

Meeting Date: Tuesday 24 April 2018
Location: Council Chambers, Level 1A, 1 Pope Street, Ryde
Time: 7.20pm

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

Note: Councillor Brown left the meeting at 10.35pm and did not return. He was not present for consideration or voting on Items 2, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13.

Note: Councillor Zhou left the meeting at 10.41pm and did not return. He was not present for consideration or voting on Items 6, 8, 9, 10 11 and 12.

Apologies: Nil.

Staff Present: General Manager, 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, Manager – Risk, Audit and Governance, Manager – City Planning, Manager – Civil Infrastructure and Integration, Manager – Parks, Manager – Library Services, Manager – Community Services, Manager – Environment, Health and Building, Acting Manager – Communications, Customer Service and Events, Smart City Infrastructure Projects Manager, Tenders and Contracts Manager, Senior Coordinator – Community Services, Development Contributions Coordinator, Stormwater Engineer, Communications Coordinator, Digital Communications Coordinator, Senior Coordinator – Governance and Executive Assistant to the General Manager.

PRAYER

Pastor Robyn Peebles of the Church of the Good Shepherd was present and offered prayer prior to the commencement of the meeting.

NATIONAL ANTHEM

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

LEAVE OF ABSENCE

Councillor Kim requested a Leave of Absence for the period 22 September 2018 to 30 September 2018 inclusive.

RESOLUTION: (Moved by Councillors Kim and Maggio)

That Councillor Kim's Leave of Absence for the period 22 September 2018 to 30 September 2018 inclusive be approved.

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

Record of the Voting:

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

Against the Motion: Councillor Maggio

DISCLOSURES OF INTEREST

The Mayor, Councillor Laxale disclosed a Less than Significant Non-Pecuniary Interest in Item 3(3) – Community Grants Program – Allocation of Funding 2017/18, for the reason that some of the leaders of community groups receiving grants are known to him and he is a member of Macquarie Chapel.

Councillor Brown disclosed a Less than Significant Non-Pecuniary Interest in Item 3(3) – Community Grants Program – Allocation of Funding 2017/18, for the reason that his children play rugby at the Central Eastwood Rugby Football Club.

Councillor Gordon disclosed a Less than Significant Non-Pecuniary Interest in Item 3(3) – Community Grants Program – Allocation of Funding 2017/18, for the reason that his is a former Composer-in-Residence of Ryde Hunters Hill Symphony Orchestra.

Councillor Gordon disclosed a Less than Significant Non-Pecuniary Interest in Item 3(3) – Community Grants Program – Allocation of Funding 2017/18, for the reason that he knows the people of "5 for Ryde".

Councillor Lane disclosed a Less than Significant Non-Pecuniary Interest in Item 3(3) – Community Grants Program – Allocation of Funding 2017/18, for the reason that his family or himself may be known to some of the recipients of the grants.

Councillor Zhou disclosed a Less than Significant Non-Pecuniary Interest in Item 3(3) – Community Grants Program – Allocation of Funding 2017/18, for the reason that he knows Mr Hugh Lee from the Eastwood Chinese Senior Citizens Club and Mr Justin Li of Australian Asian Association of Bennelong (AAAB).

Councillor Purcell disclosed a Less than Significant Non-Pecuniary Interest in Item 3(3) – Community Grants Program – Allocation of Funding 2017/18, for the reason that he knows nearly every Committee member on every Board of nearly every group seeking a grant, in his capacity as Councillor and a general resident.

Councillor Pedersen disclosed a Less than Significant Non-Pecuniary Interest in Item 3(3) – Community Grants Program – Allocation of Funding 2017/18, for the reason that she is friends and socialises with the convenors of ‘Touched by Olivia’ and ‘5 for Ryde’.

Councillor Clifton disclosed a Less than Significant Non-Pecuniary Interest in Item 3(3) – Community Grants Program – Allocation of Funding 2017/18, for the reason that she is friends with the recipients from ‘5 for Ryde’ and ‘Touched by Olivia’.

Councillor Kim disclosed a Less than Significant Non-Pecuniary Interest in Item 3(3) – Community Grants Program – Allocation of Funding 2017/18, for the reason that he on the Board of Directors for the Korean Society of Sydney.

Councillor Moujalli disclosed a Less than Significant Non-Pecuniary Interest in Item 3(3) – Community Grants Program – Allocation of Funding 2017/18, for the reason that he is familiar with some of the community groups who have applied for grants and knows members of some of these community groups.

Councillor Brown disclosed a Less than Significant Non-Pecuniary Interest in Notice of Motion 8 – TG Millner Fields, for the reason that he is a social member of the North Ryde RSL and a member of the Eastwood District Rugby Union Football Club.

TABLING OF PETITIONS

Councillor Kim tabled a petition with 2,715 signatures in relation to Notice of Motion 13 – Opposing Pauline Hanson’s new Citizenship Bill 2018.

PRESENTATION OF COMMEMORATIVE PLAQUE IN RECOGNITION OF 60 YEARS OF THE NORTH RYDE HAWKS RUGBY LEAGUE CLUB

The Mayor, Councillor Jerome Laxale presented Mr Glenn Hillier, President of the North Ryde Hawks Rugby League Club with a commemorative plaque in recognition of 60 years of the North Ryde Hawks Rugby League Club.

OVERSEAS GUESTS FROM ITALY

The Mayor, Councillor Jerome Laxale welcomed the following overseas guests from Italy who were in attendance at the Council Meeting:-

- Giorgio Imperitura, The Mayor of Martone, Reggio Calabria, Italy
- Pino Vumbaca, The Mayor of San Giovanni di Gerace, Reggio Calabria, Italy

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:-

Name	Topic
Julie Webb and Corina Norman (representing Darug Tribal Aboriginal Corporation)	Deferred Notice of Motion 1 – Places of Significance in the City of Ryde with Connection to Darug People and Country
Jason Koh	Notice of Motion 2 – Reaffirmation of City of Ryde's Employment Practices
Marcia Vagg	Notice of Motion 6 – Campaign against Private Certifiers
Scott Mackenzie	Notice of Motion 6 – Campaign against Private Certifiers
Todd Percy	Notice of Motion 6 – Campaign against Private Certifiers
Matthew Lennartz (representing Meriton)	Notice of Motion 11 – Planning Proposal and Voluntary planning agreement – 112 Talavera Road, Macquarie Park – Councillor Workshop
Keesun Lee	Notice of Motion 13 – Opposing Pauline Hanson's new Citizenship Bill 2018
William Seung	Notice of Motion 13 – Opposing Pauline Hanson's new Citizenship Bill 2018

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

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

The following persons addressed the Council:-

Name	Topic
Philip Peak	Traffic changes by Roads and Maritime Services at Top Ryde
Ron Edgar (representing Bowdens Group Australia)	Public Domain delays on Bowden Street, Meadowbank

Name	Topic
Marinko Markotic (representing Auslon Property Group)	Public Domain Works and footpath levels

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

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

Note: Councillor Lane left the meeting at 8.10pm and was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillor Maggio and Gordon)

That Council allow a speaker to address the Meeting in respect of Notice of Motion 5 – Kissing Point Boat Ramp.

Record of the Voting

For the Motion: Unanimous

Note: Councillor Lane returned to the meeting at 8.13pm.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:-

Name	Topic
Alex Tye	Notice of Motion 5 – Kissing Point Boat Ramp

MATTER OF URGENCY

Councillor Kim advised the meeting that he wished to raise a Matter of Urgency regarding a document titled 'Low Rise Medium Density Housing Code for Ryde LGA' that Councillor Lane tabled at the Extraordinary Council Meeting held on 19 April 2018.

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

RESOLUTION: (Moved by Councillors Kim and Maggio)

That Council consider a Matter of Urgency, raised by Councillor Kim, regarding a document titled 'Low Rise Medium Density Housing Code for Ryde LGA' that Councillor Lane tabled at the Extraordinary Council Meeting held on 19 April 2018, the time being 8.20pm.

Record of 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

MATTER OF URGENCY – DOCUMENT TITLED ‘LOW RISE MEDIUM DENSITY HOUSING CODE FOR RYDE LGA’ TABLED BY COUNCILLOR LANE AT THE EXTRAORDINARY COUNCIL MEETING HELD ON 19 APRIL 2018

Note: An undated document titled 'Low Rise Medium Density Housing Code for Ryde LGA' from Councillor Kim was tabled in relation to this Item and a copy is ON FILE.

Note: An undated document titled 'Low Rise Medium Density Housing Code for Ryde LGA' from The Mayor, Councillor Laxale was tabled in relation to this Item and a copy is ON FILE.

Note: Councillor Zhou left the meeting at 8.28pm and was not present for voting on this Item.

RESOLUTION: (Moved by Councillors Kim and Maggio)

- (a) That at the Extraordinary Council Meeting held on 19 April 2018, Councillor Jordan Lane produced a document titled 'Low Rise Medium Density Housing Code' regarding the Ryde Local Government Area on the letterhead of NSW Department of Planning and Environment.
- (b) That the General Manager investigate, as soon as practicable, the source and credibility of the document list in part (a) and report the results of the investigation back to the next Council Meeting.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Zhou returned to the meeting at 8.35pm.

ORDER OF BUSINESS

RESOLUTION: (Moved by Councillors Maggio and Kim)

That Council now consider the following Items, the time being 8.35pm:-

- Deferred Notice of Motion 1 – Places of Significance in the City of Ryde with Connection to Darug People and Country
- Notice of Motion 2 – Reaffirmation of City of Ryde’s Employment Practices
- Notice of Motion 6 – Campaign against Private Certifiers
- Notice of Motion 11 – Planning Proposal and Voluntary Planning Agreement – 112 Talavera Road, Macquarie Park – Councillor Workshop
- Notice of Motion 13 – Opposing Pauline Hanson’s new Citizenship Bill 2018
- Notice of Motion 14 – Review of the Local Government Rating System Report
- Notice of Motion 5 – Kissing Point Boat Ramp
- Mayoral Minute 9/18 – Passing of Margarita Grunberg
- Mayoral Minute 10/18 – Fire at 3 Zanco Road, Marsfield and Resultant Actions to Assist Family
- Mayoral Minute 11/18 – Armenian Genocide Recognition
- Notice of Motion 8 – TG Millner Fields

Record of the Voting

For the Motion: Unanimous

NOTICES OF MOTION

- 1 DEFERRED NOTICE OF MOTION: PLACES OF SIGNIFICANCE IN THE CITY OF RYDE WITH CONNECTION TO DARUG PEOPLE AND COUNTRY - Councillor Peter Kim**

Note: Julie Webb and Corina Norman (representing Darug Tribal Aboriginal Corporation) addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Kim and Maggio)

- (a) That Council establish a Working Group to develop a Project Brief for an Aboriginal Cultural Heritage Project. The aim of the project is to share the City of Ryde's rich Aboriginal history and the heritage of Darug Country, their ancestors and people.

Specific elements of the project to be considered should include:

- The development of a detailed inventory of Aboriginal heritage items in the City of Ryde including a review of associated protection measures required.
 - Cultural sensitivities and opportunities to raise awareness of Darug culture in relation to Darug people, country and their ancestors.
 - Photographic recording of those sites appropriate for sharing to the wider community.
 - Development of associated materials including background information and associated storytelling. This would highlight appropriate Aboriginal heritage sites in Ryde as well as the broader Darug history of the area (both digital and/or other materials).
- (b) That Council invite the Darug Tribal Aboriginal Corporation Board of Directors to lead a working group which will report back to DTAC and will assist in the development and delivery of the project.
- (c) That the working group be Chaired by Councillor Kim and consist of nominated representatives of the Darug Tribal Aboriginal Corporation, interested Councillors, interested members of Council's Heritage Advisory Committee.
- (d) That the recommendations of the working group, detailing the proposed scope and cost of an Aboriginal Cultural Heritage Project, be reported to the Heritage Advisory Committee before formal report is provided to Council.

Record of the Voting

For the Motion: Unanimous

**2 REAFFIRMATION OF CITY OF RYDE'S EMPLOYMENT PRACTICES -
Councillor Peter Kim**

Note: Jason Koh addressed the meeting in relation to this Item.

Note: A letter dated 17 April 2018 from Justin Li, Australian Asian Association of Bennelong (AAAB) President received from Councillor Kim was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Kim and Gordon)

- (a) That Council reaffirm its long-term goal to have a workforce that reflects the demographics of its community.
- (b) That in Council's review of its Workforce Plan and Equal Employment Opportunity and Diversity Management Plan, it makes provision for specific actions in respect of certain sections within our community;
- (c) That Council seek exemptions to allow positions within Council to provide opportunities for people with disabilities and for Aboriginal and Torres Strait Islanders.
- (d) That Council undertake a review of customer facing positions to identify those positions which should allow for bi-lingual skills and that appropriate specified languages be listed as a desirable criteria item in the selection process.
- (e) That Council explore any other options that would affirm our commitment in Equal Employment Opportunity.
- (f) That the Review be completed and reported back to Council.

Record of the Voting

For the Motion: Unanimous

6 CAMPAIGN AGAINST PRIVATE CERTIFIERS - Councillor Roy Maggio

Note: Marcia Vagg, Scott Mackenzie and Todd Percy addressed the meeting in relation to this Item.

Note: Councillor Brown left meeting at 8.59pm and was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Maggio and Kim)

- (a) That the General Manager calls on the NSROC to actively lobby and campaign against Private Certifiers being able to approve sensitive medium density development, town houses and manor house proposals under the new complying development legislation. Given the sensitivity of these applications, Council certifiers should determine such proposals.

- (b) That given several examples of poor performance by private certifiers in the Ryde LGA in approving developments that arguably should not have been approved or that are being inappropriately checked for compliance, that a public campaign be conducted with all members of NSROC to call on the Premier Gladys Berejiklian, Minister Anthony Roberts and Minister Victor Dominello to review the process of accrediting private certifiers and the sanctions to be applied against those private certifiers found to have acted inappropriately in allowing developments to proceed.
- (c) That a meeting takes place as soon possible with the Premier, Gladys Berejiklian, the Minister for Planning Mr Anthony Roberts, the President of the Building Professional Board Mr Andrew Gavrielatos, (President) and all NSROC General Managers- Mayors and any interested councillors to agree on a consistent approach across the region on how developments should be certified.
- (d) That Council advertise this matter through its regular media channels.

The following specific matters be addressed;

- i. The Building Professionals Board apply more scrutiny when determining the competency of applicants seeking various categories of accreditation under the accreditation scheme adopted under the Act.
- ii. The Building Professionals Board more stringently deal with private accredited certifiers who assess, approve and certify development that does not comply with planning instruments and development regulations.
- iii. Provide for adequate compensation for landowners who suffer measurable financial hardship resulting from the non-complying approval and unprofessional practices of private accredited certifiers.
- iv. That a fair and equitable process be established to ensure that a private certifier is engaged independently of the builder. If that means a state register of public certifiers that are endorsed by the State that allow owners to select from then that may be considered.
- v. That private certifiers who have had their accreditation cancelled or revoked, be prohibited from being employees, consultants, directors or shareholders of entities providing such services.

Record of the Voting

For the Motion: Unanimous

Note: Councillor Brown returned to the meeting at 9.19pm.

11 PLANNING PROPOSAL AND VOLUNTARY PLANNING AGREEMENT - 112 TALAVERA ROAD, MACQUARIE PARK - COUNCILLOR WORKSHOP - Councillor Sarkis Yedelian OAM

Note: Matthew Lennartz (representing Meriton) addressed the meeting in relation to this Item.

Note: A Confidential document from Meriton dated 24 April 2018 was tabled in relation to this Item and a copy is ON FILE - CONFIDENTIAL.

RESOLUTION: (Moved by Councillors Yedelian OAM and Purcell)

- (a) That Council, as a matter of urgency, hold a Councillor Workshop to discuss Council's resolutions at its meeting on 28 November 2017 in respect of both the Planning Proposal and the Voluntary Planning Agreement received from Meriton in respect of 112 Talavera Road, Macquarie Park, to allow Councillors to discuss, clarify issues in respect of these matters, and for public interest if needed modify the Voluntary Planning Agreement.
- (b) That in future, Council organise a Workshop for any Voluntary Planning Agreement that comes to Council if the value of the development is over \$30million.

Record of the Voting

For the Motion: Unanimous

13 OPPOSING PAULINE HANSON'S NEW CITIZENSHIP BILL 2018 – Councillor Peter Kim

Note: Keesun Lee and William Seung addressed the meeting in relation to this Item.

Note: A Petition with 2,715 signatures from Councillor Kim was tabled in relation to this item and a copy is ON FILE.

Note: Councillor Moujalli left the meeting at 9.26pm and was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Kim and Gordon)

- (a) That Council note:-
 - (i) Affirmation of its commitment to pursue the principle of multiculturalism and diversity;
 - (ii) Affirmation of its commitments to pursue the principle of inclusive community;

- (iii) Opposition to any form of discrimination against people from a Non-English-Speaking Background;
 - (iv) That 52% of Ryde residents are from a Non-English-Speaking Background and that their loyalty to Australian Culture and value is no less than those from an English-Speaking Background; and
 - (v) Ongoing commitment to the Council's Initiative – "Racism. It Stops with Me".
- (b) That Council call on the Mayor, as the representative of approximately 120,000 Ryde residents, to write **a letter opposing Pauline Hanson's Private Bill - Australian Citizenship Legislation Amendment (Strengthening the Commitments for Australian Citizenship and Other Measures) Bill 2018** to:
- the Minister for Citizenship (Hon Alan Tudge MP);
 - the Secretary of the Senate Legal and Constitutional Affairs Committee of Parliament; and
 - the Federal Member of Bennelong (Hon John Alexander MP)
 - The Hon. Tony Burke MP
 - Senator Nick McKim
 - Senator Pauline Hanson
- (c) That the letter is to list Council's **objections** to the following provisions of the proposed Pauline Hanson's Private Bill:
- 8-year ban for NESB migrants to be eligible to apply for citizenship.
 - Unnecessary level of competence and proficiency in English test.
 - 2-year ban in applying for citizenship if the candidate was to fail the unfair English test twice.

Record of the Voting

For the Motion: Unanimous

14 REVIEW OF THE LOCAL GOVERNMENT RATING SYSTEM REPORT – Councillor Peter Kim

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

RESOLUTION: (Moved by Councillors Kim and Purcell)

- (a) That Council note:
 - (i) That Fiscal health is a key consideration for councils looking to measure and improve their financial sustainability and their ability to pay for services and infrastructure.

- (ii) That, in 2016, the NSW Government has asked the Independent Pricing and Regulatory Tribunal (IPART) to review the local government rating system in NSW.

IPART submitted the Report, *“Review of the Local Government Rating System” Report*, with a list of key recommendations to improve the equity and efficiency of the rating system.

The purpose of the Report was to enhance councils’ ability to implement sustainable fiscal policies over the long term. This report is critical as it explores a range of new rating possibilities for local government, including:

- Implementing the rating concept of Capital Improved Value System;
- Replace the current pensioner rebates and other concessions with Rate Deferral System;
- Modify eligibility for rate exemptions so they are better and more equitably targeted; and
- Approaches that will reduce the need for councils to apply for Special Variations.

- (iii) That the recommendations contained in the Report are critical in “reforming” the current rating system with the aim to improving the adequacy and flexibility of Ryde Council’s most important source of revenue.

- (iv) That, despite the importance and the significance of the recommendations contained in this Report, the State government kept the report secret and failed to release it to the public.

- (b) That the Council write to:

- the Minister for Local Government, the Hon Gabrielle Upton MP;
- and the Premier of NSW, the Hon Gladys Berejiklian MP; and
- and the Ryde Local MP, the Hon Victor Dominello MP.

requesting the **release of the “Review of the Local Government Rating System” Report** as a matter of priority.

Record of the Voting

For the Motion: Unanimous

5 KISSING POINT BOAT RAMP - Councillor Roy Maggio

Note: Alex Tye addressed the meeting in relation to this Item.

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

RESOLUTION: (Moved by Councillors Maggio and Purcell)

- (a) That Council investigate installation and construction of a temporary solution to add another slab to the end of the kissing point ramp and extend it by 2m to allow enough depth on low tides ensuring safety measures are met.
- (b) That Council consider future inclusion in the Foreshores Program of the next Delivery Plan to upgrade the ramp with a detailed design. In which the design includes more features such as wash down bays, fish cleaning stations, seating and shelter.
- (c) That Council investigate RMS guidelines on how ramps should be constructed especially: Note: Section 5 - ramps. Specifically 5.1.3 Toe depth and 5.1.4 Ramp slope.
- (d) That Council seek funding through the State Government grant that is currently being offered called NSW boating now. This is a \$70 Million State Government funding project that Ryde Council could utilise to help assist in any repairs or upgrade of this facility to make the ramp longer/deeper and easier to use.
- (e) That a report be prepared for the Works and Community Committee detailing the actions Council can undertake from the investigations undertaken in regards to the Kissing Point Ramp and whether funding was identified from grants to fund the project.

Record of the Voting

For the Motion: Unanimous

Note: Councillor Moujalli returned to the meeting at 9.52pm

MAYORAL MINUTE**9/18 PASSING OF MARGARITA GRUNBERG - Mayor, Councillor Jerome Laxale**

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

- (a) That the information above regarding Margarita Grunberg be noted.
- (b) That Standing Orders be Suspended and Council observe a minutes silence as a mark of respect.

Record of the Voting

For the Motion: Unanimous

SUSPENSION OF STANDING ORDERS

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

That Standing Orders be Suspended to allow a one minute silence to be observed as a sign of respect for the passing of Margarita Grunberg, the time being 9.53pm.

Record of Voting:

For the Motion: Unanimous

Note: A one minute silence was then observed.

RESUMPTION OF STANDING ORDERS

RESOLUTION: (Moved by Councillors Maggio and Purcell)

That Standing Orders be Resumed, the time being 9.55pm.

Record of Voting:

For the Motion: Unanimous

MAYORAL MINUTES

10/18 FIRE AT 3 ZANCO ROAD MARSFIELD AND RESULTANT ACTIONS TO ASSIST FAMILY - Mayor, Councillor Jerome Laxale

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

- (a) That the information be noted and that the actions of the Mayor be endorsed.
- (b) That the Mayor write to the Salvation Army and the many community organisations who have assisted the Wang and Yang family, to thank them for their assistance.
- (c) That the funds raised through the donation drive be donated to the family.

Record of the Voting

For the Motion: Unanimous

11/18 ARMENIAN GENOCIDE RECOGNITION - Mayor, Councillor Jerome Laxale

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

That Council:

- (a) honour the memory of the innocent men, women and children who fell victim to the first modern genocide;
- (b) condemn the genocide of the Armenians; and all other acts of genocide as the ultimate act of racial, religious and cultural intolerance;
- (c) recognise the importance of remembering and learning from such dark chapters in human history to ensure that such crimes against humanity are not allowed to be repeated;
- (d) condemn and prevent all attempts to use the passage of time to deny or distort the historical truth of the genocide of the Armenians and other acts of genocide committed during this century;
- (e) recall the testimonies of Australian WWI POWs who lay witness to the genocide of the Armenians;
- (f) acknowledge the significant humanitarian contribution made by the people of Australia to the victims and survivors of the Armenian Genocide;
- (g) call on the Republic of Turkey to face history and finally recognise the ever-present reality of the Armenian Genocide; and
- (h) call on the Commonwealth of Australia to recognise and condemn all genocides including the Armenian Genocide.
- (i) that standing orders be suspended in order to observe a one minute silence to recognise the Armenian Genocide Anniversary and ANZAC Day.

Record of the Voting

For the Motion: Unanimous

SUSPENSION OF STANDING ORDERS

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

That Standing Orders be Suspended to allow a one minute silence to be observed to recognise the Armenian Genocide Anniversary and ANZAC Day, the time being 10.08pm.

Record of Voting:

For the Motion: Unanimous

Note: A one minute silence was then observed.

RESUMPTION OF STANDING ORDERS

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

That Standing Orders be Resumed, the time being 10.10pm.

Record of Voting:

For the Motion: Unanimous

NOTICE OF MOTION

8 TG MILLNER FIELDS - Councillor Trenton Brown

Note: Councillor Brown disclosed a Less than Significant Non-Pecuniary Interest in this for the reason that he is a social member of the North Ryde RSL and a member of the Eastwood District Rugby Union Football Club.

RESOLUTION: (Moved by Councillors Brown and Lane)

That the City of Ryde Council:

- (a) Recognise the value of the existing TG Millner site for recreational public use.
- (b) Commence negotiations to purchase TG Millner to secure its use for public open space following a comprehensive investigation into its viability.
- (c) Urgently review whether the TG Milner playing fields meet the criteria for heritage listing and if so seek an interim heritage order with a view to a permanent listing that protects these fields as open space in perpetuity.

- (d) Should purchase of the TG Millner site be determined as viable, Council approach the State Government to seek funds from the State Government's recently announced '*Open Spaces and Green Sydney*' to purchase the land and the Mayor write to the Premier, the Member for Ryde and the Member for Lane Cove seeking their support.

Record of the Voting

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

Against the Motion: Councillor Kim

COUNCIL REPORTS

1 CONFIRMATION OF MINUTES - Council Meeting held on 27 March 2018

RESOLUTION: (Moved by Councillors Maggio and Gordon)

That the Minutes of the Council Meeting 3/18, held on 27 March 2018 be confirmed.

Record of the Voting

For the Motion: Unanimous

2 ITEMS PUT WITHOUT DEBATE

Note: Councillor Brown left the meeting at 10.35pm and did not return. He was not present for consideration or voting on this Item.

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

That Council adopt Items 4, 5, 7 and 13 on the Council Agenda as per the recommendations in the reports.

Record of the Voting

For the Motion: Unanimous

3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 3/18 held on 10 April 2018

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

4 REPORT OF THE RYDE CENTRAL COMMITTEE MEETING 2/18 held on 10 April 2018

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

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

That Council determine Items 1 and 3 of the Ryde Central Committee report 2/18, held on 10 April 2018 noting that Item 2 – Items Put Without Debate is not required to be considered by Council.

Record for the Voting:

For the Motion: Unanimous

1 CONFIRMATION OF MINUTES - Ryde Central Committee Meeting held on 13 February 2018

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

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

That the Minutes of the Ryde Central Committee Meeting 1/18, held on 13 February 2018, be confirmed.

Record for the Voting:

For the Motion: Unanimous

3 REPORT TO THE RYDE CENTRAL COMMITTEE

Note: A Memorandum from Council's Acting Deputy General Manager / Director – Corporate and Organisational Support Services dated 24 April 2018 was tabled in relation to this Item and a copy is ON FILE.

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

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

(a) That the report be noted and Council endorse the additional funds of \$140,000 being allocated to the Ryde Central project in the March Quarterly Review, funded from the Ryde Central Reserve.

- (b) That further information be provided to the Council Meeting on 24 April 2018 to address the issues raised at the meeting and from members of the community. That the information also include clarification if the RMS have undertaken a traffic study to support the proposed Pinch Point Project.
- (c) That Council write to the RMS requesting more clarity on pedestrian safety and access during construction of the Pinch Point Project.

Record for the Voting:

For the Motion: Unanimous

5 INVESTMENT REPORT AS AT 31 MARCH 2018

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

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

That Council endorse the Investment Report as at 31 March 2018.

Record for the Voting:

For the Motion: Unanimous

6 DRAFT 2018/2022 FOUR YEAR DELIVERY PLAN INCLUDING DRAFT 2018/2019 ONE YEAR OPERATIONAL PLAN

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

7 FINANCIAL REVIEW PROCESSES

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

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

That Council receive and note this report.

Record for the Voting:

For the Motion: Unanimous

8 DRAFT COMMUNITY STRATEGIC PLAN - OUR VISION FOR RYDE 2028

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

LATE COUNCIL REPORT

13 CONFIRMATION OF MINUTES – Extraordinary Council Meeting held on 19 April 2018

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

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

That the Minutes of the Extraordinary Council Meeting No. 4/18 held on 19 April 2018 be confirmed.

Record of the Voting

For the Motion: Unanimous

CLOSED SESSION

ITEM 9 - OFFER TO ENTER INTO A VOLUNTARY PLANNING AGREEMENT BY JOHN HOLLAND MACQUARIE PARK LAND CUSTODIAN PTY LTD IN ASSOCIATION WITH DEVELOPMENT OF 45-61 WATERLOO ROAD, MACQUARIE PARK

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

ITEM 10 – REQUEST FOR TENDER - COR-RFT-08/17 BUS SHELTERS - DESIGN, CONSTRUCT, MAINTAIN AND ADVERTISING JOINT TENDER

Confidential

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

ITEM 11 - SSROC RETAIL AND RENEWABLE ENERGY POWER PURCHASE AGREEMENT FOR PARTICIPATING COUNCILS

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

ITEM 12 - 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.

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

Note: Councillor Kim left the meeting at 10.38pm and was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Maggio and Clifton)

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

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

Record of the Voting

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

Against the Motion: Councillor Lane

Note: The Council closed the meeting at 10.41pm. The public and media left the chamber.

Note: Councillor Kim returned to the meeting at 10.44pm.

CONFIDENTIAL COUNCIL REPORT**9 OFFER TO ENTER INTO A VOLUNTARY PLANNING AGREEMENT BY JOHN HOLLAND MACQUARIE PARK LAND CUSTODIAN PTY LTD IN ASSOCIATION WITH DEVELOPMENT OF 45-61 WATERLOO ROAD, MACQUARIE PARK**

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

Note: Councillor Zhou left the meeting at 10.41pm and did not return. He was not present for consideration or voting on this Item.

RECOMMENDATION: (Moved by Councillors Maggio and Purcell)

- (a) That Council accept the letter of offer as detailed in **ATTACHMENT 3** dated 13 March 2018 from John Holland to enter into a Voluntary Planning Agreement in relation to Development Application LDA2017/390 for a Commercial Office Development “Building C” and future development Stages A, B, D, E and F at 45-61 Waterloo Road, Macquarie Park. The Voluntary Planning Agreement will require the Applicant to provide a public benefits in stages as summarised below:
- i. Road Dedication and Construction at relevant stages, estimated total construction cost at approx. \$9.5M
 - ii. Pedestrian Access Links 1, 2 and 3 at relevant Stages as Public Assess Easements
 - iii. Incentive Monetary Contribution to value of \$1,840,420 (indexed with Sydney CPI)
 - a) paid prior to issue of Occupation Certificate for Building C or Dedication of Roads with Building C (Stage 1)
 - b) secured by a Bank Guarantee to 100% of face value upon execution of the VPA
 - iv. Security for Material Public Benefits, ‘Staged Bank Guarantee’ to be calculated, adjusted from time to time and held by Council until all Material Public Benefits are considered to be practicably complete and dedicated to Council as road reserve.
 - v. Compulsory acquisition clause to enable Council to acquire proposed land for Material Public Benefits should the developer default.
 - vi. 10% of Staged Bank Guarantee to be held for 12 month defects liability period.
 - vii. Caveat able interest lodged on title of land upon execution of VPA in favour of Council whilst Property NSW is land owner.

- viii. Registration of the Planning Agreement on the Title of Land once John Holland is owner.
- ix. The offer by the Applicant does not exclude the payment of Council's Section 7.11 Contributions and 7.11 Contributions will be payable at the usual time, being prior to issue of the relevant Construction Certificate;
- (b) That Council delegate authority to the General Manager to negotiate the specific terms of the Voluntary Planning Agreement as outlined in **ATTACHMENT 3** by John Holland, and to subsequently exhibit a draft of the Voluntary Planning Agreement in accordance with the relevant provisions of the Environmental Planning and Assessment Act 1979;
- (c) That Council delegate authority to the General Manager to:
 - i. Authorise any minor changes to the draft Voluntary Planning Agreement, following its public exhibition, provided that those changes do not diminish the value or nature of the public benefits to be delivered as identified in (a) above;
 - ii. Subsequently enter into the Voluntary Planning Agreement on behalf of Council.
- (d) That John Holland be informed of Council's decision.

Record of the Voting

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

Against the Motion: Councillors Lane and Yedelian OAM

EXTENSION OF TIME

Note: Councillors Brown and Zhou were not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Maggio and Purcell)

That the Meeting be extended by 30 minutes to allow consideration of additional Items listed on the Agenda, time being 11.02pm.

Record of the Voting

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

Against the Motion: Councillor Yedelian OAM

CONFIDENTIAL COUNCIL REPORTS

10 REQUEST FOR TENDER - COR-RFT-08/17 BUS SHELTERS - DESIGN, CONSTRUCT, MAINTAIN AND ADVERTISING JOINT TENDER

Note: Councillors Brown and Zhou were not present for consideration or voting on this Item.

RECOMMENDATION: (Moved by Councillors Maggio and Purcell)

- (a) That Council accept the tender from Adshel Street Furniture Pty Ltd for Option 2 (17 years) for the Bus Shelter – Design, Construct, Maintain and Advertising Activities for Bus Shelters.
- (b) That Council delegate the General Manager the authority to enter into a contract with Adshel Street Furniture Pty Ltd on the terms contained within the tender and approve amendments to the contract documents that are not of a material nature.
- (c) That Council advise all respondents of Council’s decision.

Record of the Voting

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

Against the Motion: Councillor Clifton

11 SSROC RETAIL AND RENEWABLE ENERGY POWER PURCHASE AGREEMENT FOR PARTICIPATING COUNCILS

Note: Councillors Brown and Zhou were not present for consideration or voting on this Item.

RECOMMENDATION: (Moved by Councillors Maggio and Kim)

That Council delegate authority to the General Manager to accept the Recommended Tenderer from the SSROC Renewable Energy Power Purchase Agreement (PPA) RFT process and execute a contract with the Recommended Tenderer provided the terms and value of the contract are favourable in the opinion of the General Manager to the City of Ryde, having regard to the circumstances and conditions of the any new contract.

Record of the Voting

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

Against the Motion: Councillor Clifton

12 **ADVICE ON COURT ACTIONS**

Note: Councillors Brown and Zhou were not present for consideration or voting on this Item.

RECOMMENDATION: (Moved by Councillors Kim and Purcell)

That the report of the General Counsel be received.

Record of the Voting

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

Against the Motion: Councillor Maggio

OPEN SESSION

Note: Councillors Brown and Zhou were not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Maggio and Yedelian OAM)

That Council resolve itself into open Council.

Record of the Voting

For the Motion: Unanimous

Note: Open Council resumed at 11.30pm.

Note: Councillors Brown and Zhou were not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Maggio and Kim)

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

Record of the Voting

For the Motion: Unanimous

EXTENSION OF TIME

Note: Councillors Brown and Zhou were not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Maggio and Kim)

That the Meeting be extended to allow consideration of Items 6 and 8 on the Council Agenda, time being 11.31pm.

Record of the Voting

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

Against the Motion: Councillor Yedelian OAM

COUNCIL REPORTS

6 DRAFT 2018/2022 FOUR YEAR DELIVERY PLAN INCLUDING DRAFT 2018/2019 ONE YEAR OPERATIONAL PLAN

Note: Councillors Brown and Zhou were not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Maggio and Kim)

- (a) That Council, pursuant to Sections 404 and 405 of the Local Government Act 1993, endorse the document titled "Draft Four-Year Delivery Plan 2018/2022 including One-Year Operational Plan 2018/2019", inclusive of the 2018/2019 Draft Budget, Fees and Charges and Capital Works Program, and as detailed in this report, including the following policy position:
 - (i) That surplus Working Capital funds above the budgeted Working Capital balance of \$4.61 million be transferred to the Ryde Central Reserve.
- (b) That the Draft Four-Year Delivery Plan 2018/2022 including One-Year Operational Plan 2018/2019 be publicly exhibited for a period of not less than 28 days from 1 May 2018 to 29 May 2018.
- (c) That following the public exhibition period detailed in part (b), Council consider all public submissions at its meeting to be held on Tuesday, 26 June 2018 prior to formally adopting its Four-Year Delivery Plan 2018/2022 including the One-Year Operational Plan 2018/2019.

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

Record for the Voting:

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

Against the Motion: Councillors Moujalli and Yedelian OAM

8 DRAFT COMMUNITY STRATEGIC PLAN - OUR VISION FOR RYDE 2028

Note: Councillors Brown and Zhou were not present for consideration or voting on this Item.

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

- (a) That Council endorse the Draft Community Strategic Plan - Our Vision for Ryde 2028.
- (b) That Council endorse the Draft Community Strategic Plan to be publicly exhibited for a period of not less than 28 days from 1 May 2018 to 29 May 2018.
- (c) That following the public exhibition period detailed in part (b), Council consider all public submissions at its meeting to be held on Tuesday, 26 June 2018 prior to formally adopting the Draft Community Strategic Plan.

Record for the Voting:

For the Motion: Unanimous

ADJOURNMENT

In accordance with Clause 4.2.5 of the Code of Meeting Practice, The Mayor, Councillor Laxale adjourned the Council Meeting, the time being 11.46pm. The Council Meeting was adjourned to:

Tuesday, 1 May 2018 at 7.30pm in the Council Chambers, Level 1A, 1 Pope Street, Ryde.

The following Councillors were present:

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

Councillors Brown and Zhou were not present.

MEETING RECONVENED

The Meeting reconvened at 7.30pm on Tuesday, 1 May 2018 in the Council Chambers, Level 1A Pope Street, Ryde.

The following Councillors were present:

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

Apologies: Nil.

Absent: Councillor Zhou.

Staff Present: General Manager, 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 – Library Services, Manager – Community Services, Manager – Parks, Acting Manager – Communications, Customer Service and Events, Senior Coordinator – Community Services, Communications Coordinator, Senior Coordinator – Governance and Executive Assistant to the General Manager.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

RESOLUTION: (Moved by Councillors Maggio and Yedelian OAM)

That the speakers who submitted Requests to Address Council on Items Listed on the Agenda and also on Items Not Listed on the Agenda be allowed to address the meeting, the time being 7.32pm.

Record for the Voting:

For the Motion: Unanimous

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following person addressed the Council:-

Name	Topic
Ewen Page (representing Gladesville Ravens Sports Club)	Notice of Motion 7 – The Synthetic Surface Action Plan
Cathy Inglis (representing Gladesville Ravens Sports Club)	Notice of Motion 7 – The Synthetic Surface Action Plan

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

The following person addressed the Council:-

Name	Topic
Tom Krapeshlis	Our neighbourhood concerns on Council approving plans outside of its DCP and LEP and the negative impact it has on our immediate family home. Moss v Ryde Council – LEC Proceedings 324365
Nuri Atli	The process of an application
Morris Lombardo (representing sporting participants using Morrison Bay Number 3)	Condition and suitability playing field at Morrison Bay Number 3 and the risk to users

Note: A document titled The Mayor and Councillors of the City of Ryde dated 1 May 2018 regarding Moss v City of Ryde Council – Land and Environment Court Proceedings 324365 from Mr Krapeshlis was tabled at the Meeting.

ORDER OF BUSINESS

RESOLUTION: (Moved by Councillors Gordon and Yedelian OAM)

That Council now consider the following Item, the time being 7.48pm:-

- Notice of Motion 7 – Synthetic Surface Action Plan

Record of the Voting

For the Motion: Unanimous

NOTICE OF MOTION

7 THE SYNTHETIC SURFACE ACTION PLAN - Councillor Roy Maggio

Note: Ewen Page (representing Gladesville Ravens Sports Club) and Cathy Inglis (representing Gladesville Ravens Sports Club) addressed the meeting in relation to this Item.

MOTION: (Moved by Councillors Maggio and Yedelian OAM)

- (a) That Council include in the 2018-2022 Draft Four Year Delivery Plan funding for the construction of a Synthetic Surface at Westminster Park in 2020/21 and Meadowbank Park in 2022/23, funded from Section 94 Contributions.

- (b) That, following consultation with the sporting community, Council amend its Sportsground Allocation Policy so that use of any newly constructed synthetic sports field is not restricted to only the historical sporting group user.

AMENDMENT: (Moved by Councillors Moujalli and Yedelian OAM)

- (a) That Council prepare a report to make recommendations as to the location, timing, and funding of new Synthetic Surface playing fields and to update the Synthetic Surface Action Plan 2016-2026.
- (b) That a feasibility assessment to inform the viability of Meadowbank Park and any other parks, as determined by staff, be undertaken to inform Council's recommendation.
- (c) That any funds required for the feasibility assessment be allocated from General Revenue, or any other appropriate funding source.

On being put to the Meeting, the voting on the Amendment was five (5) for and six (6) against. The Amendment was **LOST**. The Motion was then put and **CARRIED**.

Record of the Voting

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

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

RESOLUTION: (Moved by Councillors Maggio and Yedelian OAM)

- (a) That Council include in the 2018-2022 Draft Four Year Delivery Plan funding for the construction of a Synthetic Surface at Westminster Park in 2020/21 and Meadowbank Park in 2022/23, funded from Section 94 Contributions.
- (b) That, following consultation with the sporting community, Council amend its Sportsground Allocation Policy so that use of any newly constructed synthetic sports field is not restricted to only the historical sporting group user.

Record of the Voting

For the Motion: Unanimous

COUNCIL REPORT

3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 3/18 held on 10 April 2018

Note: Councillor Moujalli left the meeting at 8.13pm and was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Pedersen and Maggio)

That Council determine Item 3 of the Works and Community Committee report 3/18, held on 10 April 2018 noting that Items 1, 2 and 4 were dealt with by the Committee within its delegated powers.

Record for the Voting:

For the Motion: Unanimous

3 COMMUNITY GRANTS PROGRAM - ALLOCATION OF FUNDING 2017/18

Note: The Mayor, Councillor Laxale disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that some of the leaders of community groups receiving grants are known to him and he is a member of Macquarie Chapel.

Note: Councillor Brown disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that his children play rugby at the Central Eastwood Rugby Football Club.

Note: Councillor Gordon disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that his is a former Composer-in-Residence of Ryde Hunters Hill Symphony Orchestra.

Note: Councillor Gordon disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that he knows the people of "5 for Ryde".

Note: Councillor Lane disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that his family or himself may be known to some of the recipients of the grants.

Note: Councillor Zhou disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that he knows Mr Hugh Lee from the Eastwood Chinese Senior Citizens Club and Mr Justin Li of Australian Asian Association of Bennelong (AAAB).

Note: Councillor Purcell disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that he knows nearly every Committee member on every Board of nearly every group seeking a grant, in his capacity as Councillor and a general resident.

Note: Councillor Pedersen disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that she is friends and socialises with the convenors of 'Touched by Olivia' and '5 for Ryde'.

Note: Councillor Clifton disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that she is friends with the recipients from '5 for Ryde' and 'Touched by Olivia'.

Note: Councillor Kim disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that he on the Board of Directors for the Korean Society of Sydney. He left the meeting at 8.14pm and was not present for consideration or voting on this Item.

Note: Councillor Moujalli disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that he is familiar with some of the community groups who have applied for grants and knows members of some of these community groups. He was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Pedersen and Maggio)

(a) That Council endorse the allocation of the 2017-18 City of Ryde Seniors Grant as follows:

Organisation	Project	Amount
Italo-Australian Senior Citizens Group	Italo-Australian Senior Citizens Group	\$1,500.00
Italian Leisure Group	Social Events	\$620.00
Probus Club Of Ryde	Subsidise Transportation and Excursion Costs	\$2,000.00
Italian Women's Group Marsfield	Promotes Health Initiatives	\$1,000.00
Ryde Ladies Probus Club Incorporated	Bus Outing for Seniors	\$2,000.00
Korean Day Centre	Enjoying with Gabe Game for mental and sensory stimulation	\$2,000.00
Eastwood Chinese Senior Citizens Club	Healthy ageing with Tai Chi gentle exercise	\$1,500.00
	TOTAL	\$10,620.00

(b) That Council endorse the allocation of the 2017-18 City of Ryde Capacity Building Grants as follows:

Organisation	Project	Amount
City of Ryde Art society	City of Ryde Art Society 58th Annual Exhibition	\$3,500.00
Royal Rehab	All Abilities Disco	\$3,500.00

Australia Korean Art Therapy Association	Parenting Programs for Migrated Women and Children	\$3,500.00
Friends of Lane Cove National Park	Training the leaders, capacity building by Friends of Lane Cove NP.	\$3,500.00
Eastwood Patchwork Quilters Inc.	Eastwood Patchwork Quilters Inc. 2019 Biennial Exhibition	\$3,500.00
SydneySiders Express Incorporated	SydneySiders Express Harmony Chorus Open Night	\$3,161.00
The Generous and the Grateful Inc.	The Generous and the Grateful Inc. rescue and deliver 2 nd hand furniture to asylum seekers, domestic violence victims and other disadvantaged groups	\$3,500.00
North Shore Ryde Mental Health Services	Mad Pride Event – art display and concert for mental health	\$3,500.00
The Happy Hens Social Enterprise Incorporated	Bedlam at the Bay – an event to promote mental health	\$3,500.00
Sydney Korean Women's Association	Project Helping Hands – promotion of community harmony with Korean community	\$3,500.00
The Ruby Red Foundation	The Ruby Red Foundation- supportive care program for people with MPN condition	\$3,500.00
Northside CALD Carers Network	Establishment of the Most Mutually-Supportive CALD Carers Network in the Northern Sydney Region	\$3,500.00
Reach Community Initiatives	Community Christmas Dinner	\$3,500.00
5 for Ryde	5 for Ryde- community waste reduction initiative	\$3,500.00
ADDults with ADHD	Volunteer Training Project Counsellor: Workshop	\$3,500.00
Stryder Inc (formerly Ryde Hunters Hill Community Transport)	Governance Training	\$3,500.00
The Scout Association of Australia New South Wales Branch	Moccoboolah District Scout Rally (to be held in Ryde)	\$227.00
Neighbourhood Watch Ryde District	Neighbourhood Watch Ryde District	\$3,500.00
Christmas Carols in West Ryde	Christmas Carols in West Ryde	\$3,500.00
Korean Performers of Arts in Sydney Inc.	Eastwood Harvest Drum Dance Performing	\$1,200.00
Rotary Club of North Ryde Inc	Seniors Christmas Party	\$2,000.00
Australian South Asia Forum Inc	Fusion Asian Music Ensemble (FAME)	\$3,500.00
	TOTAL	\$69,588.00

- (c) That Council endorse the allocation of the 2017-18 City of Ryde Community Projects Grant as follows:

Organisation	Project	Amount
Enactus Macquarie University	Women's Creative Hub exhibitions (Harmony Day etc.)	\$1,000.00
2RRR 88.5FM - Ryde Regional Radio Cooperative Ltd	2RRR Radio Training Course	\$4,860.00

Touched by Olivia	Story Time at Livvi's Place	\$3,000.00
Mostly Mad Music	Mad Music "In Harmony" – classical music for people with mental illness	\$5,000.00
Taldumande Youth Services Inc	Intensive Family Support Program	\$5,000.00
Future Achievement Australia Foundation Ltd	Epping/Ryde Max Potential for young leaders	\$4,829.00
The Shepherd Centre for deaf children	Kids Music Time - music therapy program for children with hearing loss and their families from Ryde Community	\$5,000.00
Chinese Christian Community Service Centre	CALD Stroke Club (Chinese)	\$5,000.00
Link Housing	LinkFit – to assist social housing tenants to access gym membership	\$5,000.00
Stroke Recovery Association	Ryde Stroke Choir Recital Day	\$5,000.00
Armenian Relief Society Araz Chapter	Self-Sustainability and Personal Development	\$2,495.00
United Way Australia	Magic of Story-telling - in the Park	\$1,425.00
Differently Abled People association	Cooking classes for Ryde people with autism &/or CALD background	\$5,000.00
Northside Community Forum Limited	City of Ryde - Digital Inclusion for CALD people living with disability	\$5,000.00
Ryde Hunters Hill Symphony Orchestra	Classical Concerto Competition	\$1,850.00
ST Andrews Socio-Religious Justice, Harmony of FITA Inc.	Community Harmony through Clean Up Together Volunteering	\$4,500.00
The Salvation Army (Ryde)	Collaborative Ivanhoe Archive Project capturing legacy of Ivanhoe Estate	\$4,790.00
North Ryde Community Aid & Information Centre Inc	Ryde Merry Makers Project – musical performances for Chinese seniors	\$4,200.00
Mahboba's Promise Incorporated	Loving Music-Loving Families- to promote integration of single mothers in the community	\$5,000.00
Community Migrant Resource Centre	CMRC Afghan Women's Project	\$5,000.00
Morling College & Morling Residential College	Saunders Close Community Activation & Placemaking Project	\$4,800.00
Macquarie Chapel	Homework Club & Afterschool Program	\$4,500.00
	TOTAL	\$92,249.00

- (d) That Council endorse the allocation of the 2017-18 City of Ryde Sports and Recreation Community Grant as follows:

Organisation	Project	Amount
Putney Rangers Football Club	Putney Pathways Program	\$2,000.00
Eastwood Ryde Netball Association Inc.	Come & Try Netball	\$3,500.00
Gladesville Ravens Sports Club Inc	Ravens All Stars Netball Team – set up all abilities netball team	\$2,766.00
Australian Asian Association of Bennelong	Harmony Soccer Cup 2019	\$1,000.00

Ryde Panthers Football Club	Grass Roots - Players and Coaches Development	\$3,500.00
Macquarie Dragons FC	Enhancing capacity of coaches in grass roots football	\$3,500.00
Ryde Sports Foundation Inc	Ryde Sports Foundation Personal Development Scholarship for athletes with a disability or from multicultural communities	\$3,500.00
North West Sydney Women's Football Association	Football Ready Schools Program for children with a disability	\$3,300.00
Little Heroes Swim Academy Limited	Ryde Mad About Inclusion Program	\$3,500.00
Central Eastwood Junior Rugby Football Club	Central Eastwood Rugby Clean Up Australia Marsfield Park	\$1,260.00
	TOTAL	\$27,826.00

- (e) That Council endorse the allocation of the 2017-18 City of Ryde Social Support Grant as follows:

Organisation	Project	Amount
The Northern Centre	DADS&bubs a play group for dads and children from Korean and Chinese backgrounds	\$9,867.62
Christian Community Aid Service Inc.	YouthConnect - Finding My Place – connecting at risk young people with appropriate support services	\$9,000.00
Australian Association of Cancer Care Incorporated	Helping Korean Cancer Patients Rehabilitate	\$10,000.00
Mental Health Carers NSW	Vietnamese Mental Health Support Group	\$10,000.00
	TOTAL	\$38,867.62

- (f) That the successful and unsuccessful grant applicants be informed in writing of the outcome of their applications.
- (g) That the surplus amount of \$83,199 from this round added to the Community Grant reserve. This is to be utilised to provide Community Grants throughout the year.

Record for the Voting:

For the Motion: Unanimous

Note: Councillors Kim and Councillor Moujalli returned to the meeting at 8.15pm.

NOTICES OF MOTION**3 RYDE PARK FIELD THREE (3) - Councillor Roy Maggio****RESOLUTION:** (Moved by Councillors Maggio and Clifton)

That Council allow Ryde Park Field 3 to be utilised during the summer season for suitable active recreation activities.

Record of the Voting

For the Motion: Unanimous

4 NEW CITY OF RYDE NETBALL COMPLEX - Councillor Roy Maggio**MOTION:** (Moved by Councillors Maggio and Kim)

- (a) That a meeting be arranged as soon as practicable with John Alexander MP, Victor Dominello MP and Anthony Roberts MP to discuss the possibilities for a location and funding for a new City of Ryde Netball complex.
- (b) That the Mayor and any interested Councillors, Eastwood Ryde Netball Association, General Manager and the City of Ryde recreational staff be invited to attend the meeting.
- (c) That the outcomes of the meeting be reported to Council via Precis of Correspondence to move this project forward.

AMENDMENT: (Moved by Councillors Moujalli and Brown)

- (a) That Council prepare a report to explore options for a location and funding for a new City of Ryde Netball Complex.
- (b) That in the preparation of the report, Council seeks input from Local, State and Federal Members of Parliament, Eastwood Ryde Netball Association and any other appropriate group or individual.
- (c) That following the finalisation of the report, that Council arrange a meeting with John Alexander MP, Victor Dominello MP and Anthony Roberts MP to discuss the findings of the report.
- (d) That any interested Councillors, Eastwood Ryde Netball Association, the General Manager and any other City of Ryde recreational staff be invited to attend the meeting referred to in part (c) above.

On being put to the Meeting, the voting on the Amendment was four (4) for and seven (7) against. The Amendment was **LOST**. The Motion was then put and **CARRIED**.

Record of the Voting

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

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

RESOLUTION: (Moved by Councillors Maggio and Kim)

- (a) That a meeting be arranged as soon as practicable with John Alexander MP, Victor Dominello MP and Anthony Roberts MP to discuss the possibilities for a location and funding for a new City of Ryde Netball complex.
- (b) That the Mayor and any interested Councillors, Eastwood Ryde Netball Association, General Manager and the City of Ryde recreational staff be invited to attend the meeting.
- (c) That the outcomes of the meeting be reported to Council via Precis of Correspondence to move this project forward.

Record of the Voting

For the Motion: Unanimous

7 THE SYNTHETIC SURFACE ACTION PLAN - Councillor Roy Maggio

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

9 EXPANDING WASTE RECYCLING OPTIONS IN THE CITY OF RYDE - Councillor Penny Pedersen

Note: Three documents from UNSW regarding microfactories and waste recycling options from Councillor Pedersen were tabled in relation to this Item and copies are ON FILE.

RESOLUTION: (Moved by Councillors Pedersen and Maggio)

PART A

- (a) That the General Manager invite the Director of UNSW Centre for Sustainable Materials Research and Technology, Professor Veena Sahajwalla, to give a workshop at City of Ryde on the Centre's launch of Microfactories.

- (b) That staff investigate the UNSW Smart Centre Micro Factory Technology and evaluate its potential benefit to the City of Ryde in a preliminary report to Council. If deemed beneficial, this report should include details on available grants, the purchase, construction, operating costs and business case. The report findings should also include:-
- (i) The most problematic waste in our community.
 - (ii) Which UNSW Microfactory Mod would most suit our recycling needs.
 - (iii) Possible market for the by-product of the recycle process and the potential revenue from the sale of the output product.
 - (iv) Risks.
 - (v) Potential sites for the construction of a building to house the factory or identifying an existing building to house the factory.
 - (vi) That staff also supply a feasibility report on problem waste microfactories being purchased and located by Council but run by third parties.

PART B

- (c) That Council complete a feasibility report on building a community problem recycling centre at Porters Creek. The report should include:-
- (i) A list of possible neighbouring Councils who might use the centre and therefore assist financially in the construction and running costs.
 - (ii) A list of State Government grants which have been designed to encourage recycling of waste in our community. Including the EPA waste levy as part of Waste Less. Recycle More.
 - (iii) A list of materials that could be accepted and details of disposal/recycling.
 - (iv) That the planned building also include a room for a reuse and repair workshop to be run by a third party.
- (d) That additional funding be made available in the 2018-2022 Council Draft Delivery Plan noting that \$50,000 has already been included to investigate the construction of a Ryde Problem Waste Recycling Centre at the Porters Creek site.

Record of the Voting

For the Motion: Unanimous

10 CITY OF RYDE CALLS ON THE STATE GOVERNMENT TO INCREASE FUNDING TO PUBLIC LIBRARIES - Councillor Penny Pedersen**MOTION:** (Moved by Councillors Pedersen and Maggio)

- (a) That this Council notes that the State Government provides a contribution to the funding of the local public libraries and that our Council agrees to deliver public library services in accordance with the conditions of the Act and the related Library Regulations.
- (b) That this Council notes that State Government funding to NSW Libraries, the lowest per capita rate of all states and territories, has remained virtually static since the mid 1990's and that the City of Ryde is paying significantly more than what the State Government is contributing.
- (c) That this Council notes that the State Government currently contributes \$1.85 per capita subsidy to City of Ryde libraries, while City of Ryde contributes \$59.09 per capita based on the most recent data published by the State Government in the *Public Library Statistics 2015-16, Public Library Services in New South Wales*.
- (d) That this Council notes that due to the housing targets recently imposed on the City of Ryde LGA by the State Government, the floor space and equipment requirements in our libraries will need to expand to meet standard library planning recommendations.
- (e) That the Mayor write to the NSW Premier, The Hon. Gladys Berejiklian, NSW Minister for Local Government, The Hon. Gabriel Upton, NSW Minister for the Arts, The Hon. Don Harwin and Local MPs, calling on the New South Wales Government to:
 - (i) Honour their pre-election promise to increase funding commitments to NSW public libraries.
 - (ii) Match the NSW opposition policy to double the per capita rate from \$1.85 to \$3.70 and link the subsidy to changes in the consumer price index.
 - (iii) Match the opposition's pledge to create a public library infrastructure fund of \$25 million in the next term for all NSW public libraries and help the City of Ryde upgrade their facilities or purchase new equipment, expand their collection, purchase new technology and increase floor space.
- (f) That Council notes the positive contribution the City of Ryde's 5 libraries provide to the community.

- (g) That Council explore options for increasing funding for Ryde's libraries, including through;
 - i. The Budget
 - ii. Public Library Infrastructure Grants
 - iii. Any other appropriate source

AMENDMENT: (Moved by Councillors Brown and Lane)

- (a) That this Council notes that the State Government provides a contribution to the funding of the local public libraries and that our Council agrees to deliver public library services in accordance with the conditions of the Act and the related Library Regulations.
- (b) That this Council notes that State Government funding to NSW Libraries, the lowest per capita rate of all states and territories, has remained virtually static since the mid 1990's and that the City of Ryde is paying significantly more than what the State Government is contributing.
- (c) That this Council notes that the State Government currently contributes \$1.85 per capita subsidy to City of Ryde libraries, while City of Ryde contributes \$59.09 per capita based on the most recent data published by the State Government in the *Public Library Statistics 2015-16, Public Library Services in New South Wales*.
- (d) That this Council notes that due to the housing targets recently imposed on the City of Ryde LGA by the State Government, the floor space and equipment requirements in our libraries will need to expand to meet standard library planning recommendations.
- (e) That the Mayor write to the NSW Premier, The Hon. Gladys Berejiklian, NSW Minister for Local Government, The Hon. Gabriel Upton and NSW Minister for the Arts, The Hon. Don Harwin, calling on the New South Wales Government to:
 - (i) Honour their pre-election promise to increase funding commitments to NSW public libraries.
 - (ii) Match the NSW opposition policy to double the per capita rate from \$1.85 to \$3.70 and link the subsidy to changes in the consumer price index.
 - (iii) Match the opposition's pledge to create a public library infrastructure fund of \$25 million in the next term for all NSW public libraries and help the City of Ryde upgrade their facilities or purchase new equipment, expand their collection, purchase new technology and increase floor space.

- (f) That Council increase funding for the City of Ryde Library Services in the next financial year by an amount of \$3 per capita per annum, to be funded from General Revenue.

On being put to the Meeting, the voting on the Amendment was three (3) for and eight (8) against. The Amendment was **LOST**.

Record of the Voting

For the Amendment: Councillors Brown, Lane and Yedelian OAM

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

FURTHER AMENDMENT: (Moved by Councillors Moujalli and Yedelian OAM)

- (a) That Council notes that Local Government is responsible for managing public libraries
- (b) That Council notes that the State Government provides a contribution to the funding of local public libraries
- (c) That Council notes the positive contribution the City of Ryde's 5 libraries provide to the community
- (d) That Council explore options for increasing funding for Ryde's libraries, including through;
- i. The Budget
 - ii. Public Library Infrastructure Grants
 - iii. Any other appropriate source

On being put to the Meeting, the voting on the Amendment was four (4) for and seven (7) against. The Amendment was **LOST**. The Motion was then put and **CARRIED**.

Record of the Voting

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

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

RESOLUTION: (Moved by Councillors Pedersen and Maggio)

- (a) That this Council notes that the State Government provides a contribution to the funding of the local public libraries and that our Council agrees to deliver public library services in accordance with the conditions of the Act and the related Library Regulations.

- (b) That this Council notes that State Government funding to NSW Libraries, the lowest per capita rate of all states and territories, has remained virtually static since the mid 1990's and that the City of Ryde is paying significantly more than what the State Government is contributing.
- (c) That this Council notes that the State Government currently contributes \$1.85 per capita subsidy to City of Ryde libraries, while City of Ryde contributes \$59.09 per capita based on the most recent data published by the State Government in the *Public Library Statistics 2015-16, Public Library Services in New South Wales*.
- (d) That this Council notes that due to the housing targets recently imposed on the City of Ryde LGA by the State Government, the floor space and equipment requirements in our libraries will need to expand to meet standard library planning recommendations.
- (e) That the Mayor write to the NSW Premier, The Hon. Gladys Berejiklian, NSW Minister for Local Government, The Hon. Gabriel Upton, NSW Minister for the Arts, The Hon. Don Harwin and Local MPs, calling on the New South Wales Government to:
 - (i) Honour their pre-election promise to increase funding commitments to NSW public libraries.
 - (ii) Match the NSW opposition policy to double the per capita rate from \$1.85 to \$3.70 and link the subsidy to changes in the consumer price index.
 - (iii) Match the opposition's pledge to create a public library infrastructure fund of \$25 million in the next term for all NSW public libraries and help the City of Ryde upgrade their facilities or purchase new equipment, expand their collection, purchase new technology and increase floor space.
- (f) That Council notes the positive contribution the City of Ryde's 5 libraries provide to the community.
- (g) That Council explore options for increasing funding for Ryde's libraries, including through;
 - i. The Budget
 - ii. Public Library Infrastructure Grants
 - iii. Any other appropriate source

For the Motion: Unanimous

QUESTIONS BY COUNCILLORS AS PER POLICY

1 QUESTIONS WITH NOTICE - Councillor Roy Maggio

RESOLUTION: (Moved by Councillors Yedelian OAM and Kim)

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

Record of Voting:

For the Motion: Unanimous

Question 1:

Please provide the current status of the advertising contract?

Answer 1:

The City of Ryde's Advertising Services are under review following the announcement that the City of Ryde is no longer facing amalgamation. The results of the review will consider the distribution of advertising services across multiple channels for the 2018/2019 financial year.

Question 2:

Please provide how many DA's have been approved by the State Government in the last 10 years and identify the system of approval?

Answer 2:

Since 1 January 2007, 70 Development Applications have been approved by the Sydney North Planning Panel (previously Joint Regional Planning Panel).

Question 3.1:

What is the total approved development value in \$ within Ryde LGA for the last 5 years, at least estimated value?

Answer 3.1:

According to our records system:

Year	Value of Development Approved
2013	\$472,425,466
2014	\$540,312,918
2015	\$1,539,347,673
2016	\$1,571,256,317
2017	\$1,401,389,491
2018 (to date)	\$251,053,280
TOTAL	\$5,775,785,145

Note: Approval does not necessarily translate into construction the same year. It may take 5 years to commence a development (if at all), which when the s7.11 contributions are realised.

Question 3.2:

From that value, what is the % split of developer contribution via Section 94 and Voluntary Planning Agreement, so all money received from developers for the developments what % equates to Section 94 and what to Voluntary Planning Agreements?

As an example, if the total value to part 1 is \$100m and the Council received \$10m in developer contributions, then did the Section 94 contribute to 60% and the Voluntary Planning Agreement was 40% or Section 94 was 30% and Voluntary Planning Agreement was 70% of the value?

Answer 3.2:

Whilst some monetary amounts are paid under VPAs, the majority of public benefits usually provided under VPAs are material, such as dedication of land for roads/open space/community facilities, construction of roads on the dedicated lands; construction and fitout of community facilities; embellishment of recreation/open space areas; and transfer in title to Council of affordable housing.

Further, the entering into of a VPA doesn't instantly translate into an asset as it takes time for material public benefits to arise as development comes to fruition.

In terms of realised income, in recent years Council has been averaging around \$20M in annual income from s7.11 monetary contributions. It must be noted though this is on the back of record development approvals for residential apartments commencing construction in the LGA, which is not dissimilar to neighbouring LGAs and greater Sydney in general. Further, S7.11 contributions are paid on development as small as granny flats right through to large scale mixed use and residential buildings.

Where VPAs contain affordable housing in accordance the Affordable Housing Policy, amongst other material public benefits to be provided with those VPAs, the increase in value over and above s7.11 contributions can be between 70% to 100% for any one development, noting these are major developments usually comprising high-rise apartments and do not include smaller scale developments such as dual occupancies. Therefore the % split per major mixed use development is essentially 60/40 to 50/50 as s7.11 is to VPA, i.e. if s7.11 monetary contribution totals \$10M, the VPA provides additional value between \$7M and \$10M. Examples are:

- VPA for 101 Waterloo Road, Macquarie Park – Executed
- VPA for Lachlan’s Line (North Ryde M2 Site) – Executed
- VPA for 112 Talavera Road, Macquarie Park – In Draft to be exhibited
- VPA for Eastwood Shopping Centre with YUHU – In Draft to be exhibited
- VPA for 45-61 Waterloo Road, Macquarie Park with John Holland and NSW Property – for Council consideration 24 April 2018

Question 3.3:

The reason we want to know this is to see the level of split and if the split is heavy in either Section 94 or Voluntary Planning Agreement – then the question is why?

Answer 3.3:

For major developments there is essentially an equal split where, affordable housing is involved (in most cases), due to land value prices, i.e. what would it cost Council in an open market to acquire the apartments? Before affordable housing, a VPA with a 20% increase in value of public benefit over and above s7.11 contributions was believed to be a good outcome. The landscape has now changed due to escalating land prices and affordable housing expectations within the City of Ryde.

Further, IPART recommends planning authorities should value capture around 50% of the uplift in residual land values from planning proposals resulting in significant development uplift, i.e. change in zoning from commercial/industrial uses to say mixed use/residential alongside significant FSR and height increases. Such value capture is recommended to help fund the significant demand for infrastructure arising from these types of development. Such infrastructure is not limited to Council as the provider, but also the State government for the provision of more schools, hospitals, major roads, bus facilities, trains etc.

Nevertheless, each case can be very different due to the variety of development types and planning controls across the City of Ryde LGA. Different material public benefits are required in different circumstances to help mitigate against the impact of development. In one case, development may require road and public domain upgrades and affordable housing, whereas another may require provision towards open space, roads, affordable housing, stormwater etc. The flexibility inherent with VPAs enables Council to champion tailored outcomes for the particular circumstances of the case. Whereas s.7.11 contributions are arbitrarily imposed via conditions of consent and requires Council to deliver the additional infrastructure and services.

Question 3.4:

What is the priority just to use the Section 94 money and how much is actually in the Section 94 account?

Answer 3.4:

Summary of s7.11 (formerly s94) Funds

Opening S94 Balance as at 1 July 2017	\$65,113,394
ADD: Cash receipts as at 31 March 2018	\$22,036,743
LESS: 2017/18 s7.11 Actual Expenditure as at 31 March 2018	\$9,577,810
EQUALS: Closing S94 Balance as at 31 March 2018	\$77,572,328

Projected future income and current commitments

	2018/19	2019/20	2020/21	2021/22
Projected cash receipts in From s7.11 Contributions (including interest received)	\$21,553,380	\$17,204,064	\$14,349,399	\$12,467,173
S7.11 commitments (including Administration Costs, Capital and Non-Capital projects)	\$13,259,020	\$14,314,826	\$11,300,843	\$11,536,999
Difference	\$8,294,360	\$2,889,238	\$3,048,556	\$930,174

Question 3.5:

Please provide a list of community benefits provided by Section 96 and Voluntary Planning Agreements in the last 5 years?

Answer 3.5:
Expenditure of s7.11 and VPA funds for last 5 years on projects

Project	2012/13 Full Year Actuals	2013/14 Full Year Actuals	2014/15 Full Year Actuals	2015/16 Full Year Actuals	2016/17 Full Year Actuals	Approved Budget
Grand Total	2,592,364	2,118,705	3,303,749	11,539,027	16,610,056	20,273,568
8702 Tsfr from Voluntary Planning Agreement Reserve	216,973	138,049	0	437,414	111,370	2,419,630
30688. Affordable Housing Calculator Policy		0	0	0	0	15,000
30689. Affordable Housing-Inclusionary Zoning Testing and Analysis		0	0	0	25,000	0
30718. Night Time Economy Implementation (Stage 1)		0	0	0	0	400,000
30724. Macquarie Library and Creativity Hub Design		0	0	0	0	50,000
30728. Lachlan's Line - Community Facility		0	0	0	32,236	17,764
41446. Adventure Park Upgrade		0	0	190,586	0	0
41773. Gladesville Clock tower Monument Conservation		0	0	2,856	54,134	100,866
41777. Flood Mitigation/Constitution Road Upgrade		0	0	118,560	0	0
41790. Meadowbank Flood Mitigation/Constitution Road Investigation		0	0	125,412	0	0
41889. Update Open Space Plans of Management and Site Masterplans		0	0	0	0	200,000
41893. West Ryde Plaza		0	0	0	0	1,030,000
42412. Shepherds Bay Outlet		0	0	0	0	100,000
42682. Ryde Bowling Club Maintenance and Public Rec Works		0	0	0	0	506,000
50007. Neighbourhood Centre Renewal	216,973	138,049	0	0	0	0
8751 Tsfr from Community & Cultural Facilities Reserves	25,025	29,130	0	2,930,486	2,068,284	1,511,349
30373. Libraries for Ryde	25,025	29,130	0	0	0	0
30695. Development of Olympic Park Strategic Plan and Master Plan		0	0	0	3084.51	396915

41887. RALC Multi-Purpose Centre - Solar		0	0	0	29,221	670,779
41899. Online Interactive Newspaper Reading Desks		0	0	0	0	90,000
50007. Neighbourhood Centre Renewal		0	0	0	169,275	0
50023. Town Centre Upgrade Renewal		0	0	2,930,486	1,771,376	253,655
50026. Community Buildings Renewals - Libraries		0	0	0	95,327	100,000
8752 Tsfr from Open Space & Recreation Facilities Reserve						
	828,441	95,156	824,662	2,927,391	9,949,252	8,559,669
22014. Ryde Parramatta River Walk (POT p.43/57)	351,584	59,291	0	0	0	0
30583. Plan for sustainable management of sport		0	19,708	9,805	0	0
40026. Street Tree Planting Program		0	68,870	79,407	71,553	88,447
40027. Park & Open Space Tree Planting Program		0	25,789	7,945	27,659	73,341
40029. Delineation of Natural Area		0	9,190	0	0	0
40090. Charity Creek Cascades	216,391	0	0	0	0	0
40832. Rowe Street Acquisition		0	0	0	3,088,370	0
40941. ELS Hall Park #1 - Synthetic Surface		0	238,559	122,536	0	0
40970. Shrimptons Creek - termite infestation		0	24,846	93,602	0	0
41772. PAMP Implementation Works - Central, East and West Wards		0	0	87,204	205,409	269,591
41775. Ryde Town Centre Monuments		0	0	0	6,900	23,100
41776. Shrimptons Creek Corridor Embellishment		0	0	0	0	110,500
41777. Flood Mitigation/Constitution Road Upgrade		0	0	0	306,481	1,000,000
41783. Eastwood Transport Management and Access Plan 2008		0	0	156,883	4,496	150,000
41888. Putney Park Bushland Delineation		0	0	0	54,532	0
41889. Update Open Space Plans of Management and Site Masterplans		0	0	0	98,788	0
41890. Terrys Creek Walking Trail		0	0	0	23,623	351,377
41893. West Ryde Plaza		0	0	0	165,585	971,415
41896. Construction of Skate Facilities within City of Ryde		0	0	0	52,999	547,001
42347. Purchase of Cottage at 255 Quarry Road Ryde		0	0	1,710,451	0	0

50011. Sportsfield Floodlighting Renewal		0	15,130	15,370	297,631	22,369
50012. Sportsfield Renewal & Upgrade		35,865	44,116	535,019	1,060,000	230,000
50015. Sportsground Amenities Renewal & Upgrade		0	0	0	218,052	530,000
50016. Playground Renewal & Upgrade	120,000	0	0	0	0	367,000
50023. Town Centre Upgrade Renewal		0	369,530	0	91,500	959,398
51011. Sportsfield Floodlighting Expansion		0	0	0	39,900	130,000
51015. Sportsground Amenities Upgrades Expansion	140,466	0	8,923	109,169	0	0
51028. Passive Parks Expansion and Improvement		0	0	0	0	183,000
51029. Synthetic Playing Surfaces Expansion		0	0	0	4,135,775	2,553,130
8753 Tsfr from Roads & Traffic Management Facilities Reserve	712,762	551,193	1,711,612	3,658,107	2,564,435	4,280,077
30517. Meadowbank/Gladesville Traffic Study	106,385	0	3,760	22,560	0	0
30671. Centres Activation Program (Town and Neighbourhood Centres)		0	0	0	0	5,800
30732. Eastwood Traffic & Parking Study		0	0	0	0	160,000
40001. Bus Shelters - new		0	41,242	38,544	60,065	60,000
40002. Bus Stop DDA compliance		0	95,078	89,166	94,174	95,500
40003. Bus Stop Seats - new		0	26,667	33,036	33,112	35,800
40004. Traffic Calming Devices	53,792	106,583	173,614	367,747	829,293	435,000
40165. Pittwater Road (High Street - No. 214 Stage 2)	127,710	0	0	0	0	0
40792. Footpath construction Plassey Rd		0	73,945	326,055	0	0
40795. Footpath construction Julius Ave		0	169,626	0	0	0
40974. Traffic Facilities Khartoum and Waterloo		0	65,255	273,330	(5,475)	0
41027. Refurbishment Banjo Paterson Park Wharf		0	197,693	0	0	0
41454. Multi-Function Poles (MFP) Street lighting		0	0	33,920	26,011	0
41774. Shared Path Signage		0	0	16,066	0	0
41838. Roundabout at Monash/Bufalo Road		0	0	0	66,775	333,225
41900. ITS Implementation		0	0	0	25,000	37,500
41901. Road Safety		0	0	0	0	50,000

Upgrades and Improvement						
42671. Pedestrian Infrastructure Safety Around Schools Program		0	0	0	0	190,000
50001. Cycleways Construction Renewal		69,000	0	0	0	0
50004. Road Kerb Renewal	424,875	375,610	297,000	264,000	297,000	306,000
50007. Neighbourhood Centre Renewal		0	0	0	0	114,200
50009. Seawalls/Retaining Walls Refurbishment Renewal		0	121,214	879,995	0	218,791
51001. Cycleways Construction Expansion		0	170,956	206,000	261,574	1,174,261
51003. Footpath Construction Expansion		0	275,561	1,107,690	876,906	1,064,000
8754 Tsfr from Stormwater Management Facilities Reserve	683,830	1,023,158	492,827	1,311,222	1,717,665	3,358,593
30390. Stormwater Levy Project	2,030	98,180	0	0	0	0
40151. Buffalo and Kitty's Creek Study		16,574	20,350	0	0	0
40152. Parramatta River – Ryde Catchment Study	58,646	5,505	20,105	0	0	0
40570. Shrimptons Ck - Bioretention Basin		0	50,214	0	0	0
42413. Ann Thorn Park Catchment Works		0	0	0	0	600,000
50008. Stormwater Asset Replacement Renewal		0	11,000	0	0	0
50009. Seawalls/Retaining Walls Refurbishment Renewal		0	0	0	290,887	1,591,593
50022. Stormwater Improvement Works Renewal	623,154	902,899	391,158	1,311,222	1,426,778	1,167,000
8755 Tsfr from Section 94 Plan Administration Reserve	125,333	282,018	274,649	274,406	199,050	144,250
11002 (s94) Development Contributions Plan	20,055	0	0	0	0	0
11521. Developer Contributions OPEX		0	153,562	158,758	176,550	144,250
30059. Section 94 Contribution Plan	98,834	127,968	21,087	7,126	0	0
30158. Electronic Development Assessment Project		0	100,000	0	0	0
30307. Section 94 Contributions Officer	6,444	154,051	0	0	0	0
30654. Integrated Transport Strategic Plan		0	0	108,523	0	0
30687. Section94 Contribution Plan		0	0	0	22,500	0

NOTICE OF MOTION

12 LOW RISE MEDIUM DENSITY CODE - Councillor Jordan Lane

Note: An email from the Acting Deputy General Manager / Director - Corporate and Organisational Support Services, dated 24 April 2018 was tabled in relation to this Item and a copy is ON FILE.

Note: In accordance with the advice from the Acting Deputy General Manager / Director - Corporate and Organisational Support Services dated 24 April 2018, The Mayor, Councillor Laxale ruled that this Notice of Motion was Out of Order and therefore Council did not consider this Notice of Motion.

MOTION OF DISSENT

Councillor Moujalli moved a Motion of Dissent against the Mayor, Councillor Laxale's ruling that consideration of Notice of Motion 12 – Low Rise Medium Density Code was Out of Order.

Note: Councillor Clifton left the meeting at 9.45pm and did not return. She was not present for voting or consideration on this Item.

MOTION: (Moved by Councillors Moujalli and Lane)

That a Motion of Dissent be made against the Mayor, Councillor Laxale's ruling that consideration of Notice of Motion 12 – Low Rise Medium Density Code was Out of Order.

On being put to the Meeting, the voting on the Motion was four (4) for and six (6) against. The Motion was **LOST**.

Record of the Voting

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

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

The meeting closed at 9.54pm on Tuesday, 1 May 2018.

CONFIRMED THIS 22ND DAY OF MAY 2018

Chairperson