The following comparison highlights the difference in values for 'Operational Land':

Description	\$000
Initial Valuation of Operational Land	\$102,333
Revised Operational Land brought to account	\$173,091
Difference in Valuation (Increase)	\$70,758

General Commentary

It should be noted that Council in previous years, has acted in accordance with the 'Code of Accounting Practice' (*as issued and updated by the Office of Local Government*) with respect to the valuation of 'Community Land' and 'Land under Roads'. The 'Code of Accounting Practice' is a manual that interprets the Australian Accounting Standards in a useful and practical manner.

The Audit Office asserts that the 'Code of Accounting Practice' has, over time, departed from the intent of the Australian Accounting Standards. Where departures occur, the Australian Accounting Standards must prevail.

It should also be noted that this is the first time this anomaly has been identified in an external audit. Council has engaged PwC for the past 3 external audits and at no stage has this matter been previously raised with Council. Council has previously received 'unqualified audits', meaning the auditors were satisfied that Council's financial accounts were accurate and complete.

Fortunately, the adjustments to community asset values will not materially affect Council's financial performance, nor will they adversely affect Council's financial indicators or Council's Working Capital balance. This is due to all the adjustments to Community and other land, being primarily contained within Council's Balance Sheet.

The instruction to use Valuer General values for community assets such as 'Community Land' does raise an interesting conundrum moving forward. As Council is aware, developers dedicate community assets such as parks and reserves to Council. The value of these dedications to council is accompanied by an independent valuation which, in most cases, will be higher than the Valuer General's valuation. Where this is the case, Council will be bringing on the asset value as per the independent valuation and then 'writing down' the value of the asset when the Valuer General next provides Council with a valuation for that particular parcel of land.

ITEM 7 (continued)

This is not an ideal position for Council to be in and should be brought to the attention of the Office of Local Government with a view to reviewing the inconsistencies in valuation methodologies as they apply to Local Government and assessing whether the presumption that the Valuer General's valuations are indeed the most reliable and accurate basis for valuing community assets.

There is also considerable merit in allowing the Auditor General to have input into (or sign-off) revisions of the 'Code of Accounting Practice' to eliminate the prospect of future departures from the Australian Accounting Standards.

Revised Draft 2016/17 Financial Statements

Whilst the values attributed to 'Community Land' and 'Land Under Roads' occupied the greatest attention during the external audit, there are a number of other minor adjustments that have been incorporated into the Revised Draft 2016/17 Financial Statements. These other adjustments are summarised below:

Reconciliation of Adjustments

The following is a reconciliation of adjustments made since the original Draft 2016/17 Financial Statements were presented to Council on 22 August 2017.

	Original Draft 2016/17 Statements – Actual Result	Revised Draft 2016/17 – Statements – Actual Result	Difference
Operating Result BEFORE Capital Contributions and Grants (1)	\$14,601,000	\$13,860,000	(\$741,000)
Operating Result AFTER Capital Contributions and Grants (2)	\$40,021,000	\$39,580,000	(\$441,000)
Total Cash & Investments (3)	\$186,452,000	\$186,452,000	\$0
Internal Reserves (4)	\$79,396,000	\$83,396,000	\$4,000,000
Working Capital (5)	\$8,787,000	\$5,101,000	(\$3,686,000)

Explanatory Notes:

The following explanations are provided in respect of each of the above items.

1. The Operating Result (Surplus) BEFORE Capital Contributions reduction of \$741,000 is the direct result of the following adjustments to the Income Statement:
 - a. Valuation adjustments to 'Community Land' and 'Land under Roads' amounting to a \$1,055,000 reduction which could not be offset against the Revaluation Reserve in the Balance Sheet have been expensed in the Income Statement.

ITEM 7 (continued)

- b. Additional fines revenue of \$314,000 (via Office of State Revenue) has been brought to account in the Income Statement.
 - c. The net difference between point's a) and b) above is \$741,000
2. The Operating Result (Surplus) AFTER Capital Contributions and Grants reduction of \$441,000 is the result of the following adjustments to the Income Statement:
 - a. Valuation adjustments to 'Community Land' and 'Land under Roads' amounting to a \$1,055,000 reduction which could not be offset against the Revaluation Reserve in the Balance Sheet have been expensed in the Income Statement.
 - b. Additional fines revenue of \$314,000 (via Office of State Revenue) has been brought to account in the Income Statement.
 - c. Additional \$300,000 capital contribution added to the Income Statement to reflect the value of an Affordable Housing unit (value of stratum lot only), now in Council's ownership as at 28 June 2017.
 - d. The net difference between point's a), b) and c) above is \$441,000
3. There have been no adjustments that have affected Council's total cash and investments on hand as at 30 June 2017.
4. Internal Reserves have increased by \$4,000,000 following a resolution of the previous Council to transfer excess Working Capital funds to the Investment Property Reserve.
5. The Working Capital balance has decreased by \$3,686,000 largely due to the \$4,000,000 transferred to the Investment Property Reserve (as outlined above in point 4). The remaining \$314,000 increase in Working Capital is a direct result of additional fines revenue that was brought to account in 2016/17 during the audit examination (cross reference point 1b above).

A complete set of the Revised Draft 2016/17 Financial Statements are appended to this report as **ATTACHMENT 2 – CIRCULATED UNDER SEPARATE COVER.**

Conclusion

Despite the necessary adjustments outlined in this report, Council remains in a strong financial position. The adjustments do not materially affect Council's financial performance, nor do they adversely affect Council's financial indicators or Council's Working Capital balance.

ITEM 7 (continued)

The external audit process is now in its final stages and Council staff are confident there will be no other adjustments required to the Financial Statements before they are presented to Council on 28 November 2017.

As outlined in this report, this particular external audit has been challenging given Council has been effectively dealing with two audit teams (the Audit Office and PwC) who have, at times, provided conflicting guidance and direction. Looking forward, Council is confident future external audits will benefit from this experience which improved processes and communications.

8 2017/2018 CHRISTMAS / NEW YEAR ARRANGEMENTS - COUNCIL BUSINESS OPERATIONS

Report prepared by: Acting Manager - Human Resources
File No.: CSG/17/1/6/1 - BP17/1047

REPORT SUMMARY

This report seeks endorsement of the proposed business operations during the 2017/2018 Christmas / New Year Period, with Council's operations proposed to close from 12.00pm Friday, 22 December 2017 and recommence on Tuesday, 2 January 2018.

From 12.00pm on Friday, 22 December 2017, there will be essential services or staff on call throughout the Christmas / New Year period to ensure critical services are undertaken. Also, during this period Council's Ryde Aquatic Leisure Centre (RALC) and Library services will be operating on revised hours as detailed in this report.

It is proposed that Council staff will meet from 12 noon on Friday, 22 December 2017 for an end of year update on current issues from the Acting General Manager, and to also provide staff with a Christmas lunch. Council's business operations will be therefore closed from 12 noon on 22 December 2017. The cost of this function is incorporated in Council's operating budget.

RECOMMENDATION:

- (a) That the changes to normal City of Ryde business operations over the 2017/2018 Christmas/New Year period, as outlined in the report be endorsed.
- (b) That the changes to normal business operations referred to in (a) above, be advertised in the Mayor's Column, on Council's website, through social media and by way of notice at the front of Council's customer service centres, Council branch libraries and the Ryde Aquatic Leisure Centres.
- (c) That Council endorse the staff function, including staff update / Christmas lunch, being held at Next Generation from 12 noon on Friday, 22 December 2017.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Roger Millican
Acting Manager - Human Resources

Report Approved By:

Roy Newsome
Director - Corporate and Organisational Support Services

ITEM 8 (continued)

Discussion

As in previous years, normal City of Ryde business operations will cease over the Christmas / New Year period, with reduced operating hours applicable to the RALC and Council's Libraries. Throughout this period, essential services will continue, supported by staff on-call to respond to urgent customer requests. This report seeks Council's endorsement for the proposed arrangements for Council's operations to close from 12.00pm on Friday, 22 December 2017 and recommence on Tuesday, 2 January 2018.

All Council's business operations excluding the library service and the RALC, will recommence on Tuesday, 2 January 2018.

During the shutdown period, the following service functions will remain operational with on-duty staff;

- Cleansing operations:
 - Shopping Centres – streets, footpaths and bin collections.
 - Parks – bin collections.
 - Public Toilets.
- Urgent infrastructure repairs (public safety).
- General Parks Maintenance and mowing of Regional Parks.
- Rangers – normal patrols.
- Hall Hire – pre bookings.

Ryde Aquatic Leisure Centre (RALC)

The proposed RALC operation hours for this period are as follows:

Sunday	Dec 24	CLOSED
Monday	Dec 25	CLOSED (Christmas Day)
Tuesday	Dec 26	CLOSED (Boxing Day)
Wednesday	Dec 27	9.00am – 5.45pm
Thursday	Dec 28	9.00am – 5.45pm
Friday	Dec 29	9.00am – 5.45pm
Saturday	Dec 30	9.00am – 5.45pm
Sunday	Dec 31	9.00am – 5.45pm
Monday	Jan 01	9.00am – 5.45pm (New Year's Day)
Tuesday	Jan 02	5.30am – 8.45pm(resume Normal Business Operations)

The RALC returns to normal hours of operation on Tuesday, 2 January 2018.

ITEM 8 (continued)

City of Ryde Libraries

The proposed Library operations are as follows:

Friday, 22 December 2017 – from 12 noon	All libraries closed
Saturday, 23 December 2017	All libraries open with normal operating hours
Sunday, 24 December 2017 – Monday, 1 January 2018	All libraries closed
Tuesday, 2 January 2018	All libraries open at 10.00am and resume normal operations

On-Call and After Hours Call Centre Arrangements

The Operations Centre will continue to have essential services operating from 12.00pm Friday, 22 December 2017 through to Monday, 1 January 2018, with regular hours of operation commencing again on Tuesday, 2 January 2018.

A roster of on-call staff will be prepared for all other departments and these staff will be available to respond to urgent matters if required. This will include other functions such as information systems (IT) support and Development Application (DA) notifications. All details of on-call staff will be provided to Councillors prior to the Christmas/New Year shutdown.

The normal after-hours call centre arrangements will apply during this period, whereby any customers calling Council's main phone number will speak to an operator who will then allocate the enquiry to the relevant officer for action.

Advertising of Changes to Normal Business Operations

The proposed changes to normal business operations for the Christmas/New Year period are proposed to be advertised in the Mayor's Column, on Council's website and by way of notice at Council's customer service centres, Council's branch libraries and the Ryde Aquatic Leisure Centre. It is also proposed to utilise Council's social media for notification.

It is proposed that the staff update / Christmas function will be held from 12 noon on Friday, 22 December 2017 at Next Generation. Councillors will be advised of the details once confirmed, with all Councillors welcome to attend.

Shop Ryder Services

The Shop Ryder will operate until 23 December 2017 with no service available until Wednesday 3 January 2018, also noting no service will be available on 26 January 2018, Australia Day.

ITEM 8 (continued)**Financial Impact**

Adoption of the recommendation outlined in this report will have no financial impact as the funding of staff resources over the Christmas/New Year shutdown period and the staff function on Friday 22 December 2017, are already included in existing operational budgets.

Conclusion

This report seeks Council's endorsement for the proposed arrangements for Council's operations to close from 12.00pm Friday, 22 December 2017 and recommence on Tuesday, 2 January 2018, with the exception of Libraries, RALC as outlined in this report. Appropriate arrangements for essential services throughout the Christmas / New Year period will be in place, including staff on call, to ensure any disruptions to services are minimised.

PRECIS OF CORRESPONDENCE

1 AUSTRALIA'S STRATEGY FOR THE PROTECTION OF CROWDED PLACES FROM TERRORISM

Report prepared by: Executive Assistant - Mayor and Councillors
File No.: MYR/07/10/7 - BP17/1067

CORRESPONDENCE:

Submitting correspondence from The Hon David Elliott MP Minister for Counter Terrorism, dated 3 October 2017, regarding Australia's strategy for the protection of crowded places from terrorism.

RECOMMENDATION:

That the correspondence be received and noted.

ATTACHMENTS

- 1 Letter from th Hon David Elliott MP regarding Australia's strategy for the protection of crowded places from terrorism

Report Prepared By:

Linda Smith
Executive Assistant - Mayor and Councillors

Report Approved By:

John Schanz
Manager - Risk, Audit and Governance

Roy Newsome
Director - Corporate and Organisational Support Services

PRECIS OF CORRESPONDENCE 1 (continued)

ATTACHMENT 1



The Honourable David Elliott MP

**Minister for Counter Terrorism
Minister for Corrections
Minister for Veterans Affairs**

Reference: A2250408

Clr Jerome Laxale
Mayor
Council of the City of Ryde
Locked Bag 2069
NORTH RYDE NSW 1670

Dear Clr Laxale

Australia's Strategy for the Protection of Crowded Places from Terrorism

As you know, the public spaces of NSW – our stadiums, shopping centres, pedestrian malls and major events venues – enrich the lives of everyone in the State. Unfortunately, as events around the globe have shown, they are also potential targets of terrorist attacks.

This is why the NSW Government has worked closely with Commonwealth, State and Territory Governments to develop *Australia's Strategy for Protecting Crowded Places from Terrorism* ('the Strategy').

The Strategy is available online at <https://www.nationalsecurity.gov.au/CrowdedPlaces>. I encourage you to familiarise yourself with the Strategy.

Owners and operators of crowded places, including local councils, have the principal responsibility to make sure appropriate protective security measures are put in place to protect the lives of people working in, using and visiting the places they manage. The Strategy provides owners and operators with guidance and tools to help identify risks and protective measures that can be implemented to mitigate the risks to crowded places, while preserving the public's use and enjoyment of them. I would strongly encourage that you use the self-assessment and security audit tools in considering appropriate and proportionate measures for your crowded places.

The Strategy also establishes *Crowded Places Forums* for consistent, collective police engagement with owners and operators. These will be held in the six police regions, and I would encourage you to send a General Manager or Deputy to attend.

Should you wish to explore these matters further, please reach out to your NSW Police Force Local Area Command and to the Protection Programs Unit, Counter Terrorism and Special Tactics Command (bcu@police.nsw.gov.au or (02) 9919 9278). You may also wish to visit the secureNSW website (<http://www.secure.nsw.gov.au>) for additional information.

Yours sincerely



David Elliott MP
**MINISTER FOR COUNTER TERRORISM
MINISTER FOR CORRECTIONS
MINISTER FOR VETERANS AFFAIRS**

03 OCT 2017

CC: The Hon Troy Grant MP, Minister for Police and Emergency Services
CC: Mr George Dedes, General Manager, Council of the City of Ryde

GPO Box 5341, SYDNEY NSW 2001

Phone: (02) 8574 6290 Fax: (02) 9339 5564 Email: www.nsw.gov.au/ministerelliott

NOTICES OF MOTION

1 COUNCIL'S FUTURE PLAYING AND TRAINING FIELD NEEDS - Councillor Roy Maggio

File Number: CLM/17/1/1/6 - BP17/1083

MOTION:

- (a) That as Council's Sport and Recreational Strategy (2016 – 2026) has now been adopted by Council, a report be prepared investigating Councils future playing and training field needs including synthetic playing surfaces.
- (b) That the report is to refer to the medium and long term actions identified in the strategy including the Synthetic Surface Action Plan and make recommendations to Council for inclusion in the current delivery plans.

2 OPTIONS FOR ADDITIONAL SPORTS FACILITIES AT MORRISON BAY PARK - Councillor Roy Maggio

File Number: CLM/17/1/1/6 - BP17/1084

MOTION:

- (a) That, giving consideration to the adopted Sport and Recreational Strategy, the General Manager investigate the following options for additional sports facilities at Morrison Bay Park and make recommendations to Council for inclusion in the 2018-2022 Delivery Plan:-
 - An additional cricket practice net
 - New half basketball court
- (b) That the General Manager seek funding contributions for any of the above sports facility projects that progress to construction.
- (c) That the investigations be reported to Council in 2018 as part of the budget process.

3 NAMING OF ERNA ADMINISTRATION BUILDING - Councillor Roy Maggio

File Number: CLM/17/1/1/6 - BP17/1085

MOTION:

That the City of Ryde approve the naming of the ERNA Administration building 'The Anne Doring Building' to commemorate the long standing service to Netball in the City of Ryde.

4 PERFORMING ARTS SPACE - Councillor Roy Maggio

File Number: CLM/17/1/1/6 - BP17/1086

MOTION:

That a report be prepared by the General Manager and presented to the next suitable Council Meeting on the current plans and options in regards to the delivery of a performing arts space after consultation with the new Arts Advisory Committee.

5 NOTICE OF MOTION - PROPOSED MOTION FOR NSW LOCAL GOVERNMENT ANNUAL CONFERENCE - Councillor Roy Maggio

File Number: CLM/17/1/1/6 - BP17/1087

That Council endorse the following Motion to be submitted to the Local Government NSW Annual Conference to be held on 4 – 6 December 2017 at Hyatt Regency, Sydney:-

MOTION:

That this Conference request the Minister for Local Government to amend Section 275 of the Local Government Act 1993 to disqualify any employee of a States Government Minister from being qualified to hold Civic Office in a NSW Local Government Authority.

6 SAFETY RISK TO PUBLIC HOUSING TENANTS AT 38 COONEY STREET - Councillor Penny Pedersen

File Number: CLM/17/1/1/6 - BP17/1089

Safety risk to public housing tenants at number 38 Cooney Street at the property stretching between Cox's Road and Cooney Street – adjacent to Lane Cove Road, North Ryde.

This Council understands that it is not the responsibility of Council to report on maintenance issues regarding properties owned by NSW public housing, however Council feels obliged to advocate on behalf of elderly and disabled people when the dwelling they live in poses a safety risk to themselves and the property of adjoining landowners.

MOTION:

That the Mayor of the City of Ryde write a letter to Housing NSW requesting an inspection of water damage to electrical wiring at the public housing properties at 38 Cooney Street, North Ryde, as it appears to pose a threat to tenant safety and should a fire take hold could impact on Lane Cove Road and the property of adjoining landowners.

CONFIDENTIAL ITEMS

9 LEGAL 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: (g) advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

Report prepared by: General Counsel; Acting Manager - City Planning

File No.: BLD/08/54/1 - BP17/867

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10 RECRUITMENT OF THE ROLE OF GENERAL MANAGER

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: (a) personnel matters concerning particular individuals (other than councillors).

Report prepared by: Acting Manager – Human Resources; Manager - Risk, Audit and Governance

File No.: CSG/17/1/6/1 - BP17/1042

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